

AFRICAN COLONIZATION—SLAVE TRADE—COMMERCE.

R E P O R T

OF

MR. KENNEDY, OF MARYLAND,

FROM

THE COMMITTEE ON COMMERCE OF THE HOUSE OF REPRESENTATIVES
OF THE UNITED STATES,

ON

THE MEMORIAL OF THE FRIENDS OF

AFRICAN COLONIZATION,

ASSEMBLED IN CONVENTION IN THE CITY OF WASHINGTON, MAY, 1842.

TO WHICH IS APPENDED,

A COLLECTION OF THE MOST INTERESTING PAPERS ON THE SUBJECT OF
AFRICAN COLONIZATION,

AND THE COMMERCE, ETC., OF WESTERN AFRICA,

TOGETHER WITH ALL THE

DIPLOMATIC CORRESPONDENCE

BETWEEN THE UNITED STATES AND GREAT BRITAIN,

ON THE SUBJECT OF

THE AFRICAN SLAVE TRADE.

—◆—
FEBRUARY 28, 1843.

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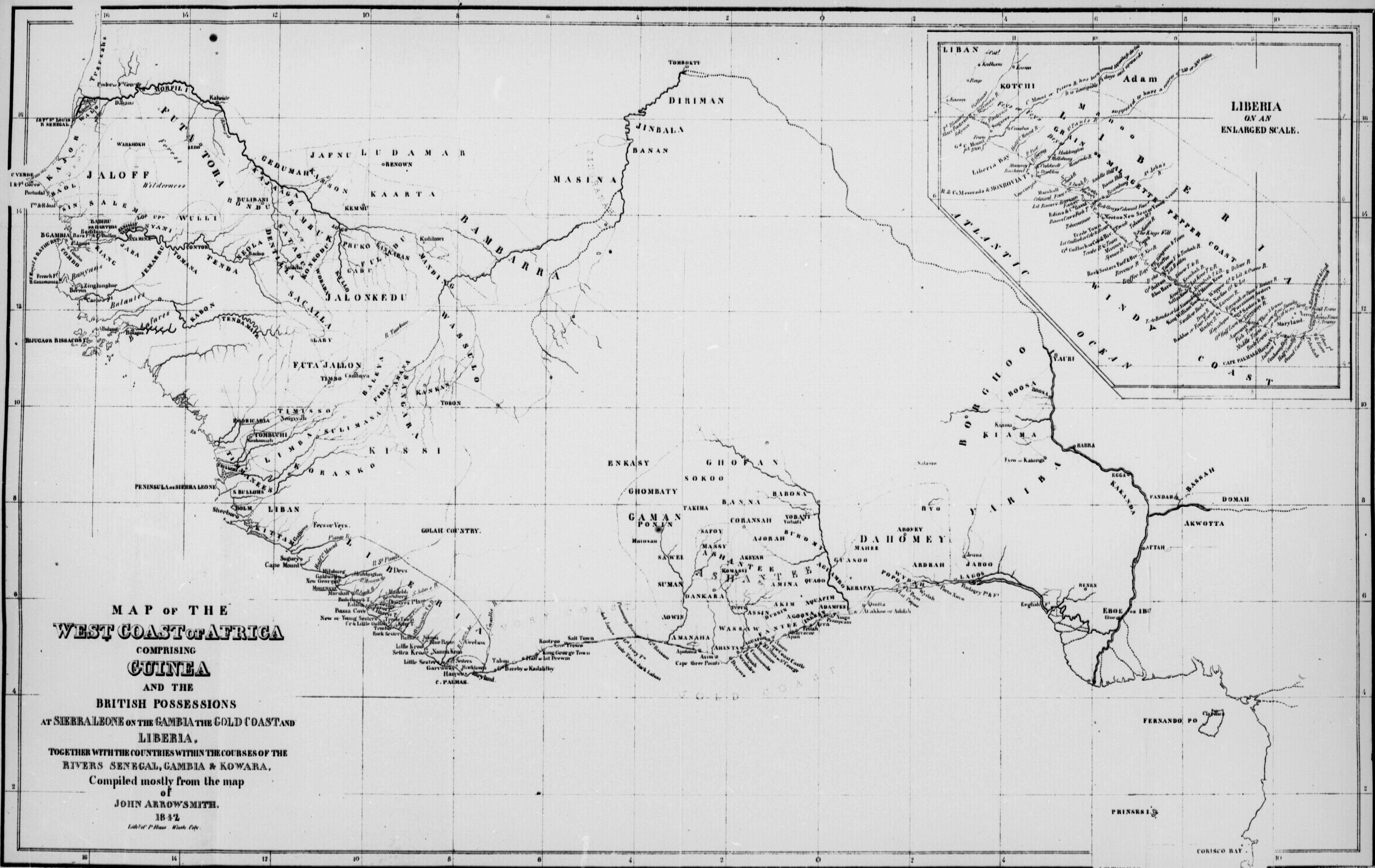
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**MAP OF THE
WEST COAST OF AFRICA
COMPRISING
GUINEA
AND THE
BRITISH POSSESSIONS**

AT SIERRA LEONE ON THE GAMBIA THE GOLD COAST AND
LIBERIA,
TOGETHER WITH THE COUNTRIES WITHIN THE COURSES OF THE
RIVERS SENEGAL, GAMBIA & KOWARA.

Compiled mostly from the map
of
JOHN ARROWSMITH.
1842
Lith'g of P. Hans. Wash. City.



[To accompany joint resolution H. R. No. 44.]

FEBRUARY 28, 1843.

Mr. J. P. KENNEDY, from the Committee on Commerce, submitted the following

REPORT:

The Committee on Commerce, to whom was referred the memorial of the friends of African colonization, assembled in convention in the city of Washington in May last, beg leave to submit the following report:

The necessity of making some provision for the colonization and settlement of the free colored population of this country began, at an early period, to attract the attention of the public. During the administration of Mr. Jefferson, the State of Virginia made an application to the General Government for aid in this purpose. That State desired to originate some measure which should provide an asylum for this population, either on the coast of Africa or in some other appropriate region beyond the limits of the Union. Resolutions were more than once adopted by its Legislature, expressive of the interest which the State felt in the subject, and of the importance attached to it; and at length the Governor was directed, in 1816, when Dr. Finley was employed at Washington in his memorable enterprise of establishing the American Colonization Society, to correspond with the President for the promotion of that design. The assistance of the Senators and Representatives of the State was invoked to the same end.

The society was founded in December, 1816. It comprised many eminent individuals from the several States; was characterized by its freedom from sectional distinctions; enlisted the aid of men from every quarter of the Union; and was generally received and applauded as a beneficent and highly national undertaking.

Its design, as set forth in an article of its constitution, was to act "in co-operation with the General Government and such of the States as might adopt regulations on the subject;" Virginia, Maryland, Tennessee, and Georgia, were the first to respond to the invitation invoking their assistance. They passed resolutions recommending the subject to the country, and generally announced their accordance in the opinion, expressed by Mr. Jefferson, that it was desirable the United States should undertake the colonization of the free people of color on the coast of Africa.

The society, very soon after its organization, laid its plans before Congress, and solicited the countenance and support of that body. The best disposition was manifested towards it, and it may be set down to its praise,

that one of the earliest and most valuable results of its labors was the adoption by Congress of more energetic measures for the suppression of the slave trade. That trade was denounced as piracy, and subjected to the penalties of such an offence. Foreign States were invited to co-operate in the effort to destroy this trade, by treating it in the same manner; and upon this foundation has eventually grown up that active, and, it is to be hoped, effective hostility to the traffic, which shall succeed in its ultimate abolition. In regulating this subject, at that time, Congress passed an act by which the right of any State to dispose of captured Africans brought within the territory of the United States, in contravention of its laws, was revoked, and the President was clothed with authority to restore these unfortunate beings to their native country.

Mr. Monroe, believing that the benevolent views of Congress in reference to recaptured Africans demanded that due provision should be made for their shelter, sustenance, and defence, temporarily, at least, after their arrival in Africa, and that this could only be secured through the services of an agent empowered to superintend the subject by actual personal examination and assistance, interpreted this act to confer the powers which he deemed essential to its effectual application. This opinion he communicated to Congress by special message, and expressed his determination to proceed in the accomplishment of the objects of the law, by co-operating with the Colonization Society in the selection of a station for the temporary or permanent residence of such Africans as might be brought within the description of the case provided for.

Proceeding still further in the same design, when the society had obtained possession by purchase of the tract of country since designated by the name of Liberia, Mr. Monroe directed that the recaptured negroes should be placed upon its soil, under the care of an agent of the Government, with such supplies and assistance as might enable them, should they desire it, ultimately to attain the advantages which it was the purpose of the society to secure to those who might, under their auspices, voluntarily engage in the establishment of their colony.

Thus the colony of Liberia rose into existence, both as a home for recaptured Africans, restored by the humanity of our Government to their own country, and as a well-organized community of free colored men, prepared and disposed to extend their useful arts, civilized laws, and Christianity, both along the coast and into the interior of Africa.

About half the States of the Union have expressed their decided approbation of the scheme of African colonization, and the citizens and Legislature of Maryland have proceeded to plant a flourishing colony at Cape Palmas. Through the efforts and under the influence of the American Colonization Society, nearly twenty eligible tracts of country have been purchased between Cape Mount and Cape Palmas, and on many of them promising settlements established. The enterprise is demonstrated to be practicable, and capable of indefinite extension. Though the colonies embrace but a few thousand emigrants, their salutary influence is widely felt, and many thousands of the native population have sought their protection, submitted to their laws, and enjoy the advantages of their instruction. Able and disinterested citizens of the United States have, from time to time, devoted themselves to their interests, and, under the authority of the colonization societies, have assisted them to frame their social institutions, their government and laws. They exhibit to the eyes of a barbarous people the model

of a free, temperate, industrious, civilized, and Christian society. They have legislative assemblies, courts of justice, schools, and churches. Though having enjoyed in this country but very imperfect means of improvement, and left it with small means, they have done much for themselves, and much for civilization and Christianity—have enacted laws for the extirpation of the slave trade, and, wherever their rightful authority exists, executed them with vigor; they have successfully engaged in agriculture and in lawful commerce; they have opened the way for many Christian missionaries, of different communions, to the heathen tribes, and afforded them protection and facilities in their work. In fine, Liberia and the Maryland settlement at Cape Palmas present themselves to this country and the world, not only as eligible asylums for our free colored population, and for such as may become free, but as republican and Christian States informed by the elements of indefinite growth and improvement, capable, duly countenanced, and guarded against the interference of unfriendly Powers, of rising to honor and greatness, and of diffusing the influence of its laws and example over wide districts of Africa.

Adverting to the fact that the suppression of the slave trade has been, almost from the origin of this Government, an object of interest to our people, and that it is now still more earnestly sought by the most enlightened nations; that this trade, being nurtured only in the *barbarism* of Africa, may be soon checked and ultimately overthrown by the efforts of the colonies planted by our citizens; that the colonies now established have most obviously stimulated the industry of the natives in their vicinity, have created a commerce which promises every day to become more valuable, and have auspiciously begun the beneficent labor of African civilization; that they furnish shelter and refreshment to our own ships and seamen, and are growing into importance as ports and depots for our naval squadrons; and, above all, that they have been founded by the benevolence of our citizens and public authorities, with the laudable purpose of giving a safe and prosperous home to that portion of our population, who, however disqualified by our laws or our habits from being incorporated, with advantage to themselves, into our political society, are still entitled, as dependants upon our guardianship, to our sympathy and support. Adverting to all these considerations, the committee are of opinion that the colonies of Liberia and Maryland, now existing, and those which may hereafter be established on the African coast, may justly invoke the regard of the Government, and ask from it some measure of protection and support.

In what mode and to what extent these should be afforded, is a question of more doubt and greater difficulty. Many of the earliest and most distinguished friends of African colonization, both in and out of Congress, regarded the efforts of the American Colonization Society as experimental, and preliminary to the action of Government, and soon after its origin avowed the opinion "that Congress ought to be requested to take under its protection the colony already planted, to make provision for its increase by suitable appropriations of money, and by authorizing the President to make further purchases of land from the natives, as it might be wanted; to provide for its security, internal and external, by such regulations for its temporary government as might be deemed advisable, by authorizing the President to employ a suitable naval force, as well for the more effectual suppression of the slave trade as for the purpose of impressing the natives with respect for the establishment; and to make provision for the

purchase, from time to time, of suitable territories on the southwestern coast of Africa, for the establishment of other similar colonies, as fast as they could be formed, with due regard to the national resources and to the public good."

An application to Congress for such aid was urged by the late General Harper, in a report made by him, as chairman of a committee, to the society, in 1824; and although he observed "it might be doubted whether, on a subject so vast in its consequences and connexions, and so new, Congress would act immediately, this did not furnish any sufficient reason for delaying the application. Time must be allowed for viewing the subject in all its bearings—for reflecting on it maturely, and for public opinion to receive and communicate the proper impulse. Nothing," he adds, "the committee apprehend, will tend so effectually to produce and to hasten these desirable results, as full discussions and explanations of the whole subject in Congress."

Whilst the committee duly appreciate those high considerations of patriotism and philanthropy by which the opinions just cited were sustained, and cherish the belief that, at a period not very remote, the enterprise of African colonization is to be prosecuted by this nation with an energy and on a scale far transcending any as yet realized in the actual condition of the colonies now planted, they see grounds for hope, that at a moderate expense, and with that aid and countenance which can be readily granted, without fully assuming all the hazards and responsibilities of a system of colonization, their permanency, growth, and prosperity, may be secured.

It is vitally important that the territory of the colonies should be enlarged, and that their jurisdiction should become clear and incontestable over the whole line of coast between Cape Mount and Cape Palmas, a distance of about three hundred miles; and that, in case of hostilities between this and any European country, their rights as neutrals should be recognised and respected. The increase of legitimate commerce on the western coast of Africa is already strongly tempting the enterprise of English merchants; and serious difficulties have arisen between British traders, claiming rights, independent of the Government of Liberia and Maryland, within their territorial limits. Naval officers of Great Britain have been called on by British subjects to interpose and defend them against the revenue laws of the colonies; and the French, ~~the~~ committee are informed, have sought to obtain a cession of lands within the limits of Liberia, just referred to, and to which the people of that colony have a pre-emptive right.

As neither Great Britain nor any European Government has, to the knowledge of the committee, claimed political jurisdiction from Cape Mount to Cape Palmas; as such claim, if by possibility it exists, has arisen long since the colonies were founded, as those who occupy those settlements have gone thither to establish for themselves, their posterity, and multitudes who may follow them, a republican commonwealth, capable of indefinite enlargement, it is essential that they be not disturbed in the exercise of rights already acquired, or precluded from extending their authority over the entire line of coast (from Cape Mount to Cape Palmas) generally known as Liberia. An appropriation of a few thousand dollars, to enable the colonists to effect negotiations with the native chiefs, by which their title to this region of Africa should be extinguished, and the jurisdiction of their Government over it rendered unquestionable, would, in the

judgment of your committee, whether regarded as a measure auxiliary to the suppression of the slave trade, or to the interests of American commerce, be highly expedient. In all treaties for the purchase of lands, it might be stipulated, that, on the part of the African chiefs, the slave trade should be forever abandoned, and their attention directed to the more gainful pursuits of agricultural industry, and to the exchange of the rich products of their country for those of the manufacturing skill of this and other civilized nations. The people of the colonies, thus encouraged, would cooperate most effectively with our naval squadron in carrying out the humane and philanthropic purpose of the recent treaty for the overthrow of the slave trade, and become factors and agents to increase and extend American commerce in that quarter of the world. It is believed that \$20,000 thus expended would effect more for the furtherance of both these objects than \$100,000 expended in any other way.

The committee have abundant evidence, to which they refer in the documents accompanying this report, to show the increase of lawful commerce on the African coast, and that, for want of adequate protection, and the due attention of our Government to the subject, it has been prosecuted by our own citizens under great disadvantages. To the testimony of Dr. James Hall, a gentleman entitled to full confidence, and who has resided long in Africa, the committee invite the special attention of the House. This testimony is confirmed by the information recently given to the world in the report and accompanying documents of a committee of the English House of Commons, appointed to inquire into the condition of the British settlements and their relations to the native tribes of western Africa.

The annual imports from western Africa into this country probably exceed a million of dollars, and into Great Britain are about four millions. The palm oil trade, now becoming of great value, had hardly an existence twelve years ago, is rapidly increasing, and may be increased to an almost indefinite extent. Hitherto, the slave trade has been at war with all improvement and every kind of innocent commerce. Its cessation will be succeeded by the cultivation of the soil, and the growth of trade in all the varied and valuable productions of the African climate. It is of infinite importance that the natives of Africa should be convinced that agricultural labor and the substitution of lawful trade for the infamous commerce in human beings will be for their advantage; and that, in their intercourse with them, our own merchants should possess every privilege granted to those of England, or any other nation.

The establishment of a commercial agency, (as recommended by Dr. Hall,) to reside in Liberia, and occasionally to visit, in a Government vessel, various points on the coast, to ascertain the best sites for mercantile establishments, to form conventions and treaties of commerce and for the suppression of the slave trade with the principal chiefs, to take charge of the stores and other property sent out for our ships of war, to guard the rights and interests of our seamen, and secure for American vessels a free and unrestrained right of trade at all important stations, the committee would recommend as an object urgently demanded by interest and humanity.

The time has arrived, in the opinion of the committee, when this subject of African colonization has become sufficiently important to attract the attention of the people, in its connexion with the question of the political relations which these colonies are to hold with our Government. Founded partly by the private enterprise of American citizens and partly by the aid

of the Federal and State authorities, recognised as political communities by our laws, and even owing their regulation in some degree to the legislation of a State of this Union, (as in the case of Maryland,) they have attained a position in which, obviously, they must very soon become objects of consideration to the world, both for the commerce which may be under their control, and for the agency they are likely to exercise in the final disenthralment of the continent to which they belong. It may speedily become apparent to the observation of Christendom, that the slave trade may more certainly, effectually, and cheaply be destroyed by the colonial power on shore than by all the squadrons of Europe and America afloat. The growth of such a conviction will inevitably draw an anxious and friendly eye towards the American colonies, from every Power which sincerely pursues the charitable work of relieving Africa from her horrible traffic, and mankind from the reproach of permitting it. The influence of such a sentiment, we may conceive, will greatly advance the interests and magnify the value of the colonies. It would appear to be our duty, before an occasion of conflicting interest may arise, to take such steps towards the recognition of our appropriate relations to these communities as may hereafter secure to them the protection of this Government, and to our citizens the advantages of commercial intercourse with them.

The idea of an American colony is a new one. It is manifestly worthy of the highest consideration. The committee see nothing in our Constitution to forbid it. We have establishments of this nature, though somewhat anomalous in the character of their dependence upon our Government, in the Indian tribes which have been placed beyond the limits of the States, on the purchased territory of the Union. The African settlements would require much less exercise of political jurisdiction, much less territorial supervision, than is presented in the case of these tribes. They would require aid towards the enlargement of territory, occasional visitation and protection by our naval armaments, a guarantee, perhaps, to be secured to them by the influence of our Government, of the right of neutrality in the wars that may arise between European or American States. They would stand in need of the highest commercial privileges in their intercourse with this the mother country; and the reciprocation of such privileges, on the part of the colonies, to our own citizens, would doubtless be an object to be secured on our side. Questions of commercial regulation would frequently arise, demanding the care and supervision of this Government. The profitable trade of our citizens may be deeply involved in the adjustment of such questions. The interest which we may have hereafter in this subject is one which it would be impolitic for us to neglect or abandon.

The committee, without further exposition of a subject which presents topics for large discussion, and which abounds in considerations of the highest magnitude and concern, have thrown out these general views, in the hope that the attention of the country may, at an early moment, be attracted to their examination, through which a plan may be devised for the permanent and prosperous guidance of the colonies. For the purpose of aiding in this examination, and in illustration of the views contained in this report, the committee have appended sundry documents hereto, to which they beg leave to refer.

They submit with this report the following resolutions :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the increasing import-

ance of the colonies on the western coast of Africa, both in regard to the commerce of that coast and their influence in suppressing the slave trade, renders it expedient that an agent should be appointed by the Government, to protect and advance the interests of American trade in that region; that said agent should reside at some convenient point in the said colonies; and that he should be empowered to form treaties or conventions with the native tribes on the coast of Africa, for the advancement of American trade, and for the suppression of the traffic in slaves.

And be it further resolved, That the subject of settling the political relations proper to be adopted and maintained between this Government and the colonies now established, or which may hereafter be established, on the coast of Africa, by the citizens or public authorities of the United States, or of any of the States, be referred to the Secretary of State, with a direction that he report thereon to the next Congress.

MEMORIAL OF THE CONVENTION OF THE FRIENDS OF AFRICAN COLONIZATION, ON THE SUBJECT OF TRADE WITH THE COAST OF AFRICA.

June 25, 1842.—Referred to the Committee on Commerce.

To the honorable the Senate and House of Representatives of the United States:

The convention of the friends of African colonization, assembled at the city of Washington,

RESPECTFULLY REPRESENTS:

That, in the course of its recent proceedings, it became necessary to take into consideration the present condition and prospects of the colonies of the free people of color, from our country, which have been established on the western coast of Africa. Your memorialists, in the investigation of this subject, were necessarily led into many inquiries closely connected with the products and trade of that continent, and particularly the slave trade, its present extent, the various plans for its suppression, and the causes of their failure. Believing that they have acquired, in the course of their investigations, a valuable mass of information, from the most authentic sources, touching all these interesting subjects, they have deemed it their duty to place some of the results of their labors before the American people, and their Representatives now assembled in Congress.

It is generally known that the scheme of forming colonies of the free colored inhabitants of the United States, in Africa or elsewhere, originated with the Legislature of Virginia in the year 1802, when a resolution was passed directing inquiries to be made of the practicability of its accomplishment. A subsequent resolution of the same Legislature was passed in 1816, and a similar one by the Legislature of Maryland, calling for the aid of the General Government. Nothing of a more decisive character appears to have been projected in relation to the subject at that time. It no doubt became a matter of thought and conversation among our benevolent and patriotic countrymen, who could not fail to know, from their own observation and experience, and from the history of the world in all ages, that the existence of two distinct races of men under the same Government was a great and growing evil. They saw that the marked dis-

inction between them could never be obliterated—that their co-existence in the same land, with equal rights and privileges, had never been found practicable. They knew that this evil was not one of choice, but forced upon our country in times of darkness, and when under the dominion of another Government. They felt that the people, who aspired to the honor of holding up to the world the spectacle of a free and equal Government, were bound to make every effort to redress every wrong—to remove, at any cost, any thing that threatened public peace and the perpetuity of their institutions. It is not strange that with such thoughts and feelings they should be brought to hope and to believe in the practicability of such an enterprise. They saw the difficulties were great, but they saw the power to be applied to their removal, also great. The remembrance, too, of what had been done to make their country what it was, gave hope and courage for what remained to be done to make it what it ought to be. They trusted, still more than all, to the Providence that rules the destinies of nations; to whose approval and help, in such an effort, they knew they could not look in vain. To that help they had trusted in greater difficulties and far sorer trials, and had been delivered, and could not doubt now that it would be as freely and as fully given, to enable them to ennoble that deliverance by the accomplishment of such a purpose.

A hope and belief thus awakened animated Robert Finley, of New Jersey; and he came to Washington, in the winter of 1816-'17, on no other errand than to propose this scheme, and impart his own feelings of confidence in its success to his countrymen. It was the closing act of a useful and honored life as a minister of the gospel, and became him as a man, a patriot, and a Christian. The hopes of his own heart were gradually kindled in those of others; and in the course of a few weeks he had secured the approbation and co-operation of most of the distinguished statesmen then in Congress, and other citizens from each section of the Union. The subject was well considered and matured, a meeting called, and the American Colonization Society thus organized. Its whole object and purpose was declared to be the colonization of the free people of color of the several States, with their own consent, on the coast of Africa.

The first measure adopted by the society was to send agents to that coast, to ascertain the nature of the country and its products, the character and condition of the natives, and the practicability of procuring a suitable territory, and establishing a settlement among them.

When satisfied upon these subjects by the information thus acquired, further measures were adopted, which led to the acquisition of the desired territory, the transportation of the first free colored colonists, and their establishment in the land of their ancestors.

The history of their progress and success has been given in the annual reports and publications of the society, exciting so great and general an interest among our countrymen, that auxiliary societies were formed in aid of the object in almost all the States, most of whose Legislatures, also, have at various times passed resolutions of approbation and encouragement. Some of the most important of these publications, bearing upon the subjects which seem now to deserve your consideration, and the resolutions of Virginia and Maryland, before referred to, with some of the proceedings of the State Legislatures and of Congress, your memorialists beg leave to present with this memorial. They also exhibit more recent and most interesting documents, showing the present condition of the colonies thus

established, and of those parts of the African coast where a commerce has been opened of the most inviting character, developing vast and hitherto unexplored resources of that great continent, presenting the prospect of new and most extensive markets for our products and manufactures, and offering in exchange the rich productions of Africa. They present, also, with these papers, recent and authentic statements showing the present unexampled extent and barbarity of the slave trade, and the utter failure of all the plans and operations by which its suppression has been attempted.

Among the various sources of information upon these interesting subjects, to which the convention has had access, your memorialists beg leave particularly to refer to the statements of Dr. Hall, of Maryland. This gentleman conducted the enterprise which resulted in the establishment of the flourishing colony at Cape Palmas, under the auspices of the Legislature and people of Maryland, in 1831. For several years past he has been personally engaged in commercial pursuits on the coast, and, from his opportunities of information, high character, and intelligence, the utmost reliance may be placed on his representations. He attended the meetings of the convention, and his answers to the inquiries of the members were deemed so important that they were afterwards obtained in writing, and are now herewith submitted.

Your memorialists have thus been enabled to collect from various sources, and lay before Congress, information upon subjects of great national importance, in relation to which, both our people and the Executive and Legislative departments of our Government have, on all occasions, manifested a deep interest. These are—

1. The African slave trade ;
2. The lawful commerce now opening with the African continent ; and
3. The colonies of colored emigrants from our country, situated on that coast, and their intimate and important connexion with the trade of Africa, and a large and interesting portion of the population of many of our States.

It has been justly our boast, that the Legislature of our country was the first to denounce the trade in human beings that has so long desolated Africa and disgraced the world.

Other nations have united in this condemnation ; and now, and for many years past, it has been marked by the indignant reprobation of every civilized people. But the censure of the world, the solemn treaties and declarations of nations, the severest enactments for its punishment, and most earnest efforts for their enforcement, have been all in vain. Your memorialists now lay before you decisive and recent proofs that the slave trade has not only continued, but increased—increased, both in extent and atrocity. Prosecuted as an illegal and prohibited traffic, it is now conducted by miscreants destitute of every human feeling, stimulated by its inordinate profits, in small fast-sailing vessels, where these crowded wretched victims are sacrificed with a wantonness and barbarity hitherto unknown, and which would have shocked even the hardened pursuers of this trade at an earlier period.

You will observe, among the papers presented, a calculation, made from recent and creditable information, showing that the number of the slaves that reach their destination, outliving all the horrors of their seizure, the march to the coast, their detention there, and the fearful and fatal passage in the hold of the slave ship, constitute but a small proportion of the whole

number subjected to these accumulated and inhuman outrages. This appalling calculation shows that the whole number of victims thus sacrificed amounts annually to *half a million!*—that, instead of diminishing, it is increasing, and in a new form and character of unexampled cruelty.

Such is the present state of that trade, which the Congress of the United States, upwards of twenty years ago, branded with its proper name of piracy; which all the civilized nations of the earth have proclaimed to be against all law, human and divine; which they all profess to have prohibited; which the two greatest maritime nations of the earth have resolved should be abolished, and against which their naval forces have been arrayed. One of these nations, and the one most able to carry this resolution into effect, has most earnestly and zealously, and with vast labor, and expense, and perseverance, attempted its accomplishment. Her cruisers have been stationed on both sides of the ocean, watching the shore, stained with blood, where the merchandise of human misery is freighted, and the shore equally polluted as its point of destination. They have searched through all frauds and disguises for the guilty prosecutors of this trade, with tribunals prepared for their condemnation; and her own statesmen and philanthropists publicly acknowledge the lamentable result of these great means and efforts to be as we have stated. She has made many captures, rescued many captives. Of the offenders thus taken, none, it is believed, have been punished otherwise than by the loss of their plunder. Of the captives, many, it must be acknowledged, have never been delivered from the fate to which they were destined. The profits of the trade are represented to be so enormous as to enable "Offence's gilded hand to shove by justice," and those who should enforce the obligations of laws and treaties are either unwilling or unable to interpose their authority. While it is doubtful whether, even where captures have been made, the good intended has been accomplished, there is no doubt that vast numbers have escaped.

We are thus brought to the sad conclusion, acknowledged by those who have been most engaged in the investigation of this subject, and most competent to form a decision, that nothing has been accomplished by all these means to rescue Africa from outrage and the world from this reproach. Nay, it is still more sad—the evil has been aggravated, and it is seen and acknowledged that no better results can be expected from any further use of these means alone. Sir T. F. Buxton, a gentleman who has been conspicuous for his efforts to procure the abolition of the slave trade, and his researches and publications upon this subject, says, in a work of recent date, that "it is, however, but too evident that, under the mode we have taken for the suppression of the slave trade, it has increased. It has been proved, by documents that cannot be controverted, that for every village fired, and every drove of human beings marched in former times, there are now double. For every cargo then at sea, two cargoes, or twice the number in one cargo, wedged together in a mass of living corruption, are now borne on the waves of the Atlantic. But whilst the numbers who suffer have increased, there is no reason to believe that the sufferings of each have been abated; on the contrary, we know that in some particulars these have increased; so that the sum total of misery swells in both ways. Each individual has more to endure, and the number of individuals is twice what it was. The result, therefore, is, that aggravated suffering reaches multiplied numbers."

"I do not see how we can escape the conviction that such is the result

of our efforts, unless by giving way to a vague and undefined hope, with no evidence to support it, that the facts I have collected, though true at the time, are no longer a true exemplification of the existing state of things. In the most recent documents relating to the slave trade, I find no ground for any such consolatory surmise; on the contrary, I am driven by them to the sorrowful conviction, that the year from September, 1837, to September, 1838, is distinguished beyond all preceding years for the extent of the trade, for the intensity of its miseries, and for the unusual havoc it makes on human life. Once more, then, I must declare my conviction, that the trade will never be suppressed by the system hitherto pursued; you will be defeated by its enormous gains. You may throw impediments in the way of these miscreants, you may augment their peril, you may reduce their profits, but enough, and more than enough, will remain to baffle all your efforts; better to do nothing than to go on, year after year, at a great cost, adding to the disasters and inflaming the wounds of Africa."

This gentleman will be found to be fully confirmed in these fearful conclusions by the documents contained in the parliamentary papers of England, the reports of the commissioners to Lord Palmerston, and his despatches and correspondence.

If, then, it be plain that nothing can be expected from continuing the measures hitherto pursued, but the aggravation of this evil, the only inquiries should be, Are there any other measures that may prove more successful? Is there any remedy?

Your memorialists are sure that our people and our Government have the same interest and feel the same desire they have ever manifested to adopt such a remedy, if there be one. In the language of the committee of Congress, in 1822, "So long as it is in the power of the United States to provide additional restraints upon this odious traffic, they cannot be withheld consistently with the justice and honor of the nation."

They do not wish that any department of our Government should engage, from mere benevolent impulse, in rash adventures of doubtful humanity. They know that, with us, limits have been wisely assigned to those in whom power has been confided, which are not to be transgressed. The slave trade has been already declared to be and treated as an evil within these limits, and most justly; for it wars not only upon defenceless Africa, but upon all the nations of the world, affecting directly the peaceful commerce of all, tempting the cupidity of their citizens to evade their laws and disgrace their institutions, and debasing and brutifying, in a school of the most monstrous iniquity, crews of pirates and plunderers, the enemies of all mankind.

They have, therefore, the consolation of believing that their researches, in relation to a subject within the legitimate powers of Congress, have enabled them to bring such facts and circumstances to its notice as shall show that there is a remedy for this wrong, and a remedy also equally within the sphere of its undoubted powers.

This remedy is to be found in the lawful commerce of Africa.

This commerce is already developing the vast resources of that great continent, inviting all nations, and most emphatically and peculiarly ours, to participate in its advantages. The substitution of this trade for that which now debases and desolates her is the claim which Africa now makes upon the civilized nations of the world. Nor is it addressed merely to their sympathy for the sufferings of an oppressed outcast from the family of

nations, nor to their indignation against her cruel spoilers, nor to the retribution which they owe for past participations in her oppressions. She shows in all her plains and forests that the same benignant Providence that has scattered its gifts over other lands has been bountiful and profuse to her, and she can thus call them to a commerce that shall enrich themselves and civilize and deliver her. So that inducements are presented to all: to the humane, to engage in a work of mercy and justice; and to the selfish, to seek that gain that flows from the peaceful intercourse of nations.

Already is this remedy in operation—already producing its humanizing results upon the shores of Africa. This commerce has begun, and is rapidly increasing. Our citizens, with their characteristic enterprise, have successfully embarked in it; and all that need be asked for it from our Government is the same protection and encouragement that are extended to our commerce with other countries.

The answers of Dr. Hall, and the other papers submitted by your memorialists, will show the disadvantages under which it labors for the want of this protection and encouragement, and the important consequences to be expected when the same aid and facilities are extended to it that are given to other branches of our commerce. With these papers will be found the reports of our naval officers, and particularly one from Commodore Nicholson to the Secretary of the Navy, suggesting the growing importance of this trade, and the necessity of a commercial agency on the coast. Since then the trade, and consequently this necessity, have greatly increased. Other nations are awakened to just perceptions of the importance of this growing trade; and acquisitions of territory and settlements upon the coast of Africa have been made, and are now projecting, with the view of participating in this commerce, by the British Government, and also recently by France. These anticipations of great commercial advantages from the trade with that continent cannot be thought unreasonable, when it is considered that it is estimated to contain a population of one hundred and fifty millions of people, inhabiting a country of extraordinary fertility, abounding in as great a variety of valuable productions as any other portion of the world.

Your memorialists cannot doubt that Congress will see, from the proofs they are prepared to exhibit, the propriety of securing, by proper measures, to our citizens, a just share in these advantages; and that a great and growing trade is now presented to us, of sufficient consequence, on its own account alone, to justify the fostering care of our Government.

But its intimate and close connexion with the subject already mentioned is obvious.

It is by the substitution of lawful commerce with Africa that the slave trade is to be abolished.

This is the only measure that has hitherto been successful. Whenever it has been offered to the oppressed natives of that continent, it has been accepted; and none can doubt, that whenever they can be brought to see that there are all around them rich gifts of Providence, valuable to other nations, they will offer them in the interchanges of peaceful commerce, and gladly renounce the inhuman system of mutual rapine and destruction to which they have been stimulated.

Congress will see, from the documents and publications ready to be presented by your memorialists, that there is now but one opinion upon this subject. Our own officers and citizens who have been familiar with the

coast of Africa, those of England whose situations in her navy and as governors of her settlements have given them the most ample means of observation, all concur in confirming what the American Colonization Society declared after her agents had explored the Western coast, that no measures for the suppression of the slave trade, confined to operations on the ocean, could arrest it; that it must be assailed where it originated—on the land. The coast is now known to be bordered by feeble and scattered tribes, who are the intermediate agents between the powerful kings and chiefs in the interior, who seize and bring down their gangs of slaves, and the slave ships who purchase and transport them. They receive and keep the slaves in large receptacles till the arrival of the slave ships, and make all the arrangements for their confinement, support, and embarkation.

This intermediate agency is essential to the trade; and it is plain that a small active naval force upon the coast can break it up, destroy the factories, and disperse the foreign miscreants who establish and conduct them.

Your memorialists presume that there could be no just objection to such application of force, if necessary, as all civilized nations, having now concurred in denouncing the slave trade, would be willing and desirous it should be so applied.

There can be no difference between force on the ocean to recapture and release the slaves from the slave ships, and its application on shore to rescue them before they are embarked, except that the latter would be the only effectual way to accomplish the object. If, however, such objection should be thought worthy of consideration, there can be no doubt that all nations would unite in negotiations to remove it by common consent.

It will be seen, by the documents thus submitted, that the native Africans themselves are ready to abandon this agency; and that treaties and arrangements can be easily made with them, presenting inducements under the influence of which they are willing to relinquish it. It will appear that this has already been accomplished to a considerable extent; so that, by these means, there are now several hundred miles of coast delivered from the horrors of the slave trade, and where a lawful trade has been substituted.

The effects produced by this abandonment of savage life, and the adoption of a system which gives them peace and security, and encourages industry and improvement, must attract the attention of the neighboring tribes, and produce a salutary influence upon them.

Our Government has already the honor of having been the first to propose to other nations some system of united action against a trade which is a common offence and a common reproach to the world. In 1820, it denounced it as piracy by our laws. In 1822, the House of Representatives passed a resolution authorizing the President to open a negotiation with the other maritime nations, for the purpose of making it piracy by the law of nations. In 1823, in the correspondence between Mr. Adams and Mr. Canning, on the right of search, then, as now, asked by the British Government, it was proposed by the former, as a substitute for the right of search, to carry out the purpose of this resolution, and make it piracy. The same proposition was made, through our ministers, to other nations.

This substitute was urged by Mr. Adams, as a stronger and better remedy than that proposed by the British Government—as one that would “more effectually accomplish the great object of suppressing the trade than any other measure we could adopt.”

Your memorialists are entirely confident that the honor and interests of our country will be maintained in the negotiation now again pending between these two Governments upon the same interesting subject. They are also equally confident of the sincerity of the British Government in endeavoring to adopt such measures as shall result in the complete extinction of the slave trade.

But, in the course of their inquiries, they have been brought, by the documents and publications before referred to, to the conclusion, that whether any agreement in relation to the right of search or examination can be made or not, some other measure, far more decisive and efficient, must be adopted by the two Governments, either in connexion with it, or as a substitute for it, or nothing important will be accomplished.

The substitute proposed by Mr. Adams, in 1823, however desirable in itself, and however acceptable it might be, if considered practicable by the British Government, would require time, and perhaps have to encounter long and difficult negotiations with other maritime Powers.

But a measure appears to your memorialists to present itself, in the papers before referred to, in itself sufficient and indispensable, as they believe, to effect the desired object. That measure they have already suggested. Let them unite in giving to Africa a free and lawful commerce. Let them visit her coast in concert; open all the avenues and facilities to a peaceful and profitable intercourse; remove all obstructions, and present to her people a commerce that shall enrich and civilize her, in the place of that which now desolates and debases her.

Thus shall they execute the great and humane purpose to which they have pledged themselves, redress the wrongs of Africa, free the world from its shame, and open to their own people new sources of prosperity and new fields of enterprise in the boundless resources of that great continent.

As African colonization will be the most efficient ally, as it has already been, in accomplishing these great results, directly and powerfully aiding in the introduction of lawful commerce, and in the suppression of the slave trade, your memorialists hope they may be excused for calling the attention of Congress to the protection they have been directed to ask in behalf of the infant and interesting settlements upon the coast.

If as friendly ports, upon a distant and barbarous coast, where American trade to a considerable amount now exists, and is rapidly increasing in extent and importance, they afford the aids and facilities necessary to commerce, they are entitled, for the sake of commerce, to adequate protection:

If, as ports of the same description, they afford refreshment and succor to our public vessels cruising in those seas, and if, by their influence and the advantages they afford to the natives, they promote the abolition of the slave trade, then are they also, for the sake of the abolition of the slave trade, entitled to adequate protection. That they are most important instruments in effecting both these great purposes is abundantly shown in all their past history, and will appear in the papers submitted.

It may be superfluous, with these claims to protection, to say any thing of their own merits.

In fact, so closely connected is African colonization with African commerce and the suppression of the African slave trade, that any measures calculated to effect either of these objects necessarily promote the others. If, therefore, the proper and usual measures, such as are every where applied to the wants of commerce, are adopted for the protection of our citizens engaging in such pursuits on the African coast, and if the measures

necessary for the final termination of the slave trade are now put into vigorous execution, the incidental protection they will afford to the colonies, such as the presence of a small portion of our naval force, and the establishment of commercial agencies and other necessary arrangements for the safety and convenience of our merchant vessels, will be all they will require.

It should not, however, be forgotten that they have claims of their own to the patronage and countenance of the General Government.

They originated in the humane policy of our laws. The act of 1819 required the President to discharge duties which made it necessary for him to send agents to reside on the coast of Africa, to receive and protect the native Africans delivered from our slave ships, or illegally brought into our country. With these agents were also sent the necessary means to enable them to fulfil these duties. Among the colonists now in Liberia are these liberated Africans, and those on whom they have continually depended for protection. They are now civilized and useful citizens of a free and prosperous settlement.

The President of the United States, in a special message to Congress, at the succeeding session, communicated the regulations and arrangements thus made for the execution of the act of 1819, and from that time to the present an agent hath resided on the coast, and the instructions to our naval officers visiting the coast, and their despatches to our Government, show that the protection of these settlements has been always an acknowledged national duty.

It should also be remembered that they have merits of their own, independent of the great services they are rendering in the aid and facilities they present to our vessels and citizens trading on the coast, and to the efforts of our Government in suppressing the slave trade.

They afford to the States of the Union the means of removing their free colored population. This has been long and ardently desired by many of them, from motives of humanity to this class of their people, as well as of advantage to themselves. Applications have been made to Congress for aid, in various ways, to the accomplishment of this object, by several of the States. And your memorialists respectfully suggest that one measure, particularly requested by the States of Virginia and Maryland, seems now to require consideration. Both these States have asked for the settlements of our colored people on the coast of Africa now established, and such as may be hereafter established, that our Government should enter into such negotiations and arrangements with other nations as may secure the safety and neutrality of the colonies to be thus planted.

Mr. Jefferson's letters on that subject, at an early period, show that he approved of this suggestion, and gave it his support; and directed some measures to be taken, by some of our ministers at foreign Courts, preparatory to its execution. They have hitherto, from their very interesting character and situation, attracted the sympathy and respect of all nations, so that it has not been thought necessary to resort to such arrangements in their behalf. But the commerce of Africa, now opening to the world, is likely to present new and most important changes in the situation of that coast, where trade and the acquisition of territory for commercial settlements are now in considerable progress; so that it may be highly desirable to resort now, or at such convenient occasions as may present themselves in our negotiations with other Governments, to the proper and necessary mu-

tual arrangements to secure the safety of all such settlements, and place both the trade between them and Africa, and our citizens on the coast, on just grounds of equal advantage.

Your memorialists conclude by expressing their hope that the views they have thus presented, and the proofs by which they are sustained, will enable the wisdom of our National Legislature to apply the means they may think proper to accomplish objects greatly interesting, in many ways, to the prosperity and honor of our Government, and to the cause of human improvement and happiness throughout the world.

F. S. KEY,
E. WHITTLESEY,
R. R. GURLEY,
H. LINDSLY,
H. L. ELLSWORTH,

Committee of Colonization Convention.

A P P E N D I X

T O

THE FOREGOING REPORT AND MEMORIAL.

Proceedings of the convention of the friends of African colonization, held in the Capitol, Washington city, May 4, 1842.

This convention assembled at half past 7 o'clock in the evening of the 4th of May, in the Hall of the House of Representatives, the use of which had been granted by the House for the occasion. The Hon. Joseph R. Underwood, of Kentucky, was unanimously chosen to preside, and Matthew St. Clair Clarke, Esq., appointed secretary.

The Rev. William Hawley invoked the divine blessing upon the proceedings. Mr. Gurley, the Secretary of the American Colonization Society, rose and in effect said:

MR. PRESIDENT: At the request of the executive committee of the American Colonization Society, I venture to submit to this convention a few remarks touching the objects which may be deemed worthy of the consideration of this convention. I regret that this duty has not devolved upon some one abler to do justice to the cause we have assembled to promote. But apologies on this occasion are perhaps worse than impertinent, and I shall at once say that we are called upon to give our best thoughts and energies to advance a scheme of vast magnitude and deepest interest to our free colored population, to such as may become free, to our national Union, and to Africa; which embraces in its promised beneficence two races of men and two continents. Sir, the fathers of the society never imagined that this scheme could be carried into complete effect: I doubt even whether they anticipated the results which have been already attained, without the countenance and co-operation of the General Government and the State Governments. The American Colonization Society, at its origin, presented a memorial to Congress, in which they say: "*Your memorialists are delegated by a numerous and highly respectable association of their fellow-citizens, recently organized at the seat of Government, to solicit Congress to aid with the power, the patronage, and the resources of the country, the great and beneficial object of their institution—an object deemed worthy of the earnest attention, and of the strenuous and persevering exertions, as well of every patriot, in whatever condition of life, as of every enlightened, philanthropic, and practical statesman.*"

A report favorable to the views of the memorialists was made by a committee of that body, but no decided action taken upon the subject. Similar memorials, for several successive years, were addressed by the Society to Congress; and to the very able exertions in the House of Representatives of one of its earliest, most liberal, and most distinguished friends, the Hon. C. F. Mercer, is our country and the world indebted for the passage of a law stigmatizing the slave trade with the name and penalty of piracy, and also for the act revoking forever the authority of any State to dispose of recaptured Africans brought within the limits of our country, and empowering the President of the United States to restore such unfortunate persons to Africa, and there provide, while it might be necessary, for their security, comfort, and defence. Mr. Monroe, then President, saw at once that, in the execution of this law, it might be for the public interest to cooperate with the American Colonization Society, then about to secure territory on the African coast; and the spot obtained for a colony was chosen to be the home of the recaptured Africans. Thus the colony of Liberia rose into existence under the countenance of the Government, and, as an asylum for Africans released from captivity by our law, derived from it

some degree of protection and aid. But the earliest and ablest friends of the society sought and expected still further assistance. I need but refer to the published opinions of General Harpur, Mr. Fitzhugh, Mr. Madison, Chief Justice Marshall, and others. I fear the magnitude, the grandeur of the cause, has been of late somewhat let down from the high position it occupied before the eyes of the founders of the society, but I trust it will be permitted to reassume, before the mind of this convention, all its original importance and beneficence.

Much has been accomplished. But it must be acknowledged that the communities of Liberia are encountering many adverse influences ; that they want numbers and capital ; are exposed to the interference of traders of foreign nations, and that they turn anxiously their eyes towards us for encouragement. And is it to be expected that these people, who, a few years ago, landed on the barbarous shore of Africa, with little or no property, just escaped from a depressed and embarrassed condition, an unsubdued forest before them, in an untried tropical climate, and exposed to the depredations and sometimes to the hostilities of wild and faithless men, should have effected all that is necessary in their great enterprise ; that they should have spread out all along that coast, and far into the interior, the beauties and advantages of our arts, civilization, and religion ? Sir, they have done every thing which could with reason have been expected of them. Their well-ordered government ; their schools, churches ; their manifest improvement in education, morals, manners ; their enthusiasm for liberty ; hostility and success against the slave trade—demonstrate that they constitute a well-organized state—in its infancy it is true, but informed by a generous and noble spirit ; and that, if protected and sustained as they should be, they will infuse new life into the throbbing heart of Africa, and work out for her perishing children a mighty deliverance. It is not my purpose to enter into the subjects which may and will receive the earnest attention of this convention. There is some danger that, unless this nation can be duly aroused to the importance of guarding the interests of our African settlements, they may feel impelled to look for assistance to other quarters. I will not for a moment believe that this convention will withhold from the colonists of Liberia their sympathy and support. I am happy to see before me many of the faithful and able friends of this cause, and I rejoice to observe that we are favored by the presence of one (Dr. Hall) who has long resided upon the coast and in the colonies of Liberia, who is familiar with the whole condition of things there, who has won honorable and imperishable distinction by the wisdom and energy exhibited in his establishment of the colony of Cape Palmas, and his administration as the governor of its affairs. I trust that this gentleman will not withhold from us the benefit of his experience and his counsels. I see, also, several eminent Senators around me, friends of our enterprise, and whose talent and eloquence will be felt to the remotest regions of the republic ; and some of the fathers of the American Colonization Society are present, who may well remember the days of its first trials, and to whom it was indebted for exertions which will be the more appreciated as they are the more remembered. I will add, only, that a series of resolutions, which I venture, very respectfully, to submit to the convention, have met the approbation of the committee of the Colonization Society, and of other friends of that institution, and are offered mainly with the view of bringing immediately under the observation of the meeting such topics as may be deemed worthy of its consideration.

Mr. Gurley then offered the following resolutions :

Resolved, That, in the opinion of this convention, the American Colonization Society, like our Federal Union, rests upon principles in which all wise, patriotic, and benevolent men may agree, and by the support of which they promote the good of our common country, the best interests of our colored population, the suppression of the African slave trade, and the moral and intellectual renovation of Africa.

Resolved, That this society, in the prosecution of its exclusive object—the colonization, with their consent, of the free people of color residing in our country, in Africa, or such other place as Congress shall deem most expedient—being required by the terms of its constitution to act in co-operation with the General Government, and such of the States as may adopt regulations on the subject, was designed to be a national institution, and may justly look for some measure of countenance and support from the Federal and other Governments of the country.

Resolved, That the results contemplated in the execution of their scheme by the fathers of the American Colonization Society were of unsurpassed grandeur and beneficence, and that the success of their efforts in the establishment, mostly by private means, of the colony of Liberia, is demonstration that these results can be, and therefore ought to be, by the application of adequate powers and resources, attained.

Resolved, That the members and friends of the Colonization Society are solemnly pledged before earth and Heaven not to abandon, in their weakness, those free persons of color who, confidently, under their auspices, have gone forth, in the face of difficulty and danger, to plant upon the barbarous shore of their mother country liberty and Christianity, but rather to extend to them assistance and encouragement in their honorable and magnanimous enterprise.

Resolved, That at this time, when our country is agitated by conflicting opinions on the subject of our colored population ; when Africa is deprived annually, by the most cruel commerce, of nearly or quite half a million of her inhabitants ; when thousands are turning their thoughts and hearts to Liberia, as a small and attractive Christian state, looking forth to animate our hopes of the redemption of the most degraded and afflicted portion of the world ; when this colony is exposed to danger, if not threatened with extinction, we are urged by the highest and most-affecting considerations that ever roused patriotic and Christian men to action to adopt a national policy that shall tend to unite our own citizens, benefit our colored population, overthrow the slave trade, and bless, enduringly, two races of men, and two of the largest quarters of the globe.

Resolved, That this convention are deeply sensible of the favor shown to the colony of Liberia by the successive administrations of our Government, and that they doubt not the whole country will sustain the Government in the maintenance of such naval force and the application of such means on the African coast as may be necessary to guard our commerce (already becoming of great value) on that coast, fulfil all the humane provisions of the law for the benefit of the recaptured Africans, and effectually suppress the African slave trade.

Resolved, That it should be deeply impressed upon the public mind, that both as auxiliary and protective to the interests of American commerce on the African coast, and as a means for the extinction of the slave trade, the

colony of Liberia is of incalculable importance, and deserves the vigorous and generous support of this nation.

Resolved, That it be earnestly recommended to the friends of African colonization throughout the Union to call conventions in their respective States, for the advancement of the cause and to increase the funds of the society.

Resolved, That it be recommended to the directors of the American Colonization Society to consider the propriety of appointing a well-qualified agent or agents to visit the different States to promote the assembling of such conventions, and to communicate to them the interesting facts in relation to the condition and prospects of the society and the colony.

Resolved, That the gallant officers of our navy, who have repeatedly rendered such important services to the cause of African colonization and the colonies or settlements of Liberia, are entitled to the warmest thanks of all the friends of our country and humanity.

Resolved, That, since the cause of the American Colonization Society contributes emphatically and powerfully to establish and propagate civilization and Christianity in Africa, it should be dear to all the friends of missions; and since, to meet numerous applications of interesting companies of free colored persons and liberated slaves for removal to Liberia, the society has chartered a large ship, and assumed heavy responsibilities, far beyond its means, for the outfit of an expedition of more than two hundred emigrants, all the friends of the society be invited to send in their donations to its treasury, and the clergy of every name to take up collections for it on or about the 4th of July next."

F. S. Key, Esq., then introduced to the convention Dr. James Hall, who, he observed, after a residence of several years in Africa, and having been the governor of the colony at Cape Palmas in its earliest and most trying years, and personally acquainted with the native tribes for a good distance in the interior, as well as extensively along the coast, with the commerce of Africa and the details of the slave trade, and whose sound judgment and sagacity all who knew him would acknowledge, was prepared to communicate information of the highest value to the friends of the cause.

[Dr. Hall has done us the favor to put in writing the following statement, as comprising the principal facts and opinions offered in reply to various interrogatories propounded by Mr. Key at this time, and by other gentlemen during the progress of the convention.]

DR. HALL'S STATEMENT.

With regard to the African commerce, Dr. Hall said that the legitimate commerce on the west coast of Africa was now principally in the hands of the English, and mainly from the following causes, viz: The slave trade previous to the last half century was prosecuted more vigorously by the English, under the special patronage of Government, than by any other nation. Possession was taken of a vast extent of coast, and forts and fortifications were erected for the special protection of this traffic by their commercial vessels; consequently, at the abolition of this traffic, they had far greater facilities for prosecuting a lawful and honorable commerce than other nations. The principal articles, too, used in this traffic, were either produced or manufactured in England, or in their India possessions, which gave them, for a time, almost exclusive control over the lawful commerce,

as they had before maintained over the slave trade. Why they retain this ascendancy is in some degree, doubtless, attributable to the fact that there is a greater demand for articles of African produce in England than in any other part of the world; that London is the great centre of commerce, and that there is more capital in England to be invested in commerce than in any other country. But there is another cause, independent of these, which has operated strongly to secure to the English merchant a monopoly of this trade. I refer to the fact that their commerce has been fostered and protected to a greater extent than that of any other nation. They have uniformly maintained a force on that coast amply sufficient to render their commerce as secure in Africa as in any section of the civilized world. They in fact have had the absolute control of the commercial relations of the whole coast. The vessels of other nations have been often necessitated to seek their protection, and which has, to my knowledge, often been granted. The effects of this protection have not been alone to preserve their vessels from violence from the natives and pirates, and to relieve sufferers by wrecks, sickness, and other disasters, but, from the system of trade adopted by them, a safe return for money invested in that trade by English vessels has been secured, and that, too, by a system of protection that has not been extended to the commerce of any other nation to any thing like the same extent, and to American commerce not at all. In the large marts of trade, as in the great rivers of the bights of Benin and Biafra, the whole cargo of a vessel is at once put on shore, into the hands of the native chiefs and trademen; and to the honor of barbarians alone the owner of any other vessel but an English one is dependent for his return cargo. The amount he receives will depend altogether upon the will of the chiefs and trademen, and generally just so far as they shall deem it for their interest to make payment to secure a continuance of the master's trade, or to maintain a fair reputation, so far they will fulfil their contract, and but too often no further.

But the case is far otherwise with the British trader. Every port, bay, river, or roadstead, has been visited and is often visited by a Government vessel, and with the chief and head trademen of every tribe treaties of commerce, more or less definite, have been made, and the fulfilment of the same is, to a greater or less extent, enforced. In most instances, no force, or even a call for it, is necessary, as the bare fact of its existence is equally efficient with its exercise. It is needless to remark that the American commerce has received no such protection; that but a very small part of the coast has ever been visited by any American vessel of war, and in no instance coming to my knowledge has any intercourse taken place between them and the native chiefs. No American influence has, to my knowledge, operated to increase, foster, or protect the American commerce in Africa, except through the agency of the colonization societies, and, through them, the colonies of Liberia. The very founding of these colonies, embracing within their influence a coast of some three hundred miles, has opened to us a commerce which was before wholly monopolized by European trading vessels and the slave dealer.

Not only do the energetic and intelligent colonists vastly increase the exports of their little territory; concentrate the trade of the surrounding country; carry on open, fair, and liberal commerce with vessels of all nations, but the colonies are a refuge and home to the American citizen visiting that coast, from what cause soever. They serve as regular ports of

entry and clearance, where all important mercantile papers, so essential in commercial operations, can be obtained. They serve as hospitals for the sick and invalid seamen who have ascended the baleful rivers on that coast. Again and again have I seen vessels steered into Mesurado roads by a native Krooman, under the direction of the last surviving officer or seaman of a vessel which has ventured up the Rio Pongas or Nunos, and which, had it not been for these colonies, would inevitably have been dismantled by the natives, and left to rot in their muddy creeks.

In cases of partial damage or total wreck, when, for want of those colonies, the crews would fall a sacrifice to the African fever and the rough treatment of the natives, and when the voyage would be materially retarded, or entirely broken up, the colonies have furnished a home for the unfortunate officers and seamen, and enabled the master to execute such documents as would secure insurance to the owner, or afforded such aid as to fit the vessel for the further prosecution of her voyage. In fact, the American colonies have, more than all other causes, protected and fostered our commerce on the African coast.

With regard to the influence of the colonies upon the missionary operations, I can answer that it is equally favorable and still more essential. It is a fact that, there has been a vast expenditure of life and money by the missionary societies of Great Britain to establish missions in the various towns far to the windward of Sierra Leone, and every attempt, without exception, has proved a failure. The attempt has not been a solitary one, but renewed from time to time for a period of years, and always with the same unhappy result. We can judge from this what would have been the inevitable consequence of the like attempt by American agents on the coast line now occupied by the colonies of Liberia, when the natives were far more barbarous, and less inclined to improvement. I am confirmed that they would have been attended with like disasters. The advantages which the mission stations derive from the colonies are manifold, and must be obvious to every one.

In the first place, their protection was absolutely necessary to the existence of the mission, to defend it from petty depredations and violence—as, for instance, the recent transactions at Heddington. There, all the comforts and necessaries of life are alone secured by and through the labors of the colonists. By these their houses are built and rendered tenantable; their services are always required in all domestic duties, even in health, and in sickness their services and assistance are indispensable. Independent of all this, *the most important, the most useful, and most successful preachers and teachers, in all the mission stations in Africa, are the colonists themselves, under the superintendence of the white missionaries.* Colored men are the most useful and most efficient laborers in any cause or calling in Africa; with a less amount of intelligence and talent than the white man, they can effect more.

In answer to your queries as to the capabilities of the Africo-American for self-government, and the fitness of the territory of Liberia for the establishment of a civilized and self-supporting community, I feel it only necessary to state, in general terms, what are my *thorough convictions*, from an intimate acquaintance with all the Liberia colonies for the past eleven years; and for facts tending to show the correctness of my impressions I refer you to the details and statistics of the colonies which have, from time to time, been transmitted to this country, and laid before the American public.

The Liberians have shown a capacity for maintaining a free and independent government—a capacity and disposition for a fair degree of moral and intellectual improvement. The soil of Liberia is one of the most productive in the world, and capable of yielding all the varieties of vegetables and all the staple commodities of the tropics. The climate of Africa is one that will prove as favorable to the American emigrant as does the climate of our Western States to the New Englander. In fine, all that is wanting to favor and perpetuate, on the coast of Africa, an independent Christian government, is an increase of the number of *select* emigrants; an increase, for a certain period, of the appropriation to each individual on his arrival, and a general protection from the Government of this country. But without these advantages, carried out to a much greater extent than heretofore, I am equally well convinced that the colonies at present established on the coast will not be able to maintain themselves against the various adverse influences which are constantly operating against them: they will either be swallowed up in the mass of barbarians by whom they are surrounded, or they will claim and receive the patronage and protection of the English Government.

The Hon. JAMES T. MOREHEAD, Senator from Kentucky, then addressed the convention:

I am apprehensive, Mr. President, that I venture somewhat rashly to present myself on this occasion before you. My attention has not of late been directed with much care to the operations of your society, and it is probable that what I have to say will be neither interesting nor profitable. Yielding, however, to no one in the high estimate I have formed of the value and importance of the colonization scheme, and believing that upon its success depends much that concerns the well-being of the free colored population of our country, I avail myself willingly of this occasion to express, in the most public manner, my cordial concurrence in the objects you have in view, and my ardent solicitude for their advancement.

At a very early period in the history of our Government, the subject of colonizing the free people of color of the United States became one of deep and profound interest. To the State of Virginia, more perhaps than to any other, belongs the merit of having made the greatest efforts in behalf of that peculiar portion of the colored race. On the 31st December, 1800, the House of Delegates of that State passed a resolution requesting the Governor to correspond with the President of the United States on the subject of purchasing land without the limits of the Commonwealth, whither free persons of color might be removed, which led to a correspondence between Mr. Monroe and Mr. Jefferson; the result of which was, as we are informed by the latter, that an ineffectual negotiation was instituted by our minister in London with the Sierra Leone Company. A similar effort, with no better success, was made by Mr. Jefferson with the Portuguese Government to obtain an establishment within their colonies in South America.

Fifteen years afterwards, on the 21st December, 1816, the General Assembly of Virginia again took the subject in hand, and resolved that the Executive be requested to correspond with the President of the United States, for the purpose of obtaining a territory upon the coast of Africa, or at some other place not within any of the States or Territorial Governments of the United States, to serve as an asylum for such persons of color as were then free, and might desire the same, and for those who might be thereafter emancipated within that Commonwealth; and her Senators and Represent-

atives in Congress were requested to exert their best efforts to aid the President in the attainment of the object.

There cannot be a doubt that this movement, on the part of Virginia, exerted a preponderating influence in producing the subsequent organization of the American Colonization Society. But it is due to the memory of a philanthropic citizen of New Jersey, that his instrumentality in the promotion of that object should be distinctly acknowledged. You are aware, sir, that I allude to the Rev. Robert Finley, whose name is so closely interwoven with the early history of your institution. For a series of years, "the state of the *free blacks* in the United States had very much occupied the mind" of that pious and venerable gentleman; and on the 14th February, 1815, he announced, in a letter to a friend in the city of New York, the subsisting plan of colonization on the African coast. Other friends of the cause—and, as we have seen, the illustrious Commonwealth of Virginia—had placed their chief reliance on the powerful agency of the Federal Government. Mr. Finley took a different, and, as the result shows, a more practicable view. "Cannot the rich and benevolent," he inquired, "devise means to form a colony on some part of the coast of Africa, similar to the one at Sierra Leone, which might gradually induce many free blacks to go and settle—devising for them means of getting there, and of protection and support till they are established? Could they be sent to Africa, a three-fold benefit would arise: we should be cleared of them; we should send to Africa a population partly civilized and christianized, for its benefit; our blacks themselves would be put in a better condition."

Animated with the hope of accomplishing an object of such vast importance, Mr. Finley visited Washington about the 1st of December, 1816. He opened the subject to the President of the United States, to the heads of Departments, to several members of Congress, and to some prominent private citizens, and proposed a meeting of those who were favorably disposed towards the scheme. On the 21st of December, a meeting accordingly took place, over which Mr. Clay, then the Speaker of the House of Representatives, was called to preside. Addresses were delivered by several distinguished gentlemen,* and resolutions, preceded by an appropriate

* Mr. Clay (on taking the chair) stated the object of the meeting to be, to consider of the propriety and practicability of colonizing the free people of color of the United States, and of forming an association in relation to that object.

"In regard to the various schemes of colonization which had been suggested, he expressed a decided preference to some part of the coast of Africa. There ample provisions might be made for the colony itself, and it might be rendered instrumental to the introduction into that extensive quarter of the globe of the arts, civilization, and Christianity. There was a peculiar, a moral fitness in restoring them to the land of their fathers."

"It was proper and necessary, he said, distinctly to state, that he understood it constituted no part of the object of the meeting to touch or agitate, in the slightest degree, a delicate question connected with another portion of the colored population of our country. It was not proposed to deliberate on, or consider at all, any question of emancipation, or that was connected with the abolition of slavery. It was upon that condition alone, he was sure, that many gentlemen from the South and West, whom he saw present, had attended, or could be expected to co-operate."

"Mr. Elias B. Caldwell (of the District of Columbia) then rose, and enforced in some very eloquent observations, first, the expediency, and, secondly, the practicability of the proposed plan of colonization. He was followed by

Mr. John Randolph, (of Roanoke,) who said "that it had been properly observed by the chairman, that there was nothing in the proposition (referring to the resolution adopted by the meeting) submitted to consideration, which in the smallest degree touched another very important and delicate question, which ought to be left as much as possible out of view." "It was a notorious fact, he added, that the existence of a mixed and intermediate population of free negroes was viewed by every slaveholder as one of the greatest sources of the insecurity, and also unprof-

preamble, were unanimously passed, declaring, first, that an association be formed for the purpose of collecting information, and to assist in the formation and execution, of a plan for the colonization of the free people of color, with their consent, in Africa or elsewhere, as may be thought most advisable by the constituted authorities of the country; secondly, that Elias B. Caldwell, John Randolph, Richard Rush, Walter Jones, Francis S. Key, Robert Wright, James A. Blake, and John Peter, be a committee to present a respectful memorial to Congress, requesting them to adopt such measures as may be thought advisable for procuring a territory, in Africa or elsewhere, suitable for the colonization of the free people of color.

After the appointment of a committee to prepare a constitution for the government of the society, the meeting adjourned to the 28th of December following.

On that day, the minutes of their proceedings inform us, "an adjourned meeting of the citizens of Washington, Georgetown, and Alexandria, and many others, was held in the Hall of the House of Representatives, for the purpose of receiving and considering, from the committees appointed to that duty, a constitution of the society for meliorating the condition of the free people of color in the United States, by providing a colonial retreat on this or the continent of Africa; and a memorial to Congress, requesting the sanction and co-operation of the General Government in the object of the institution aforesaid." A constitution was reported, and, having been discussed and amended, was unanimously accepted.

On the 1st of January, 1817, the first election of officers under the constitution took place, when the Hon. Bushrod Washington, one of the Justices of the Supreme Court of the United States, was unanimously chosen president, and William H. Crawford, of Georgia, Henry Clay, of Kentucky, William Phillips, of Massachusetts, Henry Rutgers, of New York, John E. Howard, Samuel Smith, and John C. Herbert, of Maryland, John Taylor, of Caroline, Virginia, Andrew Jackson, of Tennessee, Robert Ralston and Richard Rush, of Pennsylvania, John Mason, of the District of Columbia, and Robert Finley, of New Jersey, were appointed vice presidents.

Such, sir, was the origin of the American society for colonizing the free people of color in the United States. Before tracing its progress to the period of the establishment of the colony of Liberia, I trust I may be excused for calling your attention to some material and important circumstances connected with the proceedings of these original friends and advocates of the cause.

The second article of the constitution declared that the object to which the attention of the society was exclusively to be directed was, to promote

tableness, of slave property." "In a worldly point of view, then, without entering into the general question, and apart from those higher and nobler motives which had been presented to the meeting, the owners of slaves were interested in providing a retreat for this part of our population. There was no fear that this proposition would alarm them; they had been accustomed to think seriously of the subject." "If a place could be provided for their reception, and a mode of sending them hence, there were hundreds, nay, thousands of citizens, who would, by manumitting their slaves, relieve themselves from the cares attendant on their possession."

Mr. Robert Wright (of Maryland) said "that he could not withhold his approbation of a measure that had for its object the melioration of the lot of any portion of the human race, particularly of the free people of color, whose distressed state robs them of the happiness of self-government, so dear to the American people. And, said he, as I discover the most delicate regard to the rights of property, I shall with great pleasure lend my aid to restore this unfortunate people to the enjoyment of their liberty."

and execute a plan for colonizing, with their consent, the free people of color residing in our country, in Africa or such other place as *Congress shall deem most expedient*.

It will not have escaped your observation, that at the meeting of the 21st December, a committee was appointed, by unanimous consent, to prepare a memorial to Congress, requesting them to adopt such measures as might be thought most advisable for procuring a territory, in Africa or elsewhere, suitable to the purpose of the association.

On the 28th of December that committee was instructed to report to the annual meeting in January next, when the president and board of managers were required to prepare and present the memorial. On the 14th of January, 1817, it was presented to the House of Representatives.

The memorialists stated, that "they were delegated by a numerous and highly respectable association of their fellow-citizens, recently organized at the seat of Government, to solicit Congress to aid with the power, the patronage, and the resources of the country, the great and beneficial object of their institution;" and they concluded their memorial by praying Congress, "that the subject might be recommended to their serious consideration; and that, as *an humble auxiliary* in the great work, the association represented by them might be permitted to aspire to the hope of contributing its labors and its resources."

From the whole tenor of these proceedings it is abundantly manifest that no question was raised, that no doubt was then entertained, as to the constitutional power of Congress to interpose for the establishment, the support, and the protection of the proposed colony.

The memorial, having been read and ordered to be printed, was referred to the Committee on the Slave Trade, which was composed of members from different States.

On the 11th of February, the committee reported a joint resolution, approving the views of the memorialists, and asserting the power of Congress over the whole subject. The President of the United States was authorized to enter into a convention with the Government of Great Britain for receiving into the colony of Sierra Leone such of the free people of color of the United States as might consent to be carried thither; and in the event that such an arrangement should be impracticable, to obtain from Great Britain and other maritime Powers a stipulation guarantying a permanent neutrality for any colony of free people of color that might, at the expense and under the auspices of the United States, be established on the African coast. They resolved, also, that adequate provision should thereafter be made to defray any necessary expenses that might be incurred in carrying the preceding resolution into effect.

The lateness of the period at which the report was made prevented any definite action by the House. Congress adjourned on the 4th of the ensuing March.

At the next session, the memorial of the society was again referred to a select committee of the House of Representatives; and on the 18th of April, 1818, another report was made, which proposed the adoption of a resolution declaring "that the President of the United States be requested to take such measures as he might deem proper to ascertain whether a suitable territory can be procured, on the coast of Africa, for colonizing such of the free people of color as might be willing to avail themselves of such an asylum, and to enter into such a negotiation with the

native tribes of Africa, or with one or more of the Governments of Europe, as might be necessary to obtain such territory, and to secure to the contemplated colony every advantage which he might deem essential to its future independence and prosperity."

I do not find that this resolution of the committee was ever disposed of by the House; nor is it material to any purpose I have in view in referring to it. My object is to awaken attention to opinions, that prevailed contemporaneously with the organization of the society, on the question of the authority of Congress to aid in the transportation of our free colored population. It would not be difficult, if it were important, to show that the Government of the United States did, at a subsequent period, by cooperating with the society in the restoration of a party of recaptured Africans to the shores of their native land, materially and without disguise subserve the interests of the colony.

Pending the movements which were thus making in the national Legislature, the society itself was not inactive. Agents were despatched, at its own expense, to survey the coast of Africa, and to select a place for the reception of emigrants. Notwithstanding the lamented death of one of the agents, the mission was eminently satisfactory. No doubt was left of the practicability of procuring a suitable territory, on terms more advantageous than had been anticipated. The society proceeded, by the employment of its own resources, to make arrangements for the consummation of its designs, and in the early part of the year 1820 the first emigrants to Liberia embarked at New York.

Twenty years have elapsed, Mr. President, since the colony of Liberia was planted. It has outlived the embarrassments and perils of a first establishment, and its present flourishing condition furnishes conclusive and gratifying proof of the stability of its institutions and the wisdom and benevolence of its founders. For want of more recent information of sufficient exactness to be implicitly relied on, I avail myself of a publication made in 1838, by one whose character gives assurance of the authenticity of the statements contained in it—I mean the late Governor Buchanan, whose untimely death may well be regarded as a national calamity.

The territory of Liberia extends three hundred miles along the coast of Africa, and from ten to forty miles into the interior.

It contains four separate colonies:

MONROVIA, which was established by the American Colonization Society, and includes the villages of *Monrovia, New Georgia, Caldwell, Millsburg, and Marshall*;

BASSA COVE, established under the auspices of the united colonization societies of New York and Pennsylvania. The towns of *Bassa Cove and Edina* are in this colony;

GREENVILLE, established by the Mississippi and Louisiana colonization societies at *Sinou*; and

MARYLAND, established by the Colonization Society of Maryland at Cape Palmas.

These colonies contained in 1838 a population of about five thousand, all colored persons, of which three thousand five hundred were emigrants from the United States, and the remainder native Africans, who attached themselves voluntarily to the colonies, and became subject to their laws.

The commerce of the several colonies is already respectable. The exports were estimated, during the year before mentioned, at between eighty

and one hundred and twenty-five thousand dollars, in camwood, ivory, palm oil, and hides; and the imports at an equal or greater amount.

The schools are abundant, and facilities of education accessible to all.

At Bassa Cove and Monrovia are public libraries, the former of which contains twelve or fifteen hundred volumes.

The militia is well organized, and has proved itself adequate to the defence of the colonies from the incursions of the adjacent native tribes.

Two newspapers are now published at Monrovia, the editor of one of which is a colored man of more than ordinary intelligence.

The government of Liberia is essentially republican. The governor is appointed by the society. His powers are defined by the constitution and laws. The vice governor, secretary, register, treasurer, legislative councillors, sheriffs, and constables, are chosen by the people. The elections are held annually in every village, and are conducted with great propriety and decorum.

The judiciary consists of the governor and a competent number of justices of the peace, appointed by him. Their jurisdiction extends to cases affecting the peace, and to all actions of debt not exceeding twenty dollars.

In the courts of monthly sessions, whether acting as courts of law or chancery, the governor or vice governor presides, and the justices are his associates. They have appellate jurisdiction in all cases whatever.

In this manner justice is impartially administered. The rights of life, liberty, and property, are secure under the laws, and the colonists are satisfied with their administration.

It may be added that the affairs of the colony of Maryland are governed by a separate constitution and a code of laws framed by the Colonization Society of Maryland.

I hope I have not fatigued you with these details.

And now, sir, I have to ask, what does all this signify, and to what does it tend?

Who does not look back upon the origin and progress of these infant colonies with profound astonishment that so much has been accomplished, and forward to their future destiny with intense interest and solicitude? Who will gainsay, with such an array of facts before him, that it may be reserved for the slaveholders of the United States to become glorious instruments for the restoration of a people buried in ignorance and barbarism, for the illumination of a continent shrouded in the darkness of accumulated centuries? Who knows that future generations of ransomed Africa may not point to the slave-trodden soil of the new world of the West, as the soil from which sprung the germ of their long lost civilization and happiness? Who can tell that in the course of human events, in the wonderful dispensations of that Being whose ways are past finding out, the history of His chosen people, the wretchedness of their captivity, and the glory of their deliverance, may not prefigure the captivity, the deliverance, the elevation of another race of bondmen from a condition no less abject, to a pre-eminence in civilization and religion no less distinguished?

The first persuasive indication that such anticipations are not wholly visionary consists in the fact that the first *efficient* measure for the abolition of the slave trade was the act of an American Congress, originating from

the policy, sustained by the eloquence, passed by the co-operation of American slaveholders.

Sir, enlightened public opinion, both in Europe and America, has concurred in the truth of the proposition, that the African slave trade is the infamous cause of African degradation. I shall not stop to discuss that proposition now; nor shall I do more than refer to the distinguished efforts of Wilberforce, and Pitt, and Fox, and Sheridan, and their associates in the British House of Commons, to extirpate a traffic so sanguinary and cruel, so perfidious and mercenary, as to shock every sentiment of humanity, and outrage every principle of justice and honor recognised among men. Acknowledging, however, as I do, the tribute which, in common with the civilized world, I owe to those illustrious men, I cannot repress the feelings of patriotic exultation when I look to the position which my own country occupies. While, session after session of the British Parliament, for more than a quarter of a century, the eloquence of these champions of humanity and of truth were met and repelled by the argument that the abolition of the slave trade would result in "great and serious mischief to the British West India plantations," "to the ruin of individuals," and "to the diminution of the supplies of the kingdom," the Congress of the United States not only availed itself of the first moments of the existence of its constitutional power over the subject, but, in its eagerness to assert it, anticipated its power to denounce and punish the horrid trade. It is known that the period assigned by the federal Constitution for the exercise of that power was the year 1808. In his annual message of the 2d December, 1806, Mr. Jefferson "congratulated Congress on the approach of the period at which they might interpose their authority constitutionally to withdraw the citizens of the United States from all further participation in those violations of human rights which had so long continued on the unoffending inhabitants of Africa, and which the morality, the reputation, and the best interests of our country, had long been eager to proscribe. Although," he added, "no law that you may pass can take prohibitory effect till the first day of the year 1808, yet the intervening period is not too long to prevent, by timely notice, expeditions which cannot be completed before that day." During that session, that is to say, on the 2d March, 1807, a law was passed which prohibited the importation of slaves after the 1st January, 1808—subjected vessels fitted out or sailing for the purpose of transporting them to any port or place within the jurisdiction of the United States to seizure and condemnation in any of the circuit or district courts for the districts where the vessels might be found seized—imposed a forfeiture of twenty thousand dollars on persons fitting out vessels to be employed in the slave trade, and of the vessels in which negroes had been transported—punished by imprisonment from five to ten years, as well as by fine, the act of taking on shipboard negroes or mulattoes from the coast or kingdoms of Africa, and transporting and selling them as slaves—and authorized the President to employ armed vessels to cruise on any part of the coast, and to instruct their commanders to seize and bring in vessels found on the high seas contrary to the provisions of the law.*

On the 3d March, 1819, another act was passed, giving the President

* "We ought not," says Mr. Walsh, (Appeal, 323,) "to overlook the circumstance that these measures were taken by a Legislature composed, in considerable part, of the representatives of the slaveholding States."

power to employ the armed vessels of the United States to cruise on the American coast or coast of Africa, to enforce the acts of Congress prohibiting the slave trade, and requiring vessels engaged in the traffic of slaves to be seized and brought into port. The President was further authorized to make regulations for the safe keeping, support, and removal out of the United States, of the negroes that might be brought within their jurisdiction, and to appoint agents on the coast of Africa to receive them.

This act was preceded by a resolution offered on the 1st March, 1819, by a member from the State of Virginia, and adopted without a division by the House of Representatives, which declared that "every person who should import into the United States, or knowingly aid or abet the importation of any African negro or other person, for a slave, or should purchase any such slave, knowing him or her to be thus imported, should, on conviction thereof, *be punished with death.*"

At the ensuing session of Congress, the intention of that resolution was carried into effect, by the passage of an act declaring the slave trade to be piracy, and punishable with death.

These, I repeat, were the most effectual and decisive movements ever made among nations for the suppression of the trade; and I take great pleasure in adding, that the law of 1820 was recommended by a committee of the House, in a report founded on the memorial of the American Colonization Society.*

While Congress was deliberating on the last of these important measures, another event occurred, to which, for a few moments, I solicit your attention.

In the month of February, 1820, a small vessel left the harbor of New York, on a voyage across the Atlantic. She was the American ship Elizabeth—her cargo, eighty-eight emancipated slaves—her place of destination, the

* The life of Wilberforce, written by his sons, contains a "Tabular view of the abolition of the slave trade." The following extracts from it may not be without interest:

"1787: Wilberforce avows his design of moving abolition—abolition committee formed. 1788: Middle passage bill. 1789-'90: Examination of evidence and motion in Parliament. 1791: Sierra Leone Company formed. 1792: Dundas's resolutions—abolition carried in the House of Commons. 1793: House of Commons *refuses* to confirm its vote of the preceding year—foreign slave trade bill rejected. 1794: Foreign slave trade bill passes the Commons, but is lost in the Lords. 1795: Motion for abolition rejected in the Commons by an increased majority. 1796: Motion for abolition introduced, but *lost* on its third reading. 1797: The new Parliament adopts Mr. Ellis's plan of leaving the question to the colonists—motion for abolition *again lost*. 1798: Annual motion for abolition *again defeated*. 1799: Annual motion for abolition *again lost*. Slave trade limitation bill carried in the Commons. 1800-'1: Motion for abolition deferred, in expectation of a general convention of European Powers. 1802: Annual motion for abolition renewed. 1803: Annual motion postponed, in consequence of the excitement of the expected invasion. 1804: Abolition carried in the Commons. 1805: Order in council extinguishes the trade to the new colonies. 1806: Abolition *again* carried in the Commons. *Foreign* slave trade abolished. 1807, [March 25:] British slave trade abolished—Sierra Leone Company dissolved, and the settlement given up to Government—African institution formed. 1808: North American slave trade terminated," (*by a law passed, as we have seen, 2d March, 1807.*) "1810: The new Government of Venezuela abolishes the slave trade. 1811: Slave trade made felony by Great Britain—Portugal renounces the trade out of her own territory—Chili abolishes. 1812: Buenos Ayres abolishes. 1813: Sweden abolishes. 1814: Denmark and Holland abolish. 1815: France abolishes—Portugal, on receiving a sum of money, abolishes to the north of the equator, and intimates that she will finally abolish in eight years. 1817: Spain, on receiving a sum of money, promises total abolition, in 1820, to the north of the equator—right of search conceded by Portugal and Spain. 1818: Holland concedes the right of search. 1820: Slave trade declared to be piracy by Great Britain, *in a treaty with the Arabs on the Red sea, AND BY THE UNITED STATES:* 1822: The Spanish Cortes prohibits the slave trade. 1824: Slave trade made piracy by Great Britain."

Western coast of Africa. Her errand was not to discover a new continent, but to emancipate an old one. She was commissioned as the instrument, not of rapine and crime, but of philanthropy, of religion, and of peace. She went, not to snatch her offspring from the bleeding bosom of that injured continent, but to restore to Africa a portion of her outcasts; not to invade and to conquer, not to ravage and destroy, not to pamper the superstitious of an idolatrous people, but to unfetter the human mind, to plant the standard of civilization, to lay the foundation of free and liberal institutions, to build temples to the living God. WHO PLANNED THE EXPEDITION? WHO CHARTERED THE ELIZABETH? WHO FURNISHED HER CARGO? The Government of the United States, or the Government of any State or Territory of the American Union? No, sir, but private individuals, philanthropists. Western and Southern men, men reared under the institutions of American slavery, themselves slaveholders—they were among the patrons of the noble enterprise. And now, without recounting the various expeditions of a similar kind which your society has fitted out, allow me to say that, under the auspices of such men, under the patronage and control of a private association, with no other means of support than those which have been derived from the munificence of charitable individuals, with no other reliance for success than their own persevering, unabated, undaunted efforts, and the smiles of Heaven—from such a feeble beginning, in the course of twenty years, a colony has been planted, and is growing up, on the African coast, a free, flourishing, happy colony, of more than three thousand American emigrants, whose destiny, we trust, is beyond the reach of vicissitude—and *that* the work, in great part, of American slaveholders. Let the work proceed as it has commenced, let it proceed until the population of Liberia shall have swelled to the number of ten or twenty or fifty thousand souls. *Then*, if it shall be asked what slaveholding America has done for the benefit of mankind, for the mitigation of the direful curse of slavery, for the melioration of the condition of the African race, we may turn to that scion of a noble stock, an American colony of emancipated slaves. We may tell of the obliteration of the foulest blot on the character of our age, the traffic in human flesh. We may point to idols prostrate in the dust—to the tall spires of Christian temples glittering in the sun—to altars at whose feet thousands of worshippers bow before the Christian's, not the Pagan's God—to institutions founded on the basis of religion and of law—to a land teeming with the bounties of Heaven, and covered with memorials of industry and art—to a people educated, intelligent, and free—in a word, to a continent rescued, or destined to be rescued, from the dominion of ignorance and barbarism, and superstition and sin. *This* is a consummation worthy the ambition of every American philanthropist. I say nothing in this connexion of the eradication of slavery from our own soil. That is a subject of too much delicacy to be touched. But there are purposes connected with the operations of your society, wholly independent of its influence upon our domestic institutions, sufficiently high and holy to rouse the efforts and animate the zeal of every man who aspires to the glory of becoming a benefactor of his species. There are purposes connected with its operations, to the fulfilment of which we are prompted by other and higher motives than those of personal or even national interest—by our regard for the happiness of millions of our fellow-men—by our desire to enlarge the boundaries of the empire of civil and religious freedom—by our love to God and man. If there be on earth a nation bound more

than any other by imperious obligations of self-protection and public policy, to say nothing of considerations of moral duty, to engage in an enterprise so full of benevolence and patriotism, ours is that nation. Here, in the midst of us, in a land consecrated by the struggles of our forefathers in the cause of liberty, exist a people, between whom and ourselves there never can, in the nature of things, be any possible affiliation—a people cut off, as well by the distinction of color as by the immutable laws of social order, from all connexion or fellowship with ourselves—an inferior and degraded people—

“Steeped in poverty to the very lips;
Giv'n to captivity they and their utmost hopes”—

the descendants of an ancestry as ignorant as themselves, torn by the hand of rapine from the embraces of their native land, and cast by our parent country upon her dependent colonies, against their consent, and contrary to their vehement remonstrances; of such a people, our tables of population inform us, there are two millions and a half within the limits of the American Union. Recognising them in the light in which they are regarded by the Constitution of the United States, and by the constitutions and laws of the States that tolerate slavery, they are private property. No human power can disturb by violence the tenure by which they are held. With them, therefore, the Colonization Society professes, in the utmost good faith, to have nothing to do.

But closely connected by ties of blood, and bound up with them in a common destiny, is another class, less numerous, but equally degraded, of colored freedmen, to the efficacy of whose instrumentality in restoring their fatherland, the attention of judicious and benevolent men has long been strongly directed. The same tables of population to which I have referred inform us that this latter class amounts in number to more than three hundred thousand souls. The proposition is to civilize Africa by colonizing *them*; and the question arises, can that object be accomplished? Is the achievement practicable? Is it within the compass of human agency, by the use of such means as the society has resorted to, to establish and perpetuate a colony of colored freemen on the continent of Africa?

It is no part of my purpose to discuss those questions now. The discussion would conduct me into a wide field of speculation. I choose to resort to fact instead of argument. The fact then is, that such a colony *has been established*—established without any material agency of the Government of the United States—by a private association, with extremely limited resources, derived alone from the contributions of benevolent individuals—with a regularly constituted government—permanent, free, and, in regard to its political action, self-supported—a government of laws, enacted mainly by themselves, and well adapted to their condition. Such a spectacle exists, such a work has been accomplished; and history furnishes no account of an enterprise conducted under such auspices with such signal success.

The remaining question of the practicability of perpetuating the colony, unless it receives the aid and co-operation of the constituted authorities of the United States, is one of great difficulty, and of the deepest interest. What *can* and what *ought* the Government to do, in support of an enterprise so vast in its conceptions, so momentous in its results? I am fully aware of the delicacy of the question, and I shall treat it with extreme caution. I am not about to enter into an argument to show that Congress has the constitutional power to appropriate money for the support, or to assume

the direction and control of the affairs, of the colony. It may be allowable, however, to suggest, that the time has been when some of our highest functionaries, some of our wisest constitutional jurists, some of our most esteemed patriots, and some of the enlightened States of this Union, were of opinion that such a power was not denied by the Constitution. I propose to speak of what Congress has the *acknowledged* authority to do, in connexion with that which, in the pursuit of a just and beneficent policy, it *has done*, without impeachment and without distrust.

Sir, when the law of 1820 for the prohibition of the slave trade went into effect, strong hopes were entertained that, with the concurrence of the civilized nations of the earth, the detestable and inhuman traffic would no longer tarnish an era distinguished for its achievements for the benefit of mankind. But time has proved that those hopes were utterly delusive. At the very moment of my addressing you, the African slave trade is prosecuted to an alarming, nay, unprecedented extent. Never before, in the history of the world, have its ravages been so destructive of human life, so fraught with human wretchedness and wo. The mind recoils with dismay from the contemplation of the fearful truths which a slight investigation of the subject discloses; but we owe it to ourselves to look them in the face.

I have said that the extent of the trade is at this moment alarming and unprecedented. The celebrated historian of the West Indies, Bryan Edwards, computes the number of negroes that were imported, in British vessels, into all the British West Indian and American colonies, at an annual average of twenty thousand, from 1680 to 1786. In the debate in the House of Commons, on the 2d April, 1792, Mr. Fox said: "He thought the least disreputable way of accounting for the supply of slaves was to represent them as having been convicted of crime by legal authority. What does the House think is the whole number of these convicts exported annually from Africa? *Eighty thousand!*" Mr. Pitt declared, in the same debate, that "he knew of no evil that ever existed, nor could he imagine any evil to exist, worse than the tearing of *eighty thousand* persons annually from their native land, by a combination of the most civilized nations in the most enlightened quarter of the globe." In the year 1807, the number of Africans annually enslaved was estimated at *sixty thousand*, and in 1817 at *two hundred and forty thousand!*

Such *was* the extent of the trade which invoked so strongly the interposition of the civilized world. To show what *it is*, I call your attention to a publication, which I have in my hand, of a gentleman of intelligence and distinction in England, Sir Thomas Fowell Buxton, entitled "The African Slave Trade and its Remedy." It brings the history down to the year 1840, and the developments it contains of the extent and enormity of the trade are of a character so astounding, that, if it were not for the respectability of the source from which they come, they would startle us by their apparent exaggeration, and defy belief.

Mr. Buxton sets out with the proposition, which he supports with official and documentary testimony, that upwards of 150,000 human beings are annually conveyed from Africa across the Atlantic, and 50,000 into the Mohamedan dominions.

His next resort is to statements and proofs of the *probable mortality* incident to the seizure of the victims—to the march to the coast, and the de-

ention there before embarkation—to the middle passage—and, lastly, the mortality after landing at the place of destination, and in seasoning.

It is impossible for me to bring those statements and proofs in detail before you. I must content myself, after referring you to them, with the remark that they exhibit “a complication of human misery and suffering” which has neither resemblance nor parallel in the annals of mankind.

Mr. Buxton thus sums up his calculations, after a thorough and candid examination of the facts adduced by him :

Of 1,000 victims to the slave trade, <i>one-half</i> perish in the seizure, march, and detention	500
Of 500 consequently embarked, <i>one-fourth</i> , or 25 per cent., perish in the middle passage	125
Of the remaining 375 landed, <i>one-fifth</i> , or 20 per cent., perish in the seasoning	75
Total loss	700

So that 300 negroes only, or three-tenths of the whole number of victims, remain alive at the end of a year after deportation ; and the number of lives sacrificed by the system bears to the number of slaves available to the planter the proportion of seven to three.

Applying this calculation to the number annually landed at Brazil, Cuba, &c., which he rates at	150,000
Of these, one-fifth die in the seasoning	30,000
	120,000

The number of lives annually sacrificed being in the proportion of seven to three

Annual victims of the slave trade	400,000
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Proceeding in like manner with the Mohamedan slave trade, we find the numbers to be—

Exported by the Imaum of Muscat	30,000
Carried across the desert	20,000
	50,000
Loss by seizure, march, and detention	50,000
	100,000
Annual victims of Mohamedan slave trade	100,000
Christian	400,000
	500,000
Annual loss to Africa	500,000

“It is impossible,” says Mr. Buxton, “to reach this result without suspecting, as well as hoping, that it must be an exaggeration.

“I have not, however,” he continues, “assumed any fact without giving the data on which it rests ; neither have I extracted from those data any immoderate inference,” but “have, in almost every instance, abated the deduction which might with justice have been made.” “If, then, we are to put confidence in the authorities which I have quoted, (most of them

official,) we cannot avoid the conclusion, terrible as it is, that the slave trade annually dooms to the horrors of slavery—

Christian	-	-	-	-	120,000	
Mohamedan	-	-	-	-	50,000	
						170,000
And murders—Christian	-	-	-	-	280,000	
Mohamedan	-	-	-	-	50,000	
						330,000
Total	-	-	-	-	500,000	

With these appalling facts presented to our view, Mr. President, what course does it become the Government of the United States to pursue? Since the year 1807, when, first among the nations, its outstretched arm was wielded for the defence and protection of a down-trodden continent, the atrocities of the slave trade have been a thousand fold increased, and millions upon millions of an unoffending people, in defiance of the laws of enlightened Christendom, have been doomed either to captivity or to death.

I repeat the question, what, under such circumstances, is it our duty to do? Shall we fold our arms and witness with cold and mute indifference the laws of the nation trampled on and evaded, the feelings of humanity brutally insulted, the rights of men outraged without a blush? Or shall we nobly exert the powers given to us by the Constitution to exterminate those monsters in the form of men, those guilty destroyers of the innocent and helpless, those implacable enemies of the human family, who have renounced the protection of all laws, in the pursuit of their schemes of carnage and of crime? If the policy in which your laws of 1807 and of 1820 had their origin was really demanded by motives of honor, of benevolence, of justice, and of patriotism; if the causes which superinduced your legislation upon the slave trade—a legislation that has conferred upon our country a glory as imperishable as its Constitution, I trust, will be—were so imperative then, how strongly are we impelled by a just regard to the national character to persevere in that policy until its wisdom and benignity shall be vindicated in the full accomplishment of its ends! Sir, for one, I think there is no receding, with honor, from the position we have taken; and so deeply am I impressed with a sense of our national responsibilities, that I do not hesitate to declare, humble as I am, and incompetent as I feel myself to be to the discharge of a duty so important in all its aspects, that if no one else shall be found to undertake it, I will bring the subject before the councils of the nation, and invoke their aid in arresting a traffic which exists only by the sufferance of the great Powers of the earth, and which, if it continue to exist, will render them accessories to a crime that will stain forever the character of the age in which we live.

Mr. M. then proceeded to submit an answer to the question he had propounded: what *can* and what *ought* the Government of the United States to do towards supporting the Liberian colony? He did not insist on its direct interposition. However desirable *that* might be to the friends of colonization, he did not think it indispensable to its success. There were two modes of giving it support, each of which was not only compatible with the constitutional powers of Congress, but was demanded, as he believed, by the consistency and honor as well as by the interest of the nation.

The first mode was to provide the means of rigidly enforcing the laws for the abolition of the slave trade. The law of 1819, to which he had heretofore referred, contained provisions authorizing the President to cause the armed vessels of the United States to be employed to cruise on the coast of Africa or elsewhere, where attempts might be made to carry on the slave trade; to make such regulations as he may deem expedient for the safe keeping, support, and removal of recaptured Africans; to appoint an agent or agents, to reside on the coast of Africa, for their reception there; and a bounty of twenty-five dollars was authorized to be paid, by the Secretary of the Treasury, to the officers and crews of the commissioned vessels of the United States or revenue cutters, for every negro delivered to the agent appointed to receive them.

Mr. M. did not know that any systematic efforts were now made by the Government, to enforce these provisions. Without their enforcement, it was manifest the law was a dead letter; and it could be no matter of surprise that the slave trade was prosecuted to the extent which had been shown. The whole efficiency of the law depended on the employment of the armed vessels of the United States on the African coast. If that were not done, its other provisions were nugatory. There could be no interception and seizure of piratical vessels; no recaptures of kidnapped negroes; no employment of receiving agents; and the proffered bounty to officers and crews of the armed cruisers, which was designed as a stimulant to active exertions on their part, was wholly unavailing. Mr. M. was of opinion that Congress ought to look to it, that these benevolent requirements of the law were enforced. We now have in service and on the stocks several steam ships of war, and it has been proposed to construct an additional number, which he hoped would be ordered before the adjournment of Congress. Nothing seemed to him more available than the employment of such vessels for the suppression of the slave trade. A single steamer cruising on the coast of Africa would furnish security to a long line of that coast; and an avenue thus would be opened for the substitution of a lawful and profitable commerce for the subsisting commerce in flesh and blood.

The second mode to which Mr. M. had reference was the introduction of this very commerce; and this brought him to speak of the benefits and advantages of an enlarged commercial intercourse with Africa. The opinion had been advanced by intelligent men, in the correctness of which Mr. M. concurred, that the surest corrective of the slave trade would be found in substituting a legitimate commerce in its stead. The worthy and well-informed gentleman, Dr. Hall, whose statement to the convention had given so much satisfaction, and whose opportunities of forming a correct judgment are entitled to the highest credit and respect, has told you that the Africans are habitually a commercial people; that their personal agency in ministering to the slave trade is produced by their propensity to barter for the merchandise of the slaver; and that, if that trade was abolished, mutual exchanges of their own productions for those of other nations would necessarily ensue. To some extent, these exchanges are now made. The present commerce of Africa is of much greater importance than is generally supposed, and it is rapidly increasing in value.* The principal benefits derived from it accrue

*The British colony of Sierra Leone was settled in 1787. Its total population in 1836 was 37,463; of which number, 105 were whites. The total value of exports in 1834 was £65,558, of which the amount to Great Britain was £51,231.

to the nations of Europe, and especially to England. There had been no deliberate efforts to direct it into American channels. But it is stated by Dr. Hall, and indeed no consequence could be more natural, that the establishment of the colonies of Liberia, stretching along a coast of three hundred miles, has already laid the foundations of a commerce with the United States, which was previously monopolized by European trading vessels and slave dealers. Along the whole extent of coast from Sierra Leone to Cape Palmas, the slave trade has ceased; and the result has been, not only a less constrained intercourse with the natives, but a very extensive interchange of commodities, as well with the colonies as with foreign nations.

It would well become the Government of the United States to direct its earnest attention to a subject with which its interests may be so speedily and intimately connected. The idea of securing to herself the advantages of the commerce of Africa is no new idea with Great Britain. For a series of years her policy has been marked by a strict regard to that object. The conferences of the Congress at Aix la Chapelle exhibit strong proofs of a common jealousy, on the part of the sovereigns of Europe, of her designs upon the African coast; and there is no absolute certainty that her solicitude for the universal abolition of the slave trade, expressed by her minister on that occasion, may not have been attributable, in part, to her view "of the commercial advantages" to be derived "from the opening of a great continent to British industry." It was said by Mr. Wilberforce, in the House of Commons, on the 11th of February, 1818, that, "in a commercial point of view, it was of incalculable advantage to have the supply of that large tract of country from the Senegal down to the Niger, an extent of more than 7,500 miles, with the necessities and gratifications which British manufactures and commerce afford." The immense preparations lately made by her for the exploration and possession of the vast region tributary to the Niger convey no ordinary meaning; and Mr. M. repeated, that it would be well for the United States if these extensive movements would arrest the attention of the Government, and cause it to be directed to the facilities which the established colonies of Liberia would afford for the acquisition of a commerce destined, sooner or later, to become of "incalculable advantage" to the people of this country.

In addition to the effect which an American naval force on the coast of Africa would have in arresting the progress of the slave trade, its employment in that direction would operate as an encouragement as well as protection to the commerce of the United States; and the infant colonies on the coast would derive, from the presence of such force in their neighborhood, a confidence of security which would strengthen them in their career to the maturity that awaits them.

These, Mr. M. said, were his views, very discursively expressed, and he would detain the convention no longer than to offer his acknowledgments for the attention with which they had listened to him.

Francis S. Key, Esq., made a few remarks in reference to the importance of the topics before the convention, the deep interest of the statements just

The imports from the Gambia, Sierra Leone, and Cape Coast, by one mercantile house in England, for the years 1832, 1833, and 1834, amounted to £276,773. In 1839 the annual importation of palm oil was upwards of 12,000 tons, which, at the market price of £28 per ton, amounted to £336,000, giving employment to 14,000 tons of shipping.—*Martin's British Colonies*, pages 544 and 546.

made, and his ardent desire that the meeting, before its final adjournment, should adopt vigorous measures for the benefit of the cause and the colonies of Liberia. When time would allow, he would be happy to address the convention in reference to some questions which merited its consideration, and he knew that they might hope for the aid of a distinguished Senator from Virginia, now present.

On motion of Mr. Gurley, the convention adjourned to meet the next evening, at half past seven o'clock, in the Masonic Hall.

MAY 5, 1842.

The convention met in the Masonic Hall. Mr. Underwood again took the chair.

Mr. Gurley rose, and expressed the hope that the meeting would not be in haste to dispose of the matters before them, but patiently consider the immense importance of the subjects submitted; that they concerned the union of these States; the highest interests of the two most numerous classes of persons in this country; indeed, the welfare of the population of two quarters of the world. Consider the intimate relations of the colonization scheme to the prosperity of this country—to the suppression of the slave trade—to the civilization of Africa, and the moral renovation, through Christianity, of her miserable inhabitants—the success of our African colonies, and also their wants and dangers—and we must feel its weight upon our consciences, and not lightly dismiss it from our thoughts. He would not occupy the time, for he saw before him the distinguished and eloquent Senator from Virginia, (Mr. Rives,) who was ever disposed to give his support to every patriotic and philanthropic object, and who, like his honorable friend from Kentucky, whose speech had aroused the deepest sympathies of our nature the last evening, was able to do ample justice to the cause.

The Hon. William C. Rives then addressed the convention in a speech replete with able argument, and eloquence of an order which high sentiments of patriotism and philanthropy only could inspire. We regret deeply our inability to present this speech to the public. Mr. Rives alluded to the transient nature of many of the political controversies and party strifes of the day, when compared with the permanent and increasing beneficence and glory of a scheme adapted to raise the character and enlighten the prospects of a race of men, and bring a whole continent from barbarism to civilization and Christianity. He spoke of what he conceived to be an impossibility—the elevation of the colored race in the United States to social and political equality with the whites—deeming the obstacles in the way of such elevation too numerous and fixed to be overcome by any human power. He discussed, at some length, the doctrine of De Tocqueville, that a social and equal union between two races so distinct as the white and colored was not to be expected; that, to enjoy the highest privileges of freemen, our colored people must seek them in Africa. He believed colonization to be a "great and fruitful idea," and that in time its benefits would be spread abroad throughout vast districts of Africa, and voices of encouragement come and invite the return of her long-exiled children. He spoke of the slave trade, and urged with great force the duty of our country to do its part towards its suppression, by affording countenance to our African settlements, and maintaining a squadron to act in concert with those of other friendly Powers against it. He alluded to the pledge given by the

distinguished Senator from Kentucky, (Governor Morehead,) that he would move in the Senate of the United States for the adoption of some efficient measure on this subject, and avowed his purpose earnestly to co-operate with that gentleman in so humane and noble a design. It was neither consistent with the justice or honor of this nation to refuse the proposition of England on this subject, unless she proceeded in her own way, honestly and effectually, to aid in effecting the great end which the whole civilized world were solemnly bound to see attained—the utter extinction of the African slave trade. He alluded to the late work of the secretary of the society, (the “Mission to England,”) as worthy of the deepest attention of all the friends of the cause, and, for its views on the whole subject before the convention, deserving to be every where read and considered. He was more deeply than ever impressed with the vast utility of the scheme of African colonization, and that it merited the favor and support of the States and the nation.

The speech was altogether worthy of the great reputation of the very able Senator, and excited warm and universal applause.

F. S. Key, Esq., in a brief, but very earnest and effective speech, expressed his gratification that the two Senators who had favored the convention with their sentiments had pledged themselves to move in the Senate on the subject of the slave trade. It was time that this abominable commerce was put down. This could be done only in Africa; and he thought England and America should go together to the chiefs of Africa, and, offering to them, as a substitute for the traffic in the blood and sinews of their people, the articles they desired, to be paid for in the various rich products of their country, assure them that the slave trade must forever cease. Should they refuse to comply with this proposal, (which he could not believe possible,) let them be cut off from all friendly intercourse with both nations, their factories broken up, and their means of carrying on this trade be utterly destroyed. Then let these nations call upon Spain and Portugal utterly to abandon this trade, or expect the force of these great maritime Powers to be arrayed against them. Their refusal would, in his view, be good cause for war.

The Rev. Dr. Parker (missionary from China) rose and said, that he had been requested to express his sentiments, and, as a friend of man and the African race, he complied with this request. Yet I never (he observed) rose to speak under a sense of so many reasons why I should be silent. For a number of years I have been in a measure secluded from the civilized world, and, to a very considerable extent ceased from the use of my mother tongue, while I have been unaccustomed to address deliberative assemblies. If, for these reasons, I should venture only with deliberation to speak before an ordinary assembly, how much more diffidence must I feel before judges, and honorable and eloquent members of Congress, and Senators of the United States? But if I am permitted to speak with reverence before the Judge of all the earth, surely, with due modesty, I may speak, sir, in your presence, and in that also of the honorable and distinguished citizens around me. In the language of the ancient, I also will show mine opinion, for I have somewhat to say in God's behalf. Yes, sir, for it is not in behalf of man alone we speak, when we advocate the claims of the American Colonization Society. *We plead the cause of God.* 'Tis His, for His spirit prompted its organization, His providence has furnished

the distinguished men who have conducted its interests, and His blessing has crowned it with success. *It is truly God's.*

It resembles, in the first place, in its character, the morally sublime principle embodied in the British and Foreign Bible Society, uniting in its support men of all religious denominations and political creeds.

In regard to sundry objections urged against it—that it abets the cause of slavery, and is in coalition with those who desire to strengthen and perpetuate the servitude of the colored race; that it is inadequate to the end which it proposes to effect—I remark, that its legitimate province is with the free, and with those who may be manumitted, and with the varied and imperious claims of the 100,000,000 or more of Africa, and that indirectly it operates with salutary power upon the great interests of our federal Union, and upon the African race at the South, whatever may be their condition, and we should rejoice therein. If we concede the inadequacy of the scheme as a means of entire relief to the whole colored race, we maintain that it is good as far as it goes. You, sir, recollect the case of the ship *William Brown*, whose life boat was insufficient to save all the ship's company, and of which some were left to perish, that a *part* might be saved. What had been the judgment of the whole world, had those who controlled that boat refused to rescue as many as they were able, because they could not preserve all? If there be analogy in the cases, we say to those who would dash our life boat to pieces, in the name of all that is sacred in a few lives, do it not. Let us save those we can; and give us the means, and, on the same principle, and out of similar materials, we may construct an ark that shall save from the overflowing deluge of sorrow and oppression a large portion of all the African race.

Sir, I have intimated my conviction that a new and auspicious era has arrived in the history of the Colonization Society. The sentiments of the whole Christian world are ripe for measures in behalf of long-injured Africa. There are indications of Providence to this effect on both sides of the Atlantic. The spirit animating the minds of Sir Thomas F. Buxton, J. J. Gurney, and Dr. Hodgkin, and the measures of the Earl of Aberdeen, show this in England. Sir, I look at home. The high and noble stand taken by those Senators of the United States who have instructed us by their *wisdom* and captivated us by their *eloquence* during this convention show this, and was worthy of the men themselves and of the cause. I have no doubt, if these speeches are faithfully reported, they will electrify the land, as they did the assemblies who had the felicity to hear them. Yes, sir, they will pass throughout the Union, and reverberate from the English and African coasts. In the halls, cathedrals, and Parliament of Great Britain, they will meet with cordial responses. If the honorable Senator from Kentucky (Governor Morehead) should perform no other act, his eloquent address of the other evening was a work worth living for, and gives him a place among the distinguished benefactors of mankind. He will enjoy the consoling consciousness of having discharged a momentous duty to an afflicted and degraded portion of the children of our great common parent. He has shown the constitutional and legal right of Congress to do what may be necessary. We have already denounced the African slave trade as piracy, and affixed to it the penalty of piracy.

Much light had been shed on the early movements of Congress, caused by the efforts of the friends of this cause, in reference to the slave trade and the disposal of the recaptured Africans. He was glad to observe the

resolution to call upon the State Legislatures for assistance. Nothing would be more desirable and favorable than for these Legislatures to make their appropriations, to be expended under the directions of the American Colonization Society. Through this one broad and deep channel let the tributary streams flow.

We may congratulate the honorable Senator from Kentucky that he has so cordial and able a coadjutor in the Senator from Virginia. Would that the sentiments of the North and East might respond with the eloquence and power we have heard from the South and West. True it is, that warmer hearts and more liberal supporters are not to be found than exist in New England. I quote the words of Judge Daggett, of New Haven: "If ever there was a heaven-born institution—one whose founder and supporters were prompted by the purest motives—it is the American Colonization Society." The disclosures from the South, which we have heard, confirm my faith in the society; and I delight to find the hearts of the friends of the cause beat in happier unison in regard to the great objects of the society.

Dr. Parker then alluded to the great mortality occurring among the colored population going from the South to reside in our Northern cities, and spoke of the encouragement to be derived from the statements of Dr. Hall, and the glorious prospects opening before those who went to Africa, both to found a new empire and renovate an old one. He spoke of the claims of our commerce on the African coast—of the hitherto unfortunate attempts to suppress the slave trade, which he deemed like the endeavor to pump out a leaking ship, when the leak itself might easily be stopped. Let us send men to civilize Africa, our steamers to break up the slave factories, and the work will soon be done. He was impressed with the value of colonization from his long residence in Canton, where assembled merchants and travellers from all parts of the empire. Good influences must emanate from Liberia to all parts of Africa. The reverend gentleman fervently invoked the divine blessing upon the institution.

Governor Morehead, of Kentucky, then rose and offered the following resolution, which he supported briefly but ably:

Resolved, That the executive committee of the Colonization Society be requested by this convention to prepare a memorial to the Legislatures of the several States of the Union, calling their attention to the present condition and prospects of the colonies on the west coast of Africa, and soliciting their co-operation in the promotion of the scheme, by the appropriation of money, or otherwise; that the memorials be forwarded to the Governors of the several States, with a request to lay the same before their respective Legislatures; and that this memorial be presented for the approbation of this convention at its next meeting.

This motion was seconded, and unanimously adopted.

The convention adjourned to meet the next evening, in the same place, at half past 7 o'clock.

MAY 6, 1842.

The convention met, and Judge Underwood took the chair.

The president presented to the convention the following letter from the Rev. J. N. McLeod, a delegate from the New York City Colonization Society; which was read.

To the convention of the "friends of colonization," in session in the city of Washington :

GENTLEMEN: The undersigned was appointed to attend your meeting, in behalf of the "board of managers" of the New York State Colonization Society, in company with Anson G. Phelps, Esq., and the Rev. Dr. Spring. The former gentleman has been prevented from appearing, and the latter was under the necessity of leaving the city after the first evening of your deliberations. I regret that circumstances compel me also to leave town to-day; and, before I do so, I feel it due to the convention to express my hearty concurrence in the objects which they have in view, and in the proposals which have been under consideration the two past evenings, respecting the means of their accomplishment.

As I understand the objects of the convention, they are, to enlist the aid of the Federal and State Governments in carrying out the plan of colonization; to secure to the citizens of our own country the advantages of the African commerce, which is daily increasing in importance; and to destroy the infamous slave trade, by the substitution of a legitimate commerce in its place, as well as by the force of authority.

These are objects which are of surpassing importance to the destinies of two great continents, which, while they are separated by the ocean, are united by their common relations to the colored race; and they ought to commend themselves to the heads and hearts of every patriot and Christian in the land.

While I regret that the Northern section of our country has been so imperfectly represented in the convention, I have no fears for the results. The movement has been commenced in the right place, and those who have begun it so auspiciously will find many in all parts of the Union to co-operate with them in carrying it forward. The proposals of the convention are in their influence conservative of our Federal Union; they address themselves to the interests of our commercial men on the seaboard of the North and East as well as the South; and they come home most powerfully to the common sympathies of our country for African wrongs and oppression. Certainly, then, I cannot be mistaken in saying that the appeal of this convention, made here at the seat of Government, will meet with a hearty response in all other portions of our common country.

The New York Colonization Society holds its anniversary on the 11th instant, and I have great pleasure in hearing that it is to be favored with the presence of the distinguished secretary of the parent society. Let him carry with him the proceedings of this convention; and let him impart to those with whom he shall meet in the commercial metropolis the generous enthusiasm which has animated your two past meetings, and the work will go on to a successful and glorious accomplishment.

I am, gentlemen, most respectfully, yours,

JOHN N. McLEOD.

WASHINGTON, May 6, 1842.

On motion of the Hon. E. Whittlesey, this letter was referred to the executive committee of the American Colonization Society.

In obedience to the resolution of the convention adopted the last evening, Mr. Gurley submitted the following memorial to the several State Legislatures, which had been prepared by the executive committee of the American Colonization Society :

MEMORIAL.

The convention of the friends of African colonization, assembled in Washington city, respectfully represent: that the American Colonization Society having been established near the close of the year 1816, by a respectable body of citizens from every section of this Union, for the humane and philanthropic purpose (in co-operation with the General Government and such of the States as might adopt regulations on the subject) of founding colonies of free persons of color, with their own consent, on the coast of Africa, proceeded to explore that coast, purchase by fair negotiation with the native tribes an eligible tract of country, and assist such free persons of color as were disposed to emigrate in their removal and settlement in Africa.

Impressed with the difficulty and magnitude of the enterprise, and the importance, if not absolute necessity, of the countenance and aid of the Government, memorials were early addressed to Congress, and in consequence, sustained as they were by the avowed opinion of the Legislatures of several States, measures were adopted by Congress for the more effectual suppression of the African slave trade, by its denunciation and punishment as piracy; and authority was conferred upon the President of the United States to make such regulations and arrangements as he might deem expedient for the safe keeping, support, and removal beyond the limits of the United States, of all such Africans or persons of color as might be delivered and brought within their jurisdiction, and to appoint a proper person or persons, residing upon the coast of Africa, as agent or agents for receiving those persons of color "delivered from on board vessels seized in the prosecution of the slave trade, by the commanders of the United States armed vessels."

The then President of the United States, Mr. Monroe, perceiving that the benevolent provisions of this law for the benefit of the recaptured Africans might be most economically and effectually fulfilled by securing a home for these persons within the limits and under the protection of such colony as might be founded by the efforts and donations of the members and friends of this society, determined to act in co-operation with the society in regard to the station to be chosen for the temporary or permanent (as might be) residence of such Africans; and when the society had obtained possession, by purchase, of a portion of the tract of country in Africa since designated by the name of Liberia, such persons were placed upon its soil, under the care of an agent of Government, with such means of subsistence and defence as might enable them ultimately to attain the advantages which it was the endeavor of the society to secure to those voluntarily engaged under their auspices in the establishment of their colony.

Thus the colony of Liberia rose into existence, both as a home for the recaptured Africans restored by the humanity of our Government to their own country, and as a well-organized community of free colored men, prepared and disposed to extend their useful arts, laws, civilization, and Christianity, far abroad among the native population of Africa.

Animated by the idea that their scheme was equally patriotic and Christian, tending to unite the minds of our countrymen on subjects in reference to which differing and warring opinions are to be deprecated, engaging their thoughts and exertions in measures to remove, with their own

consent, our free people of color, and such as may become free, from circumstances and influences that embarrass and depress, to those which stimulate, encourage, and exalt, and which must enable them to secure for themselves and posterity a free, independent, national existence, where such an existence may prove with increasing power an element destructive of the atrocious slave trade, and of renovating moral and intellectual life to the barbarous and uncounted tribes and nations of Africa, withdrawing the people of Africa from the shades of ignorance, from cruel and degrading superstitions, from wars, and their fruitful parent, that infamous commerce which annually for centuries has consigned vast numbers of its unoffending inhabitants, of all ages, both sexes, and of all conditions, to slavery or death—to industry, to the arts and practices of civilized life, to lawful, profitable, and peaceful trade, and the inestimable privileges of law, letters, liberty, and Christianity. Stirred by these high considerations, this society has proceeded, mostly by private means, in its great enterprise. Individuals from every State of our Confederacy, of every political and religious opinion, the clergy and the churches of every name, have viewed the plan of the society as of a character not only unexceptionable, but of comprehensive benevolence, operating for good in all relations and directions, embracing in its promised beneficence the interests of both the white and colored races in this country, and of the more numerous population of Africa.

The settlements of Liberia demonstrate the entire practicableness of the scheme. Though embracing but a few thousand emigrants, they exhibit on a distant and barbarous shore models of good government, of free institutions, of order, industry, civilized manners, and Christianity. Their jurisdiction extends along several hundred miles of coast, and the salutary influence of their example along the coast and into the interior still fruther. They have legislative assemblies, courts of justice, schools, and churches. But it must be recollected that these communities, which have done so much for themselves, and so much to spread out the advantages of our civilization and religion before rude and heathen men, who have passed laws for the extirpation of the slave trade on every spot touched by their rightful authority, are of a people who here enjoyed but very imperfect opportunities and inducements for improvement, who left us almost without means, many of them recently liberated slaves, and all going forth unfortified and unsustained by either national or State power, to found, in an untried climate, on the borders of a continent remote from civilized nations, a republican commonwealth and the church of God. They have nobly effected their object. But their condition is one of weakness, of difficulty, of danger, demanding, in the judgment of your memorialists, the sympathy, the immediate and generous support, not only of individuals, but of every State Legislature in the Union. To abandon, or even to neglect the communities of Liberia at this time, when it is clear that all the great and beneficent ends proposed by their establishment may, and that by means which, divided among the several States, or paid out of the common funds of the nation, would affect injuriously no one interest of the country, and which will be more than repaid with interest by the advantages of African commerce to be secured through those settlements, would be not only a violation of solemn obligation to the people of these colonies, but a sacrifice of the important commercial interests of our country. Your memorialists have abundant evidence to show that these interests on the African coast are becoming of great value, and that to Africa we may look for a market of

vast extent to some of our great staple productions, as well as for our manufactures; and that the returns will be in the palm oil, camwood, ivory, gold dust, and the precious gums, and other of the richest products of the most favored regions of the tropics.

It is necessary for your memorialists merely to allude to the various political, social, and economical considerations that should operate with wise and patriotic men, more especially in our Southern, and to some extent in all the States of this great Confederacy, to incline them to regard with favor the plan and policy of this society. Nor is it important to consider how far in the progress of this scheme there may arise some friendly co-operation between the General Government, whose peculiar province it is to foster and protect the commerce of the country, and whose acknowledged duty to suppress the African slave trade, still depriving Africa every year of a half million of her inhabitants, and the Governments of the several States, impelled by the combined considerations of interest and humanity to contribute to it their aid. To adopt the language of a former memorial, it is the duty of the society to place the scheme in which they are engaged before all who have the power to accomplish it, and to trust that the wisdom and patriotism of those to whom it is committed will devise the most proper and effectual means for its success. And they prefer, in earnestly soliciting for this enterprise the favor and pecuniary aid of the Legislature which they have the honor to address, to dwell upon those elevating thoughts so well embodied in the language, slightly modified, of the first memorial ever submitted by this society to the General Legislature of the Union. "Independently," said the president and board of managers at that time, "of the motives derived from political foresight and civil prudence on the one hand, and from moral justice and philanthropy on the other, there are additional considerations and more expanded views to engage the sympathies and excite the ardor of a liberal and enlightened people. It may be reserved for this nation (the first to denounce an inhuman and abominable traffic, in the guilt and disgrace of which most of the civilized nations of the world were partakers) to become the honorable instrument under Divine Providence of conferring a still higher blessing upon that large and interesting portion of mankind benefited by that deed of justice; by demonstrating that a race of men, composing numerous tribes, spread over a continent of vast and unexplored extent, fertility, and riches, unknown to the enlightened nations of antiquity, and who had yet made no progress in the refinements of civilization, for whom history has preserved no monuments of arts or arms—that even this hitherto ill-fated race may cherish the hope of beholding the orient star revealing the best and highest aims and attributes of man. Out of such materials to rear the glorious edifice of well-ordered and polished society, upon the deep and sure foundations of equal laws and diffusive education, would give a sufficient title to be enrolled among the illustrious benefactors of mankind, whilst it afforded a precious and consolatory evidence of the all-prevailing power of liberty, enlightened by knowledge and corrected by religion. If the experiment in its more remote consequences should ultimately tend to the diffusion of similar blessings through those vast regions and unnumbered tribes yet obscured in primeval darkness, reclaim the rude wanderer from a life of wretchedness to civilization and humanity, and convert the blind idolater from gross and abject superstition to the holy charities, the sublime morality, and humanizing discipline of the gospel—the nation or individual that shall have taken the most conspicuous lead in achieving the benevolent enterprise

will have raised a monument of that true and imperishable glory, founded in the moral approbation and gratitude of the human race, unapproachable to all but the elected instruments of divine beneficence—a glory with which the most splendid achievements of human force or power must sink in the competition, and appear insignificant and vulgar in the comparison. And above all should it be considered, that the nation or the individual whose energies have been faithfully given to this august work will have secured, by this exalted beneficence, the favor of that Being whose compassion is over all his works, and whose unspeakable rewards will never fail to bless the humblest effort to do good to his creatures.

The colony of Cape Palmas is a conclusive evidence of what a single State, and by an appropriation of a few thousand dollars annually, can accomplish in this cause. A prosperous colony of about six hundred emigrants has risen, with all the order and institutions of a well-organized society, under the fostering care of the Legislature of Maryland and citizens of this State, at the cost of less than the establishment of a single plantation of the South.

But it is vain to expect that either the various interesting settlements, scattered along an extended line of coast, under the care of the parent society, and opening a rich and inviting territory for the possession and home of our free colored population, or the settlement at Cape Palmas, can prosper, maintain themselves against the adverse influences of great power with which they are contending, effect the high purposes for which they have been planted, unless their numbers shall, by emigration, be augmented, and increased funds be supplied by the bounty of individuals, the States, or the nation. An annual appropriation for the present of even ten thousand dollars, from the Legislature of each State, with the aids which may be anticipated in the Union from the donations of benevolence, would throw a new light of hope and cheerfulness over the settlements of Liberia, and give assurance that Africa herself must rise from ruin, to stand in honor and power among the nations of the world.

On motion of Governor Morehead, this memorial was adopted, and it was ordered that a copy thereof be forwarded to each Legislature of the United States, for the purpose of being brought forthwith to the attention of all of them.

The resolutions offered by Mr. Gurley, on the evening of the first meeting of the convention, having been read seriatim, it was determined to consider them separately.

The first resolution was adopted without amendment.

The second resolution being under consideration, at the suggestion of Mr. Key, the clause “was designed to be a national institution” was stricken out, and the clause “as they may deem consistent with their constitutional powers and duty” was added at the close of the resolution; so that, as finally adopted, it reads thus:

“*Resolved*, That this society, in the prosecution of its exclusive object, the colonization, with their consent, of the free people of color residing in our country, in Africa, or such other place as Congress shall deem most expedient, being required, by the terms of its constitution, to act in co-operation with the General Government, or such of the States as may adopt regulations on the subject, may justly look for such measure of support from the Federal and other Governments of the country as they may deem consistent with their constitutional powers and duty.”

The third and fourth resolutions were adopted without amendment.

The fifth resolution was, at the suggestion of the Rev. Mr. Hawley, and with the assent of the mover, amended by striking out the words "if not threatened with extinction," so that it reads as follows :

Resolved, That at this time, when our country is agitated by conflicting opinions on the subject of our colored population; when Africa is deprived annually, by the most cruel commerce, of nearly or quite half a million of her inhabitants; when thousands are turning their thoughts and hearts to Liberia, as a small and attractive Christian State, looking forth to animate our hopes of the redemption of the most degraded and afflicted portion of the world; when this colony is exposed to danger—we are urged, by the highest and most affecting considerations that ever roused patriotic and Christian men to action, to adopt a national policy that shall tend to unite our own citizens, benefit our colored population, overthrow the slave trade, and bless enduringly two races of men, and two of the largest quarters of the globe."

The sixth resolution was adopted without amendment.

The seventh resolution was modified by the substitution of the word "colonies" for "colony" of Liberia, so that it reads :

Resolved, That it should be deeply impressed upon the public mind that, both as auxiliary and protective to the interests of American commerce on the African coast, and as a means for the extinction of the slave trade, the colonies of Liberia are of incalculable importance, and deserve the vigorous and generous support of this nation."

All the other resolutions in the series offered by Mr. Gurley were then adopted unanimously.

Mr. Gurley then rose and said, that he had just seen announced in the papers the decease of an aged, venerable, and generous friend of the American Colonization Society, the Hon. Elijah Paine, late judge of the district court of the United States in Vermont. For many years had this excellent man labored in the cause, and for the children of Africa, and but recently had given, out of his own means, one thousand dollars to the Colonization Society. It was to his exertions, in great part, that money continued to flow annually into the society's treasury from the State of Vermont. It was hardly a month since he (Mr. Gurley) had received a letter from him, evincing his unabated zeal and attachment to the great objects of the society. Feeling, therefore, that the cause had experienced no common loss in the death of this venerable individual, he begged leave to submit the following resolution, which he believed would be cordially approved by every member of the convention :

Resolved, That this convention has heard with profound grief and regret of the decease of the Hon. Elijah Paine, president of the Vermont Colonization Society, one of the earliest, ablest, and most munificent benefactors of this institution."

This resolution was passed unanimously.

The Hon. H. L. Ellsworth and the Hon. Elisha Whittlesey made some very important statements and remarks, in relation to numerous and affecting letters received by the executive committee, of which they were members, and the pressing pecuniary wants of the society, in order to assist more than two hundred emigrants, now ready and anxious to emigrate to Liberia.

The Rev. Mr. Buffinch commenced his remarks by saying that he rose

in compliance with a request addressed to him just before the commencement of the present meeting, and should therefore present such thoughts as had occurred with but little preparation. He thought that the cause of colonization had suffered from being viewed too exclusively in connexion with that of emancipation in this country. On this subject he should say but little, for two reasons. It seemed to him unnecessary to connect the cause before the convention with the exciting topic adverted to. The object of the Colonization Society was in their constitution stated to be, the settlement of the free colored people upon the coast of Africa, with their own consent. Emancipation, then, was not included as part of the object of the society's efforts. True, members of the society and others might form their own opinions about the ultimate result of their labors; they might come to different conclusions on the subject, without exposing the society itself justly to the charge of inconsistency. But another reason he had for regarding the colonization cause, in his present remarks, in those points of view which were distinct from the question of abolition, was that, should he enter on that question, his own views might be found at variance with some which had been expressed by other speakers. He desired rather to occupy that common ground on which all the friends of the cause could meet. And was not this common ground sufficient? Two grand objects were legitimately, and without objection on the part of any, within the contemplation of the society, as the result of its labors. One was, the suppression of the slave trade; the other, the civilization and conversion of Africa. Are not two such objects enough, without uniting with them any other, to render this the noblest undertaking that ever demanded the energies of the philanthropist and the Christian? The suppression of that trade which had been for centuries the disgrace of civilized man, and the raising of a mighty continent to participation in the blessings of intellectual, moral, and religious light—were not these sufficient? What mind so vast, what philanthropy so capacious, that these could not fill?

To these two objects, then, in the accomplishment of which the Colonization Society might bear its part, he should confine his remarks. And, first, with regard to the slave trade: Who had not heard the melancholy tale of the sufferings endured by its unhappy victims; the internal wars of Africa; the thousands of lives lost in combat; the severing the prisoners from their country and their home; their loathsome confinement, by hundreds, in the crowded slave ship; the lives lost during that dreadful passage; the murders perpetrated to conceal the character of the vessel, or to lighten her of her load? Who had not heard of these? Yet these horrors still continued, though so long the indignation of the Christian world had been directed against them.

Many years ago, before any other Power had declared against this shameful traffic, one great nation, our own, our beloved country, had uttered her voice, and denounced it in the name of humanity. She then had stood proudly eminent, in the station that became her, as the great republic of modern times, amid the admiration of the civilized world. But years have passed by, and we survey another scene. That unhallowed traffic still continues, and nation is calling unto nation to put it down. The world has become sensible of the disgrace which humanity has too long endured. In the time-worn monarchies of Europe, the impulse is felt, and noble sentiments, first uttered here, meet with a response in every cabinet there; and the action taken in the cause shows that warm human

feelings can glow beneath the purple on the breast of kings. And now one nation holds back—one nation alone seems ready to declare that her inviolable flag shall screen the miscreant whom she was herself the first to denounce as a pirate. Our country! shall this be so? No! we trust, indeed we know, that the subject of the right of search will be settled in a manner which shall, in every point of view, maintain our nation's honor. But there needs more than this. Not only should the United States give their assent to the measures adopted by the rest of the civilized world in this great cause—they should take the lead; they should resume that station which long since they claimed. Our colony on the African coast should be made the centre of active operations on the part of our naval force against the robbers of the sea; while, by its influence exerted inland, it destroyed at once the facilities for the unhallowed traffic, and the wish to engage in it; substituting an honorable commerce for the horrors that had hitherto existed, and the spirit of Christianity, the spirit of love, for that savage thirst for gain that has led the miserable natives, for ages past, to make merchandise of their brethren.

While on the subject of the slave trade, he would relate an anecdote told him a few days since by a gentleman of this city, illustrating the manner in which the laws of our country had been evaded by some unworthy citizens. Some years since, the gentleman referred to had visited one of the Spanish islands. While he was there, an American vessel arrived, with an American captain and an American crew. They disposed of their cargo, and then a nominal sale took place; the American papers were deposited with the consul, and papers from the authorities of the island procured, and the vessel, now denationalized, proceeded on a slaving voyage to the coast of Africa, in charge of a Spanish captain. And who was the captain? A boy fourteen years of age, who was hired at so much per week, to give his powerful protection in making piracy legal.

But besides the suppression of the slave trade, there remained another object, and one which might well engage all the energies of Christian philanthropy. The undertaking of African colonization was emphatically a missionary undertaking. And what might be the success of Christian missionaries there, when the spirit in which the enterprise was carried on should come to be known and appreciated among the inhabitants of the coast? It had been his pleasure, a short time since, to listen to an address from a most intelligent man, a chief of the Choctaw tribe of Indians. He had heard with surprise of the advances made by that and other tribes in Christian education and the arts of civilized life. The idea was now refuted, that it was impossible to christianize and enlighten Indians. It had been effected; and tribes, savage but a short time since, were now with joy receiving the glad tidings of the kingdom of God. But, in addressing the Indians, the missionary had every thing against him. The white man had come among them, of a different race from their own; he had waged war against them; he had appeared sometimes as a wrathful conqueror, at other times as a tempter, beguiling and corrupting them by his intoxicating draught. The Indian looked upon the white man as his foe; and often would he tauntingly reply to the exhortations of the missionary, by telling him to teach his own brethren justice and forbearance, before he came to enforce the lessons of his religion upon the red man. Yet had the missionary won his way, and savage tribes were bending to the sceptre of the Saviour. In what a different aspect will Christian influences approach the benighted myriads of Africa. The colonists appear, not as conquerors, but

as brethren, of the same race as those whom they strive to enlighten. And while inviting them to the reception of the white man's faith, they are themselves the monuments of the white man's mercy and justice. It is in the voice of Christian sympathy and love that America addresses Africa, long and deeply injured Africa. We call on her children to abandon that horrible traffic in which the merchandise has been their brethren's flesh and blood. We, too, we tell them, have sinned in this thing—not like you, for we sold not our own fellow countrymen, and those of our own race, to strangers; but we have sinned. And now we come to you, and we bring to you these your brethren, whom we have liberated, and for whom we have purchased from you this home on your shore. We bring you that sacred book from which we have learned thus to do. It is the law of love, the law of God. Your soil is already hallowed as the resting place of some who have died willing martyrs to your good and to the promulgation of this great law. Here rests the heroic Asinun, here rests Buchanan, here rest others who like them have given their lives for the glory of God and the good of man. These are the pledges of our sincerity. We have given of our substance—we have given you of the lives of the most valued among us, that we might atone for the wrongs of Africa, that we might win this continent for Christ.

Mr. President, can such an appeal be unheeded? Can the moral influence of this noble enterprise fail to aid, most powerfully, the direct efforts of the missionary in diffusing through that neglected and unhappy land the blessings of civilization and of true and pure religion?

Mr. Key moved an adjournment to Monday evening at half past seven o'clock, and also that a committee be appointed to obtain the use of a suitable church for Sunday evening, and for securing at that time a general meeting of the friends of the cause from the several churches in the city, in order to spread its wants before them, and obtain their contributions for its relief. Messrs. Key, Gurley, and Seaton, were appointed on this committee.

The convention adjourned to Monday evening, half past 7 o'clock.

MAY 9, 1842.

The convention met, at the hour appointed, in the Rev. Mr. Rich's church, 4½ street, when the Hon. Mr. Underwood resumed the chair. Mr. Gurley made a few observations, and was followed by the Rev. Mr. Clark, of Washington city, who expressed in a very pertinent and impressive manner his convictions that much aid would be secured to the society, were the clergy generally informed of many interesting facts that had been submitted to the convention. He thought they might properly be called on to preach, each of them, a sermon on the subject of African colonization, and to show how vitally the scheme was connected with all the great interests of Africa. He moved a resolution, which, after having been, on motion of the Rev. Mr. Hawley, (who alluded to the fact of his suggestion years ago, that the 4th of July would be a most appropriate time for collections for this society,) slightly modified, was adopted, as follows:

“Resolved, That the society be instructed to prepare a circular embodying the most important facts relative to the present condition and wants of the society, and send the same to the different clergymen throughout the United States, with a request that a discourse be preached to their respective societies, and a collection be taken up about the 4th of July next, or at such time as may be most convenient to the clergy, respectively, in aid of the funds of the American Colonization Society.”

Mr. Gurley said that, in compliance with a suggestion of his friend, Mr. Key, he had embodied in the form of a resolution the idea of personal individual exertions for the cause—a matter of special, of immense importance; for, in truth, the very life of the cause depended upon the personal efforts of its friends. He then submitted the following resolution:

“Resolved, That this convention are deeply impressed with the great necessity, at the present time, of personal exertions on the part of the friends of the American Colonization Society, to extend its influence, and especially to increase its resources; and that every friend of the institution be earnestly requested to make collections for its benefit, and transmit the amount to the society.”

Mr. Key then read the following resolution:

“Resolved, That a committee be appointed to prepare and present a memorial to Congress, recommending such measures to be taken for the protection of the colonies now established on the African coast, the promotion of American commerce on that coast, and the suppression of the slave trade, as the National Legislature may approve.”

In sustaining this resolution, Mr. Key said:

He should not detain the convention longer than would be necessary to show what measures might be asked and expected from Congress in relation to the subjects mentioned in the resolution, and some of the important consequences that would result from their adoption.

All would agree that nothing should be asked, or could be expected, from Congress, that was not plainly within the constitutional limits of their powers and duties. The action of Congress is to be solicited, in the memorial contemplated by the resolution, in behalf of three objects: the protection and promotion of American commerce on the coast of Africa, the suppression of the slave trade, and the protection of the colonies now established on that coast.

That the power of Congress extended to the first of these objects, (the protection of our commerce every where,) was shown in the plain words of the Constitution. It was equally plain that it would be a duty Congress would never hesitate to discharge, whenever protective measures should seem to be necessary or proper.

All he had to show, therefore, under this head, was, that protection and encouragement are now necessary and proper to be extended to our trade on that coast.

Those who had the gratification of hearing the very interesting statements of Dr. Hall in relation to African commerce, made during the convention, could not doubt that those statements alone, coming from a highly respectable and intelligent gentleman, personally acquainted with the trade, and the facts he stated, would enable the convention to make out a strong case, justifying and requiring the action of our Government, by the adoption of the usual and proper measures for protecting and fostering a commerce now presenting great inducements to American capital and enterprise.

To the representations of Dr. Hall could also be added much additional evidence, to the same effect, derived from recent and authentic sources, and confirmed by all the discoveries which had been made of the population, productions, and resources of that great and long-hidden continent.

We shall thus be enabled to show that a population estimated at 150,000,000 is to be found upon that quarter of the globe; that they inhabit a country unsurpassed by no other portion of the earth in the fertility of its soil, the excellence of its climate, and the richness and variety of its products; and

that it is intersected by mighty rivers, inviting the commerce of the world to its most interior recesses.

We might conclude, even with less information than this, that the great Creator of the earth had not left this portion of his work unblest with the abundant means which his bountiful hand dispenses every where else, for the sustenance and comfort of man, and to invite distant nations to meet together, as the members of a common family, in the interchanges of a peaceful and civilizing commerce.

And we now know that it is so. Light has pierced into the thick darkness that has long enveloped that outcast continent, and the treasures and blessings of a benignant Providence are seen to smile in all her plains and wave in all her forests.

It is true this fair creation of God has been marred by the wickedness of man. A trade abominable and detestable beyond all epithets that can be given to it, at the very name of which the blood curdles, and no man hears it, who,

——— "Having human feelings, does not blush
And hang his head, to think himself a man,"

has long desolated Africa, and disgraced the world.

This trade has been stamped with the double curse of offended Heaven—curse to the givers and receivers of the guilty traffic—to Africa, in the wretchedness, rapine, and murder of her children, and to her rapacious tempters, in innumerable, just, and fearful retributions.

The wrath of God has been manifested at this crying iniquity on the blood-stained borders of all her coasts, where the angry elements are let loose against this inhuman trade. What is the stormy cloud that darkens these infested shores but the frown of the Almighty? What the fierce tornado, but the blasting of the breath of his displeasure?

It is true that, under this curse, Africa has long groaned and bled, and many a fair field, and happy village, and crowded town, has been made a wilderness. It is true, she is still an awful sufferer. Even now, while we are speaking of her wrongs, some distant and peaceful hamlet, hitherto beyond the reach of the spoiler, hidden and hoped to be secured by intervening forests, has been hunted out and surrounded, and its sleep awakened by the shout of ruffians.

But these horrors will have an end. The dawning of a better day appears. These wronged and wretched outcasts will be brought back into the family of nations. The crimes that warring elements and fearful visitations and judgments could not restrain shall have a conqueror. Man shall be honored as the instrument in accomplishing this work of mercy. Man's heart shall be softened and humanized, and, glowing with love to God and man, go forth on this errand of compassion. Thus the virtue and benevolence of man shall repair the outrages committed by the inhumanity of man. The trade that has wasted and debased Africa shall be banished by a trade that shall enlighten and civilize her, and repeople her solitary places with her restored children. And Africa, thus redeemed and rescued from her curse, and the world from its reproach, shall

"Vindicate the ways of God to man."

Already has this unhappy race been brought to see that they can participate in the commerce of the world without crime and misery; that Providence has blessed their land with abundant resources; that, instead of offering their wretched and plundered brethren in exchange for the commodities of other climes, they have enough in the rich productions of their

own soil to invite the trade of all nations to their shores. There are now on the coast of Africa nations who no longer trade in human beings. There are now hundreds of miles on that coast where this awful trade has ceased; where hundreds and thousands of peaceful natives hear no more the signal gun of their cruel spoilers, tempting the strong to violence and rapine, and filling the weak with terror. In the place of that trade that laid waste their country and debased their people, checking every effort of industry, stifling every virtuous impulse, and exciting to every vice, a lawful and humanizing commerce has been substituted, and, under its influence, the African is rising from his degradation to his true rank and condition as a man, and rejoices in the labors and pursuits of a peaceful and happy life. There has been no difficulty in effecting this change, wherever proper means have been used to accomplish it. The portions of that ill-fated continent thus delivered are gradually extending their limits. These bright spots are diffusing their light over the surrounding darkness. The trade thus established, though originating in motives of humanity that have been richly rewarded, has now assumed a fixed course and character, and offers all the ordinary inducements of mutual profit to commercial intercourse. Nothing has been more interesting, in the progress of this convention, than the information laid before it, particularly that derived from Dr. Hall, of the present state, the rapidly increasing extent and importance, and boundless prospects of this legitimate African commerce.

Mr. Key here referred to the answers of Dr. Hall, and other recent publications, and showed the value and inexhaustible amount of many of the productions of that continent, and their importance to the other parts of the world, and the advantages of having so vast a market opened for the products and manufactures of our country. He also showed the profitable nature and extent of the trade, even at present; how rapidly it had increased within a short period, and how necessarily that increase must continue.

He adverted to the immense demand for trade goods in Africa now supplied by the slave trade, of which increasing portions every year would fall into the course of this commerce. How that demand would increase as the slave trade disappeared, (he said,) was obvious. What would be its extent and importance to the rest of the world, when that vast continent, freed from its desolating scourge, should reward the labor and enterprise of a reclaimed, civilized, and increasing population, no human imagination could conceive. As no limits could be assigned to its demands, so none could be set to the extent, variety, and richness of her returns. The spontaneous productions of her boundless and neglected forests alone, filled with innumerable and valuable dye woods, and the majestic palm, the ancient and acknowledged symbol of fertility, would furnish the richest object of commerce for ages. But when a trade like this shall have enlightened all her coasts and the borders and sources of all her rivers, when Africa shall retain and nurture and enrich her children, and they shall repay her maternal care by all the culture that civilization and a pure and peaceful religion shall have taught them, who can tell what shall be her place and name among the nations of the earth?

He had then (he trusted) shown the clearest and strongest case for the action of the General Government.

A trade of considerable extent and importance already in operation, rapidly increasing, and opening prospects the most inviting to commercial enterprise. Laying aside all consideration of the great consequences to be

accomplished by it in the rescue of a wretched and oppressed race, and the gratification of the purest and best feelings of our nature, and regarding it only as a matter of trade for its gains, and who could hesitate to say that here was a branch of American commerce deserving and demanding both protection and encouragement.

How these are to be afforded, it is for the wisdom of Congress to determine. The convention has heard what will enable it to show the necessity of doing something that shall enable our citizens to participate equally with those of other nations in a trade that promises to be profitable to all, and that shall assure, to such as may engage in it, the same advantages that are extended to other branches of our national commerce.

The resolution recommends another and kindred subject, as proper to be presented to the consideration of Congress. This is the African slave trade.

If this abomination was now for the first time to be brought before Congress, there could be no doubt of its power to entertain it, from its necessary connexion with the subject already spoken of; for it is emphatically the enemy of lawful commerce, as it is of every thing else beneficial and honorable to man. Its direct tendency is to close up ports that should be free and open markets to the vessels of all nations, and to fill the seas, the great and common highway of all, with lawless plunderers and pirates.

But it is not now for the first time to present itself to the legislation of our national councils. The American Congress has the acknowledged honor of being the first to take away the sanctions of law from its pursuits; the first to denounce its inhumanity, and fix upon it the brand and punishment of piracy; and the first to propose, by the common consent of nations, that the slave trader should be subject every where to seizure and punishment, as the enemy of the human race.

Mr. Key here referred to the various acts and resolutions of Congress, the address of the British Parliament to the Prince Regent of July 9, 1819, the report of the African Institution of England, the correspondence between Mr. Adams and Mr. Canning in 1823, and particularly the resolution of the House of Representatives of the United States of March 8, 1823, by which "the President of the United States was requested to enter upon and to prosecute from time to time such negotiations with the several maritime nations of Europe and America as he may deem expedient, for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world."

He also referred to the declarations and proceedings, and great and continued efforts of the British Government to suppress this trade, particularly to the treaty of Madrid of the 22d of September, 1819, by which Spain consented to the immediate abolition of the trade north of the equator, and promised its entire abolition after 1829; for which concession the British Government paid the sum of £400,000 sterling.

Here (he said) we had the gratification of seeing that the great and proud land of our ancestors had zealously and powerfully seconded the declarations and acts of our Government for the suppression of this crime. The efforts of England to accomplish this great object have been most costly and unceasing. Under the influence of a just and laudable humanity and a wise policy, she has ever persevered in her war upon this trade. Mr. Wilberforce, the best and greatest of her statesmen, in 1818, in a speech in the House of Commons upon the Spanish treaty, speaking of the sum paid to Spain for acceding to the abolition of the trade, said "he could not

but think that the grant to Spain would be more than repaid to Great Britain in commercial advantage, by the opening of a great continent to British industry—an object which would be entirely defeated if the slave trade was to be carried on by the Spanish nation.”

Thus it appears that two of the greatest maritime nations have long since decreed the destruction of this infamous traffic, and pledged themselves to the world for its accomplishment. Nothing, therefore, can be more in accordance with the declared will of the American people, nor within the admitted sphere of action of their representatives, than to invite their attention to the interesting subject on which they have thus spoken and acted, and lay before them the information this convention has obtained in relation to the present state and circumstances of this trade.

And nothing can be more opportune than such a consideration of this subject now. It seems a design of Providence that the two great nations who have united in the noble and holy resolution of effacing this foul blot from the face of the earth, should be brought together, in amicable conference, to determine what remains to be done to accomplish what they have vowed.

Let us, then, present this subject to our people and their representatives—and to the people and representatives of a nation as willing and ready as our own to co-operate in this great work. Let us show them—

How it is that the slave trade has not been abolished;

And how it may be abolished.

The slave trade, though thus denounced, and thus warred upon, has not been abolished!

Nay, it is worse; it has not been diminished! It is still worse; it has increased—and increased in every way—in extent and in atrocity. We can refer to calculations recently and reasonably made, from facts well accredited, in England, to show that the extent of the trade is greater than ever. It is thus shown that this pestilential crime now sweeps from Africa, every year, upwards of half a million of her people.

We can show also, from sources equally authentic, that the horrors attendant upon this unnatural and wanton waste of human life are far more terrible than were ever seen, or could have been expected, even in the perpetrators of this hardening and brutifying traffic.

It is now a fearful and horrid process, carried on under the constant dread of pursuit, in sharp fast sailing vessels, with the malice and fury of fiends. The wretched victims are wedged together in the foul and close recesses of these prisons, with scarcely space enough to each for the heart to swell in the agony of its despair. The very slave traders of former days would be shocked to look into the hold of a modern slave ship. If, in the days of Clarkson and Wilberforce, when the pictures of the interior of the vessels then in use roused the indignation of their countrymen, a slave trader of that day could have been shown the representations now given of vessels recently captured by British cruisers, and he could have been told that the cruelty of his trade would ever reach such a measure of enormity, he would have indignantly repelled such an intimation, and said—

“Am I a Jog, that I should do such things?”

Mr. K. then referred to the documents and official statements and estimates in the late work of Sir Thomas Fowell Buxton, and to papers in the same and other publications, showing the present course and state of the slave trade, and the inefficiency of the means used for its abolition.

We are thus constrained to say that all this strong desire, and these

strenuous and persevering efforts, had accomplished nothing ; that, over all this opposition, the slave trade had achieved an impious and awful triumph. So manifest is this, that the humane author to which he had referred, in the conclusion of his great and benevolent work, admits that it is "better to do nothing, than to go on, year after year, at great cost, adding to the disasters and inflaming the wounds of Africa."

The means, then, that have been used have failed, utterly failed, and even, if nothing else can be done, had better be abandoned. Better let the spoiler seize his prey, without inflaming his cupidity and his cruelty by opposition—better let him bear it away slowly and securely, than give him, by pursuit, temptations to torture, and the plea of its necessity.

What have these means been ?

Treaties and stipulations with the nations whose shores are still polluted by the reception of this impious merchandise of human beings—treaties and stipulations, bought and paid for, solemnly engaging to prohibit and prevent these importations, and yet utterly disregarded ; in some places perhaps attempted, vainly and by insufficient means, to be enforced ; in others connived at ; in others openly and shamefully permitted ; in all, the demand and the supply as great, if not greater than ever.

In the same work to which he had already referred were to be seen, in the reports of the British commissioners, and the despatches and correspondence of Lord Palmerston, and other official documents, the clearest evidence of the want of will, or the want of power, or both, in the officers of Spain and Portugal, and some of the South American States, to fulfil the stipulations they have made, to stop the importation of slaves within their territories.

So manifest is this, that Lord Palmerston stated, in 1838, in a letter to Sir G. Villiers, that "no reliance can be placed upon any of the subordinate authorities of the Spanish Government, either in the colonies or in Spain herself, for the due execution of the laws of Spain and of the treaties for the suppression of the slave trade." And Sir T. F. Buxton, in his very recent work, "declares his conviction that the trade will never be suppressed by this system ;" that "its enormous gains will defeat it."

This measure, then, of negotiating treaties with the nations into whose territories slaves are introduced, has failed.

Can any thing be done to make it more effectual ? England, with whom these treaties have been made, has the right to enforce their fulfilment. She may make their infraction cause of war ; and her power might enable her alone to prosecute such a war successfully. But, unless similar treaties could be made with other nations, they could have no such right of interference in the internal concerns of other States. Could our country, and the other civilized nations, obtain, by commercial advantages or otherwise, similar treaties, so that the voice, and, if need be, the arms of all the civilized world, could be brought to bear on these States, then success might be expected.

There are great difficulties in the way of such a scheme, perhaps, at present, impracticable. But we may hope that a time may come when the nations now allowing these importations may be induced, by motives of humanity and interest, to enter into such engagements. It must, no doubt, to be just, be voluntary. And other nations, from the same motives, and seeing the importance of opening the African trade to themselves and to the world, may find adequate inducements to such negotiations. Till then these means cannot be available.

Another measure resorted to, and most earnestly prosecuted by the British Government, is the pursuit and capture of slave vessels on the ocean. Something has, no doubt, been effected by these means. Many vessels have been captured, and many slaves delivered. But the number, compared with that of those that have escaped, has been insignificant. And it is now seen and admitted that no sensible diminution of the trade can be expected from any force and any vigilance that are brought to arrest it on the ocean, the amount of what is thus restrained being far less than the increase arising from the continually increasing cupidity with which it is prosecuted.

All this, he said, was manifested by the reports of the British governors and officers on the coast, collected by Sir Thomas F. Buxton; and that writer expresses, unreservedly, his despair of seeing any thing effectual accomplished, unless other measures are adopted. This has been no surprise to those whose opinions on this subject were formed from correct information of the state and course of the trade. One of the earliest movements of the American Colonization Society was to send two intelligent gentlemen to visit and explore the coast of Africa, and obtain all necessary information of the circumstances under which the trade was conducted, and of the habits and dispositions of the natives. The journal of this interesting voyage by Mr. Mills, and the information given by his worthy associate, Mr. Burgess, accord remarkably with the views now presented in Sir Thomas F. Buxton's book, and the answers and explanations made to the convention by Doctor Hall. In their third annual report, in 1821, the society expressed their decided conviction that the slave trade could never be suppressed by action on the ocean, but could only be extirpated by operations on the land, where it originated; and the same opinion has been often since expressed in subsequent reports. Experience has shown that these opinions were correct, and the persons best informed upon the subject now with one voice acknowledge the inefficiency of these means of prevention.

It is plain, therefore, that the two great nations, united in a common declaration of extermination against the slave trade, must adopt other and more decisive means of operation than those heretofore exerted.

The question now is, what shall these means be?

It is perhaps worthy of consideration, whether both these nations cannot devise some legislative restraints upon the indirect aid and facilities afforded by some of their citizens to the commerce of the slave traders. In our country it is believed are the principal builders of the vessels of the slave traders. In England, as shown by Sir Thomas F. Buxton, a very large proportion, if not almost all, of the trade goods, and the utensils and implements of the trade, used by the slavers, are manufactured. The sales of such goods and implements and vessels, if innocently made, in ignorance of the use for which they were intended, could not be restrained; and it would be difficult, if not impossible, in most cases, to affect the manufacturers with the knowledge of the use for which they were purchased. It is evident that, though some degree of restraint might be thus imposed upon the trade, nothing decisive or permanent could be expected from such legislation. Something far beyond this is necessary to accomplish the object.

What that is, we cannot now reasonably doubt. A clear and most unanimous opinion, founded upon long experience and undoubted facts, has been pronounced by British governors and officers long familiar with the coast of Africa, the situation and disposition of the natives, and the opera-

tions of those engaged in the trade. A humane and intelligent association in England, with Sir T. F. Buxton at its head, has been investigating this subject for years, and has now given to the world the result of its labors. Many of our citizens, who for upwards of twenty years past have directed their attention to the same objects, and naval officers and agents of our Government who have been upon the coast, have on frequent occasions expressed their views upon the subject.

These all concur in designating the true remedy for the evil that has so long baffled all other efforts; and it has every quality that seems necessary to justify the strongest hopes of its success.

It seeks not to lop off the branches that may be within our reach, but strikes at the root of the evil. It assails the trade, where it begins, on the soil of Africa; not on the ocean, where it has the means of escape. It depends not on catching flying purchasers who may escape, but stops the sale; so that there may be no purchasers. If it can create such a state of things in Africa that there shall be no market for slaves there, the object is accomplished.

Such a state of things can only be created by opening another market, by the substitution of another trade.

Commerce, civilization, and colonization, each introducing the other, each promoted by and promoting each other; working together in concert to offer to the natives the supplies they need, and showing them that they can be had for prices far short of the blood and misery heretofore demanded for them; showing them that their forests and fields present all around them, and to all, abundant means of payment—that they should prefer the certain products of peaceful labor to the sad chances of intestine war.

That the wretched natives of that continent would be influenced by such inducements, and were prepared to receive this substitute for the trade which now stimulates them to mutual violence and slaughter, is proved by the evidence of those just referred to, by the circumstances attending the trade, and by the success which has already attended the efforts to effect such changes among them.

The coast of Africa is peopled by a belt of feeble and distinct kingdoms, easily accessible to the influence of those who will bring trade to them of any description, and easily awed by the appearance of naval force. On those parts of the coast where they have discontinued the slave trade, a great and rapidly increasing improvement has taken place in their condition and habits, and they are now engaged in procuring the products of their country, and availing themselves of the advantages of commerce. Where the slave trade still prevails, they are the factors or agents between the interior kings, who drive down their gangs of slaves, and the slave ships. This intermediate agency is necessary to the trade. The great mass of slaves is driven down from considerable distances in the interior, to the chiefs or kings upon the coast, where they are kept in large receptacles, by thousands, where many of them perish. These places are known to the slavers in the vessels as they pass along the coast, who communicate by signals with the shore, and take off their cargoes.

It would therefore only be necessary to operate upon these nations on the coast. If they abandon the trade, the supply from the interior ceases.

There are several very interesting statements quoted in Sir T. F. Buxton's book, from the governors of the British settlements on the coast, particularly those of Colonel Nicholls and Governor Turner, showing the ease with which arrangements can be made with those chiefs for the abolition

of the slave trade and the introduction of lawful commerce. The concurring statements and opinions of Dr. Hall the convention has heard. But the proof exhibited by the success that has attended all the attempts of this nature, made in the neighborhood of the civilized settlements on the coast, is conclusive. Thus, for several hundred miles of coast, the slave trade has ceased; and this change has been effected by treaties, and sometimes by the destruction of the factories and establishments of the foreign miscreants, the outcasts of all nations, engaged in every species of lawless violence and plunder.

The natives are now enjoying the advantages of this change, and the great and obvious improvement in their condition cannot fail to attract the attention of the adjacent population; and there is no reason to doubt that the whole western coast may, by proper efforts, be soon delivered from this scourge, and made to exhibit the same improvement.

Under the influence of these encouraging prospects, the British Government has already commenced this course of proceeding. Thus originated her expedition to explore the Niger, of the unfortunate failure of which we have all heard.

We are now negotiating with her, on the subject of the suppression of the slave trade, and discussing questions about the right of search. How it is to result, he, of course, could not pretend to conjecture. But one thing he could say, and appeal to British authority of the most unquestionable character to prove it—that it was a matter of little or no moment to the slave traders how it resulted. It would not sensibly affect their trade. It would do nothing with those that were not discovered; nor with those that, though discovered, could not be caught. And we all know that the trade is so managed as to provide well for both these ways of escape. It is, moreover, no new expedient. The British cruisers, for several years, have exercised it to a greater extent, in relation to vessels under our flag, than it is now asked, and it has proved ineffectual.

We may, then, safely conclude that, whatever our Government may say to the application now pending, something far beyond any arrangement the two Governments may make upon this subject must be done, if they desire to abolish the trade. Let them agree to do that which, all may now perceive, presents the sole hope of success, and they may well waive the discussion of all lesser topics. Let them unite in the determination to give *commerce, civilization, and colonization*, to Africa. Wherever they shall present these, the demon they would destroy will flee before them. Let a proper scheme be formed to accomplish this. Let the officers of our respective naval forces detached to execute this service be instructed to act in concert—to visit the most extensive slave marts, convene the kings and chiefs before them, and let them know that these two nations have united their forces to abolish the trade. Let treaties of amity and commerce be thus formed along the coast; and all the facilities and inducements of commerce be opened between the natives and the people of both Governments, and with all the world. Thus, and thus only, can the solemn pledge of England and America be redeemed, the rescue of Africa accomplished, and the cause of humanity and the prosperity and honor of the world sustained as they ought to be.

To join in such a work as this, no nation has inducements like ours. Our products and manufactures are particularly adapted to African commerce, and her articles of export most valuable to us. And we have facilities and advantages peculiarly our own, arising from the colored race

among us, and presenting to them and to ourselves the prospect of incalculable benefit.

That unfortunate race has been treated among us with a humanity that might have been expected from those who had not covetously sought them for gain, but been compelled reluctantly, and against their earnest protests, to receive them. They have not been worn down and wasted by hard bondage, as in other slave countries, where the slave trade is resorted to to repair the losses thus occasioned. Their great increase, equal to that of any race any where, proves that they have been no victims of inhumanity. A great number of them have been liberated, and live among us, both in the slave and free States, under circumstances that must ever be unfavorable both to them and to us.

Let their fathers' land be opened to them. There is their home. They are the men eminently qualified to bear *commerce, civilization, and colonization*, to the land of their ancestors. Let them return to dispense there the blessings they have received here—the arts of civilized life; the restraints of law and order; principles and habits of morality and industry; and, above all, the great teacher and dispenser of all good, the Christian religion. They are men, and they will feel the irresistible impulse to bear these blessings to the benighted brethren of their race. It is not in human nature to resist such an impulse thus to exalt themselves and enlighten those to whom they are thus bound.

They are also, if not the only men that can effect the redemption of Africa, certainly the best qualified to accomplish it. Providence seems to have decreed that Africa shall not be the white man's home. He who "made of one blood all the nations of the earth" hath "assigned" also "the bounds of their habitation," and Africa is reserved for her original race. They must be the settlers on her coasts, the adventurers to explore her mighty rivers and boundless forests. The late expedition to ascend the Niger cost nearly seventy thousand pounds and many valuable lives. Who can doubt that such an adventure could have been made by our colonists on the coast, or by our colored people here, at less than a tenth of the cost, and with no hazard of life? Let us then propose this scheme, and enter upon its execution with an energy and zeal proportioned to such inducements and facilities.

He now called the attention of the convention to the only other subject embraced by the resolution.

The memorial is to present to the consideration of Congress the colonies now established on the African coast.

Here, it may be thought, we are introducing a subject of a more doubtful character. It may be asked what Congress can have to do with these colonies, where our Government has no sovereignty or jurisdiction. Our Constitution, it will be said, gives no powers to the General Government to acquire or govern foreign territories. Foreign conquest and dominion were not objects intended to be authorized.

If it be admitted that our Constitution does not permit the acquisition of territory, and assuming the government of it, on the coast of Africa, it would by no means follow that protection might not be afforded to settlements there established, for the purpose of accomplishing thereby any of the legitimate objects of government. Our Government, like all others, may certainly be brought under the plainest obligations to extend its protection to a foreign territory, whenever the interests or safety of its own citizens, or its engagements with persons in such territory, may require it. What

the memorial is to request of the representatives of the National Government is, not to assume the government of these settlements, but to protect them. And this he would undertake to show as plainly within the power of Congress as the protection of commerce or the suppression of the slave trade.

All agree that the commerce of the United States is, by our Constitution, placed distinctly and exclusively under the control and protection of the General Government.

Our commerce, then, with these colonies is to be protected; and, if that branch of our commerce be sufficiently important to our citizens to justify it, doubtless the colonies themselves may be lawfully protected from danger.

And if it shall be made to appear to Congress that the trade of American citizens on the coast of Africa deserves encouragement and requires protection, and that these friendly and civilized settlements on a barbarous coast are necessary to render such aid and relief to our citizens, so engaged, as may enable them to prosecute their trade safely and advantageously, it would follow as a plain matter of duty that our Government should sustain and protect them. That these colonies did afford aid to the trade of our citizens, and that their support and protection were legitimate objects of the care and attention of the National Government, had been declared, and proved, and recognised, on frequent occasions. Every trader to the coast knows this. Dr. Hall has shown their great importance in this respect, and the many instances in which the vessels and lives of our citizens have been preserved by the relief they have afforded. And this is confirmed by our naval officers on the coast, the instructions they have received from our Government, and the duties they have been called to discharge. These all show that, as friendly ports on a distant and inhospitable coast, their protection is essential to the protection of commerce.

Again: their preservation is essential to the prosecution of the other object mentioned in the resolution—the suppression of the slave trade. The power of Congress over that subject, as has been shown, was never questioned. And if Congress may lawfully undertake measures for the suppression of that trade, and the colonies are necessary or important to make those measures successful, their preservation and protection are within the power of Congress.

That they are the most powerful auxiliaries in the war upon this vile trade is at once shown by the fact that they have annihilated it every where within the reach of their influence. This shows that, whenever lawful trade is brought within the reach of the natives, they will abandon the trade in slaves.

He referred to the answers of Dr. Hall, the reports of the African Institution in England, and of the American Colonization Society, and the work of Sir Thomas F. Buxton, to show the extent of coast in the neighborhood of these African colonies now freed from the slave trade, and the happy effects they were producing by their influence and intercourse with the native tribes.

The same documents, also, to which he had already referred, the reports of our naval officers, and the instructions under which they had cruised, showed that these settlements have been always regarded as important stations for the aid and refreshment of our public and private vessels, and as exerting a beneficial influence in promoting lawful trade and suppressing the slave trade.

No higher claim need be offered to justify the protection now to be asked for them. But there is a higher claim. The faith of our Government is pledged for their protection. To that pledge they owe their existence, and to its fulfilment hitherto their present safety and prosperity.

It can be shown to Congress that their statute in 1819, for the prohibition of the slave trade, required that the Africans captured under its provisions should be removed to Africa. Its second section authorizes the President "to make such regulations and arrangements as he may deem expedient for the safe keeping, support, and removal beyond the United States, of all such negroes, mulattoes, or persons of color, as may be so delivered and brought within their jurisdiction; and to appoint a proper person or persons, residing upon the coast of Africa, as agent or agents for receiving the negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade by commanders of the U. States armed vessels." By this act, \$100,000 was appropriated to carry it into effect.

The President, in the execution of the duties thus assigned to him, necessarily considered that the Africans thus to be kept, supported, and removed, or received on the coast of Africa, were not to be left to perish, or again to be seized and transported on a barbarous coast. He was authorized to appoint agents to receive them, and they and the agents were, of course, to be protected and supported. He therefore made the "regulations and arrangements" required by the act; and despatched agents, with proper means to assist them in the discharge of these duties, to reside upon the coast. They were sent there in a public ship, and directed "to select the most suitable place on the coast of Africa, to which all persons taken under the act should be delivered to them." All these regulations, and the measures thus adopted by the President, were communicated to Congress by him, in a special message, at the next session. At the same time, the Secretary of the Navy communicated to Congress his instructions to the commanders of our armed vessels for the execution of this law, requiring them to deliver whatever Africans they might capture to the agents on the coast. The place selected by the agents was the territory then acquired on the coast by the American Colonization Society, for the settlement of such free colored persons from our country as should be willing to emigrate. And a certain portion of the first colonists were engaged as assistants to these agents, to enable them to support and protect the Africans to be delivered to them. In this manner, all the regulations and measures adopted by the Executive, in fulfilling the humane provisions of this law, were distinctly brought to the notice of Congress.

At the succeeding session, the President's message again brought before Congress the slave trade, and the measures taken to enforce its prohibition. A memorial was also presented by the American Colonization Society, asking "the national countenance and assistance" to their object. It represented that there would be a "settlement of captured Africans upon the coast, in consequence of the measures already adopted," and that it was "evidently most important, if not necessary to such a settlement, that the civilized people of color of this country, whose industry, enterprise, and knowledge of agriculture and the arts, would render them most useful assistants, should be connected with such an establishment." It stated, further, that a territory had been acquired, and that they were about to send out a colony; and they called the attention of Congress to the important effects that might be expected from such establishments upon the slave trade. "That such points of settlement would diffuse their light around the coast, and gradually dispel the darkness which has so long enshrouded that continent, would be a reasonable hope, and would justify the attempt, even if experience had not ascertained its success. Although, therefore, much may be effected by the vigilant operations of a well-disposed naval force, it is to

be feared that much will always remain to be done, until some degree of civilization is attained by the inhabitants of the coast of Africa. The present measures, therefore, for the suppression of the slave trade, if unconnected with others for the improvement of the natives, must be long continued, and the effects produced by them will be partial, tedious, and uncertain; and the least relaxation of this vigilance will revive it.

The subject, thus brought to the notice of the National Legislature, was referred to a committee, which, towards the close of the session, presented an able and interesting report. This report was accompanied with the resolution already referred to, recommending the slave trade to be made piracy, and subjecting it to the punishment of death. The committee, speaking of the act of 1819, says: "The unavoidable consequence of this just and humane provision is to require some preparation to be made for their temporary succor, on being relanded upon the African shore. And no preparation can prove so congenial to its own object, or so economical as regards the Government charged with this charitable duty, as that which would be found in a colony of the free people of color of the United States. Sustained by the recommendations of numerous societies in every part of the United States, and the approving voice of the legislative assemblies of several States, without inquiring into any other tendency of the object of the memorialists, your committee do not hesitate to pronounce it deserving of the countenance and support of the General Government.

They add: "Of the constitutional power of the General Government to grant the limited aid contemplated by the accompanying bill and resolutions, your committee presume there can exist no shadow of doubt; and they leave it to a period of greater national prosperity to determine how far the authority of Congress, the resources of the National Government, and the welfare and happiness of the United States, will warrant or require its extension. Your committee are solemnly enjoined, by the peculiar object of their trust, and invited by the suggestions of the memorialists, to inquire into the defects of the existing laws against the African slave trade. So long as it is in the power of the United States to provide additional restraints upon this odious traffic, they cannot be withheld consistently with the justice and power of the nation."

Of the resolution appended to the report, they say: "In proposing to the House of Representatives to make such part of this offence as occurs upon the ocean piracy, your committee are animated, not by the desire of manifesting the horror with which it is viewed by the American people, but by the confident expectation of promoting, by their example, its more certain punishment by all nations, and its absolute and final extinction. May it not be believed that, when the whole civilized world shall have denounced the slave trade as piracy, it will become as unfrequent as any other species of that offence against the law of nations? Is it unreasonable to suppose that negotiations will, with greater facility, introduce into that law such a provision as is here proposed, when it shall have been already incorporated in the separate code of each State? The maritime Powers of the Christian world have at length concurred in pronouncing sentence of condemnation against the traffic. The United States, having *led* the way in forming this decree, owe it to themselves not to *follow* the rest of mankind in promoting its vigorous execution."

Such are the sanctions under which the lights have been kindled that now shine upon shores long darkened by the crimes of all nations. The humane policy of those measures has never been changed. Agents are still

appointed. Cargoes of captured Africans have been received there, and they are now a portion of a civilized and prosperous community, reflecting honor upon the land under whose auspices they have been sent to dispense the blessings they have received to those that sit around them "in darkness and in the shadow of death."

How can this work of our own hands be abandoned? What our power and policy have thus planted must be fenced round by our protection.

On every ground, therefore, of their own merit, and the support thus pledged to them, and as aids to commerce, and as allies against the slave trade, they must be sustained and protected. In truth, these three great subjects are one and indivisible. African commerce calls for the destruction of the slave trade, and to destroy the slave trade you must foster African commerce; and African colonization is the life of African commerce, and the death of the slave trade.

And such is the indissoluble connexion of these three great agents in this great work, that if the distinct claims of the colonies could be disregarded, our Government, in fulfilling its obligations to suppress the slave trade and encourage commerce, would incidentally and necessarily extend protection to the colonies. Indeed; this incidental protection and assistance, properly applied, would give almost all the aid they require. The claims of commerce alone will demand the presence of a portion of our naval force, and the appointment of commercial agents, as usual in other places, with proper powers to afford the facilities to trade and protection to our vessels.

The same means will be necessary to act efficiently against the slave trade, and form treaties with other nations for its abolition.

These means, effectually applied, will constitute the chief defence required by the colonies. Some of them, perhaps but recently established, are not yet sufficiently strong in numbers to be entirely secure; and most of them may need an additional supply of arms. One measure now seeming to require attention is that of negotiating with the natives for the safety and neutrality of these settlements. This interposition has been asked by the States of Virginia and Maryland; and Mr. Jefferson has long since expressed the opinion, when the application was made by Virginia, that such a measure was proper in itself, and could only be effected by the exercise of the powers vested in the General Government. This must necessarily be done by the authority of Congress.

Such, then, is the view which the resolution proposes to present to Congress of these subjects. He trusted it had been sufficiently shown that none of them were even near the border of those limits which have been assigned to the powers of Congress.

He believed it would now appear that the time for decisive action was come; the time to renovate and repeople a wasted and wo-worn land; to drive away its cruel spoilers, and to introduce commerce, colonization, and civilization, with all the virtues and blessings in their train.

The failures and disappointments of the past now show the path to success, and make it manifest that we need no longer waste our efforts in doubtful and uncertain measures. We know what is to be done, and how it is to be done.

We have undoubted facts to make out a clear and strong case for the action of our Government, on all the grounds on which it is to be claimed. Its power over the subject is proved and settled, the will to exert it cannot be found wanting in the representatives of the American people; and we may confidently hope, that what our Government was the first to declare, it will be the foremost to execute.

In conclusion, he called upon the friends of that great cause in whose behalf the convention had assembled, to rejoice in its brightening prospects. African colonization was about to receive a new impulse, to assume a new and commanding position among the means that are destined to remove a curse and bestow a blessing upon mankind. United with commerce and civilization, giving and receiving strength by the association, she will go forth to certain conquest.

The colonization of Africa, by its own free and civilized descendants, would seem, from its very nature and necessary consequences, to be the chosen and fitted instrument for her deliverance. And now experience has proved that it is so. Of all the instruments put in use to effect the purpose, this is the only one that has never failed to produce results commensurate with the extent of its application.

He had never doubted its success. From its origin, when first proposed by the venerated Finley, to the present time, in its darkest day he had never doubted. It originated in Christian hope and benevolence, and had the favor of Heaven; and that favor had been manifested in all its course. Christians and patriots came around it; and though many of them had since been called away from their earthly labors, Christians and patriots were still around it; and this convention had the gratification of seeing that, under the impulse of the feelings which had called it into existence, there were still American statesmen ready and able to maintain it.

And what (he asked) were the triumphs to which it aspired? If the extinction of the slave trade was to be its only trophy, who could estimate the amount of human guilt and suffering that would be thus prevented? If but one tribe of helpless creatures could be thus delivered, one den of slaughter and pollution broken up, the victims of a single slave ship rescued, (and victories like these colonization had already achieved and was now daily achieving,) who would regret that the labor of his life had been devoted to such a cause?

But what should be our zeal and energy when we know that the monstrous iniquity against which we are engaging demands and receives annually half a million of our fellow-creatures as its victims?—victims to a fate far more tremendous than death.

If it was even only death, think what death must be in the hold of a slave ship! Where else was ever such a bed of torture prepared by man for man! It is a sad and fearful thing to die under all the circumstances of alleviation that can be brought around us—when the bed is smoothed by the hand of affection, when the cooling draught and the refreshing breeze, and the gentle words and ministry of sympathizing friends, soften the pains of dissolution. But when the body is in chains and the heart in agony, where there is none to pity or to help, none present but demons and their victims; where the living, and the dying, and the dead, are crushed together in one loathsome mass of anguish and pollution, it is terrible to die.

It is still more terrible to live—to live through all these horrors—and to come forth a breathing skeleton of despair, and put on the iron yoke of wasting bondage.

Who can be unconcerned, and know that things like these are done and doing upon the earth we inhabit? That it presents, as it revolves, this foul and bloody blot to the eye of Heaven, calling for the lightning of the Almighty to consume the work which he had blessed, and man hath cursed? All, all are guilty in his sight—not only those who *perpetrate*, but those who *permit* the outrage.

Let then all, all people and all nations of the earth, rise in the majesty of human nature, and with united voice proclaim throughout the world that this enormity shall cease; and let them never rest till, by their united arms, it shall be accomplished. Let all join in a work of mercy that shall appease the wrath of Heaven, and win the smiles of angels. Let the ocean no longer bear away from Africa her wretched people, but return her outcasts, free, civilized, and rejoicing.

This work will be done—the voice of inspiration has proclaimed it, and fulfilling prophecies around us show that the dawning of this day of brightness is at hand. “Ethiopia is stretching forth the hand.” “Her solitary places shall be glad.” “Her wilderness shall blossom as the rose.”

Yes, the colonization of the colored race on the land of their fathers is no longer a theory, a scheme, an experiment, but a fact, a work in progress; and it will go on. A great nation has resolved it, patriotism commands it, benevolence urges it, religion impels it, and it will go on.

A free and happy land, rejoicing in the best gifts of Heaven, will make this grateful offering to the great Giver of its blessings; will stretch forth the hand of love and mercy to an outcast and down-trodden race, and lead them to their home. Africa will take to her bleeding bosom her long lost children, and they shall wipe away her tears of agony, break off all her chains enlighten all her darkness, and the days of her abasement shall be ended.

Where can human hearts be found insensible to such a work? The whole world may well be called upon to make that which redounds to the honor and happiness of the world the business of the world.

But this call must be most loud and effectual where this ill-fated race is found, and found in such circumstances that its removal is indispensable to its enjoyment of freedom and happiness, and essential to the interests of those from whom they remove.

The call is to our country. He trusted she would nobly answer it. He thought he valued as he ought her deeds of patriotism and valor, the triumphs achieved by her flag. But when that standard flings forth its folds over the destitute and abandoned; when it calls together the outcasts of a dark and distant land, guides them to a happy heritage, and there waves over them—their pride and their protection; then are its stars a constellation of glory; then does it achieve a higher triumph than its proudest battle fields have won.

This is the boon that he would ask for his country; not the renown that arms or arts can give, but a name and example that should enlighten and animate the world by being active and eminent in a work of mercy; that she should show her gratitude to Heaven for the blessings she has received by the blessings she bestows, and secure the protection of Heaven by fulfilling its high behests in sending forth its light to those who are in darkness. He did covet for his native land the honor of repairing the wrongs and re-peopling the desolations of injured Africa, and restoring her to a place among the nations of the earth; thus making a great continent, redeemed and enlightened by her labors, a living monument to her praise.

The Hon. C. F. Mercer seconded this resolution.

Mr. Mercer then rose and alluded to the early days of the society and to the transactions connected with its origin, in which the gentleman near him, (Mr. Key,) and one lamented individual, (the late Elias B. Caldwell,) and himself, had been especially concerned. He spoke of the first movements in Congress for the cause, and especially of the passage of the law denouncing the slave trade as piracy, and of the act by which the recaptured Af-

ricans had been brought under the protection of the General Government, and due provision made for their restoration to Africa; of the benefit mutually secured by the Government and the Colonization Society, by acting in concert at the time the colony of Liberia was founded, and of the obligation of the National Legislature to extend its protecting care to colonies that had sprung into being under its auspices, and without the existence of which it had been well nigh impossible to carry out the humane provisions of Congress for the benefit of the recaptured Africans.

The resolution was adopted.

On motion of Mr. Key, the following gentlemen were appointed a committee to prepare and present the memorial contemplated in the resolution to the Congress of the United States: Messrs. Key, Whittlesey, Gurley, Lindsly, and Ellsworth.

After transacting other business, the convention adjourned *sine die*.

Answers of Dr. James Hall to the following interrogatories addressed to him by F. S. Key, Esq.

Ques. 1. How long and under what circumstances have you been acquainted with the western coast of Africa, the colonies there established, and the course and extent of commerce on that coast, and the state of the slave trade?

Ans. I have been well acquainted with the American colonies on the coast of Africa since November of 1831, having at that time received the appointment of assistant physician to the colony of Liberia, where I continued for near two years. I subsequently, under the direction of the Maryland State Colonization Society, founded the colony at Cape Palmas, denominated Maryland in Liberia. I remained in this colony for the term of three years, in the capacity of governor and physician, during which time I made some general surveys of that section of the coast, ascended a large river near one hundred miles, and made many treaties of amity and commerce with the kings and chiefs in the territory contiguous to our purchased territory.

Upon my resignation of the agency of the Maryland State Colonization Society, I commenced mercantile operations on the coast, exclusively on my own account, and personally superintended by myself, extending from Sierra Leone to Cape Coast Castle, although mainly confined to the vicinity of the American colonies. These were continued until the autumn of 1840, during all of which time I was frequently in all the American colonies, and at all the slave marts between Sierra Leone and Cape Palmas. Since that period I have been acting as general agent of the Maryland State Colonization Society, have still a vessel trading on the coast, and maintained, from both causes, an extensive correspondence with the colonies.

Ques. 2. State the present condition of these colonies, particularly that of Cape Palmas, and under what circumstances it was founded, and at what expense, and how it is governed, and the number of inhabitants of them all.

Ans. The term Liberia is applied to an extent of about 300 miles of the west coast of Africa, commencing at about $6\frac{1}{2}$ degrees of north latitude, and running due southeast, in true course, to Cape Palmas, in $4\frac{1}{2}$ degrees north latitude, thence about 30 miles, nearly east, to Tabou—extent into the interior undefined. The whole of this coast line, however, is not under the jurisdiction of the American colonies, many intermediate points being occupied as English and American trading factories, and one, until very recently,

as a slave factory. The first settlement was made at Cape Mesurado, the northernmost point of Liberia, which has extended some distance into the interior, up the St. Paul's river, on which are the villages of Caldwell, Millsburg, and the White Plains labor school. The town of Monrovia was at one time the centre of a very extensive trade from the interior. Large quantities of camwood and ivory were shipped from this port. This has been in a great degree broken up by the energetic prosecution of the slave trade at Gallinas, about 100 miles to the northwest. This colony has declined, certainly, in point of numbers, owing to the decided unhealthiness of its location, and the calls made upon it for the establishment of new colonies, although it is yet the capital of Liberia proper. About 25 miles below Mesurado is Marshall, a small town at the mouth of the Junk river. Some 15 miles further are established many large colonial factories, at a place called Little Bassa. The next principal settlement is Edina, on the north side of St. John's river; and opposite to it, on the south side, is the colony established by the New York and Pennsylvania colonization societies. Some few miles up the St. John's is the new town or farm section called Bexby. These colonies at Bassa, or this colony, (for they were a few years since incorporated into one,) is in many respects preferable to that on the St. Paul's, and deserves equal rank and importance. The jurisdiction of the colony ceases at Bassa Cove, and no claim is made to territory by the American colonies for near 100 miles, to the Sinou river, where the colonization societies of Mississippi and Louisiana established a colony under the most favorable auspices, and which would, if properly fostered and supported, have been one of the best on the coast. The river is large, and affords a safe and commodious anchorage for all colonial vessels. The extent of territory purchased on the coast is very limited, and the colony but feeble, from the paucity of its numbers. Again follows an extent of near 100 miles of coast line unclaimed by the colonies, until you arrive at Cape Palmas, which was purchased by the Maryland State Colonization Society in February, 1834. This colony embraces about 1,500 square miles. Its character is strictly agricultural, producing in the greatest abundance vegetable provisions, for consumption of its inhabitants and for supplying commercial and national vessels. Although established but eight years, it is far better fitted for self-support than any other colony on the coast. Here was the first carriage road made in the colonies; and here, to a far greater extent than in the other African colonies, either English or American, is the plough used in agriculture.

This colony now contains about 600 emigrants, mostly from Maryland; and the statistics of births and deaths show it to be on the increase, independent of immigration. The total expense of the founding of this colony, purchase of territory, transporting emigrants, furnishing supplies, paying the salaries of officers, both in America and Africa, has been about \$130,000—\$16,000 by individual contributions, \$16,000 accruing from trade by the agent of the society in the colony, and about \$100,000 appropriated by the State of Maryland.

This colony is characterized as being a strictly temperance colony, ardent spirits having never yet been admitted except as an article of the materia medica. And it is remarkable, too, for having been settled and thus far nurtured without war or open hostility with the native tribes embraced within its limits.

I am unable to state the number of emigrants in all the colonies, but they probably fall short of four thousand.

I perceive it was not the intent of your question that I should enter into a detail of all the minutæ respecting these colonies, and shall therefore merely state, in addition to the above, that, as to territory, they have sufficient for all present purposes, and, as they increase, can extend it so as to accommodate the whole colored population of the United States, although it would be extremely desirable to increase the extent of coast line at as early a period as practicable. With regard to the fertility of the soil, it is unequalled in richness, and abundantly productive of all the great variety of tropical fruits and vegetables, and of the most valuable staples of export in the world.

Of the character of the Liberians.—Their government is strictly republican, representative or elective. All officers, of what rank soever, in all the colonies, are colored men, and all elected, save the two governors, one residing at Mesurado, appointed by the American Colonization Society, and the other at Cape Palmas, appointed by the Maryland State Colonization Society. Of their capability to maintain such form of government, experience is the best evidence, as in no one instance have the constituted authorities been set at naught or trampled upon.

The colonists are generally religious and moral; perhaps a greater proportion are members of some Christian church than is to be found in any other community. A large majority of them, particularly the younger portion, are instructed in the common branches of education, and some are truly intelligent and learned. The most eloquent preachers and most successful physicians that have been in the colony are colored men. In their commercial transactions they are as upright and honorable as could be expected, considering their former habits of life. They are rather disposed to be indolent than industrious. I think they are capable, with proper protection and patronage, and judicious and select additions from the United States, in time, to produce an entire moral and political revolution in western Africa.

Ques. 3. What is the nature and extent of the trade they carry on with the natives and with other countries?

Ans. I have no statistics from which to answer your third interrogatory, and can only say, in general terms, that the citizens of the early settlements are decidedly a commercial people. As I before remarked, there was at one time a very large commerce carried on at Monrovia. There were then established there six regular commission houses, quite a number of coasting vessels were employed in the native trade, and some foreign vessels were constantly in the roadstead.

At the present time, although the trade from the interior is greatly diminished, from causes before noticed, yet the coasting trade is well sustained, extending from Sierra Leone to Cape Palmas. The colonists build small vessels, of from ten to forty tons, and trade for the commodities of the coast with merchandise purchased from European and American vessels. In the prosecution of this coast trade, they labor under great disadvantages, as their competitors, the foreign merchants, are the very ones of whom they are obliged to purchase their merchandise, and to whom they are to sell the proceeds thereof. Were the whole coast line between Cape Palmas and Monrovia secured by treaty to the colonists, an ample field could be open for the prosecution of a very extensive and profitable commerce. But this would not be practicable, as the natives prefer open and free intercourse with the trading vessels of all nations.

Ques. 4. What effects have they produced on the natives in their vicinity?

Ans. The effect of the colonies upon the native tribes, both near and re-

mote, is decidedly favorable, and that perhaps to a greater extent than is often the case in the colonization or settlement of a new and barbarous country. Although, in Liberia proper, there has not unfrequently occurred wars with the surrounding tribes, yet the evils arising therefrom are far more than counterbalanced by the good effected. The commercial intercourse with the natives alone is of vast benefit to them individually, besides tending rapidly to develop the resources of the country. Their indirect benefit, too, through the missionary establishments within the influence of the colony, is of weighty consideration, as I am well convinced that, without their protection, no mission station could have been established, and certainly not successfully prosecuted, had the American colonies not existed. But the most important advantage accruing to the native from the establishment of the colonies arises from the bare fact of the existence of a community of blacks, like themselves, maintaining a well regulated government, and conversant with and exercising the arts and habits of civilized life. It is a universal impression, pervading all the tribes of western Africa, that the white man is of a distinct and superior order of beings; that there is an insuperable bar between them; that one is doomed to be a savage and the other a civilized man. The bare existence of the colony is a convincing demonstration of the absurdity of this opinion, and will do more to elevate them in the scale of being than could be done by all and every other measure that could be projected.

Ques. 5. State the course and extent of the slave trade, as at present existing.

Ans. As my knowledge, from personal observation, is confined almost exclusively to what is termed the windward section of the west coast of Africa, called the grain and ivory coasts, I shall only speak of the slave trade as carried on there. It will at once occur to you that any thing like definite or accurate statements with regard to the number shipped will be out of the question, as the slave trade has for a long period only been prosecuted clandestinely. To the windward of Sierra Leone the traffic has heretofore been prosecuted pretty extensively in the Rio Pongas and the Rio Grande, and in the Bissaous or Bissagos islands. Not having visited either of these places, I am unable to speak with much accuracy of what number has at any time been shipped, but should think, from what I know of the amount of goods sold at those factories, that at least ten thousand were shipped annually from all. I believe, however, most of these have been broken up by the English cruisers. The Gallinas river, about 100 miles to the leeward of Sierra Leone, has been the most important and extensive slave mart on the windward coast. Here were located at least eight factories, generally containing from 200 to 400 slaves each, and from all these were shipped annually at least ten thousand, and by some estimated at double that number. Connected with this mart are many smaller factories, scattered along the coast, as at Sugony river, Cape Mount, and Digby, where slaves are purchased by sub-factors, and sent to Gallinas for shipping, or perhaps to which large quantities of slaves have been sometimes transported for exportation, when Gallinas was over-strictly guarded. This market, since my last visit to the coast, has been broken up by the British cruisers, and I am entirely unable to say whether the factories have been abandoned or not. To the leeward of Cape Mesurado, some 20 miles from Bassa, existed another factory, at a place called New Cesters, which was likewise broken up at the same time with Gallinas. The principal agent, a Florentine by birth, has since settled as a merchant at Cape Mesurado. To what extent the slave trade is carried on at those places since

the landing of the boat's crew of the British cruisers, and the destruction of the factories, I am unable to say; but doubtless, were the cruisers at all to relax their vigilance, it would immediately be prosecuted with the utmost vigor.

From the immediate vicinity of New Cesters no other slave factory has existed for a long period, until you reach Whidah, a distance of over 1,000 miles. I believe there has been at least four British cruisers stationed on that section of the coast of which I speak for the past five years, and perhaps at times more. The great mart for the slave trade, however, is far to the leeward, commencing at Whidah, and extended south of the line to Cape Negro, a distance of near 2,000 miles, including the delta of the Niger, the Congo, and Gaboon rivers.

Ques. 6. State the course and extent of the other commerce on the coast, and the prospects of its increasing importance.

Ans. The whole extent of the coast line of west Africa is a mart of commerce. There is not often an extent of ten miles of beach without its canoe landing, and small or large trade town, established specially for the purpose of the exchange of commodities with merchant vessels. In many places the trade is very inconsiderable, not being sufficient to induce the master of a trading vessel to clew up and anchor; in others, of an equally unpromising appearance, the whole cargo of a vessel may, in the time of an ordinary voyage, be exchanged for African produce. In the large rivers, many vessels of from 200 to 400 tons are continually to be seen, engaged in traffic.

The principal articles of export in former years were gums, wax, Melagaitta and Guinea pepper, hides, ivory, and gold. All these articles are now of secondary importance to dye woods and palm oil. The latter article, when used barely for the manufacture of soap and in woollen factories, has found a ready and permanent market both in Europe and America. But of late experiments have been made by which the stearine is separated from the ealine; both of which products being in great demand, it may reasonably be supposed that any amount of the article will always find a ready market at a fair profit. The production of this article is greatly on the increase, and no probable limits can be fixed as to the extent to which it can be furnished. In small towns, where I could ten years since only purchase a few gallons in calabashes, for the use of the crew, it is now obtained in puncheons for exportation. In fact, the whole palm oil trade of the windward coast has been created within the last twelve years, and now thousands of puncheons are shipped annually. The camwood is one of the most important dye woods in the world, and we believe is mostly, if not altogether, obtained from Africa; and it can there be obtained to almost any extent, being in the interior one of the most common forest trees. The demand for it is steady and uniform, both in this country and in England.

The principal articles used in trade with Africa are tobacco, rum, gunpowder, muskets, cotton goods in all varieties, silks, many varieties of hardware, many also of crockery and glassware, beads in all their varieties, and various trinkets of small importance, and for which the demand is decreasing. Of these articles, the one most in demand, and that which must necessarily constitute a portion of every cargo destined for native trade, is tobacco, and of that kind which can only be obtained in the United States. The articles next in demand, and of which the amount used far exceeds in value tobacco, are the coarse, heavy cotton goods made in imitation of many varieties of the India cottons. These, it is believed, can be produced

at as low a price in this country as in Europe, were there sufficient encouragement offered to induce our manufacturers to engage in imitating the particular patterns required. Gunpowder and rum can also be produced here cheaper than in England. These five articles actually constitute two-thirds of the value of a cargo used in the palm oil and camwood trade. The main importance of this trade to the United States I should attribute to its affording a steady and increasing market for the above articles, two of which are important staples of this country. There is also a great demand for many articles of American provisions at all the various settlements on the coast, (excepting the English, from which, among other things, our salted provisions and fish are excluded,) and which will rapidly increase as the settlements multiply and enlarge.

Of the actual amount of our commerce on the African coast I am unable to form any accurate opinion, as I am in possession of no statistics with regard thereto. I believe, however, I can reckon at least 5,000 tons of American shipping engaged on the western coast alone.

Ques. 7. By whom and under what advantages and disadvantages is it now carried on?

Ans. I should judge at least two-thirds of the native trade of the whole continent of Africa, excepting the Mediterranean, of which I know nothing, to be in the hands of the English. Of the remaining third, perhaps the Americans have one-half, and the balance is divided between the French, Germans, and Portuguese. The English maintain the ascendancy, for many reasons. In the first place, they were at one time the most extensive and successful prosecutors of the slave trade, and obtained jurisdiction over very many important points of the coast at that time. Then the goods used in the slave trade by all nations, even to the present day, are mainly the production of England and her India colonies, (tobacco only excepted.) Consequently, upon the abolition of the slave trade, a vast extent of the coast was under English influence, and a demand existed for the products of her manufactories, which she, better than any other nation, could supply.

Again: England is the great central mart for all articles of commerce for the whole world; and there, more than any where else, a market may be found for every thing. The amount of capital too, in England, seeking investment, is a powerful agent in opening new sources of commerce. But there is one cause perhaps as powerful in its influence as all others combined, in securing a majority of this trade to the English, which arises from the peculiar manner in which the trade is prosecuted, and the general and ample protection afforded by the English Government to her African commerce.

The whole trade of the African coast consists in a system of barter of commodities. Every large tooth of ivory, quintal of camwood, or cask of oil, must command, in most instances, a moiety of every article used in that commerce. The want of one important article of trade, as, for instance, a musket, tobacco, or even a cutlass or flints, will prevent the trader from making a purchase, even although he may offer four times the value of the article in question in other merchandise. From this cause, where the commerce is well established, and a demand created for all articles desired in that trade, the merchant will enjoy great advantage, in the complete assortment of his cargo, over his less fortunate competitors. Then there is established, throughout the whole coast, a system of credit, which is exceedingly prejudicial to the vessels of all nations whose commerce is not protected on that coast.

The native traders on the beach are merely the factors for the people of the interior, and have no capital to trade upon; consequently, the foreign trader is obliged to land his goods to be sent into the interior and exchanged for his return cargo. This whole cargo, therefore, is at the mercy of these people; and, where there is no protecting power at hand, they are solely governed by what they may deem their interest as to the amount which they will refund. If the merchant is an old trader on the coast, and it is supposed he will continue the business, they are anxious to secure a continuance of his custom, and probably may pay him up well. But, on the other hand, should it be a transient vessel, and one which it may not be supposed will visit the coast again, but a poor return will be received for the cargo landed. Now, the British Government maintain a large squadron on the coast, whose duty it is, in addition to the suppression of the slave trade, to form treaties of commerce, more or less perfect, with the African chiefs and head trade men; to see the conditions thereof well fulfilled; to demand satisfaction for all trespasses committed by the natives on the persons or property of British subjects, and to relieve merchant vessels, in cases of wreck, pestilence, or any other disaster. This, it will readily be perceived, gives the British commercial vessels very great advantages over those of all other nations, and renders their commerce on this barbarous coast (where to the vessels of other nations the risk is so great as to swallow up the large profits of the trade) almost as safe as in any part of the world where it is protected by the regular custom-house laws of civilized nations.

Ques. 8. What, in your opinion, is necessary to give our vessels the benefit of this trade?

Ans. In order to secure to our African commerce the same footing as is enjoyed by that of England, nearly similar measures must be adopted as are in operation by that Government, varying, however, according to our peculiar relations with Africa. In the first place, there ought to be a certain amount of naval force on that coast, cruising from Sierra Leone to Ambrize bay, frequenting most those parts where the American trade is most largely prosecuted. This is perfectly practicable, without the least risk of the sacrifice of the crew from the climate, by observing the most simple precautions, viz: not to permit any officer or seaman to sleep or remain on shore after nightfall, and not to enter any of the rivers during the rainy season or near the commencement or close of the rains.

The smallest size vessels, with one good pivot gun, are as effective and useful as a frigate.

A general commercial agent should be established at the most suitable place on the coast, having under his charge a depot of provisions and marine stores, for the benefit of the national vessels, and many of the more important articles for supplying commercial vessels, on payment therefor, as from slight losses of anchors, chains, spars, and sails, a voyage is entirely broken up—whence the exorbitant insurance charged for vessels engaged in that service.

This depot ought to be made at Cape Palmas, for three very important reasons: 1st. It is decidedly the most healthy station on the coast of Africa. 2d. It is the most central point within the range of the American commerce. 3d. It is the point most easily attained, from other and powerful causes than its proximity. It is the southwest point on the coast of Guinea, where the coast line, after running from Cape Verd nearly in a due southeast direction, changes to the due east and east-northeast. It is then a prominent point, and easily made in the rainy season, where for a long

period no observation can be had; and from the course of the coast line, when land is made from sea, you can always judge whether you are to the windward or leeward, and regulate yourself accordingly. At certain seasons, too, owing to the steady course of the wind from one point, and the strong current created thereby, no vessel can beat to the windward, and most of the year a disabled vessel would find it difficult to do so. Vessels bound to windward are often in sight of port three or four days, and unable to get up. On this account, it is very important that Cape Palmas should be selected.

Another matter, too, is worthy of notice: Cape Palmas is the most productive part of the grain coast, where rice is always procured for trading vessels bound to the leeward, and from which other colonies are often supplied.

A suitable agent at this place, with a proper naval depot, and a small squadron constantly cruising on that coast, ready at any time to furnish requisite aid to our merchant vessels, would materially advance the interest of the American commerce; and were it certain that no measures would be taken by any other nation to form treaties of commerce along the coast or up the branches of the Niger and other large rivers with the native chiefs, to the *exclusion* of our commerce, as is done in the Senegal by the French, and in the Gambia and Sierra Leone and other settlements by the English, perhaps nothing more could be expected or desired. But, should it be found that measures may be taken to exclude our vessels from free and open commerce with other points of the coast, as well as those above referred to, it is practicable at this time to prevent the consummation of such a measure, and secure to American vessels forever equal privileges with any and every other nation. Let a person well acquainted with the commerce of the coast, the points most important to be secured, and conversant, too, with the manner of making contracts and treaties with the native chiefs, be appointed and sent to the coast in a Government vessel, with power and instructions to visit any point of sufficient importance, and make a regular treaty of commerce with all the chiefs and headmen, securing to the vessels of the United States free and unrestrained right of trade within their several jurisdictions, not to be annulled by any future contract or transfer of territory to any other nation. This measure, if it did not actually secure to us forever a claim to this commerce, (in common with other nations,) would give us good grounds for contesting any question about it, and resisting encroachment.

Ques. 9. What protection do these colonies require?

Ans. The establishment of the above proposed agency, and the constant presence of any number of national cruisers on that section of the coast, with the understanding, on the part of the native chiefs, that they were in some measure for the protection and defence of the colony, would materially promote the interests of the colonies, and free them from any apprehensions of danger from the natives. Up to the present time, the colonists have defended themselves nobly and successfully when attacked by hostile tribes; yet the weaker colonies, more recently established, might be extirpated by a well-concerted assault, and they actually need at least a show of succor and protection.

Ques. 10. Is or is not a consul or commercial agent or agents necessary on that coast, for the protection of the colonies and American trade; and where should they reside?

Ans. I conceive this interrogatory to have been answered in reply to No. 8. I think but one actual accredited agent of Government would be

better than a larger number, allowing him, in case he should deem it advisable, to appoint a sub-agent in other settlements, for specific purposes, accountable directly to him. My reasons for this opinion are, that it is difficult to find the proper persons for such a station who are willing to go to Africa with any thing like a reasonable compensation; and, unless they were persons well qualified for their peculiar station, no good would result from the arrangement; that a large expenditure of money on a number would be injudicious, and bring the whole into disrepute with Government; that one depot for marine stores would be sufficient, and in case there were more they would be attended with increased expense; that there would be more responsibility in the acts of one person than more. The main point is to get the proper agents, as all operations in Africa clearly show.

Ques. 11. Are not the colonies rendering considerable aid and protection to American commerce?

Ans. The colonies have served materially to increase as well as aid the American commerce on that coast, and that in two ways: 1st. They have developed the resources of the country interior to the colonies, and vastly increased the exports from that section. 2d. By the transportation of emigrants in vessels chartered by large shippers in our commercial cities, they have had their attention directed to that trade, and many have subsequently embarked therein. Probably one-quarter of all the American commerce with west Africa for the past ten years is attributable to this cause. The colonies afford *aid* to the American commerce in various ways. In ordinary voyages, they serve as regular ports of entry and clearance, furnishing protests, debenture certificates, and the many documents so important in commerce. In case of partial injury to vessels, so common on long voyages, repairs can be advantageously made here. In case of total wreck, which has in a number of instances occurred to American vessels, (two to my knowledge,) the crew have been saved from all the misery that would have necessarily been entailed upon them on a barbarous and deadly coast; they have been clothed and fed and attended in the fever which so certainly attacks all who sleep on shore, and in every respect found a comfortable home, until opportunities have occurred for shipping. The colonies are often resorted to for medical aid by vessels which have been up the rivers in the rainy season. On my first landing in Monrovia, in 1831, two American vessels were then lying in the roads from the rivers to the windward, with but one well person of the original crew on board of each. Had it not been for the colony, most likely the officers and crews of these vessels would have died, and the vessels been dismantled by the natives, as has been often the case up those rivers. Instances like the above not unfrequently occur. The existence of these colonies has, in my opinion, lessened the risk attending a trading voyage on that coast very materially; in fact, changed the features of our commerce there altogether.

Ques. 12. How will the proper protection of these colonies, and the promotion of American trade on that coast, operate on the slave trade?

Ans. It may be proper to state, before affording a direct answer to the question, that the very establishment of the colonies has absolutely broken up the slave trade within their boundaries. The location of the first colony was on an island that had, time immemorial, been occupied by slave factories. The first severe wars in which this colony was engaged was on the question of the slave trade. The slave factories of Tradetown and New Cesters were broken up by Ashmun early in the history of the colony. Subsequently, two factories have at different times been destroyed at Little

Bassa, achieved, too, by *hard fighting*. Grand Bassa was formerly a slave mart; the last slaves were shipped on the day I landed, in a schooner, to pay for the first purchase of territory there.

If, therefore, the colonies have, without assistance or protection, purged 100 miles of coast line of this traffic, what may not be hoped from them when they shall receive that countenance and protection which they so justly merit, and which they have so long required.

Ques. 13. Do you believe the kings and chiefs on the coast now engaged in the slave trade could be compelled or prevailed on by any, and what means, to abandon the trade?

Ans. Taken in connexion with all the means at present employed for the suppression of the slave trade, I am of opinion that treaties might be made with the chiefs and headmen, which would effectually extinguish this trade on the windward coast, (so called,) beyond which my personal acquaintance does not extend. It would be but reasonable to suppose, however, that the same measures would operate as successfully throughout the whole extent of the slave coast. In order to effect this object, a joint commission should be established, representative of such Powers as would be disposed to act therein. They should visit the coast, and call a grand palaver of the headmen of every tribe contiguous to every known slave mart. The whole matter should be canvassed in a fair and candid manner. The history of the trade should be given. The evils attendant on, not only its victims, but all in any way connected with it, should be fully portrayed. The reasons should be given why all Christendom had denounced the traffic. The determination of the whole civilized world to extinguish it should be forcibly impressed upon them. The advantages of honorable and lawful commerce should be pointed out. Comparisons should be instituted between the prosperity and happiness of those sections of their own country where the slave trade had long been abandoned and where it still existed. Then option should be given to them to renounce the traffic absolutely and entirely, (and thereby secure the friendship and good will of the civilized world,) or to attempt to continue it and suffer the consequences.

It is my opinion that, under these circumstances, all hope of successfully combating the settled determined policy and will of the *white man* would cease, and a contract or treaty, binding them under the most weighty penalties to annul this traffic, would at once be ratified. Perhaps they might, as is customary in all palavers between Africans and Europeans, demand some compensation for the sacrifice they would allege they must make in acceding to such a proposition; but this would fall far short of the expense of fitting out one additional vessel for capturing slavers on the high seas. And, were it *not* demanded, it would be advisable to give a bonus, as the receiving a valuable consideration is the customary seal to all African contracts.

I said this measure, in addition to those already in operation, would effect the desired object. It cannot be supposed that a barbarous chief would adhere to any contract of this kind, (especially with a white man,) where no penalty would be exacted for a breach thereof. And it is plain no penalty could be exacted unless a sufficient force should be at hand. It would, therefore, be necessary to remit in the prosecution of no one measure at present in operation to effect this grand object. It may be asked, if no dependence can be placed upon a treaty, what is the use of making one? A slight knowledge of the manner in which the slave trade is carried on will explain. At all the slave marts I have visited, a kind of treaty is entered into between the slave dealer and the prince or headman of the country.

A grant is made of a piece of land on which to erect a barracoon or slave factory, and the requisite buildings are erected thereon, on payment of a specific sum. Goods are then distributed to the roving traders, who go to the bush for the purchase of slaves, or the slaves may be sent down by some dealer or warrior from the interior. The king gets a certain percentage or premium on every slave sold. His men, also, do all the manual labor for the slaver, procure food for the slaves, keep guard over them, and secure such as may chance to escape. When the vessel arrives to receive the slaves, all hands are turned to at once to put them on board with all possible despatch, and if they escape clear, the king and his people receive additional remuneration. It will therefore be perceived that nothing could be done by any slave dealer on the coast, were it not for the cordial and active co-operation of some man of power and influence. It will readily be perceived what advantage would accrue from the treaty proposed. Not even a barracoon could be erected, ere it would come to the knowledge of some cruiser on the coast, and a stop at once be put to the proceeding.

But, it may be asked, suppose the native chiefs will not come into any agreement of this kind? I think justice and humanity would warrant at any time the forcible entry of all factories and barracoons, the liberation of all slaves found therein, the dispersion of any foreigners that may be on shore under suspicious circumstances, and a blockade of that part of the coast, excluding the natives from all intercourse with Europeans. These measures, I am confident, would soon bring them to terms.

Ques. 14. Do you believe the slave trade can be effectually suppressed by any other means than by supplying the natives with trade goods, by the substitution of lawful trade for the products of Africa?

Ans. Lawful commerce would at once be established, on the annihilation of the slave trade, and is now carried on to a greater or less extent at all the slave marts. It cannot be prosecuted to a greater extent than articles of export are supplied, and there is not a native on the coast but knows the regular market price of every article of African produce. Where the slave trade is prosecuted, all hands, both near and remote, are engaged in some way or other in advancing it, to get their European luxuries through such employment; but let it be abandoned, and the same people are at once induced to supply their wants by producing and marketing articles of traffic with which their country may abound; and the moment they are exposed on the coast for sale, purchasers are always at hand, and lawful commerce at once becomes substituted, without Government interference or patronage. The establishment of large trade factories for the purchase of African produce would, however, be a strong inducement to the adoption of the proposed treaty.

JAMES HALL.

Answers of Dr. Hall to questions in relation to the purchase of additional territory and the destruction of slave establishments.

The advantages to the American commerce arising from the colonies at present established would be increased in a direct ratio with the increase of the jurisdiction of the colonies or the establishment of new ones. Many places contiguous to colonies already established could probably at this time be purchased for a slight consideration, and would afford eligible sites

for new colonies, to be founded by the State societies; for instance, Gorroway, near the colony of Cape Palmas.

This would be merely improving upon the plan lately adopted by the English cruisers in attacking and destroying the barracoons and slave factories. For instance, Gallinas, which has for the last eight years contained eight barrocoons, with from three to six hundred slaves in each, was two years since burned by the English cruisers; consequently, few or no slaves could be shipped until the factories were partially re-established. By the last advices, we are informed that these factories had been re-established, and again been broken up. Now, had a treaty been made with the chiefs, abolishing the traffic entirely, and a sufficient force left on the coast, occasionally to visit this post, the last attempt would not have been undertaken.

BALTIMORE, June 6, 1842.

DEAR SIR: In our recent advices from Africa we are sorry to find that the French Government have sent three vessels of war on the coast, and purchased territory at three points, in the immediate vicinity of our colonies, probably with a view to secure to themselves an equal footing on the west coast with the English. If we have nothing to apprehend from the French, it shows that they apprehend much from the English. Will our Government ever be blind to their own interest, and continue longer to neglect our African colonies, which, with proper fostering and the additional material with which we can supply them, will be able to compete with and surpass any other settlements which can be established?

Governor Russwurm writes that they have purchased Butan, a beautiful elevation, in plain sight of Sinou, only eight miles distant; Gorroway, about thirty-five miles to the windward of Cape Palmas, a very important place, and one which I informed you Virginia ought to purchase. Grand Bassa point is the other place; but whether he means the point of rocks at the Cove, which the Pennsylvania and New York societies have erroneously supposed they owned, or Grand Bassa point, some twenty-five miles to the leeward of Cape Palmas, I am unable to say. The matter, however, ought to be looked to at once; and I thought proper to give you all information I am possessed of, that you may use it in your memorial, if it is not too late.

Very respectfully, yours,

J. HALL.

Hon. F. S. KEY, *Washington, D. C.*

The following article, in relation to the condition of trade on that section of the western coast extending from Cape Palmas to the bight of Benin, is from the pen of Dr. James Hall, and appeared in the Maryland Colonization Journal of the 15th of April, 1842:

OF THE TRADE.—Previous to the last half century, it is well known that the whole western coast, within the points above mentioned, was one vast slave mart. Not a harbor, river, bay, inlet, or even open roadstead, but afforded anchorage for vessels employed in this traffic. All the maritime Powers of Europe were engaged in it. The "Most Catholic and Most

Christian Majesties" of France and Spain, and the "Defender of the Faith" of England, were the patrons and protectors of it, and participants in the profits accruing therefrom. The coast is now studded with forts and fortifications, erected specially for the safe and successful prosecution of this trade. The interest taken in the business by the Americans was principally that of transporting the slaves from the barracoons and factories of the European merchant to the place of market. The articles principally used in this trade, with the exception of tobacco from Brazil and the United States, were of English manufacture. Some few light articles of little value, and used principally as presents to the native chiefs, were obtained from Germany, France, and Italy. As England abandoned this trade earlier than most of the other Powers, and controlled many of the most important points of the coast where articles of her manufacture, heretofore used in the slave traffic, had become almost necessary to the native African tribes, she was very soon able to open a most lucrative trade with them for many important natural products of the country greatly in demand in the European market. These are the causes which first gave the English the advantage in the African trade. But they have retained this advantage from another cause than bare possession of territory and the fact of the almost exclusive demand for articles of English manufacture. Did none other exist, they would soon find successful competitors in the American merchants. The nature of the coast, and the character and habits of the natives, are such as would render of no avail the fortification of a few points, by any Power, in securing the trade. The whole coast line is a market. The sea at all seasons of the year is so tranquil, and the anchorage along the coast so good, that vessels of any burden can lie at anchor sufficiently near the shore to enable them to transact their business with considerable despatch. There is not an extent of over ten miles for the distance of two thousand but affords a canoe landing sufficiently safe to admit of landing a cargo and shipping of produce in return. Consequently, no Power could, by *land* force, monopolize the trade, without belting the whole coast with settlements which the fatality of the climate renders impracticable. The natives, too, are averse to yielding their right of trafficking with vessels of all nations, and will, in most cases, only admit of settlement with a reservation of this privilege. The other obstacle to successful competition noted, viz: the productions of the articles for trade being of English manufacture, would soon be obviated by the Americans. Many, and in fact most of the staple articles of the African trade could be produced of better quality and at a cheaper rate in America than in England, were there a sufficient call for them to induce their manufacture. Many, too, are now actually produced here, at a less price than in England; and one, the most important article of traffic, is produced solely by the United States, viz: the long, heavy leaf tobacco. Such articles as could not be manufactured in the United States as low as in England, or could not be procured here at all, could be readily shipped from that country and entered in bond, and afforded on the coast at a very slight advance on the price charged for them by English vessels. We say *all these objections* to successful competition could be readily obviated by the enterprising Yankee. Did none other exist, the American commerce would double and quadruple in a very short period, and doubtless in a very few years rival that of England. But the most serious bar to the consummation of this, and that too which individual enterprise cannot overcome, arises from the manner in which that trade is carried on: Either from necessity or a design to produce the very result

which has followed, the English traders very early adopted a system of *dashing*, or making presents to the headmen or kings of the country, and then intrusting the cargo to such trademen as they shall direct. In some places, as the Bonny and Calabar rivers, the dash, or comey, as it is there called, of a first rate palm oil ship, amounts to over one thousand dollars at the first cost of the goods. The whole cargo is then given on credit to such men of the place as the king shall designate, and he becomes responsible that payment shall be made at the time agreed upon by the parties. In most of the large places, the amount of this comey, and the terms of trade, are matters of treaty between the kings of the country and the commander of the English squadron. In case payment is not made at the time agreed upon, some vessel of war is applied to, and the payment enforced.

Now, when the natives enjoy this advantage of credit, although they may receive the cargo at a high rate, no one can compete with the English trader who cannot offer the same terms. This might be done if the natives possessed capital; but this is never the case; they are altogether improvident, and live only on the slight commissions they make upon the merchandise passing through their hands to the bushmen. But this credit cannot, with any degree of safety, be given by the merchant vessels of any nation who has not a sufficient force on the coast to enforce payment in case it should be necessary, which will surely be the case if it is apparent no force is at hand. This is the principal cause why the English continue to monopolize at least four-fifths of the entire commerce of western Africa. Their vessels of war belt the whole coast; they make treaties of commerce with the native kings; they seek redress for any injury sustained by their merchantmen, either in their persons or property; and, in fact, they control the whole commerce of the coast. *We affirm that the want of adequate protection to our commerce is the only bar to a successful competition for this trade by American vessels.*

ADVANTAGES OF THE AFRICAN TRADE TO THE UNITED STATES.—The advantages of this commerce to the United States would arise principally from its affording an outlet or market for the productions of our soil, rather than from any present necessity we labor under of obtaining the African produce in return, although for this there probably will be an unceasing and increasing demand.

The leading article in the African trade, and without which no commerce can be conducted with the native tribes, and which can be procured from no other source whatever, is the long leaved, heavy tobacco of Virginia, Kentucky, and Missouri. Deprive the European traders of this one article, and lucrative commerce with Africa would be totally impracticable. The manner of conducting trade will readily account for this. There being no currency or medium of circulation on the coast, all trade necessarily consists of the barter of one article for another; and, as tobacco has from long usage become an article of necessity, a certain portion of the price paid, even for the most insignificant article which they have to dispose of, must consist of it. It is much the same with many other articles of commerce, but not to the same extent as with tobacco. Hence, another great advantage the English merchant has over the American, as a much greater variety of articles for this trade are manufactured there than in America, and there being ever an abundance of tobacco in London and Liverpool, while few or no articles of English manufacture are to be found in the American market, in consequence of the limited demand for them. It may be said that, if the European traders are obliged to use our tobacco for this prose-

ention of this trade, it is sufficient for us that it finds a market. Not so. We lose almost the whole of the carrying trade, especially to the continent, and gain not the immense profit which is realized by the Africo-European traders, after having reshipped it to the coast.

The next in importance to tobacco are cotton goods, for the most part heavy sheetings, checks, and prints, those in which the cost of the stock is the heaviest item of expense. These, it is well known, can be produced in the United States as cheap or cheaper than in England, as has been proved in the South American markets. As yet, however, British prints, in imitation of India goods, have supplied the market, as the American commerce on that coast has not been sufficiently extensive to induce the manufacturers to commence upon the articles. With regard to cotton goods, we suffer more than in tobacco, for the cotton for that trade is not necessarily of American production; and, besides, we lose the profit of its manufacture in addition to that of its carriage and the extra profit in Africa. We have placed cotton second to tobacco, merely from the fact that it is not *always*, like tobacco, demanded as a part in every contract. The proportion in *value*, however, used in this trade, is over three of the former to one of the latter, and by English traders as twenty to one. Much of that now used by American traders, particularly such as is printed after the India mode, is manufactured in England; but the plain bleached muslins of American manufacture have almost entirely superseded the English bafts and mamoodies, and are now even sold by the bale to English merchants on the coast.

Gunpowder is the next article extensively used in this commerce, and the kind most in demand can be afforded on better terms in America than in England; consequently, when it is not prohibited, as it is at all the English settlements, the American trader can undersell the European.

Spirits, either whiskey or rum, is likewise an article extensively used in this traffic, although to a less amount in value than either of the preceding. But, like tobacco, it must necessarily form a part of the cargo for the native trade. This can always be procured at as low a rate in the United States as in the English West India islands; and the large markets for it at the leeward, particularly the Spanish and Portuguese, are almost exclusively supplied by American vessels.

These are the only articles used, in what is strictly termed the *native* trade, which can at this time be produced at as low rates in this country as in England and on the continent, and they constitute at least two-thirds in value of all the merchandise required in this kind of trade.

The articles which constitute the other third are those in which the labor is the most important item of expense in their production, and which can consequently be afforded much cheaper in Europe, where labor is less in demand than in the United States; as the finer cotton and silk fabrics, muskets, hardware, crockery ware, beads, and various articles of minor importance, generally used as ornaments, and which are rapidly going into disuse, as the native tribes become more intelligent and civilized.

Other articles of American production are in limited demand at the present time at the various settlements on the coast, as flour, beef, pork, bacon, butter, lard, cheese, soap, candles, &c. The demand for these is increasing, and some few are coming into use with the natives. Little, however, can ever be expected from any of the last-mentioned articles, in comparison with the four others, viz: tobacco, cotton, gunpowder, and rum. The

demand for these is on a steady and rapid increase, and no calculation can be made as to the enormous amount that will be required to supply the immense, thickly peopled, and productive back country, which depends on the west coast for its supplies.

Were our commerce well fostered and protected, as is the English, at this time, our tobacco, which is now transported to Europe in foreign bottoms, and enriches their merchants by the enormous profits which they make on it in the African trade, would be shipped directly to the coast in our own vessels, thereby not only benefiting the producer, but the American ship owner and the American merchant. A large and steady market would be opened for our cottons, not only to the advantage of the producer, but the manufacturer; and very soon we should be able to compete with the English, who have so long monopolized this profitable and rapidly increasing commerce. The advantages we possess, of being able to afford even now on better terms than they two-thirds of the actual value of merchandise employed in this trade, would soon induce the manufacture or importation of other articles required, on much more reasonable terms than at present, so that no bar whatever would remain to our complete success.

As we before remarked, the *principal* advantage to be derived from commerce with Africa is the profitable market it furnishes for two of our largest staples, (viz: tobacco and cotton,) together with other American products required to a less extent; yet the return cargo received for the above generally consists of such articles as find a ready market in the United States, although there is not one of them but might at this time be dispensed with or procured from other sources. There is one, however, now the principal staple of that part of the coast of which we speak, that we predict will, ere long, be one of the necessary articles of consumption in this and other civilized countries. We mean palm oil. This forms a heavy item in the list of the imports of England. It has heretofore been used there, as in this country, principally in the manufacture of soap, and even for that purpose it has to that country become an article of necessity. In the United States it is less in demand, from the fact that animal oils and fat can generally be obtained on more reasonable terms than in Europe. Recent experiments in England, however, have resulted in extracting the stearine from the oil, from which can be manufactured firm and durable candles, said to be equal to those of sperm or wax. We are led to conclude from these experiments that palm oil is yet destined to supply the place of the whale and seal oil, which is so rapidly decreasing in quantity, and procured with greater labor and difficulty every year. This oil can be produced by the natives in any quantity, and afforded at such rates as will pay well for its transportation. The traffic in it, and the demand for it, are rapidly increasing, and with this demand does the production of it increase also. In the vicinity of the American colonies the exportation of it has increased ten-fold in as many years, in many cases an hundred-fold, and yet the whole is produced within a very few miles of the beach. When we consider the great facility with which this article is manufactured from the palm nut, the wonderful productiveness of the palm tree, (the reindeer of the tropics,) and the boundless extent of territory in which it grows spontaneously, and the myriads of inhabitants which swarm these fruitful forests, ready to labor for the smallest consideration, we cannot doubt but this oil will yet form one of the heaviest articles of traffic in the commercial world.

The article next in importance to palm oil, exported from the west coast

of Africa, is camwood, one of the most valuable dye woods used in the arts, and we believe obtained almost wholly from that continent. Of this, also, there cannot, for ages, be any lack, as but a short distance in the interior, say from 60 to 100 miles, it is one of the most common forest trees, and is used as firewood in cooking. To what extent the demand for this will increase is impossible to say; as yet, it has ever found a ready market in our Northern cities.

The gold trade, which is principally monopolized by the English, is perhaps next in importance, or perhaps of more importance than that of the camwood; (being possessed of no statistics, we are unable to judge.) This is mostly confined to the various European settlements, to which the gold is brought from a great distance in the interior. In some places along the coast, a little is washed from the sand, and sold to transient vessels by the natives.

The ivory trade but a few years since was of more importance than both the two last together, but it has gradually decreased, and probably on that section of the coast of which we are now speaking it is of less amount in value than either of the above. But little is bought by American vessels, as the United States cities offer a poor market for the article, in comparison with those of Europe.

There are many other productions which have afforded cargoes and parts of cargoes to American vessels, and which are sometimes in demand and sometimes not, as the case may be, but none of which we can ever calculate upon as the regular valuable staples of African trade. Among these may be reckoned rice, coffee, ground nuts, beeswax, gum copal, hides, ginger, malgutta, and red pepper, &c.

Of the amount in value of the exports from the section of the west coast of which we are speaking, we have not the means of forming any *correct* estimate, and choose not to give an opinion at hazard. Of the proportion of this trade enjoyed by Americans, in comparison with the different European nations, we are also without adequate information, and might err greatly in an opinion with regard thereto; but of this much we are certain: that a very large proportion of the trade is in the hands of the English; that their merchant vessels are protected; that treaties of commerce with the native chiefs are entered into by Her Majesty's officers; and that all laudable measures are taken, both by the Government and the merchantmen on the coast, to preserve their commerce, even to the exclusion of that of all other nations.

And we here take occasion to repeat our previously expressed conviction, that were the same protection offered to our merchant vessels, and a disposition shown by our naval officers on that station to cultivate the good will of the African chiefs; were treaties of commerce entered into with them, whereby we should ever be guarantied equal privileges of traffic with other nations; and were such contracts as are made by our merchants enforced, or were the natives led to believe they would be enforced, we should in a very short period, with the natural advantages we possess of producing at a less rate than our competitors a majority of the most valuable articles used in that commerce, be able to compete with any and every other nation, and ultimately to gain the ascendancy. Without this fostering aid and protection, we predict that but few years will elapse ere such treaties will be made, and such a system of trade established by the English Government and traders, as will greatly diminish our present struggling commerce, and ultimately drive our vessels from the coast altogether.

MARYLAND STATE COLONIZATION SOCIETY.

BALTIMORE, *March 4, 1843.*

DEAR SIR: I have taken the liberty of sending to you, herewith, some papers that explain the views of the Maryland State Colonization Society in regard to the political relations of the colony that they have established at Cape Palmas, on the west coast of Africa, and to which they have given the name of Maryland in Liberia.

The State Society is in no wise connected with the American Colonization Society, except in community of purpose and kindness of feeling. Maryland, as you are aware, was always a favorer of the colonization scheme. In 1816, the Legislature passed resolutions approving it. In 1827, an annual appropriation of \$1,000 was voted by the same body, to be expended in the removal of the free colored people of Maryland to Africa; and in 1831, when the Southampton massacre had drawn public attention anxiously to the subject of the colored population, the Legislature passed a law appropriating \$200,000, to be expended at the rate of \$10,000 per annum, not only to pay the passages of colored emigrants from the State, but to provide for them a comfortable home in Africa. At the previous session, the State Society had been incorporated. Their purpose was declared to be the removal of the free colored people of Maryland, with their own consent, to Africa; and, to promote this, a perpetual existence was given to them. They were authorized to receive donations and bequests, to acquire territory by purchase, and, generally, to do all such acts as might be necessary and proper, not contrary to the laws of the United States or the State of Maryland.

The society, thus incorporated, had already existed for some time as a voluntary association, distinct from the society at Washington, except that the Maryland emigrants were sent to the settlements of that body.

The theory of colonization in Maryland was, and now is, that the scheme can be best prosecuted by each State acting for itself in the matters directly or indirectly connected with the colored population, and that extraneous interference is to be deprecated and prevented. The experience of upwards of ten years has confirmed this theory most satisfactorily in Maryland. In pursuance of it, in 1833, the State Society determined no longer to send emigrants to the old colony at Mesurado, but to found a settlement at Cape Palmas for their reception. This was successfully done on the 22d February, 1834, by Dr. James Hall. Since then, the colony of Maryland in Liberia has gone on to increase in numbers, strength, and prosperity, without one untoward event to check its progress. Its population is at this time about seven hundred, counting emigrants from this country only. Its coast line is about thirty miles in length, including the embouchure of the river Cavally and Cape Palmas; and the territory, widening towards the interior, extends indefinitely in that direction. The soil is fertile and the climate salubrious. When the population was five hundred, the deaths in a year were nine, and the births seventeen. With the exception of the Cape of Good Hope, it is probably the largest missionary station in Africa. The Episcopal, Presbyterian, Catholic, Baptist, and the Methodist churches, have strong and efficient agencies at Cape Palmas, the white persons connected with which enjoy generally good health. The government of the colony is republican. When the first expedition sailed from Baltimore, the colonists took with them a charter granted by the society, and formed upon

the model of the bill of rights of Maryland, and also an ordinance for the temporary government, copied, as closely as circumstances permitted, from Nathan Dane's great ordinance for the government of the Northwest Territory. Afterwards there was prepared, by able lawyers, with great pains and labor, a remedial code, which has been in force about six years. All the colonial officers, including the governor, are persons of color, and the manner in which the laws are administered, and the order which prevails in the settlement, do them infinite credit. With but very few exceptions, the colonists are all professing Christians, orderly and moral, and, as the society have every reason to believe, happy and contented in their new home.

The political relations of the colony that has thus grown up under the care of the State Society are of much interest, and the attention of the society was first drawn to them particularly in 1838, when the correspondence took place which I now enclose to you, and which, along with the other papers enclosed, will explain fully the views of the subject taken by the State Society. I observed in the newspaper, that when you moved to print an extra number of your late report, Mr. Adams alluded to the relations of the colonies generally to the United States; and it is with a view of showing what has been done to illustrate these, so far as the Maryland Society is concerned, that I have taken the present liberty; and without trespassing further on your time, but referring you to the enclosed documents,

I remain, dear sir, with very great regard, yours, truly,

JOHN H. B. LATROBE,

President Maryland State Colonization Society.

HON. J. P. KENNEDY.

AN ACT to incorporate the Maryland State Colonization Society, passed December session, 1831, chap. 314.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That* George Hoffman, Thomas Ellicott, Nicholas Brice, Alexander Nesbit, Thomas E. Bond, Nathaniel Williams, John Hoffman, James Howard, Moses Sheppard, Peter Hoffman, William McDonald, Luke Tiernan, Samuel Baker, Peter Neff, Solomon Etting, John J. Harrod, John Gibson, Charles Harper, John H. B. Latrobe, and Charles Howard, together with such other persons as may at this time be members of the association called the Maryland State Colonization Society, and who may hereafter become members thereof, according to the mode that may be prescribed in the by-laws of said society, and their successors, be, and they are hereby, created and declared to be a corporation and body politic, by the name, style, and title of "The Maryland State Colonization Society," and by that name shall have perpetual succession, and shall be liable to sue and be sued in any court of law or equity in this State, and may have and use a common seal, and the same may alter and renew at pleasure; and shall have power to purchase, have, and enjoy, to them and their successors, in fee or otherwise, any lands, tenements, and hereditaments, by gift, grant, bargain and sale, devise, or other act of any person or persons, body politic or corporate, whatsoever; to take and receive any sum or sums of money, goods, or chattels, that shall be given, sold, and bequeathed to them, in any manner whatsoever; and to occupy, use, and enjoy, or sell, transfer, or otherwise dispose of all such lands, tenements, and hereditaments, money, goods, of

chattels, in any such manner as they shall determine to be best adapted and most conducive to the object of colonizing, with their own consent, in Africa, the free people of color of Maryland, and such slaves as may be manumitted for the purpose, and which is hereby declared to be the sole and exclusive object of the said society ; and, as soon after the passage of this act as may be convenient, to elect such officers as they, or a majority of them present at a meeting held for the purpose, may deem proper ; and to make and ordain such by-laws as may be necessary for the organization of the said society ; for prescribing the times of meeting, the qualifications and terms of membership, and all such other matters as may be necessary to secure to the said society an efficient and continuing existence, for the purposes of their incorporation, and for no other, and for regulating and managing the concerns of the said body corporate : *Provided, however,* That the Constitution and laws of this State and the United States be not violated thereby.

CONSTITUTION OF MARYLAND IN LIBERIA.

At a meeting of the board of managers of the Maryland State Colonization Society, held on the 22d of November, 1833, Mr. Latrobe, from the committee on the subject of a constitution and form of government and digest of laws for the territory that may be acquired by said society in Africa, to be called Maryland in Liberia, reported the following form of a constitution, which, after being read and considered, was, on motion by Dr. Baker, unanimously adopted :

The Maryland State Colonization Society of Maryland, one of the United States of North America, to all persons to whom these presents shall come, *greeting* :

Whereas the Maryland State Colonization Society, desirous to hasten as far as they can the period when slavery shall to cease exist in Maryland, and believing that this can best be done by advocating and assisting the cause of colonization, as the safest, truest, and most efficient auxiliary of freedom, under existing circumstances, have determined to establish a settlement or settlements of free colored people and emancipated slaves, under the auspices and control of the State Society, at or near Cape Palmas, on the west coast of the continent of Africa, to be called Maryland in Liberia : And whereas it is not less the desire of the society that the evil of slavery should be removed from Maryland, than that the emigrants to Africa should find their happiness and prosperity promoted by their change of home ; and that, through their instrumentality, the blessings of civilization and the gospel should be extended to a benighted land : And whereas, acting with these views, it becomes the duty of the State Society to afford to the settlements which they may cause to be established a system of equal laws, that shall secure to every emigrant and his descendants the unalienable rights of life, liberty, and the pursuit of happiness. Therefore, be it known, that the Maryland State Colonization Society do hereby solemnly enact the following "*Constitution,*" as the basis and foundation of the government of any and every settlement or colony which may be established as aforesaid, under their auspices and control, in Africa, ratifying and confirming the same, according to its tenor, to all emigrants to such settlements, and their descendants, so long as the powers of government shall continue to be exercised by the Maryland State Colonization Society :

ARTICLE 1. The Maryland State Colonization Society shall have full power and right, from time to time, as they may think fit, to make and ordain rules, regulations, and ordinances, for the government of the territory acquired by them in Africa, called Maryland in Liberia, not repugnant to the provisions of this constitution, until the State Society shall withdraw their agents, and yield the government wholly into the hands of the people of the territory.

ART. 2. Every emigrant of full age, before he or she shall be received in Maryland in Liberia, shall read or have read to him or her this constitution, and sign a declaration to support the same; and they shall, in so doing, bind themselves to refrain from the use of ardent spirits, except in case of sickness.

ART. 3. No person shall hold any office in the said territory, who either uses ardent spirits, with the above exception, or traffics in it; and the State Society are pledged to carry the principle of abstaining from it, and preventing a traffic in it, into the local government of the territory, and have all the powers necessary for that purpose.

ART. 4. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools, and the means of education, shall forever be encouraged. The utmost good faith shall always be observed towards the natives; their land and property shall not be taken from them without their consent; and in their property, rights, and liberty, they shall never be invaded or disturbed, unless it may become necessary to do so, to repel aggressions on their part; but laws founded in justice and humanity shall, from time to time, be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

ART. 5. No taxes shall be laid in the territory, except for the purpose of defence, of internal improvement, education, and the support of the local government of the territory. Duties and port charges, for the same purposes of revenue, shall be imposed, from time to time at the discretion of the State Society.

ART. 6. All elections shall be by ballot; the qualifications of voters to be fixed by the State Society.

ART. 7. That the great and essential principles of liberty and free government may be recognised, and forever unalterably established, it is hereby declared, as part and parcel of this constitution:

1. All men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences; and no one shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience, nor for his religious professions or sentiments, provided he does not disturb the public peace, nor obstruct others in their religious worship; and all persons demeaning themselves peaceably, as good members of the community, shall be equally under the protection of the laws; and no subordination or preference of any one sect or denomination to another shall ever be established by law; nor shall any religious test be required as a qualification for any office or trust in the community; and all religious societies in the community shall at all times have the exclusive right of electing their public teachers, and contracting with them for their support and maintenance.

2. Every member of the community may freely speak, write, and pub-

lish his sentiments on all subjects, being responsible for the abuse of that liberty.

3. The people shall be secure, in their persons, houses, papers, and possessions, from unreasonable seizures and searches; and no warrant to search any place, or to seize any person or thing, shall issue without describing them as nearly as may be, nor without probable cause, supported by oath or affirmation.

4. No person shall be accused, arrested, or detained, except in cases ascertained by law, and according to the forms which the same has provided; and no person shall be punished but by virtue of a law established and promulgated prior to the offence, and legally applied.

5. In all criminal prosecutions the accused has a right to be heard by himself and counsel; to demand the nature and cause of the accusation, and to have a copy thereof; to be confronted by the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and in all prosecutions a speedy trial by an impartial jury of the neighborhood or district in which the offence shall have been committed; he shall not be compelled to give evidence against himself, nor shall he be deprived of his life, liberty, or property, but by due course of law.

6. No person shall, for the same offence, be twice put in jeopardy of his life or limb; nor shall any person's property be taken or applied to public use, unless just compensation be made therefor.

7. All courts shall be open, and every person, for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law, and right and justice administered freely without any sale, fully without any denial, and speedily without any delay.

8. No power of suspending laws shall be exercised, except by the authority which has enacted them, or its direction.

9. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted. All persons shall, before conviction, be bailable by sufficient securities, except for capital offences, when the proof is evident or the presumption great; and the privileges of the writ of "habeas corpus" shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

10. The person of a debtor, where there is not strong presumption of fraud, shall not be detained in prison after delivering up his estate for the benefit of his creditors, in such manner as shall be prescribed by law.

11. No *ex post facto* law, nor law impairing the obligation of contracts, shall be made.

12. The members of the community have a right, in a peaceable manner, to assemble together for their common good, and to apply to those invested with the powers of government for redress of grievances, or other proper purposes, by petition, address, or remonstrance.

13. Every member of the community has a right to bear arms in defence of himself and the community.

14. The military shall in all cases and at all times be in strict subordination to the civil power.

15. No title of nobility or hereditary distinction, privilege, honor, or emolument, shall ever be granted or conferred; nor shall any office be created, the appointment to which shall be for a longer term than during good behaviour.

16. Emigration shall not be prohibited.

17. The right of trial by jury shall be forever inviolate.

18. No person shall be debarred from prosecuting or defending any civil cause, for or against him or herself, before any tribunal in the community, by him or herself, or counsel.

19. There shall be neither slavery nor involuntary servitude in the settlements of the Maryland State Colonization Society in Africa, otherwise than for the punishment of crimes; whereof the party shall have been duly convicted; nor shall any male person arrived at the age of twenty-one years, nor female person arrived at the age of eighteen years, be held to serve any person as a servant, under pretence of indenture or otherwise, unless such person shall enter into such indenture while in a state of perfect freedom, and on condition of a consideration in good faith, received or to be received, for their services, except as before excepted.

20. This enumeration of certain rights, belonging to the emigrants to the settlements which the Maryland State Colonization Society may make in Africa; and their descendants, shall not be construed to deny or disparage the exercise, by the said society, of all others necessary or incident to government.

21. And, lastly, it is hereby declared, that this article shall be construed, reputed, and adjudged, in all cases, most favorably on the behalf and for the best benefit and behoof of the emigrants aforesaid, and their descendants.

ART. 8. No alteration shall be made in this constitution, except by the unanimous consent of all present at a meeting of the board of managers, called for the purpose of taking such amendment or alteration into consideration, or by a vote of two-thirds of the members present at two successive meetings of the board of managers, called as aforesaid, provided that the declaration of rights contained in the seventh article shall in no wise be altered.

Done at the office of the Maryland State Colonization Society, in the city of Baltimore, in the State of Maryland, this twenty-second day of November, in the year of our Lord one thousand eight hundred and thirty-three.

In testimony whereof, the president of the said society hath hereunto set [L. s.] his hand, and caused the seal of the said society to be affixed hereto, by order of the board of managers.

GEORGE HOFFMAN,

President of the Maryland State Colonization Society.

JOHN HOFFMAN, *Treasurer.*

NICHOLAS BRICE, *Vice President,*

NATHANIEL WILLIAMS, *Vice President,*

ALEXANDER NESBIT, *Vice President,*

MOSES SHEPPARD,

PETER HOFFMAN,

SOLOMON ETTING,

CHARLES HOWARD,

C. CARROLL HARPER,

SAMUEL BAKER, M. D.

JOHN J. HARROD,

E. G. EDRINGTON, M. D.

WILL. GEO. READ,

F. ANDERSON,

} *Managers.*

Witness: JOHN H. B. LATROBE,

Cor. Sec'ry of the Maryland State Colonization Society.

JAMES HOWARD,

Recording Secretary.

AN ORDINANCE for the temporary government of the territory of the Maryland State Colonization Society in Africa, called Maryland in Liberia.

SEC. 1. *Be it enacted and ordained by the Maryland State Colonization Society,* That the territory of Maryland in Liberia shall be divided into townships, each of which shall contain, as near as may be, a superficies equal to nine square miles; and, hereafter, a certain number of townships shall be made to constitute a county.

SEC. 2. *Be it enacted and ordained,* That the estates of proprietors in the said territory, dying intestate, shall descend to and be distributed among their children, and the descendants of a deceased child or grandchild to take the share of their deceased parent, in equal parts, among them; and, where there shall be no children or descendants, then in equal parts to the next kin, of equal degree; and among collaterals the children of a deceased brother or sister of the intestate shall have, in equal parts, among them, their deceased parent's share; and there shall in no case be a distinction between the whole and half blood, saving, in all cases, to the widow of the intestate her third part of the real estate for life; (that is to say, land and the improvements thereon, in which, at any time during marriage, the intestate had an absolute and unqualified ownership,) and one-third part of the personal estate, (that is to say, all the property held by the intestate at the time of his decease, other than real property,) after the payment, of the debts of the intestate.

SEC. 3. *Be it enacted and ordained,* That estates in the said territory may be devised, or bequeathed, by will, in writing, or any written instrument, expressing an intention to devise or bequeath, and describing the property intended, so as to identify it, signed by him or her in whom the estate may be, (being of full age,) and attested by two witnesses, signing the same in the presence of each other, and in the presence of the testator. And real estates may be conveyed by any instrument describing, so as to identify it, the estate to be conveyed, and showing the intention of the person making the conveyance to convey, signed and delivered by the person (being of full age) in whom the estate may be, and attested by two witnesses.

SEC. 4. *And be it enacted and ordained,* That before such wills shall take effect, they shall be proved, by the testimony of one or both of the subscribing witnesses, to have been executed by the testator, when he was of sound mind and understanding, before the register (hereinafter mentioned) of the district of the said territory in which the testator resided, and deposited, with the register's certificate that it has been proved endorsed thereon, for record among the records of his office.

SEC. 5. *Be it enacted and ordained,* That before such conveyances shall take effect, according to their tenor, they shall be acknowledged before a justice of the peace (hereinafter mentioned) of the said territory, and deposited for record with the register of the district of the territory in which the land lies which is intended to be conveyed—it being the duty of the register to note, on the back of said conveyance, the time of its being deposited for record. All deeds of real estate, by way of pledge, shall be executed, acknowledged, and deposited for record as above, before they shall have any effect.

SEC. 6. *Be it enacted and ordained,* That personal property shall pass by delivery, except where the sale or conveyance thereof is by way of

pledge, or where the person conveying the same retains possession thereof; in which case, the conveyance shall be in writing, and acknowledged, and shall take effect when deposited for record, as in the case of real property.

SEC. 7. *Be it enacted and ordained,* That a wife shall be entitled to dower in all real estate of which her husband may at any time be possessed during their marriage, in case of her surviving him; and no deed, executed by him, shall have effect to deprive her of such dower, unless she signs the same, and acknowledges, out of the presence of her husband, before the person taking his acknowledgment, that she voluntarily executes it. Sales and conveyances of personal estate may be made, at any time, without the consent of the wife, by the husband alone.

SEC. 8. *Be it enacted and ordained,* That in case any person possessed of property, real or personal, in the said territory, shall die intestate, (without having made a will,) or without, in his or her will, having appointed an administrator, until further enactment and ordinance upon the subject, an administrator and two appraisers shall be appointed, in writing, by the agent, which administrator shall give bond, with security, to be approved by the agent, for the faithful discharge of his office of administrator, to be deposited with and preserved by the register; but no administrator shall take possession of the property of the deceased person before an inventory thereof shall be made, and the property appraised by the appraisers in writing; which inventory and appraisal shall be affirmed to before a justice of the peace, and returned to the register, with the justice's certificate of the affirmation endorsed thereon, to be carefully preserved and recorded in a book kept for that purpose; and such administrator may, at all times, be called upon by the parties interested, or any of them, for an account of his administration; be liable to have his appointment revoked, at the pleasure of the agent; and, together with his securities, be responsible, in his and their persons and property, for the faithful discharge of his office of administrator. A commission, not to exceed ten per cent., may, at the discretion of the agent, be allowed to the administrator, upon the amount that shall actually come into his hands of the intestate's estate.

SEC. 9. *Be it enacted and ordained,* That the real estate of a deceased person shall not be resorted to for the payment of his debts until the personal estate shall be exhausted. Creditors shall be allowed four months, after administration granted, in which to present their claims, authenticated by their oath or affirmation, against the estate of a deceased person. The family of the deceased person, should there be any family, may occupy and use the real estate, without committing any acts to injure it, until the division thereof, unless it is ascertained by the administrator that the real estate must be resorted to to pay the debts of the deceased, in which case he may take possession of and sell it at the end of the said four months. It shall be in the discretion of the administrator of a deceased person to pay any claim presented after the said four months have expired, if he shall deem the same just. At the expiration of six months after administration granted, the creditors and heirs, respectively, shall be entitled to the payment of the former's claims, or the division of the estate, according to law, among the latter, as the case may be.

SEC. 10. *Be it enacted and ordained,* That where the estate of a deceased person does not admit of partition among those interested, without loss and injury to some of them, the same may be sold, after proper notice, at public sale, to the highest bidder, by the administrator, and the proceeds,

after deducting expenses, divided among the parties interested, according to their respective rights.

SEC. 11. *Be it enacted and ordained,* That the agent shall also, in like manner, appoint guardians for the persons and property of minors who have lost both parents, which guardians shall give bond, with security, to be approved by the agent, for the faithful discharge of their office, in the care and honest disposition of the property of the minors that may come into their hands. Guardians' bonds shall be deposited with the register, as in the case of administration bonds. The relation of a guardian to the person of his ward shall be the same, as near as may be, as that of a parent to a child; provided, that the guardian shall not be answerable, pecuniarily, beyond the estate of the ward, for the maintenance of the ward.

SEC. 12. *Be it enacted and ordained,* That there shall be appointed, from time to time, by the Maryland State Colonization Society, an agent, with the title of governor, whose commission shall continue in force for the term of two years, unless sooner revoked by the society. He shall reside in the territory while in the exercise of his office, and shall represent there the State Society, and be invested with all its powers, subject to the constitution of the territory and the ordinances and decisions of the State Society.

SEC. 13. *Be it enacted and ordained,* That there may be appointed from time to time, by the State Society, an assistant agent, subordinate to the agent, whose commission shall continue in force for the term of two years, unless sooner revoked by the State Society. He shall reside in the territory while in the exercise of his office; shall be one of the council of the agent; shall co-operate with and assist him in the discharge of his duties; and, in the event of his absence or death, shall exercise his authority.

SEC. 14. *Be it enacted and ordained,* That it shall be the duty of the agent to obey and carry into effect all the ordinances and regulations of the State Society which are communicated to him; to exercise a general superintendence over the concerns, police, and officers of the territory; to make a semi-annual report to the State Society of the condition and relations of the territory, together with an account of all his receipts and expenditures on behalf of the society; to recommend such laws as from time to time he may see proper, to the State Society; to negotiate and sign all treaties with the natives; to execute all conveyances on behalf of the State Society, and superintend the correspondence of the territory. He shall also be the commander-in-chief of the militia of the territory, and issue commissions to all officers in the same below the rank of general officers. All general officers shall be appointed and commissioned by the State Society; all company officers shall be elected by the companies, respectively; and all intermediate officers shall be appointed by the agent. The agent and assistant agent shall have all the authority of justices of the peace, except in case of small debts, (hereafter mentioned.)

SEC. 15. *Be it enacted and ordained,* That in cases of necessity, where no rule has been made by the State Society, the agent, in council, is authorized to make the necessary rules or regulations, of which he shall, by the first opportunity, inform the board of managers of the State Society, for their approbation; and they shall be in force until they are revoked by the board of managers, and notice of their revocation is received by the agent.

SEC. 16. *Be it enacted and ordained,* That there shall be appointed by the agent, from time to time, a secretary, whose commission shall continue in force one year, unless sooner revoked, and who shall reside in the terri-

tory during the exercise of his office. He shall take charge of and carefully keep all the papers, records, and archives of the territory relating to government; shall be present at and exactly record the proceedings of the agent in council; shall publish all the ordinances and notices of the government, so that the people may be informed thereof; issue the agent's orders, as he may direct; keep a copy of the correspondence and reports of the agent; record in a proper book all treaties made by the agent; and attend to the recording, by the register, of all other instruments proper to be recorded, in which the government is interested; and perform generally such duties as may be imposed upon him by the agent, in conducting the internal affairs and correspondence of the territory.

Sec. 17. *Be it enacted and ordained,* That there shall be appointed by the agent a competent number of justices of the peace, whose commission shall continue in force for one year, unless sooner revoked for cause. It shall be their duty to take cognizance of all breaches of the peace or the laws of the territory; to issue their writ to arrest offenders; to take from them security, in all bailable cases, to appear before the proper tribunal, and, in default of security being given, to send the offender to the agent, with a certificate of the default; to take security to keep the peace, when, upon oath or affirmation before them, allegation is made that it will be broken; to issue search warrants; to act judicially in all criminal cases where the offence is theft, and the value of the article stolen does not exceed one dollar, sentencing the offender to restoration of five times the value of the thing stolen, and, in default of restitution, sending the offender to the agent, in the custody of a constable, with a certificate of conviction, that such punishment may be inflicted as may be provided by law in such cases: *Provided,* That no warrant or writ shall be issued in any criminal matter, or for any alleged breach of the laws of the territory, whereby the liberty of an individual may be restrained, or his or her house or premises searched, except the offence shall be committed in view of the justice of the peace, (when he shall personally arrest the offender, without the form of a writ or warrant,) or upon the oath or affirmation of a credible person, who shall testify to the facts from personal knowledge, or shall state circumstances which, in the opinion of the justice, make it probable that an offence has been committed, or that there is reason to suspect that stolen property is in the place (which must be particularly described in the writ or warrant) authorized to be searched.

Justices of the peace shall have jurisdiction in all civil causes where the amount in dispute between the parties does not exceed twenty dollars, and all fines not exceeding that amount may be collected before them. They shall have power to summon witnesses, at the request of parties, in any cause before them, and to fine them not exceeding ten dollars for non-attendance when summoned, or, if in attendance, for refusing to answer questions propounded to them, and not subjecting them to the risk of punishment, other than a pecuniary fine. All judgments given by a justice of the peace shall be in writing, entered in a book kept by him for the purpose; and either party may, on demand, have a copy thereof.

Justices of the peace shall endorse all acknowledgments required by law to be made before them on the instrument acknowledged. Two justices of the peace shall have power to issue their joint writ, directed to the sheriff, requiring him to summon all persons to aid in quelling a riot and in maintaining the authority of the government.

SEC. 18. *Be it enacted and ordained,* That a competent number of constables shall be appointed by the agent, whose appointment shall continue in force one year, unless sooner revoked. Their duty shall be to execute all writs and summonses directed to them by a justice of the peace; to interfere to quell all riots or riotous conduct that may happen in their presence; to arrest all persons guilty of a breach of the peace before them, and take them before a justice of the peace, to be dealt with according to law. Fees for their services, according to a table to be made hereafter, shall be allowed to justices of the peace and constables.

SEC. 19. *Be it enacted and ordained,* That there shall be elected by the qualified voters of the territory the following officers: a vice agent, two counsellors, a register, a sheriff, a treasurer, and a committee on new emigrants. There shall also be elected by the qualified voters of every township a committee of three persons, residing in the township, to be called the "selectmen;" and all male colored people who have subscribed the oath to support the constitution, and hold land in the territory in their own right, or who, not holding land, shall pay a tax of not less than one dollar per annum, for the support of education and the purposes of government, (being of full age,) shall be entitled to vote for these officers, as well as all other offices that may be filled by the people; and all persons shall be eligible to said offices, provided that, in addition to the said qualifications, they know how to read and write.

SEC. 20. *Be it enacted and ordained,* That, previous to each election, the sheriff shall designate, by public notice, some convenient place in each district or township where polls shall be opened, and appoint three judges and a clerk for each of the polls. All elections shall be by ballot; the time of holding the elections shall be the first Monday of March in each year; should any thing prevent an election from being held, the then incumbents shall hold their offices until a new election does take place.

SEC. 21. *Be it enacted and ordained,* That the vice agent shall be elected annually. He shall be a member of the agent's council; he shall aid the agent and assistant agent in the discharge of their various duties, and, in the event of the absence or death of the agent and assistant agent, shall exercise the authority of agent; he shall have all the powers of a justice of the peace, except in the case of small debts.

SEC. 22. *Be it enacted and ordained,* That the two counsellors shall be elected annually, and, together with the assistant agent and vice agent, shall constitute a council, which shall deliberate and consult, without the privilege of voting, with the agent, on the appointment of officers, the forming rules and regulations, and the general interest of the territory, whenever requested so to do by the agent. In case of the absence or death of the agent, assistant agent, or vice agent, the senior counsellor shall exercise the authority of agent.

The assistant agent and vice agent shall also advise with the other members of the council on any subjects connected with the general welfare, as often as they shall think proper, and report the result to the agent, if they see fit, or act upon the same in case of his absence.

SEC. 23. *Be it enacted and ordained,* That the register shall be elected every three years. It shall be his duty to record all papers, deeds, wills, inventories, and other instruments, which in any way affect the title to property, that may be handed to him for that purpose; he shall take proof of wills, and certify the same on the will itself. He shall record deeds re-

lating to real estate in one set of books, deeds of personal estate in another, wills and probates in another, inventories in another, certificates in another, patents and licenses in another; and to each volume he shall make an alphabetical index as he proceeds. He shall be allowed such fees for recording as may be hereafter fixed upon, not to exceed ten cents for every hundred words recorded, and also fees for searches.

SEC. 24. *Be it enacted and ordained,* That the sheriff shall be elected annually. It shall be his duty to execute all summonses, writs, executions, and judgments, issued by the courts of the territory, and to him directed; to summon juries; to attend, either in person or by deputy, at the sessions of the courts; to take charge of all persons directed to be imprisoned by the judicial authorities, and to be responsible for their safe keeping; to give notice of and organize elections; and, whenever so required by the joint writ of two justices of the peace, to summon all persons to aid in quelling a riot and in maintaining the authority of the government. He shall give bond, with security, to be approved by the agent, to account for and pay over all moneys that may come into his possession belonging to others, in the discharge of his office. He shall have all the powers of a constable, and shall be allowed such fees as may be fixed by law hereafter.

SEC. 25. *Be it enacted and ordained,* That the treasurer shall be elected every three years. He shall take charge of moneys belonging to the government, keeping an account thereof, and distinguishing the several sources from which they accrue. He shall also take charge of all public securities and evidences of debt in which the government may be interested. He shall deliver up and pay over the property or money in his keeping only upon the order of the agent. He shall make out an account of his receipts and disbursements every six months, and shall furnish one copy thereof, to be recorded among the archives of the colony, and another to be transmitted to the State Society.

He shall give bond, with security, to be approved by the agent, to account for and pay over all moneys that may come into his possession in the discharge of his office.

SEC. 26. *Be it enacted and ordained,* That the committee on new emigrants shall consist of three persons, elected annually. It shall be their duty to assist the officers of the territory in providing for the reception, accommodation, and provisioning of new emigrants; to meet at stated periods to hear their complaints and wants, and the reports of the selectmen respecting them, and make known the same to the agent. They shall have, under the control of the agent, the distribution of rations to the new emigrants, and shall make a weekly return to the agent of the number of emigrants on rations, and the quantity distributed to them. The senior member shall be chairman of the committee.

SEC. 27. *Be it enacted and ordained,* That the selectmen of each township shall consist of three persons, to be elected annually by the voters of the township. It shall be their duty to take into consideration the agriculture of the township, its health, the proper objects of medical attention; cause nuisances, prejudicial to the public health, to be removed; assist the committee on new emigrants in the discharge of their duties in the township, and act generally as conservators of the public morals and promoters of industry in their township.

The senior member shall act as chairman. When they see proper, they may call public meetings in their township upon subjects connected with

the agriculture, health, and morals of their constituents, when the chairman shall act as moderator. They shall make a quarterly examination of the schools in the township, and report their number and the number of their pupils, in writing, to the agent.

They shall attend to keeping clear and in repair all streets and roads in the township, and generally perform such duties in the township as may assist in its good government. The chairman shall act as coroner of the township, and shall summon a jury to ascertain the cause of every sudden and suspicious death that may happen in the township, and report their verdict to the agent. The selectmen shall appoint their clerk, to be called the township clerk, whose duty it shall be to keep a record of their proceedings, publish and serve their notices, and make out during the first three months of his appointment a list, or correct the list last made, of all householders and their occupations in the township, a copy of which, when completed, shall be furnished to the agent. It shall also be his duty, within the same period, to make out and hand to the sheriff, a list of all persons in the township qualified to serve as jurors.

SEC. 28. *Be it enacted and ordained,* That, until otherwise provided for by law, there shall be a court held on the first Monday of every month, to be called the court of monthly sessions, the judges of which shall be the agent (in his absence the assistant, and in the absence of the agent and assistant agent, the vice agent) and two justices of the peace. The justices shall be notified by the agent to attend, two at every court, according to seniority, so that all the justices, in rotation, shall fill the station of judges of the court. The agent, assistant agent, or vice agent, respectively, as they happen to be upon the bench, shall act as chief judge. The courts of monthly sessions shall have original jurisdiction of all civil and criminal cases, other than those committed to the justices of the peace, and shall have appellate jurisdiction in all civil cases whatsoever. The members of the court for the month of January, in every third year, shall appoint the clerk of the court, to act as such for the three years succeeding the date of his appointment. He shall keep a record of the proceedings of the court, and of all judgments pronounced by it, and shall have the custody of its seal. He shall sign and issue all writs and summonses, and shall take charge of all papers in suits before the court, subject to its order. Whenever required, he shall give certified copies, under the seal of the court, of all judgments rendered by it.

SEC. 29. *Be it enacted and ordained,* That no person shall serve as a juryman unless he be of the age of twenty five years, of good name and repute, and shall know how to read and write; and, in summoning jurymen, it shall be the duty of the sheriff to summon them in rotation, from among all the inhabitants, so that the performance of the duty shall interfere as little as may be with ordinary avocations. No one shall be excused from serving as a juryman, but, upon application to the court, stating a sufficient reason—saving and excepting school teachers, physicians, officers appointed by the State Society, vice agent, counsellors, justices of the peace, constables, secretary, register, and collector.

SEC. 30. *Be it enacted and ordained,* That a storekeeper, whose duty it shall be to take charge of the public stores; a surveyor, whose duty it shall be to locate roads and lots, and when required by the court or agent, or upon individual application, to resurvey the same; an inspector of arms, whose duty it shall be to see that the ordnance, arms, and public de-

fences of the territory are kept in good repair; a collector, whose duty it shall be to collect and pay to the treasurer all duties, taxes, and charges, arising out of the commercial as well as the internal regulations of the territory; a public auctioneer and a librarian may from time to time be appointed by the agent, to hold their offices for one year, unless sooner revoked, whenever he shall think that the necessities of the territory require it.

Sec. 31. *Be it enacted and ordained,* That there shall be at least one public school in every township of the territory, the teacher whereof shall be appointed by the agent in council. It shall be the duty of every parent to send his or her children, and of every guardian the child or children under his or her care, of a fit age, to school, when there is a public school in the township, until they shall learn to read and write and cast accounts; and every father, or if there is no father, then mother, and if there is neither father nor mother, then guardian, the children of whom, or under whose care, are not sent to school, after being notified thereto by the selectmen, shall be fined, at the discretion of the selectmen, not less than twelve and a half cents nor more than twenty-five cents for every month that each child is not sent to school; which fines may be collected, as small debts are, before a justice of the peace, and shall be appropriated to the use of public schools.

Sec. 32. *Be it enacted and ordained,* That all males between the ages of sixteen and sixty, residing in the territory, shall be enrolled in the general militia, and be liable to be called upon at the discretion of the agent, under officers appointed by him, in the defence of the territory. The volunteer militia shall consist wholly of uniformed volunteer companies, who may elect their own officers, to be commissioned by the agent, and enact by-laws for their government, to be approved by the agent; every such by-laws containing a provision, that each company shall hold itself in readiness, at all times, to perform such actual military services as may be required by the agent. When two or more volunteer companies are formed, the agent shall appoint a major to command them.

Military offences, such as disobedience of orders, absence from and neglect of duty, violation of by-laws, shall be tried by a quarterly court martial, composed of commissioned officers appointed by the agent, whose sentences shall be in writing, and shall be subject to the agent's approval.

Sec. 33. *Be it enacted and ordained,* That traffic in ardent spirit is expressly prohibited within the territory; and all persons convicted of selling it shall forfeit their licenses as traders, nor shall other licenses be given to them for one year after the date of the conviction; besides being subject to such fine, not exceeding one hundred dollars for every offence, (one-half whereof shall belong to the informer,) as the court where the conviction takes place may think proper to impose. A sufficient quantity will be kept in the government stores to supply the demands occasioned by sickness; and here only may ardent spirit be lawfully obtained.

Sec. 34. *Be it enacted and ordained,* That no emigrant shall be permitted to deal with the natives for land, nor for any other thing, without the license of the agent in council, to continue in force for one year, unless sooner revoked, being first had and obtained—labor, food, and clothing, for the actual use of the emigrant, excepted. No person shall carry on trade of any kind in the territory without the license of the agent being first had and obtained.

Sec. 35. *Be it enacted and ordained,* That every man with a wife, or

man or woman with a child or children, on arriving in the territory, shall have conditionally, for him or herself and family, a farm lot, containing five acres of land, which shall be his or her own, absolutely, upon condition that, within two years after receiving it, he or she puts, or causes to be put, improvements upon another lot, to be designated by the agent, equal to those which were upon his or her lot when it was first given to him or her, or which were afterwards put there for him or her at the expense of the government; or, if within two years after he or she shall have received a vacant unimproved lot, should he or she select such, or the agent in his discretion give such, he or she shall clear one acre of it, and erect a substantial native house thereon, to the satisfaction of the agent. If these conditions should not be complied with, the lot shall be forfeited, and belong again to the government. Unmarried men, of full age, shall have each a half farm lot, upon the same conditions as above. If the man marries, or if he has the whole of his half farm lot in good cultivation, he shall have the entire farm lot, of which he before had but one-half. If a man, a member of a family that already has a lot, marries, he shall have a lot upon the same conditions that lots are given to new emigrants, as above.

The agent may, in his discretion, if an emigrant desires, give to him or her, instead of a farm lot, a town lot; but in such case the town lot must be cleared, fenced, and a good house, to be approved by the agent, must be built upon it within one year, or the same shall be forfeited. Any emigrant who is the absolute owner of a farm lot may have a town lot, at the discretion of the agent, on paying a price therefor, and clearing, building on, and fencing the same within one year; and an emigrant who is the absolute owner of a town lot may have a farm lot, at the discretion of the agent, on paying a price therefor, and performing the same conditions that are imposed upon new emigrants.

When an emigrant receives a lot in the first instance, the agent shall give to him a certificate, containing the condition on which he is to become the absolute owner; and when the condition is complied with, the certificate shall be exchanged for an absolute deed.

Persons holding town or farm lots are to keep the streets and roads contiguous thereto clear and in good travelling order, to the middle thereof, and to cultivate such trees as may be planted or left standing there for shade.

In the first settlement of the territory, assistance may be afforded to emigrants in clearing, fencing, and building on their own lots, at the discretion of the agent; and, when necessary, on their arrival, rations shall be given to them for their support; provided no person shall receive rations for a longer period than six months after his arrival.

Should the agent deem proper, he may cause long native houses to be built, in convenient places, in which new emigrants may be received on their arrival, remaining there until they can get a house built on their own lots, or otherwise provide for their own accommodation; provided that they shall not be entitled to remain in the said long houses longer than six months from the time of their arrival in the territory.

SEC. 36. *Be it enacted and ordained,* That no person shall own land in the territory who does not reside therein.

SEC. 37. *Be it enacted and ordained,* That, until a more full code shall

be prepared, the following general rules shall regulate the punishment of offences, not hereinbefore provided for, in the territory :

Murder, rape, setting fire to a house at night in which a person or persons then reside, shall be considered capital crimes, and shall, on conviction, be punished with death ; trading in slaves shall also be punished with death. Sedition, mutiny, and insubordination to the lawful authorities, shall be punished by the court of sessions, on conviction, by exile, fine, and imprisonment, labor on the public works or farm, with a clog, and close imprisonment at night, or all or any of these punishments. Quarrelling, riot, sabbath breaking, drunkenness, and profaneness, may, upon conviction in the court of sessions, be punished with fine and imprisonment.

Carnal illicit intercourse with native women shall be punished, on conviction, by fine and imprisonment for the first offence ; and a repetition of it shall be punished, on conviction, by fine and imprisonment, labor on the public farm or works, and close confinement at night.

All other criminal offences, cognizable by the court of monthly sessions, may be punished by fine and imprisonment, labor with a clog on the public farm or works, with close confinement at night, and exile, in the discretion of the court, and according to the nature of the crime.

Criminal offences cognizable by justices of the peace shall be punished by fine and imprisonment, labor on the public farm, and close confinement at night. In case of failure to find security for good behaviour, when required, the person so failing shall perform such labor on the public farm, with close confinement at night, as the agent may deem proper, until he shall find security, or the object for which it was required of him shall have been answered.

Persons failing to find security to appear at court to answer criminal charges against them may, at the discretion of the agent, be compelled to work on the public farm, and subjected to close confinement at night, until the meeting of the court.

SEC. 38. *Be it enacted and ordained*, That it shall be the duty of the agent to cause to be cleared and cultivated, in each township, a public farm, of such extent as he may think desirable, to be under the management of a person appointed by the agent, unless before appointed by the State Society.

Persons who are, at any time, without means of support, after the period has elapsed during which they are permitted to draw rations, persons sentenced by the proper authorities to work on the public farm, shall be made to work in the cultivation of this farm, and its produce shall be applied to their support in the first instance, and afterwards to the use of the government.

In the first organization of a settlement, the agent may require, if he thinks it necessary for the public good, that all male persons in good health shall labor for a time on the public farm, for the general support.

Attached to each public farm, there shall be one or more long native houses, for the accommodation of the laborers ; a part shall be allotted to the accommodation, expressly, of persons laboring under sentence of the law, which shall be strong enough to confine them at night.

SEC. 39. *Be it enacted and ordained*, That the power of pardoning offences belongs to the agent.

SEC. 40. *Be it enacted and ordained*, That bed and bedding, wearing

apparel, cooking utensils, an axo, and a hoe, shall in all cases be exempted from liability for debts incurred by their owner.

SEC. 41. *Be it enacted and ordained,* That no person shall reside in the territory, without permission of the society or the agent.

SEC. 42. *And whereas,* although circumstances require that the government of the said territory should remain in the State Society for the present, yet the time is looked forward to when the people shall assume the government to themselves exclusively; and as it is the desire of the State Society to prepare them for that period in such a manner as will best guaranty their prosperity as an independent people; and whereas it is proper that the course contemplated by the State Society should be clearly explained in the beginning, for the satisfaction of those who may abandon their present country for Africa, the country of their fathers; therefore,

Be it enacted and ordained, That, so soon as there shall be five thousand male inhabitants in the territory governed by the State Society in Africa, upon giving proof thereof to the agent they shall receive authority, with time and place appointed, to elect representatives to represent them in a general assembly; provided, that for every five hundred male inhabitants there shall be one representative, and so on, progressively, with the number of male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which, the number and proportion of representatives shall be regulated by the assembly itself: *Provided,* That no person shall be eligible to be elected as a representative unless he has resided three years in Maryland in Liberia, and shall hold real estate in the territory, in his absolute possession; nor shall any person vote for a representative who is not qualified as prescribed for voters for the offices hereinbefore enumerated.

The representatives thus elected shall serve for the term of one year; and in case of the death of a representative, or his removal from office, the agent shall cause a new election to be held by his constituents, for a member in his stead, to serve the residue of the term.

The general assembly or legislature shall consist of the agent, legislative council; and house of representatives. The legislative council shall consist of five members, to continue in office three years, any three of whom to be a quorum; and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the agent shall appoint a time and place for them to meet together; and when met, they shall nominate ten persons, not of their own body, having the qualifications of representatives, and return their names to the State Society, five of whom the State Society shall commission to serve as aforesaid; and whenever a vacancy shall occur in the council, by death, resignation, or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for such vacancy, and return their names to the State Society, one of whom the State Society shall appoint and commission, for the residue of the term; and every three years, at least six months before the expiration of the time of service of the members of the council, the said house shall nominate the ten persons qualified as aforesaid, and return their names to the State Society, five of whom the State Society shall appoint and commission to serve as members of the council three years, unless sooner removed. And the agent, legislative council, and house of representatives, shall have authority to make laws, in all cases, for the good government of the territory, not repugnant to the

constitution of the territory and the ordinances and decisions of the State Society, until the government shall pass wholly into the hands of the people of Maryland in Liberia; and all bills passed by a majority in the house and a majority in the council shall be referred to the agent, for his assent; but no bill or legislative act whatsoever shall be in force without his assent. The agent shall have the power to convene, prorogue, and dissolve the general assembly, when in his opinion it shall be expedient.

SEC. 43. *Be it enacted and ordained*, That whenever the council of five, hereinbefore mentioned, shall come into office, they shall supersede the counsellors hereinbefore mentioned, whose powers and functions they will at once perform.

SEC. 44. *Be it enacted and ordained*, That, until the State Society shall wholly withdraw their agent, and give up the government of the territory to the people thereof, all commissions, patents, licenses, treaties, deeds of public lands, rules and regulations, whether issued by the State Society or its agent, shall be in the name of the Maryland State Colonization Society.

SEC. 45. *Be it enacted and ordained*, That the agent shall have the power, at his discretion, to extend the time hereinbefore prescribed for a compliance with the conditions necessary to vest the absolute ownership of a farm or town lot in the person obtaining the same, in case the clearing, fencing, or building, shall have been actually commenced thereupon.

MISSIONARY ROOMS, BOSTON, June 25, 1838.

DEAR SIR: Within a few days I have received a letter from Mr. Wilson, our respected missionary at Cape Palmas, in which he desires information in the following case, and which is the occasion of my addressing you. As there will probably be an opportunity of sending letters to Cape Palmas from Salem within two or three weeks, I shall be greatly obliged if I might have the explanatory views of your board in season to transmit them to Mr. Wilson. I ought to add, that the friend who wrote me this morning from Salem is not yet confident as to the *time* when Mr. Brookhouse will send his vessel.

Mr. Wilson states that the board of your society has passed an ordinance requiring every colored person within the boundary of the colony to perform military duty, irrespective of their character, pursuits, or engagements. He says that, in consequence of this, Mr. Russwurm "has gone so far as to say that one Mr. James is exempted only by his good will; and that, if he sees fit at any future time, he shall not hesitate to impose the duty on him;" and more, which is not material to the statement of the case.

"You remember," he adds, "that we have now in our employ only two persons who have any connexion with the colony. One of these persons was placed in our care by Dr. Hall, while he was a minor, with the express understanding that he should be employed by us as a teacher when qualified. According to the agreement, and with the expectation that he would be released from all obligation to the colony, we have expended much time and labor in fitting him for this vocation; and now, as soon as he enters upon this business, military regulations are made to bear upon him, which will preclude all engagements as a teacher." Mr. Wilson was of opinion that Dr. Hall's agreement with him exonerated this young man from obligation to perform military service under the laws of the colony.

The agent thought otherwise, but they agreed to refer the matter to their respective boards.

It seems important to us, as it will no less to you, that the two benevolent societies should understand each other, that neither they nor their agents may do any thing to oppose, or which may seem like opposing unnecessarily, each other's measures. I would therefore respectfully inquire—

1. Whether Mr. Russwurm is right in understanding the regulation of your board as requiring military duty from our missionaries, if they reside within the bounds of the colony, and happen to be colored men. Mr. James is a colored man, and sustains the relation of assistant missionary to us. This we regard as a point of no small importance, as, in consequence of the climate, we shall aim to send us many colored missionaries and assistant missionaries as we can, and can hardly conceive of circumstances in which we should be willing to have them engage in warlike conflict with the natives to whom they are sent only to preach the gospel.

2. I would inquire whether your board regard the agreement made by Dr. Hall with Mr. Wilson as exempting the young man from the obligation to perform military service. We do not feel a great interest in this inquiry, and shall instruct Mr. Wilson to relinquish his claim upon him, if such be your desire, as soon as he can dispense with his services.

It is a grave question, how far one incorporated benevolent society can assume jurisdiction over the agents of another. It can only be settled by a free conference between the societies themselves. I beg, dear sir, that you will have the goodness to communicate your views freely; and believe me to be, with great respect, most truly yours,

R. ANDERSON,
Secretary A. B. C. F. M.

JOHN H. B. LATROBE, Esq.,
President Md. State Colonization Society.

Mr. Latrobe's reply to the above.

BALTIMORE, July 2, 1838.

MY DEAR SIR: Yours of the 28th ultimo is before me, and I hasten to reply to it. The 32d section of the ordinance for the temporary government of the colony, which was in operation from the day of the purchase from the natives, provides "that all males between the ages of sixteen and sixty, residing in the territory, shall be enrolled in the general militia, and be liable to be called upon, at the discretion of the agent, and under officers appointed by him, in the defence of the colony." The ordinance then provides for the organization of volunteer corps, pretty much after the fashion of such things in this country. At the time this ordinance was passed, no reference was had certainly to any persons not connected with the colony, although its phraseology is ample enough to cover *all residents*, whether connected with the colony or not, missionaries among the rest. Mr. Russwurm appears heretofore, with respect to Mr. James, whose case you mention particularly, to have given, *in point of fact*, the proper construction to the 32d section, by not calling on Mr. James to do military duty; and, by the opportunity from Salem, referred to in your letter, instructions will be given to him to adhere to that construction in all his acts hereafter.

I now proceed to reply to the two questions with which your letter concludes. The first is, whether we require military duty from the missionaries of your board, residing in our colony, if they happen to be colored men.

From missionaries, who leave this country as such; be they white or colored, and whose character in Africa is that of missionaries only, we require no military duty, no jury duty, no police duties, nor can we impose offices upon them. They have no right to vote, nor are they eligible to office. They have the same relation to the colonial government at Cape Palmas that a foreigner who comes to this country for a temporary purpose has to the Government of the United States—a relation well understood. If such persons contract debts in the colony, they are answerable according to the laws of the colony, and as colonists would be answerable. If they commit a breach of the peace of the colony, they are punishable by the laws of the colony. If they commit a crime, they must take the laws of the colony as the measure of their punishment. And an Englishman in the United States can no more plead the fact of his being such, as a bar to an action of debt to a citizen, or on that account claim exemption from punishment for a breach of the peace or a crime, than a missionary at Cape Palmas can set up his peculiar character and functions for the same purpose. All this is perfectly consistent with an exemption from military duty, jury duty, &c., as enumerated already, and is I believe law the world over.

I state all this fully, my dear sir, more fully possibly than is necessary, to enable you to understand the views entertained by our society; but I am most anxious that now, when the occasion has presented itself, there should be a free interchange of ideas, and a perfect understanding between us. Thus much for missionaries who leave this country and go to Africa as such, among whom are Mr. Wilson and lady, and Mr. James.

There is another class of persons, however, to whom your question relates: these are persons who, being colonists, enter into the service of the missionaries and become missionaries, or teachers, or in any manner attachés of the mission; persons who have been sent from this country at the expense of the society, and take upon themselves, either by signing the constitution, or by going to Africa at the expense of the society, the obligations of colonists. These persons we hold liable to the performance of all the duties of citizens, and among others military duty. They are like native Americans, who enter the service of a foreign resident here. The foreign resident is exempt from military duty, but the servant is not; his duty grows out of his citizenship, and there is no mode, certainly not by entering into the service of a foreigner, by which he can expatriate himself. England, you are aware, does not admit the right of expatriation, and sought her seamen in our ships until the late war protected our flag from this species of aggression; and in America I believe it to be the better opinion, even now, that the right of expatriation cannot exist. One of the States, indeed, provided the mode by which it could be done, but that State stood alone, and the doctrine is abandoned. We would be, you yourself must see, in a sorry plight, if as soon as our emigrants disembarked they turned around, and, by declaring they would be no citizens of ours, relieved themselves from obedience to our laws.

The class of persons, therefore, last mentioned, we hold liable to military duty, and all other obligations of colonists; and we do not admit that, while they reside in our territory, they can possibly exonerate themselves.

This I think a full answer to your first question. The next is easily answered; and we at once say, that all agreements made by our agents in Africa, within the scope of their authority, are binding on us. Dr. Hall is now absent from Baltimore, but the assurance of Mr. Wilson that such an agreement as you mention, in respect to the young boy you educated as a teacher, was made, was quite sufficient to satisfy us of the fact, and instructions will be sent to Mr. Russwurm to consider him upon the same footing with Mr. James. In a matter of this sort, it gives us too much pleasure to render your board any service to allow us to cavil about the claims that we might have upon the individual, and we at once say, we abide by the agreement of Dr. Hall.

In a part of your letter you speak of *two* boys, though your second question is confined to *one*. This may make some difficulty, unless it is referred to. In our late despatches, we learned with great pain of a difference between Mr. Wilson and Mr. Russwurm, in relation to a militia fine imposed upon Mr. Banks, a teacher at Cavally, who spent several days of each week in town, (Harper,) and did military duty when he happened to be there on parade days. Mr. Banks appears to have been a colonist, who had received his deed for property before he went into the missionary service; and the question in his case, with Mr. Wilson, appears to have been a question of fact, as to whether he was in town on parade day. Mr. Russwurm has said nothing in his despatches either harsh or unkind, but has enclosed us the correspondence with Mr. Wilson, and the statement of Mr. Revey, a Baptist minister and estimable man, who is our colonial secretary. These I now send to you, (copies.) Banks, who is alluded to in their correspondence, does not seem to be the person referred to in your second question, although he may be. There is a part of one of Mr. Wilson's notes to Mr. Russwurm, to which I want particularly to call your attention. It is where he says: "Furthermore, I charge you never again authorize one of your officers to enter my premises for the purpose of collecting fines, serving writs, &c."

This is, in fact, claiming the benefit of sanctuary for the premises belonging to your society; and I am sure you have only to hear such a claim made, to perceive how wholly untenable it is, and how utterly impossible it would be for the society to allow it. In deeding the present property at "*Fair Hope*" to you, we did not mean to exempt it from the operation of our laws, and to create upon it an independent power; and we think a person living in a house belonging to a church might as well claim exemption of a warrant from a debt, as Mr. Wilson to claim exemption for the premises at *Fair Hope* from the service upon them of legal process.

In the last paragraph of your letter, my dear sir, you say: "It is a grave question, how far one incorporated benevolent society can assume jurisdiction over the agents of another. It can only be settled by a free conference between the societies themselves."

It appears to me, and so it does to mutual friends with whom I have consulted, that you misunderstand our relative position. We claim to be the government of the tract of country that we have purchased from the natives. Except so far as the natives reserved rights in their deeds to us, we are the legislature of Maryland in Liberia. When the colony becomes an independent nation, it will be by taking from our society the power we now hold; and our society is to be considered, with reference to the colony, in the same light in which you would consider the government of any civ-

ilized nation in relation to its people and its territory. When you send a mission to Greece, you deal with the government of Greece; when you send a mission to Cape Palmas, you deal with its government in Baltimore. The question, therefore, is not how far one incorporated benevolent society can assume jurisdiction over the agents of another, but how far such agents are subject to the laws of the foreign country into which they go to reside. True, we are both benevolent institutions, incorporated in this country; but while your benevolence is wholly religious in its aspect, ours is almost wholly political, and our powers are corresponding. True, we know that we cannot succeed without aid from on high, and that our most efficient guaranty is a strong, true, and abiding feeling of religion among our colonists; and some of us look to the missionary agency which our society will have in Africa as among its first recommendations. Still, our main functions are political. We are establishing a people on a distant shore; they are dependent upon us; they look to us for laws; they are under our tutelage; we must acquire territory and make treaties, build forts, make roads, organize a civil judicature and a criminal one; provide for equipment of soldiers, adopt a flag, &c.; all of which are political duties, performed, it is true, from feelings of benevolence and humanity, but political, nevertheless—just as much political, to liken small things with large, as the duties performed by the East India Company, which, like ourselves, is but a chartered company.

I am afraid you will consider my letter unnecessarily prolix; but I am so desirous that there should be a free and full communication between us, that I run this risk. We are certainly fellow-laborers to one end—the improvement and civilization of the heathen; and although that is the direct object of your and the collateral result of our labors, we should not the less strive to preserve the most friendly, nay, the most affectionate relations; and nothing will conduce more to this than a proper understanding of our relative positions.

Some fifteen years' experience in colonization have made me well acquainted with the difficulties of organizing a government in Africa out of the elements sent from this country. With the very best materials that can be procured, there is still great difficulty. But the thing can be done; and these difficulties ought not to dishearten us. To suppose that our agents and officers in Africa are always right, would be to attribute to them much more than we are disposed to do. To obtain agents who are in all possible respects qualified, is out of the question. The heads of the best governments among civilized men are rarely so; all that we can do is to procure the best persons in our reach; and we are obliged to be satisfied when we see that there is an improvement from year to year in the condition of the colony, although the details of each week's business might afford some cause of dissatisfaction.

A copy of this letter will be sent to Mr. Russwurm, and instructions will be reiterated to him to preserve, by all the means in his power, the kindest relations and feelings to the establishment of your board. This charge has been given to him again and again, and shall now be repeated most emphatically.

I beg you to believe me, with the greatest respect, most truly yours,

JOHN H. B. LATROBE,

President Maryland State Colonization Society.

Rev. R. ANDERSON.

MISSIONARY ROOMS, BOSTON, July 11, 1838.

MY DEAR SIR: Your letter of the 2d instant is a good illustration of the utility of the free correspondence I proposed between our two societies. The views you present were entirely satisfactory to my own mind, and yesterday they proved no less so to our committee. The truth is, we have never before had occasion to consider this subject. When I saw it must come up, I endeavored to secure the attendance of Mr. Hubbard, the legal member of our committee, but he was unable to attend. No opinions were formed at that meeting, which immediately preceded my writing you, in respect to the jurisdiction which your colonial government might properly exercise over our missionaries, and of course none were expressed; but I was instructed to write you on the subject. What we wished was, that our missionaries and assistant missionaries, white and colored, sent from this country, or raised up from the native tribes not subject to your government, should be regarded as *foreigners* when in the colony. This is found to be in accordance with your views. The distinctions you make between your main object and ours, and the inferences drawn from thence, commend themselves strongly to our judgments; and we shall send instructions to Mr. Wilson, and give instructions to our future missionaries sent into your colony, in accordance with the principles you have advanced. Yours, of course, is the government of the territory; and our missionaries and assistant missionaries are foreigners, with the privileges, duties, and liabilities, which belong to such in this country.

Mr. Wilson did not send me a copy of his correspondence with Mr. Russwurm, though he said it was to accompany his letters. I regretted to perceive, and before writing you informed our committee, that he had mistaken the tenure of the grant of land made to our board by the colonial government. We understood it, and have always understood it, as given to us only for missionary purposes, and as no more out of your jurisdiction than the dwelling place of any foreign resident in Baltimore would be out of jurisdiction of the civil authorities of the State of Maryland. Neither we nor our agents will have any controversy on this subject.

You will understand me, however, when I suggest, in respect to the whole matter of jurisdiction, while the governors of your colony are colored men and our missionaries are Southern men, that while all necessary care is taken to preserve the principle of *right*, (which ought not to be conceded by your agent,) difficulties which may arise, and which threaten to be serious, should, as far as may be, be referred for settlement to the societies at home. I wish such a reference may never again be necessary. I would not have it required as a matter of authority, or a thing of course, or what our agents may require as a matter of right, but suggest it in view of what I know of human nature, even in its best estate. You will see at once what can safely be done, and desire no less than myself to prevent even the appearance of unfriendliness between the colonial government and missionaries. Both parts of the great work would find enemies enough to make the most of such things.

We will do what we can, dear sir, to ensure all possible respect for your authority and for your agents at Cape Palmas.

I am, sir, with great respect, most truly yours,

R. ANDERSON,
Secretary A. B. C. F. M.

JOHN L. H. BATROBE, Esq.,
President Md. State Colonization Society.

A declaratory ordinance touching the sovereignty of Maryland in Liberia.

Whereas the Maryland State Colonization Society was formed for the purpose of founding upon the west coast of Africa a free, independent, and sovereign republic, to be inhabited by persons of color emigrating from the United States of America, who, from their peculiar condition and circumstances, cannot be considered as owing to the American Governments any other than a local allegiance, determined upon their withdrawing from the territory of the said Governments: And whereas, in pursuance of the said purpose, the said society has purchased of the native kings and proprietors as well the sovereignty as the property of the territory now known by the name of Maryland in Liberia, and has settled therein a body of persons of the description aforesaid, who are now living there under a regular and well-organized government, the principles of which are set out in a constitution enacted on the 22d day of November, 1833; which said constitution has been adopted by the emigrants of the said territory, by going into the said territory to live under its provisions, and signing a declaration to support the same: And whereas the said constitution, for the present, vests in the said society certain legislative powers: And whereas the said society have proceeded under those powers to organize the government which now exists for the said territory, and which has been acknowledged and submitted to by all the residents in the said territory: And whereas it appears, from the foregoing facts, that the said government is as legitimate, sovereign, and independent, as any in the world, neither the United States nor any one of them claiming or exercising any authority within the said territory: And whereas it is proper that all persons visiting or settling in the said territory should understand distinctly the position in which they stand with relation to the said Government: Therefore—

Be it enacted and ordained, and it is hereby declared, by the Maryland State Colonization Society, That the government now subsisting in the territory of Maryland in Liberia, agreeably to the constitution of 1833, is, and of right ought to be, sovereign and independent of all authority not provided for in that instrument; and the said constitution, and the laws, ordinances, and treaties, made under its authority, are the supreme law of the land; and that it is the duty of all persons who now are or hereafter may be within the said territory to obey and conform to the same; and of all persons holding offices under the said constitution or laws to enforce obedience thereto from all persons whatsoever who may be within the said territory for any purpose or upon any pretext whatever, without any respect of persons.

And be it enacted, ordained, and declared, That all free colored emigrants from the United States who now are or hereafter may be settled in the territory called Maryland in Liberia, and all persons whatsoever born in the said territory, owe allegiance to the government of Maryland in Liberia, and to no other government whatsoever.

And be it further enacted, ordained, and declared, That all other persons who now are or hereafter may be within the said territory, on any pretext or for any purpose whatsoever, owe during their residence within the said territory a local and temporary allegiance to the said government, by which is to be understood obedience to the laws during their residence.

And be it further enacted, ordained, and declared, That in case any enlargement or addition shall at any time hereafter be made of or to the territory of Maryland in Liberia, this and all the other laws of the said government shall immediately, by their own proper vigor, be extended to and apply within such enlargement or addition.

And be it further enacted, ordained, and declared, That nothing in this ordinance shall be construed to affect, alter, or extend the relations which practically exist between the government aforesaid and the native Africans not of American descent resident within the said territory, or to curtail the authority practically exercised over said Africans by their own kings and other authorities, leaving the question of right as to such authority entirely open and unaffected by the provisions of this ordinance; so that the relations of said Africans to each other, and to the government and citizens of Maryland in Liberia, shall remain in all respects the same as they were before the passage of this ordinance, both in *right* and *in fact*, (*de jure et de facto*.)

And be it further enacted, ordained, and declared, That all free colored persons, emigrants from the United States of America, who shall have subscribed the aforesaid declaration to support the aforesaid constitution, and all natives of Africa who shall be permitted by the governor and council to subscribe the said declaration, and shall actually subscribe the same, and all descendants of either of the said classes born in the territory aforesaid, shall be deemed citizens of Maryland in Liberia.

And be it further enacted, ordained, and declared, That the Maryland State Colonization Society hold all their rights, both of government and property, in Africa, in trust, to be administered according to the best judgment of said society, for the benefit of those persons who now are or hereafter may be citizens of Maryland in Liberia, in their collective capacity, and will so continue to hold and administer the same until they shall withdraw their agents, and yield the government wholly into the hands of the people of the said territory.

And be it further declared, That no person or persons in America has or have, or ought to have, any beneficial interest in the government or property aforesaid; but that the same is, and of right ought to be, held and administered exclusively for the purposes aforesaid.

BALTIMORE, December 8, 1842.

DEAR SIR: Advices just received from Africa relate an occurrence which has given me very great grief and mortification, and which, I am sure, will affect you as it has done me. The facts are as follows:

It appears that the store of the Presbyterian mission at Cape Palmas was robbed by some people belonging to King Freeman's tribe, which, as you are aware, is within the limits of the society's jurisdiction. This robbery was an offence which the laws of the colony made punishable, and which the courts were open to examine, and the power of the colony sufficient to redress. It would have been supposed that, on the robbery being discovered, application would have been forthwith made to the constituted authorities; and that this idea was presented to the missionaries of your board, if it did not occur to them, is proved by the accompanying testimony. Instead of such an application, however, the declaration was made by Mr.

Griswold, to the effect that he would not apply to our laws for redress, if he never got the goods stolen. The precise words used at different times you will see stated by the different witnesses. On the arrival of the *Vandalia*, however, application is made to her officers, and in consequence our territory is violated, a drum-head court martial or palaver is held upon the king of the tribe containing the offenders, and a sentence is pronounced by a lieutenant of the United States navy, in the very presence of our people and our courts.

Now, my dear sir, had application been made by your missionaries to our laws, and had they then failed to procure redress, the exception to the general rule might possibly have arisen, and, we being too feeble to enforce our laws, the missionaries would have had a semblance of right on their side in asking the armed interposition of their country's vessels of war. But this was not the case. Not even the *form of asking protection* from the government under which they lived was gone through; but, avowing a determination *not* to ask such protection, the aid of strangers to our government in Africa was invoked, and the consequences are as stated in the testimony.

That Captain Ramsay did wrong in yielding to the request without first inquiring whether our laws had been appealed to, I have no doubt, though I can make all allowance for his doing so, ignorant of the feeling of the missionaries which induced them to bear the theft without attempt to detect the offenders, rather than apply to the laws of the colony for redress. But I confess, my dear sir, I cannot find any palliation for conduct which so ill becomes the sacred character of your messengers of God's mercy to the heathen.

You must be perfectly aware, my dear sir, it would be impossible for us to permit this state of things to recur, and to maintain our dignity or respectability in the eyes of our own people, the natives, or visitors to the coast; and that it will be painfully and absolutely necessary for us to rescind the conveyance which the Presbyterian missionaries have for the land they occupy at Cape Palmas, and request their immediate removal from our territory, unless the A. B. C. F. M. give such absolute and peremptory instructions to their agents as shall make them conform to the laws of the civilized territory on which they now reside, and prevent such occurrences as the painful one now referred to.

In conclusion, I must earnestly entreat you, my dear sir, not to misunderstand me in this matter. I have no feeling to gratify, no pride of opinion to support. Long and humbly relying on protection from on high, for the cause of African colonization, I have labored to support it. It is to me no matter of gain, God knows; and in writing to you, as I do, it is with the earnest hope you will not let what I say be weakened by an idea that I am opposed to missionary labor, opposed to its prosecution by your board, or by any good men. I declare now, as I have done again and again, unless we can have a religious people at Cape Palmas, our cause must fail; that if we proceed upon the principle of extirpating the natives, as has been wrongfully charged, we *ought* to fail; that we will deserve to succeed only in proportion as, by elevating the natives to the rank of civilized and Christian men, we make colonization a blessing to Africa as well as a benefit to America. And yet, entertaining these feelings, it will become an imperative duty, notwithstanding, to deprive ourselves of the benefit of

missionary services from your agents, if only to be obtained on such terms as shown by the accompanying statements.

I beg to renew the assurances of my sincere respect; and remain, very truly, your obedient servant,

JOHN H. B. LATROBE,

President Md. State Colonization Society.

REV. R. ANDERSON,
Secretary, &c.

MISSIONARY ROOMS, BOSTON, *December 28, 1842.*

MY DEAR SIR: Yours of December 5th, and postmarked December 23d, was received on the 26th, and read to our prudential committee yesterday.

By recurring to my letter to you under date of July 11, 1838, you will see that, without any reserve, we recognise the agents of your society at Cape Palmas as *the government* of the territory ceded to you by the native owners and occupants, and our missionaries and assistant missionaries residing in that territory as owing the same sort of deference to the government thus instituted as would be expected of foreigners in our own country. Our present views on this subject are the same as they were then; and the question we found it necessary to propose at the late annual meeting of our board was based on the assumption, that, if we remained at Cape Palmas, and within your territorial limits, we should of course be subject to your laws. Our correspondence with the mission, too, since my letter to you above alluded to, has been on the same assumption.

The committee are therefore of the opinion that, after the robbery of the mission store by the natives residing within the territorial jurisdiction of the colony, application for redress should have been made, in the first instance, to the colonial authorities; and they deeply regret that this appears not to have been done. An apology is due to your society and to the governor of the colony. Had Mr. Wilson been there, the error would not, we presume, have been committed. Whatever views he might have entertained as to the policy of your government in relation to the missions, he too well understood his own relations to the government. Mr. Griswold had but recently arrived, and his ardent temperament needed the restraints of more experience.

I am instructed to write to Mr. Griswold and the mission in such a manner as will be likely hereafter to secure all proper deference to your colonial agents in the matter of jurisdiction. I have also been instructed to express to you, as president of the society, the views and feelings of the committee as above. I am also happy to acknowledge the friendly and respectful terms of your letter, and to renew my assurances of the respect with which I am, very truly, your obedient servant,

R. ANDERSON,
Secretary A. B. C. F. M.

J. H. B. LATROBE, Esq.

AGENCY HOUSE, *September 24, 1842.*

DEAR SIR: I take the liberty to send you for perusal a copy of the "Constitution and Laws of Maryland in Liberia," and also copies of laws sent to King Freeman by the Maryland State Colonization Society.

It is not my object to enter into details of the differences between the Presbyterian mission and the colonial government, but I feel it my duty to place these copies before you without delay.

I have the honor to remain your obedient servant,

JOHN B. RUSSWURM,

Agent Md. State Colonization Society.

W. RAMSAY, Esq.,

Commanding U. S. ship Vandalia.

P. S. As the code can have no interest after perusal, you will please order it to be returned.

J. B. R.

VANDALIA, OFF CAPE PALMAS, *September 26, 1842.*

Captain Ramsay returns, with his compliments to Governor Russwurm, the constitution and ordinances relating to the government and privileges of the Maryland State Colonization Society at Cape Palmas. Captain Ramsay would be glad to know the particular object of the Governor in laying these papers before him.

Governor RUSSWURM, *Cape Palmas.*

AGENCY HOUSE, CAPE PALMAS, *September 26, 1842.*

DEAR SIR: You have kindly invited me to state the reason which induced me to lay the constitution of this colony and other papers before you, which I shall proceed to do in as concise a manner as possible.

1. I indulged the hope that, by a perusal of the above documents, you would be better qualified to judge whether occurrences hereafter to be detailed came under the jurisdiction of the colonial government or not; whether the said government was not duly organized and fully competent to decide on all such; and whether any other foreign power had the right, by the law of nations, to claim jurisdiction over occurrences which had happened in said duly organized government, until redress had been sought of the constituted authorities, and refused.

2. The Maryland State Colonization Society claims to be a benevolent society, duly incorporated by the State of Maryland; claims to have acquired a territory in Africa by fair purchase from the natives, and duly organized a regular government, by the appointment of suitable and competent officers for carrying into effect the ordinances of the same; claims full and sovereign jurisdiction over all events and transactions which may occur, and over all persons resident for the time being in said territory.

3. The colonial government feel that they have not been treated with all due respect by the Presbyterian missionaries, in their present palaver with King Freeman. Without notifying them of the robbery of their premises, they gave the natives to understand that they should seek redress of the

man-of-war which was daily expected on this coast from the United States, and by this act endeavored to lessen the influence of the government; when they well knew that, if the matter had been duly presented, every effort would have been made to recover their goods, and they would have been recovered, as they have hitherto been in all cases where extensive robberies have been committed on the society's store and on the Methodist mission premises. For this line of conduct the government can assign but one cause, *bitter prejudice*, which, as Christian missionaries, should be laid aside, for the time being at least, while they continue in the black man's country.

4. The colonial government feel that there has been a want of courtesy on the part of Captain Ramsay towards them, because he did not cause the necessary inquiries to be made, whether an application for redress had been made to the authorities on shore, before he despatched Lieutenant Ring to hold a palaver at the mission house.

Very respectfully, your obedient servant,

JOHN B. RUSSWURM,

Agent Md. State Colonization Society.

W. RAMSAY, Esq.,

Commanding U. S. ship Vandalin.

*Extracts from the annual report of the Maryland Colonization Society,
February, 1842.*

"It is again the grateful duty of the board of managers to express their profound acknowledgments for the favor which, during another year, it has pleased the Almighty to vouchsafe to the colony of Maryland in Liberia.

"On the 20th of December, ult., the brig Harriet sailed from Baltimore, with thirty emigrants and supplies, for Cape Palmas. The day after, intelligence was received from Somerset county that there were forty colored persons there who were ready to embark. Had the board been advised of this in due season, the last expedition would have numbered seventy emigrants, which the Harriet could have taken without inconvenience, and at a very small additional expense.

"The intelligence from the colony during the past year has generally been very satisfactory.

"The health of the colonists, as shown by the report of births and deaths for twelve months, would be considered remarkable in any quarter of the world. In a population exceeding five hundred, the deaths were but nine, or less than two per cent., while there were seventeen births.

"This statement is made from the official report of Dr. S. Ford McGill, the colonial physician, a colored man, the son of an emigrant from Baltimore, educated at the North for the situation that he now occupies with so much credit and usefulness.

"In the early periods of colonization in Africa, the emigrants suffered, no doubt, from exposure, ignorance of the proper mode of treating the diseases of the climate, and the want of medical attendance. Now, however, with comfortable shelter, medical experience, and a good physician at hand, an emigrant may remove from America to Africa with less risks

than attends ninety-nine out of a hundred of the citizens of this country, who annually seek new homes west of the Alleghanies:

“With a single exception, the conduct of the colonists has been marked by obedience to the laws; and, even in the case in which it was otherwise, the humble submission of the offenders corroborated in the end the authority of the government.

“It was the wish of the board, in founding the colony, to make agriculture the prevailing occupation of all classes; and this has, to a considerable extent, been accomplished, though the demand for the labor of the colonists at the large missionary establishments has drawn the attention of the colonists from their farms more than was expected. The views of the board, however, in this respect, remain unchanged, and the instructions sent to the agent require him to promote, by all means in his power, an agricultural spirit among the people.

“Cotton has been raised successfully, though as yet upon a small scale. It has been, however, spun, knit, and worn by the colonists.

“The sugar cane has succeeded well; and, with the aid of a mill built in the colony, several barrels of sirup were manufactured during the past year. Preparations have been made to produce sugar in the coming year.

“The coffee tree thrives at Cape Palmas, and it is hoped that coffee will be made an article of export, and become a valuable staple.

“At the end of seven years, the board can speak confidently of the temperance principle, which they made a fundamental law of the colony when it was established; and they firmly believe that, under Providence, the remarkable success that has attended the settlement, a success to which history affords no parallel, the harmony that has existed with the natives, and the general comparative prosperity, are to be attributed to the strict observance of the colonial laws in this particular. By none can the importance of the temperance principle be more highly appreciated than it is by the emigrants themselves.

“The advantages of the geographical position of Cape Palmas are more and more perceptible every year; and, as the legitimate trade on the coast of Africa increases, the situation of the colony in a commercial point of view becomes more and more important.

“As the point where the African coast changes its general direction from southwest to the north of east, Cape Palmas is, of all other places, the place of rendezvous for any armed force which may be stationed in these seas. It is nearly central between the mouths of the Niger and the mouths of the Senegal and Gambia. It is on the direct route from Europe and this country to the former river, and is a point made by all vessels bound for the great bights of Benin and Biafra. It is hoped that it may, for these reasons, participate in the aid afforded incidentally to colonization by the General Government, in its efforts to suppress the slave trade.

“The erection of a light-house at Cape Palmas has often been suggested by the traders on the coast, and a subscription for the purpose has been offered by many of them. It is believed that before long this will be accomplished.

“During the last year, the United States ship of war Cyane, Captain Latimer, visited Cape Palmas; and Captain Latimer’s account of the colony, transmitted to the Navy Department, furnishes the evidence of an impartial and intelligent eyewitness of the prosperity of the colony.

“The population of the colony at this time is about five hundred and

fifty, exclusive of the missions. All the emigrants are comfortably settled in homes of their own, and are engaged in occupations that furnish them with support. Nearly all are more or less engaged in agriculture, which is the exclusive employment of many of them. There are a number of mechanics, some of whom were such before they left this country, and others have been made such by the exigences of their new situation.

"There is at Cape Palmas one uniformed company of artillery and another of infantry; and the colonists who do not belong to either of these are enrolled in the general militia. The whole are well armed.

"The last despatches from Cape Palmas announced, very much to the regret of the board, the wish of the present governor, J. B. Russwurm, to resign the situation which he has held for the last five years with so much credit to himself and usefulness to the society. The board have declined for the present to accept Mr. Russwurm's resignation, for considerations which they have urged upon him, and which they believe will induce him to retain his place as governor for another year.

"The board have been fully justified by experience in the policy which five years since led them to appoint a colored man their agent in Africa and the governor of their colony. Indeed, those who at first doubted the prudence of the course pursued by the board have since followed their example, and a colored man is now governor at Monrovia, as well as at Cape Palmas. All the officers of all grades at Cape Palmas are colored persons.

"The relations of the colonists with the natives are peaceful. It is the determination of the board of managers that they shall remain so, if peace can be preserved by any conciliatory policy, and by avoiding all causes of difference and collision.

"A colony has therefore been formed, capable of self-support, self-government, and self-defence, and at an expense which, in comparison with the result, is trifling indeed. It is in no spirit of self-glorification, but a simple statement of a fact, that the board say that no record of similar success, in the same time or at the same cost, is to be found in the history of colonization, as far back as it can be traced."

CORRESPONDENCE BETWEEN CAPTAIN DENMAN AND CAPTAIN OAKE, OF THE BRITISH NAVY, AND GOVERNOR ROBERTS.

Extracts from Governor Roberts's letter of October 7, 1841.

The general condition of things in the colony continues the same. Our present relations with the native tribes around us are quiet and undisturbed, and the only apprehension that we labor under at present is the interference of British traders with our commerce, and the active part taken by them to cut off our communications of trade with the natives, and to confine our operations within a very small compass. To do this, they are calling to their aid the assistance of British officers, by making to them complaints and misrepresentations of the policy pursued by the authorities of the colony. How the matter will terminate I know not.

Captain Denman, commander of Her Majesty's sloop *Wanderer*, is now in our harbor, and has commenced the following communications, copies of which I send you, marked Nos. 1, 2, 3, and 4.

We have always held Captain Denman in the highest esteem; his conduct towards the colony has always been honorable and gentlemanly, and we have no doubt will continue so, if not deceived by the misrepresentation of British traders, (a few,) who it seems are determined to destroy the interests of the colonists, and put at defiance the laws of the colony.

In this matter I shall use the utmost discretion, and avoid, as far as possible, all collision with either British officers or traders; but in the mean time shall, so far as prudence and the nature of the case will admit, defend the right of the colony to exercise jurisdiction, at least, over the purchased territory. Mr. Dring's property, seized at Bassa Cove for infraction of our laws, has been sold some two or three months ago, by order of Governor Buchanan.

Our commercial affairs become paralyzed, for British traders have become so inveterate against our speculators, that they allow them but a small share in the trade along the coast. They effect this, sometimes, by ordering our traders from the spots where they have selected to trade, alleging their exclusive right, either by treaty or purchase, when in most cases they have neither. When this is not resorted to, they effect it by putting a factory near the colonists, and sell goods at such reduced prices as to entirely disable the colonists to compete with him. This they can do without loss, because their goods are bought in England, and the poor colonist can only be furnished with goods second handed, and very frequently has to pay higher prices than what the natives have to pay at those British factories; and, unless the society will take prompt and immediate measures to acquire territory, I fear they will succeed too well in confining us to the limits of Cape Mesurado and Bassa Cove, (if in fact they will grant us quiet possession of the latter, which appears doubtful, from the language of Captain Denman's last communication.) Why the United States Government will not look to this matter is strange. I am fully convinced, from late developments, that the British Government is making an effort to secure to themselves the entire trade of this part of the coast, which is becoming quite important.

No. 1.

HER MAJESTY'S SLOOP WANDERER,

Cape Mesurado, October 6, 1841.

SIR: I have the honor to inform you that I have received a complaint from Mr. Dring, master of the British brig Ranger, stating that property to a considerable amount, belonging to him, has been seized at Bassa Cove by some Liberia authorities, under the pretence of an infraction of the laws.

British vessels have been in the habit of trading at that place for a long series of years, not only without interference or molestation, but with the right of trade, and of forming factories purchased from the natives, and guaranteed by treaty. I therefore have to request that you will inform me upon what grounds the seizure in question has been made.

I have the honor to be, sir, your most obedient servant,

JOSEPH DENMAN,

Commander and senior officer on the Sierra Leone division.

To the GOVERNOR of *Monrovia.*

A true copy: J. N. LEWIS, *Colonial Secretary.*

Copy of answer to the preceding

GOVERNMENT HOUSE, MONROVIA, *October 6, 1841.*

SIR: I have the honor to acknowledge the receipt of your favor of today's date, and hasten to inform you that the seizure made by the authorities of Bassa Cove was in conformity with the laws made and provided to regulate the commerce of these colonies.

These laws had been violated by Captain Dring, of the British brig Ranger, by landing goods and trading with the natives of Bassa Cove, without first complying with the regulations of the customs.

The Commonwealth of Liberia, by treaties, and subsequently by purchase, and that prior to any claim set forth by British traders, lay claim to the territory of Bassa Cove, and has full power to exercise authority over that part of our territory.

The authorities of Liberia have studiously avoided all collision with British traders, and have allowed them indulgences that they now assume as their right, and would wish to set at defiance all colonial authority.

In this I feel fully assured they will not be supported, especially by you, sir, for whom the late Governor Buchanan had the warmest esteem and respect; and I am sure not by the British Government—*that is too magnanimous.*

I have the honor to be your most obedient servant,

J. J. ROBERTS.

Captain DENMAN,

*Commander and senior officer on the Sierra Leone division,
of H. B. Majesty's sloop Wanderer, Mesurado Road.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

No. 2.

HER MAJESTY'S SLOOP WANDERER,

Cape Mesurado, October 6, 1841.

SIR: In reply to your letter of this day, I regret to be obliged to request that you will afford me further information respecting the seizure of the property of Mr. Dring at Bassa Cove.

It is undoubted that British factories were established at that place, and that trade was carried on by virtue of purchase and treaties, long prior to the exercise of any territorial power by the authorities of Liberia, and, I may add, long prior to the residence of any Liberian citizen.

It is therefore incumbent upon me to ascertain the grounds and principles upon which the claims of Liberia are founded, as it is undoubted that these British factories and this British trade did actually exist; and it certainly does appear to me that the same have been supplanted by the colonists of Liberia, and the property in question unjustifiably detained.

The friendly disposition of Great Britain to the cause of Africa must unquestionably extend to Liberia, a colony from which results of the most beneficial nature may be expected, if its labor and resources are properly

applied, and it may be assured that every British officer on this station is very desirous for its prosperity; but, at the same time, it is our imperative duty to protect the interests of British subjects, where it appears they have been in any manner infringed.

I have therefore to request that you will furnish me with more explicit information as to the ground for the seizure of the property in question; and have the honor to be, sir, your most obedient servant,

JOSEPH DENMAN, *Commander.*

To the GOVERNOR of *Monrovia.*

A true copy :

J. N. LEWIS, *Colonial Secretary.*

Copy of answer to the preceding.

GOVERNMENT HOUSE, MONROVIA, *October 7, 1841.*

SIR: In reply to your letter of yesterday, requesting further information respecting the seizure of the property of Captain Dring at Bassa Cove, I can only say (so far as I have been informed) that Mr. Dring, in violation of our maritime laws, landed goods and traded with the natives of Bassa Cove, when expressly forbidden by the authorities of that place.

Of the fact "that British factories were established, and that trade was carried on by virtue of purchases and treaties, at Bassa Cove, long prior to the exercise of any territorial power by the authorities of Liberia," I am not informed. It is upon this ground that the claim of Liberia is founded: that the authorities of Liberia have purchased that entire section of territory called Bassa Cove; and hold that we have a right to insist that all traders within our limits conform to the laws made and provided to regulate our trade, *at least until a prior right be established.* These regulations are made to secure to the commonwealth the duties arising from the sale of goods within our territory, and to put our own citizens on a footing with foreigners.

It is customary for traders on this coast to make commercial treaties with the natives, and sometimes to purchase a small lot of land for the time being, on which to erect a factory house. This Mr. Dring might have done at Bassa Cove. *If so,* priority and extent can only be determined by comparing documents.

It is certain that British traders have carried on a traffic with the natives of Bassa Cove. It is also certain that Spanish and other traders have done the same.

It is not the intention of this government to restrict British more than other foreign traders. Our feelings toward them have always been of the best kind. I regret, however, that this has not been reciprocal on the part of two or three of your traders on the coast. In several instances violence has been exercised by British traders on our colonial factories, themselves abused, and their property destroyed.

As to the seizure in question, I have no doubt the matter, when properly understood, will be amicably settled.

The friendly disposition of Great Britain to the cause of Africa, *no one*

will question; and that she will extend to Liberia the same friendly feeling we do sincerely hope.

Of British officers on this station, we have never had cause to complain; their conduct toward the colony (so far as I have any knowledge) has been gentlemanly and friendly; such we hope it will continue.

I have the honor to be, very respectfully, your obedient servant,

J. J. ROBERTS, *Governor of Liberia.*

Captain DENMAN, &c.,

H. B. Majesty's sloop Wanderer, Mesurado Road.

A true copy:

J. N. LEWIS, *Colonial Secretary.*

No. 3.

HER MAJESTY'S SLOOP WANDERER,

Cape Mesurado, October 7, 1841.

SIR: Since I had the honor of sending you my letter (No. 2) yesterday I have obtained sufficient respecting the transaction at Bassa Cove to enable me to acquaint your excellency of the views which I entertain upon the claim of the settlers of Liberia to the coast between New Cesters and Grand Cape Mount river, both inclusive, and of the Liberian law by which all persons not settlers of Liberia are excluded from trade, or even communication, with the natives within those limits.

It appears that, under this law, property belonging to Mr. Dring, to the amount of three hundred dollars, has been seized for trading at Bassa Cove.

Factories have been maintained by British subjects at various periods; and, for a long series of years, British vessels have been in the constant habit of prosecuting a free and uninterrupted commerce with the natives of Bassa Cove, subject only to the customary presents to the native chiefs, and unmolested by the claims or interference of the settlers of Liberia. More recently, a purchase of the country, for the purposes of trade and of forming factories, was effected by a British subject.

So far from Bassa Cove having been at earlier date occupied and held under the control of the Liberian settlement, even so recently as March, 1841, a treaty of peace was actually concluded between the colonists and the inhabitants of Bassa Cove, wherein reference is made to a treaty of 1836, by which it is said their country was "formally ceded by the rightful owners."

It therefore follows that any previous purchase of that territory by the Liberian colonists was a nominal one, not supported by possession or the exercise of any substantial right whatever; and such purchase or treaty cannot for a moment be allowed to conceal and overthrow the rights purchased, and so long previously exercised, by British traders.

In your letter of yesterday you state that "seizure was made by the authorities of Bassa Cove, in conformity with the laws made and provided to regulate the commerce of these colonies," but you do not in any manner explain how the rights purchased and exercised by British subjects have passed into the hands of the settlers of Liberia.

The laws which the settlers of Liberia agree to enact for their own gov-

ernment would have control over any foreigner who voluntarily emigrated to their territory and resided amongst them; but how those laws should be made to extend to British vessels trading at places which they have purchased, and where they have long prosecuted trade, I cannot understand—unless, indeed, the law which declared the territory of Liberia to extend from Grand Cape Mount river to New Cesters, both inclusive, would, by possibility, be conceived to give a title to the possession of this extent of country, and at the same time to annihilate the claims and rights of all other parties whatever.

With reference to what has occurred at Bassa Cove, I shall hold it my duty to represent the circumstances to my Government, strongly expressing my opinion, not only that the property of Mr. Dring was unjustifiably seized, but that the attempt to supplant British trade at Bassa Cove is altogether indefensible; while I heartily regret that I should feel myself compelled to take a view which may be supposed to be in any manner injurious to the interests of Liberia. I cannot but perceive that the policy pursued by the colonists upon this occasion must, if persevered in, necessarily involve them in many other similar questions; and it is necessary for me to state, that, where British factories exist, a free and habitual trade is established, the attempt of Liberian settlers to intrude themselves, for the purpose of supplanting that trade cannot be viewed by Her Majesty's ships with indifference; and in any future instance that may occur in any other quarter I shall feel it my duty to protect the British interests involved.

I have the honor to be, sir, your most obedient servant,

JOSEPH DENMAN,

Commander and senior officer on the Sierra Leone division.

To the GOVERNOR of *Monrovia.*

A true copy: J. N. LEWIS.

No. 4.

HER MAJESTY'S SLOOP WANDERER,

Sierra Leone, October 21, 1841.

Sir: I beg to acknowledge the receipt of your letter of the 7th instant, but, after having expressed my views so fully in my letter of the same date, I will only observe that the laws under which the master of the Guineaman was fined and the property of Mr. Dring confiscated extend far beyond the powers, not only of the settlement of Liberia, but of any regularly constituted State, inasmuch as it attempts to legislate for places over which it has no jurisdiction, and endeavors to exact penalties for transactions between parties not subject to its control.

The laws by which the settlers of Liberia agree to govern themselves cannot extend beyond their bona fide possessions, neither can they make it criminal for foreigners to trade at their own long-established factories; nor can any right to purchase land already belonging to British subjects be founded upon them.

Any endeavor of the settlers of Liberia to usurp an exclusive power in

places where British factories have been fixed or habitual trade prosecuted, must be regarded as an offensive attempt to injure our commerce.

I therefore have to inform you that no further obstruction to the British traders can be permitted, either at Bassa Cove or at any similar place, and that I have given directions to this effect to the cruisers under my orders; but I trust that no future instance of a similar nature will call for their interference.

On the other hand, I do not wish to be understood as claiming any exclusive right of trade for British subjects; on the contrary, Great Britain looks to the extension of the legitimate commerce of all nations with Africa as her best auxiliary in the struggle against the slave trade, and as the only means of eventually sealing its extirpation.

I have the honor to be, sir, your most obedient servant,
JOSEPH DENMAN, *Captain.*

To the GOVERNOR of *Monrovia.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

HER BRITANNIC MAJESTY'S BRIG TERMAGANT,
Off Bassa, March 6, 1842.

SIR: The Liberian settlers of St. John's river having on various occasions obstructed British traders at Bassa Cove, under a plea of its being a possession of theirs, and the governor of Monrovia (Mr. Roberts) having informed me that "he should be obliged to seize British goods landed there," notwithstanding the prior claim of the English to the place, and which had been fully proved to him by Captain the honorable Joseph Denman, in a correspondence upon that subject, I beg to inform you that any interference on the part of the settlers with Mr. David Murray, master of the brig "Coquette," belonging to Messrs. Laurie, Hamilton, & Co., of London, or his factory at Bassa Cove, will make it imperative on me, according to the orders under which I am acting, to employ Her Majesty's brig under my command in protecting him and his property, as well as any other Englishmen who may choose to trade there.

I am, sir, your very obedient servant,
H. F. SEAGRAM,
Lieutenant and Commander.

Mr. LOUIS SHERIDAN, *Bassa.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

HER BRITANNIC MAJESTY'S BRIG TERMAGANT,
Off Bassa, March 8, 1842.

SIR: [In regard to] the money (\$150) belonging to Messrs. Laurie, Hamilton, & Co., of London, now in your possession, and which you inform me you are ready to pay when the law permits, I beg to state

that I cannot acknowledge a law that allows a debtor to detain the property of a foreign creditor (a British merchant) for an alleged offence, of which it is impossible he could have been guilty, never having been in this country.

A period of three years is now elapsed since the said law alluded to attached it, and I consider the money ought to be paid immediately.

I claim also, on the part of the executors of the late Captain Spence, payment for the following articles—one cask of muskets, containing fifty in number; one case of cutlasses, containing ten dozen; one case of plates, containing thirty-five dozen—which were unlawfully seized by one Lloyd Fuller, on the 31st March, 1841, whilst in the possession of Mr. Weaver, of Edina, after they had paid the customary duties.

I am, sir, your very humble servant,

H. F. SEAGRAM,

Lieutenant and Commander.

Mr. LOUIS SHERIDAN, *Agent, Bassa.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

GOVERNMENT OFFICE, BASSA COVE,

March 7, 1842.

SIR: Since the receipt of your note of this morning, I am favored with an official communication, made from on board the vessel under your command, dated yesterday. The notification made to me I shall preserve a copy of, and have the original laid before the American Colonization Society's board at the earliest day possible; and as the whole squabble is or will be betwixt you and those authorities, I shall refer the subject to their decision, assuring you at the same time that whatever steps the governor of these colonies, as their agent, may deem proper to take in maintaining the rights of Liberians at any place on the coast of Africa, shall have my most hearty co-operation.

I have the honor to be, with unfeigned respect, your most obedient humble servant,

LOUIS SHERIDAN.

To the COMMANDER of *Her Britannic Majesty's brig Termagant, off Bassa Cove.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

GOVERNMENT OFFICE, BASSA COVE,

March 8, 1842.

SIR: If the case is, as I understand, that you or some other person interested have in possession a paper disavowing, on the part of the parties plaintiff, the action in the case of Thomas Hunter vs. D. Murray, in consequence of which an attachment was served on me, thereby making me liable for the sum of one hundred and fifty dollars, if otherwise paid

than agreeably to the order of the court, to which I am held bound for it, your way is plain and easy enough in the recovery of the amount, by having the attachment loosed, under the plea proper to be made.

If the parties defendant in the case of Hunter choose to employ me as their agent, (which shall cost them nothing,) by sending me a written direction to receive and use the letter or declaration of Hunter to the purpose of loosing the money from the attachment, I will have it done at May court. Mean time, the note may be left with whom you please, to receive; after that time, the sum for which it is drawn. Further than this I cannot go, because the laws here are not controlled by the sanctions of foreigners; neither can its subjects be exculpated from liabilities by such features as may be given to cases, designing to suit them to temporary purposes.

I shall immediately lay before the governor your claim for the amount of articles seized on by the collector as the property of Captain Dring; I shall then have done my duty in that regard also, and I desire to hear no more on the subject.

I have the honor to be, sir, your very respectful and most obedient humble servant,

LOUIS SHERIDAN.

Lieutenant SEAGRAM,

Her Britannic Majesty's brig Termagant, off Bassa Cove.

A true copy:

J. N. LEWIS, *Colonial Secretary.*

GOVERNMENT HOUSE, MONROVIA,

March 12, 1842.

SIR: I received yesterday a letter from Louis Sheridan, Esq., agent for the county of Grand Bassa, enclosing your correspondence with him on the subject of the right of British traders establishing factories at Bassa Cove, in the county of Grand Bassa, Liberia, and your determination to employ Her Majesty's brig "Termagant" to protect them. I cannot believe Her Majesty's Government will ever sanction the conduct of any British officer who will encourage and protect British subjects in the violation of the laws of any people, however weak or effeminate.

In your letter of the 6th instant, to Mr. Sheridan, you have been pleased to say, "that the prior claim of the English to Bassa Cove had been fully proved to Mr. Roberts by Captain Denman, in a correspondence on that subject." This I beg to disavow; this proof I called for; I asked for documents to establish this prior claim. Captain Denman could not or did not produce them, but insisted "that, as British traders had for a long series of years carried on an undisturbed trade with the natives of that place, we had no right now to insist upon their compliance with any regulation made by the government of Liberia."

Captain Denman, who, I believe, had no wish to create any difficulty with or to domineer over us, was not desirous to press this matter, but was willing to leave the subject to be settled between his Government and the American Colonization Society. I could wish that all British officers entertained the same good feeling toward us.

The correspondence between Captain Denman and myself has been

transmitted to the board of directors of the American Colonization Society at Washington, and the subject will be laid before your Government immediately. *Why not await their answer?*

As to Captain Murray, he can have no object in establishing a factory at Bassa Cove, other than to defy the authorities of Liberia, or to open an inlet for the future clandestine introduction of goods into the colony. *The trade at that place is of little importance.* Therefore, sir, notwithstanding my sincere wish to avoid any collision with Her Majesty's subjects, and especially with any British officer, should Mr. Murray persist in violating our laws, and you are determined to protect him, you leave us no alternative. I hope, however, you will suspend your determination on this subject for the present, and dissuade Mr. Murray from making any establishment at Bassa Cove until we can receive further information from England and America.

I am, very respectfully, your obedient servant,

J. J. ROBERTS, *Governor.*

Lieutenant SEAGRAM,

*Commanding Her Britannic Majesty's brig
"Termagant," Bassa Cove.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

HER MAJESTY'S SLOOP "FERRET,"

Off Bassa Cove, July 2, 1842.

SIR: I beg to acquaint you, that in consequence of information having reached Captain J. Foote, the senior officer in command of Her Britannic Majesty's squadron on the west coast of Africa, that British commerce has received considerable interruption of late from the interference of the Liberian settlers with the masters of British merchant vessels trading at Bassa Cove, I have arrived here, by the direction of Captain Foote, to inquire into the particulars of the complaints made by the British traders to this port, and in consequence beg you will do me the favor to afford me all the information in your power relative to the following particulars:

"If the masters of British merchant vessels have been prevented by the Liberian settlers from trading at Bassa Cove on the same footing as they have long been accustomed to do.

"If fines have been levied on masters of British merchant vessels trading at Bassa Cove, and their property confiscated, for violating the laws of the Liberian settlers.

"If property of the late Mr. Spence was seized from Mr. Henry Dring, master of the schooner 'Ranger,' and also a sum detained, by a supreme court at Bassa, from Mr. David Murray, master of the brig 'Coquette,' belonging to Messrs. Lawrie, Hamilton, & Co., of London; and on what grounds such seizure and detention took place.

"If the Liberian settlers have interfered with a British factory long since established at Bassa Cove, and their reasons for so doing."

I have the honor to be, sir, your most obedient humble servant,

J. OAKE,

Commander and senior officer on the Sierra Leone station

To the LIBERIA AGENT resident at Bassa Cove.

A true copy:

J. N. LEWIS, *Colonial Secretary.*

GOVERNMENT HOUSE, BASSA COVE;

July 4, 1842.

SIR: I have the honor to acknowledge the receipt of your favor under date the 2d instant, and in reply to the charges advanced against us, and by you stated as having been made to Captain J. Foote, of Her Britannic Majesty's navy, beg leave to say, that however maliciousness and spite are set at work to do us mischief, the unyielding principles of truth and integrity, which is the shield of the upright, will be our defence.

I do most positively deny that British commerce, lawfully carried on, has had interruption, at any time since my being resident here, from the interference of the Liberia settlers with the masters of British merchant vessels trading at Bassa Cove; but, on the contrary, the aforesaid masters have so employed their skill and so well succeeded in fascinating our traders, that they have been caused to neglect their proper duties as citizens of this commonwealth, and engage themselves in an inglorious contest against their own government, on a trial of the question, whether the miserable traffic of the coast connected with the trade of the interior is not of more importance than all the agricultural and rural interests of the colony, otherwise than as connected with the means of trade; and even so far have they gone as to sink the moral character of the place by their time-serving accommodations to those gentlemen's wishes, in giving indulgence to their desires. Over this part of the narrative, indignation and pity prompt me to draw a veil.

I will now give a statement, so far as I am acquainted with the particulars of your inquiry, and allow me, if you please, to suggest that, on a review of the first item, you will agree that you do not mean exactly all you say; forasmuch as I presume the object of Captain Oake, of Her Britannic Majesty's navy, being placed on this station is to prevent that very kind of trading "they have long been accustomed to"—and I do most sincerely wish him therein every possible degree of success; and hence there must be some definite period to mark the time when they were not only driven from the slave trade, but also when they became informed that, in order to hold and enjoy the privilege of carrying on a lawful commerce at Bassa Cove, it were necessary they should conform to certain regulations, as duties, port charges, &c., according to the usages and customs of other nations; and this period bears date previously to any claim set up by individuals of Her Britannic Majesty's Government, and of none other have I yet heard.

In a conference on the subject some time ago, held with one of Her Britannic Majesty's naval officers, he seemed to ridicule the idea of our citizens forming themselves into a government, from under which should proceed laws to control Her Britannic Majesty's subjects; but that gentleman did not choose to recollect (for I can hardly think him so ignorant of the fact, however I may excuse his intemperate zeal for free trade and unbridled licentiousness) that the great nation under whose ensign he floats upon the ocean's wave is herself bound by her individual sovereignty, and in self-respect, to protect us in the rights we claim; and, under whatever misnomer we may be classed, we claim and take precedent from England for the positions in which we stand to the rest of the world of mankind. And, once more, admit these facts, as, indeed, you must, what course can we pursue more corresponding with the great objects for which the vast

expenditure of means employed at the charge of Her Britannic Majesty's Government have been undertaken, than to enact laws having for their scope and tendency to prevent the repetition of those outrages, or such as we should be subjected to, without the interposition of those restraints?

To your second query I answer, with a single affirmative, Yes, sir! Your third regards the seizure of goods made by the collector of this port, in consequence of a violation of our laws respecting the intercourse of foreigners at ports of entry within the jurisdiction of the commonwealth of Liberia.

It does seem to me that an undue degree of importance is attempted to be given to this subject, by having it appear that goods have been seized and taken from gentlemen in London or elsewhere beyond our jurisdiction; and while they, in the nature of things, could have nothing to do with us, we, by some hocus pocus arts, have so contrived as to take away these same gentlemen's goods. Now, sir, this is either begging the question or at least so altering the premises as to make them involve conclusions that are not connected with the case.

We know nothing of Messrs. Laurie, Hamilton, & Co., nor any other person or persons who are interested in this case, excepting Captain Dring, who acted in defiance of what he knew to be our regulations of trade, and in doing so he became liable to the penalties attached to those regulations; and is it to be supposed that the chief executive of this government, who, in his own person, ordered the seizure of those goods, could tamely look and observe the infraction of our laws, without employing such means as were in his power to bring the offender to justice? And on what ground did Captain Dring presume to act this defiance, the untenable one of himself as the representative of Captain Spence, who at some period did, as an individual, purchase the right of trading at Bassa Cove?

On this subject the then governor of Liberia was too well informed not to know that Her Majesty's Government had made no such pretensions to sovereignty in this neighborhood, and that consequently no individual of her subjects could maintain such a claim, independently of her sanction; and add to this the notorious fact that whatever the claim and however held by Mr. Spence or Captain Dring, the conveyance by which this territory was ceded to the government of Liberia bears date some months before that of Captain Spence or Mr. Dring.

An attempt has been made to lay hold on the circumstance of some allusion to our right of territorial jurisdiction being made in a treaty of recent date with the Fishmen in the Cove. Whatever awkwardness of that kind may present itself, and become the subject of cavil, you will have to attribute to the unskillfulness of the drawer of that instrument, who was none other than myself; and no more was meant than to have a mere recognition of our right made by all the parties signing to that instrument; and this, I suppose, can hardly be construed to intend a recantation of such right as had been before conveyed to us.

The case of Captain Murray is a truly ridiculous and to me a very unpleasant one. I became indebted to him in the sum of one hundred and fifty dollars, for which I gave my note of hand. On the very day and within one hour of the time when I was called on for payment, an attachment issuing from the supreme court was served on me by the sheriff of this county, in which I was required, as garnishee, to say, at the

instance of a Mr. Thomas Hunter, of Monrovia, how much I was debtor to Captain Murray.

The process was returned to the court of quarter sessions, and judgment entered up against Captain Murray, on the complaint of Hunter, (of the ground whereof I know too little to inform you satisfactorily.) By this means the claim of Captain Murray was locked up in my hands, to wait an execution from the court, compelling me to pay the amount to the attachment. This has never yet been done, and, on the contrary, it is said that the aforesaid Mr. Thomas Hunter has given to Captain Murray a paper, certifying that he never authorized such proceedings against him, and that, consequently, any steps taken to enforce payment to him by such means were undertaken without his concurrence. Of all this jumble I know nothing, but thus informed. I, in a former correspondence on the subject, begged, as I now do, if there is such a paper, or if such an one can be procured, I entreat that it may be sent to some agent here, who can use it to release me from this vexatious affair.

Having now reached the last topic to which you allude, allow me to say, in answer thereto, I cannot conceive to what possible case your informant alludes.

I have not heard of any British factory being at any time established in the Cove, other than in a way of clandestine intercourse kept up with the Fishmen resident there, and which has been the occasion of those difficulties you make the ground of complaint.

It is true that an officer of Her Britannic Majesty's navy did say to me that he intended having one established there some time I think in the early part of this year; but if he did, it was much of a piece with their former doings there. It has attracted no notice, whatever; nor do I suppose it is the intention of the now acting governor (Roberts) to concern himself in anywise respecting it, until the decision of Her Majesty's Government and our board shall have made it imperative on him to act in some way concerning it.

I trust, sir, that what has been said will satisfy you that, in all the matters alleged against us, there is wanting that which would embody them into offences against Her Majesty's Government or her subjects; and I would, on the assurance of a verdict of acquittal, ask of you to entreat for us as a boon the gift of the territory of Capé Mount, as being the best use Her Majesty's Government can make of any title they have acquired to that portion of territory, in view of their grand object of enfranchising the world.

Our powers, it is true, at this time are but feeble, and consequently our efforts are small, and must be limited for a time to come; but, sir, with the good hand of our God upon us, I believe that you will find it a means of greatly advancing the purposes of her most gracious Majesty, were the right in that portion of territory to be ceded to us, as I am confident, from deductions I have made in regard to facts reported to me, that an end would thereby be put to the opportunities there afforded of clandestinely pursuing the traffic in slaves, which I do firmly believe that, by Her Majesty claiming to hold a possession there, she does but build up with one hand what she pulls down with the other.

With these remarks, I beg leave to refer you to his excellency Governor J. J. Roberts, for any further explanation you deem it needful to ask touching these matters.

Praying God that he may succeed in every effort having for its object the

amelioration of the condition of the human family, and save the commonwealth of Liberia, I have the honor to be, sir, your most obedient humble servant,

LOUIS SHERIDAN, *Acting Agent.*

Hon. J. OAKE,
Commanding "Ferret," Bassa Cove.

A true copy:
J. N. LEWIS, *Colonial Secretary.*

HER MAJESTY'S SLOOP FERRET,
Off Cape Mesurado, July 6, 1842.

SIR: Having received directions from Captain John Foote, senior officer in command on the west coast of Africa, to inquire into certain complaints made by the masters of British merchant vessels trading at Bassa Cove, I addressed a letter, dated the 2d instant, to Mr. Louis Sheridan, resident agent there, begging he would do me the favor of affording me all the information in his power relative to the following particulars:

If the masters of British merchant vessels have been prevented by the Liberian settlers from trading at Bassa Cove on the same footing as they have long been accustomed to do.

If fines have been levied on the masters of British merchant vessels trading at Bassa Cove, and their property confiscated, for violating the laws of the Liberian settlers.

If property of the late Mr. Spence was seized from Mr. Henry Dring, master of the schooner Ranger, and also a sum detained, by a supreme court at Bassa, from Mr. David Murray, master of the brig Coquette, belonging to Messrs. Laurie, Hamilton, & Co., of London, and on what grounds such seizure and detentions took place.

If the Liberian settlers have interfered with a British factory long since established at Bassa Cove, and their reasons for so doing.

Mr. Sheridan having very kindly complied with my request, and referred me to your excellency for any further explanation I may require on the subject, I beg to state that it would greatly facilitate my performance of this duty by your excellency's informing me at what period the territory of Grand Bassa point or cove was ceded to the Liberian settlers, as the prince and the chief of the country state that they wish to trade with all nations, and that they have never sold any portion of their territory to the settlers of Liberia.

I am also desirous (for my guidance in giving directions to those of Her Britannic Majesty's cruisers employed, under my orders, on this part of the coast, in the protection of British commerce) to be informed of the extent of territory now under the jurisdiction of the Liberian settlers, and the names of the different settlements; and I further beg the favor of your excellency's acquainting me with the origin of the Liberian laws.

With my best wishes for the prosperity of Liberia, I am induced to solicit this information from your excellency, in the sincere hope that it may ultimately tend to prevent any interference (on the part of masters of British merchant vessels trading to places in the vicinity of the Liberian territory)

with those regulations which you have adopted with a view to the promotion of the best interests of the colonists.

With regard to the sum of one hundred and fifty dollars due to Mr. David Murray, master of the brig *Coquette*, Mr. Sheridan informs me that the sum is in his hands; that he was prevented from paying Captain Murray by an order of a court at Bassa, owing to a claim said to be made by Mr. Hunter. Mr. Sheridan informs me that he has heard that Mr. Hunter denies ever having authorized such proceedings against Captain Murray.

I beg your excellency will therefore be pleased to adopt such measures as may release Mr. Sheridan from the responsibility he is now under, with regard to the payment of this money, in order that Captain Murray may receive the sum so long due to him, and which there appears to have been no just grounds for detaining. I beg further to state to your excellency, that I have been desired by Captain Foote to receive the sum due to Captain Murray, of the brig *Coquette*.

I have the honor to be, sir, your excellency's most obedient humble servant,

J. OAKE,

Commander and senior officer on the Seirra Leone station.
His Excellency Gov. ROBERTS, *Monrovia.*

A true copy :

J. N. LEWIS, *Colonial Secretary.*

GOVERNMENT HOUSE, MONROVIA, *July 7, 1842.*

SIR: I beg to acknowledge the receipt of your letter of yesterday, containing sundry interrogatories propounded to L. Sheridan, Esq., of Bassa Cove, which I hope he has been able to answer correctly, and to your satisfaction, and requesting that I would give you further information on the subject of our claims to the territory of Bassa Cove, &c.

I beg leave, sir, to inform you that, in August, 1836, Prince John and Yellow Will, heirs and successors to old King Ben, the rightful sovereign, relinquished to the authorities of Liberia all their right and title to the territory lying around the sweep of Bassa Cove; and subsequently, in April, 1839, the kings and chiefs of the Grand Bassa territory, including Black Will and Grando, *Fishmen* now resident at the Cove, concluded a treaty with the authorities of the commonwealth of Liberia, acknowledging the validity of their claim under the contract of 1836, and further ceding to the commonwealth the right to exercise political power and control over the persons and property within the territorial limits of Grand Bassa.

All the territory between Cape Mount and New Cesters, and the territory of Grand Butau, Sinou, and Blue Band, have been purchased or ceded to the American Colonization Society, and we are now in treaty for several other points.

The law prohibiting foreigners from trading with the natives between Cape Mount and New Cesters originated in the legislative council assembled at Monrovia in 1839.

Mr. Hunter informs me that the proceedings entered against Mr. Murray, at Bassa, were authorized by him; consequently, for further investigation, the case must come up regularly before the supreme court; when, if Mr.

Murray or his agent can show cause why Mr. Hunter should not recover the amount charged, then Mr. Sheridan will be discharged from further responsibility. If you or Mr. Murray will appoint an agent in Liberia for that purpose, the matter will be attended to at the next sitting of the supreme court.

I am truly sorry, sir, that any misunderstanding should exist between the authorities of Liberia and British traders. It cannot be charged to any wish on the part of the colonists. We have always been disposed to cultivate a friendly intercourse with British merchants, but regret very much that this feeling has not been reciprocal. Some of your merchants are disposed to take advantage of our peculiar situation, and to domineer over us. Such is the character of Mr. Murray, who, notwithstanding the remonstrances of the authorities at Bassa Cove, (though he knew the natives had ceded to the colony the territory,) still (in March last) he persisted in landing goods, contrary to the revenue laws of the commonwealth. Mr. Murray's goods were not seized, not because we conceived we had no right to do so, but because Captain Denman, R. N., had promised to lay this subject before his Government; and that I had also written to the American Colonization Society on the same subject, and was therefore unwilling, notwithstanding the gross insult to the authorities, to come into collision with any of Her Majesty's subjects until the matter could be properly understood.

I hope, sir, I have been able to convince you of the justice of our claim, and of the wrongs we have suffered, and would therefore beg that you will give such instructions to the commanders of British merchant vessels as will prevent any further interference.

That we have the good wishes of the gentlemen connected with the British navy on this coast, for the prosperity of the colony of Liberia, we have but little reason to doubt. Most of them have treated the authorities with great respect, and are entitled to our acknowledgments.

I am, sir, most respectfully, your obedient servant,

J. J. ROBERTS,

Governor of the Commonwealth of Liberia.

J. OAKE, Esq.,

Commander and senior officer on the Sierra Leone station, Mesurado Road.

A true copy:

J. N. LEWIS, *Colonial Secretary.*

HER MAJESTY'S SLOOP FERRET,

Off Cape Mesurado, July 9, 1842.

SIR: With reference to your excellency's letter of the 7th instant, in reply to mine of the day previous, relative to the claims of the Liberian settlers to jurisdiction over that part of the country of Grand Bassa where the British merchants have been for some time in the habit of trading, I beg to state that, as the matter will have to be submitted to the consideration of Her Britannic Majesty's Government, it is desirable that the most satisfactory proof of the territorial right acquired by the Liberian settlers over the country of Grand Bassa should be shown; and as it appears to me, by your excellency's letter of the 7th instant, that it was not until 1839 that

the "kings and chiefs" of the Grand Bassa territory, including Black Will and Grando, *Fishmen* resident at the cove, concluded a treaty with the settlers, ceding to them the right to exercise political power and control over the persons and property within the territorial limits of Grand Bassa; for of course the transaction of Prince John and Yellow Will, in 1836, relinquishing their right and title to the country of Bassa Cove, could give the settlers no claim over the country of the prince of Grand Bassa, where our merchants had for a long time been in the habit of trading with the natives; and it appears that they had been doing so for some time prior to the natives formerly granting to the late Captain Spence, on 18th September, 1836, permission to establish a palm oil factory at Grand Bassa point. Under these circumstances, it is my duty, in pursuance of directions from Captain Foote, the senior officer in command of Her Britannic Majesty's squadron employed on the west coast of Africa, to demand payment for the goods of Captain Dring, ordered to be seized by the governor of Liberia for an infraction of the laws of the settlers in a transaction at Grand Bassa point, which place, for the reasons I have previously stated, could not have been within the jurisdiction of Liberia at the period of Captain Dring's alleged offence against the laws of the settlers.

Permit me to state to your excellency, that, if any satisfactory proof can be shown that the settlers of Liberia had any just claim to exercise authority over vessels of other nations trading at Grand Bassa point, at the period of Captain Dring's offence, I shall have much pleasure in communicating the same to my commanding officer, with the sincere hope that the interests of the colonists of Liberia will meet with the favorable consideration of Her Britannic Majesty's Government, as I firmly believe that their presence in this country is likely to greatly contribute to the civilization of the natives.

With reference to Mr. Murray's case, I beg your excellency will do me the favor to procure me a statement of the claims of Mr. Hunter on Mr. Murray.

I have the honor to be, sir, your excellency's most obedient humble servant,

J. OAKE,

Commander and senior officer on the Sierra Leone station.

His Excellency Gov. J. J. ROBERTS, *Monrovia.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

GOVERNMENT HOUSE, MONROVIA, *July 11, 1842.*

SIR: In reply to your letter of the 9th instant, I beg leave to observe, that the claims of the American Colonization Society and of the commonwealth of Liberia, to the territory of Bassa Cove, and to the political control and jurisdiction over the Grand Bassa country, are incontrovertible.

In my letter of the 7th, I endeavored to show this, by stating, most clearly and distinctly, the origin and extent of our territorial claim to, and political jurisdiction over, that country.

I beg leave to observe, sir, that, in my communication of the 7th instant, I did not intend to be understood "that it was not until 1839 that the kings

and chiefs of the Grand Bassa country ceded to us the territory of, Bassa Cove," but that, in 1839, the kings and chiefs of the Grand Bassa country concluded a treaty with the authorities of Liberia, acknowledging the purchase of Bassa Cove from Prince John (the Prince of Grand Bassa alluded to in your letter) and Yellow Will, by the Colonization Society, in August, 1836; and, further, ceding to the aforesaid authorities all political control and jurisdiction over the persons and property within the territory of the Grand Bassa country, becoming themselves citizens of Liberia, by subscribing to the laws of the commonwealth, &c.

You are aware, sir, that among the tribes of this coast there are a number of kings and chieftains, each claiming a particular extent of territory and jurisdiction, which accounts for the purchase from Prince John and Yellow Will in 1836, and for the assemblage of the kings and chiefs of the entire Grand Bassa country, in 1839.

Black Will and Grando, Fishmen resident at the cove, and alluded to as connected with the treaty of 1839, are only sojourners among the Grand Bassa natives, and have no claim to the territory, nor, so far as I am informed, do they pretend to set up any.

By the treaty of 1839 they agreed to relinquish the traffic in slaves, and to subscribe to the laws of the commonwealth, &c.

That the natives granted to the late Captain Spence, in 1836, permission to establish a palm oil factory at Grand Bassa point, we may not question; and that British merchants have been in the habit of trading with the natives of Bassa Cove prior to 1836, is a fact well established. But, sir, will it be insisted that, because British merchants have enjoyed these privileges, it follows that the natives thereby relinquished their right to the soil, and were debarred ever afterwards from selling to whom they pleased the territory, and of ceding to whatever Government they thought proper the right of political jurisdiction over their country? Carry out the principle, sir, and the priority of claim to the settlement of Monrovia, and every other Liberia settlement, would be very precarious. This I hope, however, will not be insisted upon.

The payment you demand, sir, for the goods of Captain Dring, ordered to be seized by the governor of Liberia for an infraction of the laws of the commonwealth of Liberia, in a transaction at Bassa Cove, cannot be complied with, for the reasons above stated; and, further, that the Colonization Society have approved the seizure.

I have the honor, herewith, to send you a copy of the report of a committee of that body on the subject.

I have ordered Mr. Hunter to furnish you with a statement of his claims against Captain Murray. As the proceedings in the case are recorded in the court at Bassa, I cannot at present furnish you a copy.

I am, sir, most respectfully, your obedient servant,

J. J. ROBERTS,

Governor of the Commonwealth of Liberia.

J. OAKE, Esq.,

*Commander and senior officer on the Sierra Leone station,
Her Majesty's ship Ferret, Mesurado Road.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

GOVERNMENT HOUSE, MONROVIA, July 12, 1842.

SIR: Accompanying this, I beg that you will receive two copies of agreements concluded between the native chiefs of the Grand Bassa country and the authorities of Liberia.

You will observe that Prince John, after relinquishing his own right and title to the territory around the sweep of Bassa Cove, acknowledges Yellow Will to be the rightful owner of certain territory, and binds himself to respect any purchase made from him.

I am not at present informed, nor do I exactly understand, why this allusion is made, unless to secure to the colony the right to certain territory purchased from Yellow Will prior to that date, and such as might subsequently be purchased. This I believe to be the most rational conclusion, as I find that Yellow Will had, in 1832, and afterwards, August, 1836, (just two days prior to the date of the instrument signed by Prince John,) executed deeds in favor of the society; and since that time, viz: 1837 and 1842, he has executed others, without asking the consent of Prince John.

The treaty concluded between the authorities of Liberia and the Fishmen and others at Grand Bassa establishes the right of the American Colonization Society to all the land lying between the present colonial settlement of Bassa Cove and Tobacconnee point, &c.

I hope, sir, that these will be sufficient to establish in your mind the right of the commonwealth of Liberia to exercise political control and jurisdiction over the territory of Grand Bassa, including Grand Bassa point.

I regret, sir, that it is out of my power at present to furnish you with a copy of the treaty of 1839, as it is not to be found in the office at this place. It must be filed in the office at Bassa Cove, or has been sent to America. This, however, would be of but little consequence, as the treaty of 1841 embraces nearly the same, and was executed prior to the seizure of Captain Dring's goods, and of which he had been apprized.

I beg, sir, to observe, further, that all laws regulating the commerce of the colony of Liberia originate in the legislative council held annually at Monrovia.

Enclosed, sir, is Mr. Hunter's statement of the outrage committed on his person and property by the mate of the British brig, at the instance of Capt. Murray, of London brig —. I have made inquiries on this subject, and believe the statement made by Mr. Hunter to be without exaggeration; and I believe this to be not the only act of violence committed by Mr. Murray on our traders, as you will observe from the enclosed copy of a letter from Mr. Murray to Mr. J. H. Cheeseman, of this place.

I have the honor to be, very respectfully, your obedient servant,
J. J. ROBERTS,

Governor of the Commonwealth of Liberia.

J. OAKE, Esq.,

*Commander and senior officer on the Sierra Leone station,
Her Majesty's sloop Ferret, Mesurado Road.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

FEBRUARY 18, 1841.

SIR: As perhaps you are not aware of Tradetown being an English settlement, I give you notice to withdraw your factory from Tradetown, as you are committing a trespass on Laurie, Hamilton, & Co.'s property. If you do not take your goods away, I shall have the pleasure of stopping it, as your sheriff, Mr. Sheridan, of Bassa, owes me \$150, and most likely I will be under the disagreeable necessity of taking the amount. I should have come down to Tradetown this morning with the brig. I therefore give you this notice, as you are liable to a \$12 anchorage, and tariff duty also, and you may depend upon this law being in full force.

I remain, sir, your obedient servant,

D. MURRAY,

Agent to Laurie, Hamilton, & Co.

To the CAPTAIN

of the boat or sloop lying off Tradetown.

A true copy:

J. N. LEWIS, *Colonial Secretary.*

HER MAJESTY'S SLOOP FERRET,

Off Cape Mesurado, July 12, 1842.

SIR: I have the honor to acknowledge the receipt of your excellency's letter of the 11th and 12th instant, with their several enclosures, relative to the trade of Her Britannic Majesty's subjects with the natives at Grand Bassa point, and beg to inform your excellency that it appears to me requisite that the matter should be submitted for the consideration of my Government; for which purpose, I shall take the earliest opportunity of transmitting the whole of the correspondence on this subject to Captain John Foote, the senior officer in command of Her Britannic Majesty's squadron employed on the west coast of Africa.

I have the honor to be, sir, your excellency's most obedient humble servant,

J. OAKE,

Commander and senior officer on the Sierra Leone station.

His Excellency Gov. J. J. ROBERTS, *Monrovia.*

A true copy:

J. N. LEWIS, *Colonial Secretary.*

EXTRACTS FROM LATE GOVERNMENT DESPATCHES FROM THE COLONY.

GOVERNMENT HOUSE, MONROVIA,

October 7, 1841.

The general condition of things in the colony continues the same. Our present relations with the native tribes around us are quiet and undisturbed, and the only apprehension that we labor under at the present is, the interference of British traders with our commerce, and the active part taken by them to cut off our communications of trade with the natives, and to confine our operations within a very small compass. To do this, they are calling to their aid the assistance of British officers, by making to them complaints and misrepresentations of the policy pursued by the authorities of the colony. How this matter will terminate I know not.

The health of the colony for the past three months has been very discouraging, represented by the oldest settlers to be more unhealthy than at any former season, and I am sure more so than at any time during my residence of twelve years in the colony.

The rains have been more incessant this season than formerly. It is to this we attribute the unhealthy state of the people. I am happy, however, at present, to inform you that the health of the community is again returning, and things are wearing a more favorable aspect. The spirit of farming is increasing, and the people generally are inquiring after the best mode to carry on the operation.

The trade of the colony continues the same. We had hoped that the natives in the interior and in the vicinity of Cape Mount and Gallinas would have turned their attention to gathering camwood, ivory, &c., and before this carried on quite a large trade with the colony. This, as yet, has not been the case; still we hope the coming dry season will bring with it that event, as perhaps the great quantity of rain has prevented it before.

I am informed that the little settlement of Bexley is coming on finely; that the people are all industrious, comfortable, and happy; and that a visiter, on his first approach to the little village, will be pleased with its fine, healthy, and cleanly appearance. The villages of Bassa Cove and Edina are also improving; the citizens generally are contented and happy.

Mr. Sheridan informs me he is now ready, and can accommodate at Bexley one hundred emigrants, and in a few days will be able to accommodate some fifty or sixty more.

I received a few days ago, from Mr. Hanson, superintendent at this place, information that the wants of the settlement are various and many; that they have exhausted all their means in making preparations for emigrants, and have so far succeeded as to be able now to accommodate about one hundred. Immediately on the arrival of the schooner *Regulus* from Sierra Leone, I shall despatch her to leeward, and shall furnish their settlement with goods, &c. Mr. Hanson has chosen a location for the anticipated expedition on the Blue Barra side of the river, which he represents as a very healthy, prominent site.

The commercial operations of the colony are evidently on the advance, and, should we be able to succeed in securing to the citizens the exclusive

right of trade at several points near our settlements, we shall see our colony advance very rapidly. As it is, we are almost hemmed in on every side: and when at any time our interior trade is stopped, our commercial affairs become paralyzed; for British traders have become so inveterate against our speculators, that they allow them but a small share in the trade along the coast. They effect this sometimes by ordering our traders from the spots where they have selected to trade, alleging their exclusive right, either by treaty or by purchase, when in most cases they have neither. When this is not resorted to, they effect it by putting a factory near the colonists, and sell their goods at such reduced prices as to entirely disable the colonists to compete with them. This they can do without loss, because their goods are bought in England, and the poor colonists can only be furnished with goods second-handed, and very frequently have to pay higher prices than what the natives pay at those British factories. And unless the society will take prompt and immediate measures to acquire territory, I fear they will succeed too well in confining us to the limits of Cape Mesurado and Bassa Cove.

* * * * *

I am fully convinced, from late developments, that the British Government is making an effort to secure to themselves the entire trade of this part of the coast, which is becoming quite important.

GOVERNMENT HOUSE, MONROVIA,

December 16, 1841.

* * * * *

As to the general state of the colony, things go on as formerly; our relations with the tribes around us continue peaceable.

The principal difficulty we apprehend at present is the improper interference of British traders with our commerce; and we fear this interference is not confined to the traders, for they boast of the co-operation of British cruisers to protect them in the violation of our laws. How much of this may be true, I am not at present able to determine; but from some remarks in Captain Denman's letter of the 21st of October, (a copy of which I herewith send,) and from a conversation with Lieutenant Seagram on the 14th ultimo, I am inclined to believe they are too much encouraged.

Lieutenant Seagram said to me, during the conversation, that Jackson, of the schooner Guineaman, (who, by the way, is now at this place,) had determined to establish a factory at Bassa Cove, our laws to the contrary notwithstanding; and that he (Lieutenant Seagram) had received orders from Captain Denman to protect British traders in thus violating our laws, alleging that we had no right to the Cove, and that it was owned by British merchants. Of this we demanded proof, requiring them to produce documents of a prior claim. Finding it difficult to do this, the position was shifted; and it is now claimed on the pretext that British traders have traded at the Cove (as they express it) time immemorial. I at once informed Lieutenant Seagram that no such claim would be recognised by us; and that if Jackson, or any other trader, should put goods on shore at Bassa Cove, in violation of the express laws of the commonwealth, I should seize them. Mr. Seagram wished to know, in the event of a seizure, what he should do—if he should make reprisals. I told him that matter was

with him; if his Government had ordered it, he knew best. *I have endeavored*, and told Lieutenant Seagram that we should continue, *if possible*, to avoid any collision with the British traders; but, in the case of ———, I know it to be his only object and wish to put at defiance the authority of the colony, and to carry out his threats, made in April last, after his trial before the supreme court.

This is now becoming a subject of vital importance to the well being of the colony. The English seem determined to monopolize the whole trade on the western coast. British traders are making commercial treaties with the natives all along the coast, and making a strong effort to keep us cooped up in our towns or settlements.

If the principle holds good, that, because they have traded at such and such places, they have priority of claim, they will soon take from us Monrovia, Marshall, Edina, Bassa Cove, and Sinoe. Such a claim, I presume, will not extend to the interior settlements.

The Colonization Society, if they wish to secure our prosperity, (and I believe they do,) should attend speedily to this matter.

Why the United States Government will allow the English to monopolize this trade, I know not; and this they will certainly do, unless a vigorous effort is made to prevent it, both on the part of the society and the American Government. I wish I could so represent the importance of this matter as to convince you of the necessity of immediate action on the subject.

The health of the colony is at present good. We have no deaths among the emigrants, either at Millsburg or among those at Monrovia, who came in the Union. Dr. Day is at present on a visit to Cape Palmas; he left about four weeks ago, in company with Mr. Canfield, for the purpose of improving his health. Dr. Prout is employed during his absence.

The schooner *Regulus* is now on her second voyage to leeward, and will return about the first of next month, with, *we hope and expect*, a full cargo of palm oil. The oil season has been most prolific; and but for the absence of the schooner at Sierra Leone, we should have done an excellent business. As it is, we shall not be altogether behindhand. We have now in store at Monrovia some twenty or twenty-five tons of camwood, and near five thousand gallons of palm oil; and at Bassa Cove, *Mr. Sheridan informs me*, about five tons of camwood, and one or two thousand gallons of oil. With this, and what we expect by the schooner on her return, and what we may collect here in a month or so, we shall be able to make a very respectable shipment. I regret we cannot ship by the *Saluda*, as the palm oil, I fear, will suffer much during the Harmattan winds if it remains another month. We shall endeavor to prevent it.

GOVERNMENT HOUSE, MONROVIA, *June 9, 1842.*

GENTLEMEN: On the 29th January last, I embarked on the schooner *Regulus*, and visited Edina, Bassa Cove, Bexley, Sinou, Cape Palmas, and nearly all the intermediate native towns.

The people at Edina and Bassa Cove appeared glad to see me, as almost every one had some business to be attended to. Many had unsettled accounts with the agency and commonwealth; some wanted farm land; others

title deeds for lands cleared and planted; and not a few had grievances of every description to settle or be redressed.

I was detained here eight days, endeavoring to attend to all these matters, and, I believe, succeeded in settling some accounts, reconciling some difficulties, &c. On my arrival at this place, I found anchored at the Cove a "long, black, suspicious-looking schooner." On my reaching the shore, I ascertained this vessel was from New York, and had just landed a cargo of merchandise at New Cesters, in the charge of a Spaniard, who came out in her as supercargo. I learned, further, that she had been overhauled at New Cesters, by the commander of one of Her Majesty's cruisers, who pronounced her papers regular, and that she was owned by ———, of New York, and chartered to deliver a cargo of merchandise at New Cesters, on the coast of Africa. The collector at Bassa had boarded her the day before my arrival, and reported that the captain refused to pay any port charges, alleging "that, as he was only supplying his vessel with ballast and water, he felt that he was not bound to pay the charges."

As the captain did not visit the shore, and as we had no means within our reach to force a compliance with our port regulations, we had to content ourselves with the indulgence that, ere long, we may be able to assert our rights, and not have the mortification to see our laws disregarded, and the authorities put at defiance, and by those, too, who should be the first to respect us, and to take us by the hand and lead us to a nation's glory.

The second day after my arrival at Bassa Cove I met a stranger, (a white man,) who spoke good English, though he had all the appearance of a foreigner. I soon ascertained that this man was the supercargo of the New York schooner. I questioned him as to the object of his visit to the coast of Africa? By whom the vessel was owned? What kind of a cargo he expected to take from the coast? And what brought him to the settlement? To the first, he answered, he came to purchase camwood and palm oil. I said to him at once, You have come to purchase slaves. To which he made no reply. To the second question, he said the vessel was owned by Mr. B——, of New York, who would be on the coast himself in a few days. As I supposed he alluded to — B——, of New York, I asked him what B——? He said he could not recollect his Christian name, but it was a Captain B——, who had been trading at the colonies for some time. Said he had never seen B—— himself.

By his many equivocations, I concluded that he knew very little about B——, and perhaps B—— less about him. Said, thirdly, the vessel would take no cargo from the coast; that she would sail in a few days for one of the Cape de Verd islands, from thence to the United States direct, and would be happy to take charge of any letters I might wish to send to America. It was soon rumored in the settlement the vessel was going to America. The next day packages of letters, &c., were sent by boats and canoes on board, to be delivered in America. Whether they ever reached their destination or not I cannot tell. I did not believe him, therefore did not send any. Fourthly, he said he came to the settlement to see if he could purchase any quantity of camwood and palm oil; and said the captain would be on shore the next day to see me. I told him I knew him to be a slaver and, as such, he must leave the settlement immediately. He departed forthwith, and I have not heard of his visiting the settlement since. The captain did not visit the shore the next day, nor did I see him at all. The

fourth day the vessel got under way, and stood up the coast. *She sailed very fast.*

I got information from the Fishmen at the Cove that she would return in a few days to take a cargo of slaves. I was exceedingly anxious to arm and man the *Regulus*, and wait for him, in company with the British cruiser "Termagant," then off New Cesters. Many of the colonists offered to volunteer. I was afraid this might not meet the approbation of the board; I therefore abandoned the idea. She did return, in about ten or fifteen days, *took in a cargo of 250 SLAVES*, and put to sea—all done in about twelve hours.

After getting through with my business at the settlement, I set sail for Sinou, where we arrived on the 8th February. I made but a short stay here; after giving some directions for the security of the prisoners who committed the murder detailed in my last communication, (15th April,) we proceeded on our voyage. I was anxious to reach Cape Palmas in advance of another vessel bound to the same place, and for the same purpose—to *procure a supply of rice.*

We anchored at Cape Palmas on the 11th, and learned, with much regret, that no rice could be bought.

The brig *Harriet*, from Baltimore, that had arrived a few days before us, had purchased what they could spare. This vessel brought out the two Roman Catholic missionaries. On visiting the shore, I found the other missionaries in quite a state of excitement. They regretted very much the introduction of the Roman Catholic religion to the colony, and apprehended in these two men formidable rivals; and well they might, for they are both men of influence and talent; and their forms and ceremonies, in fact their whole system of religion, are so well adapted to the feelings and natural dispositions of the natives, that they will fall into it immediately.

I visited most of the mission establishments, and was well pleased with what I saw.

Rev. Mr. Wilson is doing much to redeem Africa's degraded sons. His native schools are pretty well attended, and some of the scholars make considerable proficiency.

The Methodist mission school is also conducted with much energy, and will no doubt prove a blessing to Africa.

Rev. Mr. Minor, of the Episcopal mission, with whom I had some acquaintance, I understood was sick; and as Dr. Savage, whom I saw pass the government-house several times, gave me no invitation, I had not the pleasure of visiting that establishment.

Governor Russwurm manages the affairs of the colony with much prudence and discretion, and every thing appears prosperous. The people, generally, are contented and happy.

On the 14th we left Cape Palmas, well pleased with all we had seen. Next morning we heard heavy firing of cannon at some distance up the coast, which could not be accounted for, except, as some conjectured, the three French men of war we knew to be at "Jaraway" had fallen in with some pirate or slaver, whom they had engaged. At 1 o'clock, P. M., about ten miles from the anchorage at "Jaraway," we saw the Frenchmen under way, and standing to the southward. As we neared the shore, we discovered a French flag flying on the heights, near one of the large towns. We were soon boarded by several canoes from the shore, and learned from the natives that the Frenchmen had contracted for the purchase of the

place ; that the purchase money was to be paid in eight or ten months ; that the French had agreed to establish and erect fortifications ; that morning the king and headmen had visited the ships, and the commander had fired a number of guns. I sent word to King Jack (who I had known for several years) that I had come to visit him, &c., but, as I had been informed he had sold his country, without letting the Americans know it, therefore I should leave immediately. He sent a messenger immediately to inform me, if I would stay for him, he would come on board. Fifteen minutes afterwards, the old gentleman was alongside. He said they had not sold the country ; but, when I reminded him of the French flag that was still flying, he said they had only purchased a small place to establish factories ; and that, if I wished to purchase, he would sell me as much land as I wanted, pointing, at the same time, to an extent of about three miles on the beach, saying he would sell me that. I told him I would think of it, and let him know in a few months. After receiving a dash, or present, (which these dignitaries always seem to claim as a matter of course,) he left us, telling me he should expect an answer. I afterwards learned, from pretty good authority, that the French had purchased a large tract of country at this place, *by royal authority* ; and that the French Government intends making establishments along the coast, to prevent British merchantmen monopolizing the trade. They made several other attempts to purchase territory, viz : at Butaw, Kroo country, &c., but I believe without success. They are to return up the coast in a few months, and will no doubt make another attempt.

We left "Jaraway" the next morning for "Grand Sess," where we arrived the same evening, and the following morning the king and headmen, having been invited, came on board. I was anxious to get this place, therefore soon opened to them the object of my visit. They appeared, at first, not disposed to sell, but rather we should settle among them and trade, offering to give us as much land as we wanted. Finding that I would not consent to any thing less than a purchase, after much talk and palavering, the following agreement was signed, viz :

"We, the undersigned, king and headmen of the territory of Grand Sess, do agree, on our part, to sell to the American Colonization Society, forever, for and in consideration of one thousand bars, (equal in value to \$500,) to be paid to us by the said society, a certain tract of land, in the territory of the said Grand Sess, bounded as follows : commencing at the mouth of the river Pow, and running along the beach southeasterly two miles ; thence, running east twenty-five miles ; and thence northwesterly ten miles ; and thence west, to the mouth of the said river Pow. It is further agreed, that this contract shall be forwarded to the American Colonization Society, in the United States, for their approbation ; and should they decline the purchase, this agreement to be void.

"GOVERNOR TOM.

"WILLOW.

"GEORGE WILSON.

"JAMES LIVERPOOL.

"PALAVER HOUSE MASTER."

As an earnest, I gave them about 100 pounds of tobacco, with the promise to inform them of the determination of the society as soon as practicable. This subject I hope you will speedily attend to. * * It is a great

rice and palm oil country, and foreigners would not like it to fall into our hands. There were at the time two British and one American factories established on shore, and it is understood in our contract that those factories are not to be removed, and to have the right of undisturbed trade for three years. The next morning we sailed for "Little Sess," where we arrived the same evening, and where the Fishmen had promised to pay the \$1,000 stipulated in a treaty signed at Bassa Cove in 1839. After remaining here two days, they paid us four small bullocks, (worth about \$10 each,) with a promise, if we would remain two days longer, they would give us six more bullocks, all they could pay at present; but as the expense of the vessel would be about equivalent to the value of the cattle, I determined to leave immediately. The natives here are very hostile to the English: For some imaginary insult, a British man of war, in company with three British merchantmen, bombarded the town of these poor creatures, causing considerable damage to property, and the loss of one or two lives, without effecting any thing more. This place can be purchased, but at a very high price; and, as I could see no great object in having it, (except to own all the coast between Cape Mount and Cape Palmas, which certainly is very desirable,) I concluded at present not to say any thing serious to them on the subject.

I called a few hours at "Tasson," to inquire if they were still willing to sell to the Americans (as they had intimated to Governor Buchanan) their territory, or any part of it. They agreed to sell, but the amount demanded being too large, (\$1,500,) I soon left them, promising to talk again on the subject at some future day, and with a promise from them not to sell any part of their territory without first consulting the Americans. This place, I think, may be purchased for about \$750.

I stopped at several places within the bounds of the Kroo country, but found the people pretty much every where opposed to selling the land. They are willing to rent or lease for a term of years, and only then in consideration that no government be established independent of their own, and no restrictions be put on their trade.

On the 22d I reached Sinou, after spending two days in attending to a multiplicity of grievances and accounts, and settling, as far as possible, the difficulties that had arisen on account of the murder detailed in my communication of the 15th April. We sailed again, and the second day out found ourselves off "River Cess." I have long wished the society could be put in possession of this place. The land is fertile, the harbor good, and the entrance to the river better, perhaps, than any betwixt this place (Monrovia) and Cape Palmas. Upon the whole, it would be an admirable location for a trading establishment, and, at some future time, for a settlement.

This place is claimed by Captain Spence, a British merchant, who, for several years, had a trading establishment here. About two years ago, the natives, displeased with his conduct, ordered him to quit the place. This he refused to do, when, about six months afterwards, they compelled him to leave by force. Two or three British men of war endeavored to re-establish him, but only succeeded in firing upon the town, in demolishing the houses formerly occupied by Spence's factors, knocking down a number of the native huts, and killing one man.

Captain Spence's heirs, I understand, have abandoned the idea of ever being able to establish any real claim to this place. The natives tell me

he has none, and showed me an instrument signed by Captain Spence, which is nothing more than an agreement that grants to Captain Spence the exclusive right of trade, for certain considerations on his part, to be complied with annually. Not a word is said about the purchase of territory. The natives are anxious (as they have been for some time) that the Americans should buy a part of their territory immediately; but I declined, for the present, making any contract, informing them that so soon as it could be ascertained that no foreign claim existed, we would purchase. They have agreed to wait your answer. We called at Grand Cora and Tradetown for a few hours, but could see none of the headmen. They were in the country, attending their rice farms. We saw at New Cesters an American schooner from New York, landing a cargo of merchandise to the supercargo I had seen at Bassa Cove on my way down, and who has in his barracoon several hundred slaves.

The British man of war Termagant was lying off the harbor; but, of course, the schooner took no slaves off, (at least at the time,) consequently, the commander could not detain her. She sailed from thence to the Galinas; that she afterwards returned and took slaves is doubtful. She is an Eastern-built vessel, and had not the appearance of a fast sailer.

I arrived at Bassa on the 25th, where I spent two days more in attending to public business, particularly making arrangements to have completed immediately the school-house on Factory island.

On the 2d of March, after an absence of thirty-three days, I again returned to Monrovia, where I found that Colonel Lewis, whom I had left in charge of public matters, had done every thing to my satisfaction, and that peace and harmony generally prevailed.

The Legislature.—As there had been considerable excitement at the late election, and two or three of the members elect continued to manifest dispositions hostile to the peace of the community, and as I felt anxious to learn the decision of the board respecting an act passed at the last session of the council, making certain persons ineligible to any elective office in the commonwealth, I thought proper to delay the meeting of the legislature until April, by which time I expected certainly to have heard from the board, when the constitutionality or unconstitutionality of the law would be settled.

The meeting commenced on the 4th of April, and, for the first two days, appeared rather squally. Brander and Davis objected to Sheridan's taking his seat, the latter most vehemently. The objections urged were, first, that the citizens of Greenville and Sinou had not paid the poll tax required by the fifth section of an act passed January, 1841, requiring public officers to renew their bonds, &c.; and, secondly, that the deputy sheriff at Sinou (instead of directing his returns to the sheriff of Bassa county, to be by him forwarded to the colonial secretary) had himself forwarded the returns of the election to the colonial secretary direct contrary to the seventh section of an act to regulate elections, passed in January of the same year.

Mr. Hanson, from Sinou, produced a letter written by Governor Buchanan, July 10th, and addressed to him, with the following paragraph, viz:

“As the year is so far gone, perhaps it would be best to leave the subject of licenses, taxes, and such things, required by our laws, until the beginning of the next year, when all these and the tariff can be commenced regularly, as they are elsewhere.”

On this question the house was divided. The result you will find in the minutes. Wilson and Gripon's case next came up; how it terminated you are already informed.

The general condition of things in the colony appears prosperous and encouraging.

Commerce.—The commerce of the colony is increasing daily. More produce has been purchased by the colonists the past season than for several preceding years. Accompanying this you will receive the collector's report for the port of Monrovia for the quarter ending 31st March, to which may be added an equal amount for the ports of Junk, Bassa Cove, and Sinou.

Agriculture.—The interest now manifested by the farmers, I think, has never been surpassed. The success that attended the sugar operations at the colonial farm, the M. E. mission farm at White Plains, and Mr. Willis's farm at Millsburg, have convinced the people pretty generally of the practicability of farming. The people throughout the commonwealth are becoming convinced of its importance, and are every where making renewed efforts. Within the last four or five months, some eight or ten families have left the settlements of Edina and Bassa Cove, and established themselves on the banks of the St. John's river, determined to try their fortunes at farming.

Public buildings.—I am happy to inform you that the light-house on Cape Mesurado is at length completed. It is twenty-four feet square, and two stories high. The first story is intended to be used as an arsenal to secure the guns, &c., belonging to Fort Norris battery. The second story is to be fitted for the use of the poor and destitute of the colony. The location is considered more healthy than the colonial farm. Here they will be more immediately under my inspection, and more convenient for the colonial physician to attend them. Here we expect to have them well provided for, and such as are able, from time to time, to cultivate a small garden to be attached to the buildings. I am making preparations to have a large coffee plantation on the Cape, (the soil is well adapted to the growth of coffee,) which I believe can be made profitable, and will add much to the appearance of the town.

We have commenced in Monrovia a commodious edifice for a court-house and council room. It is fifty-six feet long, thirty-four feet wide, and two stories high, built of stone, and to be so constructed as to have no wood work (the roof excepted) exposed to the weather on the outside.

In April last, the small peninsula on which stood the government-house at Sinou was washed away by the violence of the sea, demolishing the house, and otherwise doing considerable damage. Most of the timber, &c., has been saved, at considerable expense. I shall not proceed to have another house erected until I hear from you.

I hope you have not overlooked the suggestion in my communication of 15th April, relative to the government-house at Bassa Cove. Should you conclude to keep it, it should be thoroughly repaired immediately.

I am happy to inform you that the school house on Factory island is so far completed as to be tenantable. Dr. Johnson now occupies it, and has commenced his operations, with every prospect of succeeding well. We have had much difficulty, and some additional expense, in erecting the house on the site first selected. After the walls had been nearly completed the second time, they tumbled down, and we had almost despaired of being

able at all to accomplish the work, but, by perseverance, we have succeeded beyond our expectations. Dr. Johnson, 5th May, writes me: "The house is a noble one, and I hope will stand a good old age, &c." Accompanying this, you will receive Mr. Sheridan's account from Bassa Cove to 31st December, 1841; among which you will find the account against the school-house on Factory island to that date. The carpenters' bills for additional lumber, &c., are still unsettled, and will require about one thousand dollars.

These bills we shall pay, and send you the entire account as soon as possible, that you may settle the balance with the Ladies' Liberia School Association. I have sent them a copy of this account.

The colonial farm.—The operations at the farm are still going on. Mr. Jenks superintended there the last season, and manufactured about three thousand pounds of sugar and two or three hundred gallons of molasses. He would, perhaps, have made some eight or ten thousand pounds, if force to carry the mill could have been procured. As it was, we found the cane could not be more than half pressed, consequently losing one-half the quantity. We therefore concluded to cease grinding, and to save all the larger or *Otaheite* cane for seed, and to plant a larger crop for the next season, expecting, in the mean time, that such arrangements can be made that we shall be able the next season to work the mill to advantage. We have no power in the colony sufficient. The small cattle on this coast will endure nothing. We beg that you will send us, in all December, or by the 1st of January, an inclined wheel, with its fixtures, which will not cost much in America, and will answer our purpose better, perhaps, than a steam engine.

By the brig Hope I shall send you two or three barrels of sugar from the farm, of as good quality perhaps as you will get any where.

The schooner Regulus.—In my communication of 15th April I informed you I should send the schooner to America in all of the month of May. The death of Captain Preston on the 16th May, the chance of selling the schooner for a good price, and the opportunity of shipping produce to America immediately, have caused me to alter the arrangement.

On the return of the schooner from Sinou, Captain Preston (who had remained at Monrovia on account of ill health) was dead. The mate's health was very poor, and he the only navigator on board. I thought it unsafe to despatch her for the United States under such circumstances. As Mr. Teage was anxious to have a vessel of her class, I consented to sell her for four thousand dollars, payable in palm oil.

As we cannot get Captain Preston's account ready to go by this vessel, (as there are some amounts unsettled,) it will be forwarded to you by the brig Grecian, of Philadelphia, or the brig Harriet, of Baltimore, to sail from the coast in two or three weeks. I shall try to make arrangements here to pay off the crew. The *Regulus* is to be put under the colonial flag.

The colonial warehouse.—Accompanying this you will receive the accounts from the warehouse for the quarter ending 31st December, 1841, and for the quarter ending 31st March, 1842.

We are now shipping from the warehouse, on board the brig Hope, of New York, about nineteen thousand gallons of palm oil (including eight thousand five hundred gallons from Mr. Teage, received in payment for the schooner *Regulus*) and twenty-five tons of camwood. We have used every effort to make as large a shipment as possible. Had we been supplied with suitable trade goods, we could now have shipped about twice the quantity of produce.

If it is the intention of the society to continue their trading operations, it is important that they should make such arrangements as will ensure success.

This can be done. Keep constantly on hand at this place a supply of trade goods, so that the factories established along the coast can be regularly supplied, and success is sure. As it is, we establish factories, employ factors, give the natives considerable amounts as dashes for the privilege of trading, and, in two or three months, just as we get established, our stock of goods is gone, and the operation becomes a dead expense.

As I suggested some time ago, if you will supply us with goods and a suitable vessel, we can, by every vessel bringing emigrants and supplies, send you back the nett cost of goods, reserving for the expenses of government the profits arising from the sale of such goods, not including, of course, supplies for emigrants.

Should you send us another vessel to remain on the coast, I would recommend one of those New York centre-board schooners, of about 100 tons, which will not, when loaded, draw more than six feet of water. Such a vessel will sail pretty well, and can be taken over any of our bars. Should this not meet your views, I would suggest another plan: buy a good vessel, of about 250 tons, load her with emigrants, and a suitable cargo of merchandise, and let her remain on the coast, each trip, two or three months, during which time, with what produce we can gather at the settlements before her arrival, she can return to America with a full cargo. It is highly important, gentlemen, for the safety of the settlements along the coast, that you have a vessel of some class to visit them at least once or twice a year. As you have been already advised on this subject, I merely mention the fact here to refresh your memory.

Enclosed is a copy of a correspondence between Hon. L. Sheridan, of Bassa Cove, and Lieutenant Seagram, of Her Majesty's brig "Termagant;" also, a copy of my letter to Lieutenant Seagram, on that perplexing subject—the right of British traders to persist, in violation of the laws of the commonwealth, to carry on a trade with the natives of Bassa Cove.

I should like to say more on the subject, but must defer it at present for the want of time. It is a matter that deserves your serious attention. The English and French are no doubt making efforts to procure territory on this coast, and why the Americans are so indifferent on this subject I know not. When it is, perhaps, too late, they will wake up.

The general health of the people, in most of the settlements, is good. I am sorry to say that at New Georgia and Lower Caldwell it is otherwise; and this must be owing to local causes. At New Georgia it cannot well be otherwise than unhealthy. The town is surrounded on all sides by low marshy land, and the water, especially in the dry season, is very bad.

No more deaths have occurred among the last emigrants settled at Millsburg and at this place.

Dr. Day left this place in the *Regulus*, 22d April last, for Settra Kroo; where he expects to remain some months. As the destitute and suffering condition of some of the people up the river, and the invalids at the colonial farm, require the attention of some medical man, I shall be compelled, of necessity, to employ Dr. Prout for a short time. I presume Dr. Day does not expect to receive pay for the time he is absent.

I can find no trace of any map of the coast commenced by Governor Buchanan. I have set about the work myself, and shall try to have it ready to forward to the board in a few months.

The season is so far spent, I find I shall not be able to make the contemplated excursion up St. Paul's river until about December or January next, should my health, &c., permit.

I find that an African climate has so impaired my constitution as to make it important that I should take a trip to the United States or elsewhere, and once at least in three or four years, which I have been in the habit of doing for the last ten years.

It had been arranged between Governor Buchanan and myself, in 1841, that I should be spared to visit the United States or England in 1842. The death of Governor Buchanan of course made void this arrangement.

I now beg that the board will make such arrangements as to allow me (should my life be spared so long) to visit England or America in the summer of 1843. I am anxious to do so for the double purpose of improving my health, (if it should please an all-wise Providence,) and to obtain such information as the trip may afford.

I am, gentlemen, most respectfully, your obedient servant,

J. J. ROBERTS.

To the EXECUTIVE COMMITTEE,
American Colonization Society, Washington, D. C.

MONROVIA, August 2, 1842.

DEAR SIR: * * * * There seems at present a decided spirit of improvement in this part of the colony. I have not recently visited the other settlements, but I am persuaded the same is true of them. In praise of Bexley, too much cannot be said of their perseverance in agriculture, to the entire exclusion of traffic, which last I fear had nearly ruined too many of our young men. The improvement I allude to in this quarter is the increasing attention that appears to be given to the clearing and cultivating of farms and lots. There is an example in the persevering labor of one man, which, if followed by every one, would soon make the entire colonial settlements one fruitful garden. Mr. D. Alphin took, about fifteen months since, from one to two acres of ground in a complete wilderness of bushes, and by his own unaided labor cleared, drained, fenced, and planted it. He dug a well, too, which in the dry season enabled him to continue his planting, by affording a ready fountain for watering plants. He selected first a small house for a temporary shelter; since, he has built him a very comfortable and more roomy house. This shows what one man can do, and find time beside to do much other labor. I know not to what to attribute this taste for improvement, unless to a cessation of those unhappy causes which last year kept the people in a constant state of ferment.

AUGUST 5.—I have already made some remarks about improvement in the colony. I intend now to add some of the facts upon which I have formed my opinion.

In addition to what I have already stated, I shall first refer to the fact that the editor of the Herald has been obliged by the increase of his business to erect an addition to his storehouse, which is built of stone, one story and a half high, and measures fifty feet by twenty-four. There have been five or six other stone buildings erected here, of a very decent finish and sufficiently commodious. The light-house has been erected at a considerable expense. The first story of the court-house, in stone, is now up. The

school-house on Factory island is now closed in, and will be finished soon. Rev. W. Clark, of the Baptist mission, has built a large school-house, store-room attached, and dormitory. Here several frame houses have been erected, and others repaired. The Methodist church here is undergoing improvement, the Baptist church at Caldwell repairing, and the Presbyterian church here also under repair, and all of them doing by subscription. But what I am most glad to see is, that the people are beginning to think that the earth is the mother of wealth and health, comfort and independence. * * * I might add to the list of work which has been done, that two small vessels (one of sixteen tons, and the other more than twenty, I believe) have been built within the year; two others are on the stocks, and a third for which timber is now being got.

J. LAWRENCE DAY.

Rev. R. R. GURLEY.

GOVERNMENT HOUSE, MONROVIA, *August 11, 1842.*

SIR: The *Vandalia* has not yet arrived; we are anxiously expecting her, and shall most assuredly avail ourselves of all the advantages which the visit of this vessel may afford for concluding treaties and conventions with the native tribes.

The general condition of things in the colony is as prosperous as ever, particularly at this season of the year. The general health of the people continues good. We are still in the enjoyment of the blessing of peace. The natives all around us continue friendly. Peace and harmony among the colonists are pretty generally restored. Our merchants are making great preparations to prosecute their trade along the coast the coming season. They are expecting an abundant harvest of palm oil. The rice crops are also encouraging.

In this part of the colony agriculture is increasing wonderfully; though we have had but few importations from abroad, our supply of potatoes, cassadas, plantains, &c., has not been limited.

With fervent wishes for the success of colonization, I am, sir, most respectfully, your obedient servant,

J. J. ROBERTS.

Rev. R. R. GURLEY,

Secretary of the American Colonization Society, Washington.

GOVERNMENT HOUSE, MONROVIA, *August 31, 1842.*

SIR: Your letters of the 19th, 21st, and 26th March, by the United States ship *Vandalia*, copies of which reached us by the barque "*Rhoderick Dhu*," four weeks ago, were received on the 17th instant.

The *Vandalia* remained some ten or twelve days, during which time the captain and other officers visited the shore frequently, and appeared highly gratified with the condition of things in the colony. I found Captain Ramsey, and indeed all the officers, very kind, gentlemanly, and well disposed towards the colony.

Captain Ramsey seems to take great interest in our prosperity, and offered to assist us in any way consistent with his orders.

I conversed with him freely on several subjects connected with our relations towards several of the native tribes; particularly the people of Grand Cape Mount and New Cesters.

Captain Ramsey is of opinion that no time should be lost to secure to the colony all the territory between Grand Cape Mount and Cape Palmas; that, from what he has seen and heard since his arrival on the coast, he is fully convinced that the English would gladly, and no doubt will soon make an effort to, monopolize the whole African trade; and, unless the United States Government will give to the colony some efficient aid, the boundaries of Liberia will be confined to our very doors, and, in a few years, emigration must necessarily cease for the want of territory.

Captain Ramsey very kindly offered to take me to Cape Mount, where I have been anxious to go for some time, to investigate the validity of a claim there, and to make such purchases or treaties as I might be able. But his wish to proceed as fast as possible to Berriby, to look after the murderers of the master and crew of the American schooner *Mary Carver*, would prevent his giving me as much time as would be required at this season of the year to assemble the kings and chiefs, before any purchase or treaty could be made. I shall avail myself of the first opportunity to attend to this business.

Canot, who is still here with his family, is getting somewhat disaffected towards the English. He says Seagram (who, it seems, was the prime mover in the whole affair) has deceived him. I have concluded that, in case the deed he holds cannot be set aside, (which is doubtful, from the fact of its bearing the attestation of British officers,) to make some arrangement with him that will put us in possession of his right to the territory, and, at the same time, shall endeavor to procure from the proper persons at Cape Mount such a right as will put the question at rest among the country people. Any arrangement that I may make with him shall be subject, of course, to your approval. With regard to New Cesters, Captain Ramsey is clearly of my opinion, that we should take immediate possession of the territory, and disperse the band of men stealers that now reside there.

Among the old settlers it has been generally contended that we have a claim to it; but no traces of any treaty or deed of conveyance can be found in the archives of the colony.

The records of the colony, I regret to say, have been kept very loosely; several important documents, to the knowledge of many of the citizens, cannot be found. By accident, I found, not long since, part of an old journal kept by Mr. Ashmun in 1825, which fully convinces me of a claim to at least that part of the territory near the river, and at present occupied by slave factories. Mr. Ashmun says, under date of 20th October, 1825, "Messrs. Waring and Warner were despatched to the leeward on an important mission to Young Sesters (New Cesters) and Grand Bassa. The object of the mission to Young Sesters was to ratify a bargain made virtually several months ago for all the territory lying along the banks of the river of that name, and extending north and south half a league from either bank of the river.

"In this part of the commission the delegates were entirely successful, and Mr. Warner, having means to the value of from one to two hundred bushels of rice, remained, with instructions to purchase and deposit that quantity, and immediately set himself about building a store and dwelling-house, and making such other improvements as might be in his power."

November 29, 1825, he says: "An act has been passed in conformity to the arrangements made with King Freeman, of the Sesters, prohibiting the colonists from trading between Tradetown and Tabocanee, except through the factory, on severe penalties. Prices to be given and received at the factory are established.

"King Freeman holds himself responsible for the safety of the merchandise sent to the factory. The factors and freighters make themselves responsible to the agent for the faithful discharge of their respective trusts; and the agent secures the colonists who commit their merchandise to the licensed freighters and factors against all other than providential losses." Some time after, he says: "Returned from the mission to the leeward, by the schooner St. Paul's. Messrs. Waring and Benson." The factory at the Sesters was burnt about the first of the month, by a person resident, and, it is supposed, acting under the control of King West, of Tradetown.

The incendiary pretended to an hereditary family claim on the territory near the river, and had been irritated by Freeman's neglecting, in *disposing of the territory*, so far to recognise his claim as even to consult him in the business. But redress had been promptly demanded, and immediately obtained. No property except the house (which Freeman undertakes to rebuild at his own expense) was destroyed.

Freeman and West are, and long have been, determined and irreconcilable enemies. West, having an immediate trade with foreigners, (not less than thirty vessels coming consigned to him every year,) has the most resources; Freeman the greatest number of subjects.

But the business of the factory has suffered no interruption, nor are its prospects much affected by the occurrence.

A large farm is about to be brought under cultivation, but, for political reasons of a very obvious and forcible nature, Freeman disclaims all right to demand or wish to receive, for the protection and privileges afforded the factory, any definite or valuable consideration. He also finds it necessary so far to modify the leave given (in construction) as not to define with accurate boundaries the *ceded territory*, and the modification of the leave it has been judged expedient to acquiesce in for a season, without introducing any alterations in the "*original instrument*." I shall, however, postpone definite action with regard to this place until I can learn the pleasure of the board.

I received a deputation a few days ago from Little Cape Mount. Their object was to engage the authorities of Liberia to become mediator, or to take sides with them to settle the war now raging in that country; they express themselves heartily tired of it, and urge the necessity of bringing the war to a speedy termination, to save their country from devastation and ruin. The invaders press them so closely that their farms are almost entirely neglected, and starvation will soon be staring them in the face.

They propose for a small sum, as an additional consideration for our interference, to cede to the colony all the territory belonging to that tribe, and themselves to become citizens of Liberia.

I have agreed to inquire into the particulars, and if possible to settle the war "palavar" without engaging in the contest, to do so. This seems to satisfy them. They assure me that the other party is equally tired of the war, but too proud to submit, which seems to be the case with the others, without our intervention.

I have sent letters requiring a cessation of hostilities until arrangements can be made for a convention.

Accompanying you will receive certificates of the landing of one hundred and three persons in the colony, from the State of Tennessee, viz.: nineteen by the barque Union, in July, 1841, and eighty-four by the ship Mariposa. I was not aware of the arrangement by that State, otherwise landing certificates would have been promptly forwarded.

I am gratified to learn that the board approve my administration of the affairs of the colony, and shall do all in my power to merit a continuance of that confidence.

The sundry resolutions passed 20th June shall receive my particular attention. I shall continue to do all in my power to encourage the settlers in their efforts to cultivate the soil. They are daily becoming more convinced of the importance of making their own sugar, cotton, corn, &c., and will be able soon to exchange African produce for American manufactures. It is too true, sir, "that in times past" the colonists have not duly exerted themselves in the cultivation and improvement of their farms; but a spirit of enterprise is now every where manifesting itself; the people are becoming convinced that, without an effort on their own part, they cannot rise to eminence and independence. I think a little aid now, to assist the farmers in getting working animals, would be appreciated.

I am encouraged to find, by the June number of the Repository, that the society are making renewed efforts in favor of Liberia. The measures adopted by the colonization convention at Washington, to seek from the General Government countenance and protection for the African settlements, are truly of high importance, and merit their immediate attention.

The officers, generally, express themselves decidedly of opinion that the General Government should do something for the colonies.

Captain Ramsey proposes to recommend it in his despatches to the Secretary of the Navy. He thinks that the United States Government might or should enter into some commercial treaty, that will enable them (at least indirectly) to aid the society in carrying out the great scheme of colonization, and to furnish such assistance and protection to the colonies as their situation demands. He proposes to recommend that we be furnished with two or three small armed vessels, (to be equipped and sailed at the expense of the United States,) to protect our commerce, and to give a standing and importance that will enable us more effectually to extend the limits and influence of the colony, and to carry out the great object of the Colonization Society; to establish on the west coast of Africa a permanent government of colored people, to civilize and christianize a heathen country. God grant that this may be fully accomplished.

The reports that have reached you, unfavorable to the disposition of the colonists to instruct the native Africans in the useful mechanic arts, &c., are unfounded and untrue. I believe nothing is more gratifying to a very large portion of the colonists than to think and to speak of the good they are trying to do for Africa, and the pains they take to instruct native children, not only in the useful mechanic arts, but to prepare them to participate in all the blessings of civilization and Christianity.

It is not uncommon to see in the streets of Monrovia (and other settlements) native children, (girls and boys,) that from their appearance could

not be distinguished from the children of American parents. Most of them speak good English, and are decently clad.

Accompanying you will receive the copy of a deed, executed by the chiefs of Grand Bassa, in favor of the American Colonization Society, for a fine tract of country in the vicinity of Edina. I at first thought it unnecessary (during the embarrassed state of the society) to make any purchases of territory in rear of the settlements, but recent efforts by foreigners to purchase territory almost within the settlement, though not belonging to it, has changed my opinion.

Owing to the great quantity of rain that has fallen the last two or three months, very little public improvement has been going on, more than making arrangements for a vigorous effort the coming dry season, when, if possible, we expect to complete our court-house, council room, and jail for this county, and thoroughly repair the court-house and jail in Bassa county.

I am happy to inform you that the general health of the people is good, that peace and harmony prevail throughout the settlements, and with the native tribes around us, and that the prospects of the colony are brightening.

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GOVERNMENT HOUSE, MONROVIA, *October 21, 1842.*

SIR: By this conveyance you will receive the following documents, viz: Accounts from colonial warehouse to 30th September; collector's returns of imports and exports for the port of Monrovia, for the quarter ending 30th September; certificates of the landing of the emigrants from the State of Tennessee; copy of a communication from the McDonogh people; deed of conveyance for certain territory at Grand Bassa; copy of an instrument purporting to be a deed for the territory of Grand Cape Mount.

I neglected to mention in my letter, 31st August, that, owing to the number of my engagements since the arrival of the Mariposa, I have not had time to examine Mr. Brown's accounts, from Sinou.

An English schooner, the "Royal Albert," from Liverpool, consigned to Mr. Teage, was wrecked on the beach, ten miles below this place, on the evening of the 1st instant. The next morning early I was on the spot with some thirty armed men, and succeeded in landing most of the cargo. I remained there about forty-eight hours, until the property was secured, without losing by theft ten dollars worth. I am determined, so long as I may be trusted with the management of the affairs of the colony, never to have another "Niger" scrape.

I am making arrangements to take a trip in the interior, as soon as the rainy season breaks up, to explore the St. Paul's river, and, if possible, open an intercourse with those natives in the rear of Bopora, who are now prevented from passing through that country to the beach. If this can be effected, it will be the means of extending the influence of the colony over a large tract of country, and of opening a thoroughfare through which an immense trade will flow into the colony.

The emigrants, up to this date, are doing well, exceedingly so. Eight of the whole number have died, but only two, I believe, of African fever. Dr. Day will forward his report to you by this conveyance. None of the New Orleans people have died, except an old woman, who had been an invalid for several years in America, and died in about a week after her arrival.

Gov. Roberts's Message to the Legislature of the Colony.

JANUARY 9, 1843.

To the honorable the members of the Legislative Council :

GENTLEMEN : On our present meeting, it becomes my duty to invite your attention to the providential favors which our colony has experienced during the past year, in the unusual degree of health dispensed to its inhabitants, in the rich abundance with which the earth has rewarded the labors of the farmer, in the success that has attended the efforts of our enterprising merchants, in the extension of the influence of the colony over the minds of the heathen tribes around us, and in the progress of general improvement favorable to the prosperity of our infant republic. With these blessings have been necessarily mingled the inconveniences and vicissitudes incident to all new countries. Still, there is just occasion for our mutual congratulations and thankfulness to that beneficent Being who in his goodness has been pleased to favor us with such distinguished mercies.

Since the meeting of the legislature in April last, nothing of importance has occurred to disturb our friendly relations with foreigners or with the natives of the country we inhabit. Peace and harmony prevail throughout our borders.

In compliance with a resolution of the legislature at its last session, I transmitted to the board of directors of the American Colonization Society all the facts that have come to my knowledge relative to the disputed claim of jurisdiction over certain territory in the vicinity of Grand Bassa, generally known as Bassa Cove, or Grand Bassa Point. Many of these facts had been transmitted prior to the date of that resolution. And soon after the adjournment of the legislature I received from the board an elaborate communication, fully approving the measures adopted by the authorities here to sustain the laws of the commonwealth, by compelling all persons within the jurisdiction of the colony to submit to the majesty of the laws. This communication will be laid before you, and it will no doubt give you much satisfaction to find with what promptness the board have taken up the subject, and their determination to sustain, as far as practicable, the institutions of the colony.

I hoped that this perplexing question had terminated with my correspondence with Captain Denman ; in this, however, I was mistaken. In July last Captain J. Oake, of Her Majesty's sloop "Ferret" renewed the correspondence, by proposing a series of questions relative to the jurisdiction of the colony, to the seizure of certain property by the collector at Grand Bassa, belonging to Mr. Dring, of the British brig "Ranger," and relative to the detention of a certain amount of money in the hands of Honorable Louis Sheridan, claimed by one D. Murrey. To all of these I responded, and I believe succeeded in satisfying Captain Oake of our priority of claim to, and right of jurisdiction over, the territory in dispute, as also the justice of the seizure of Dring's goods, and the detention of the amount claimed by Murrey. This correspondence the secretary will lay before you.

The subject of territorial limits, gentlemen, is becoming one of considerable importance, and deserves your deliberate and immediate consideration. Recent developments are sufficient to convince us that unless some speedy and efficient efforts are made to secure to the colony a greater extent of territory, emigration must cease, or soon we shall not have sufficient

territory to carry on our agricultural pursuits. Foreign traders are still making encroachments upon us, and some of them have been guilty of the most unprincipled artifices to destroy our commerce and monopolize the trade. They use every means, however dishonorable, to prejudice the natives against the colony; prompting them to commit depredations upon the property of colonial traders, speaking disrespectfully of the colonial government, and representing it as being unable to protect its citizens or enforce its laws.

Should this state of things continue, in a few years we shall find ourselves involved in unpleasant controversies with foreigners, and perhaps in a war with our neighbors. I know that this question has given birth to a variety of opinions and speculations with regard to the propriety of extending the jurisdiction of the colony along the coast, beyond our present possessions, which indeed are very limited. Some speak of the plan of living the coast with Christian settlements as visionary and impracticable; some as being impolitic, unless we had the means of guarding and protecting them; otherwise, they say, we will be responsible for every outrage committed by the natives. Others insist that the settlers should push their way immediately into the interior, giving up all idea of ever extending the jurisdiction of the colony along the coast. Convinced, gentlemen, as I believe you are, and as every Liberian must be, of the great importance of acquiring a more extensive territory along the coast, it would be useless, and consuming your time to no purpose, for me to enter into any arguments to prove the fallacy of the above objections, but would recommend that a proper representation from the citizens of Liberia, through the American Colonization Society, be made to the Governments of Great Britain and the United States, setting forth the importance to the colony of allowing its jurisdiction to extend from Grand Cape Mount to the Assinee river. I believe that just so soon as those Governments can be made satisfied of the importance of settling Christian colonies along this coast, for the more effectual suppression of the slave trade, and for the extension of Christianity among a heathen and barbarous people, they will not only grant us the privilege of acquiring jurisdiction over the territory named, but will protect us from the improper interference of those who are doing all they can do to injure and retard the progress of the colony.

In my official communication to the board of managers by the schooner "Herald," in April last, I made an allusion to a resolution that had just passed the legislative council, soliciting of the society a loan of several thousand dollars, to assist the colonial authorities to make such public improvements in the colony as our own resources would not warrant. In reply to this part of my letter, the Rev. R. R. Gurley, under date 20th of June, says: "As the proceedings of the council have not been transmitted, I will only say that, with every disposition to meet such a proposition, without a larger increase of our resources it will be out of our power. I shall not cease to hope that our income at no distant day will be such as to meet every reasonable wish of the people of the colony."

We, too, gentlemen, may hope and have great reason to expect, from recent movements in the United States, with regard to colonization, that the day is not distant when the society will be able to meet every reasonable wish of the people; for, notwithstanding that the deranged and depressed condition of the finances of the United States have operated most powerfully against the society, they have nevertheless shared a goodly

degree of public patronage. Confidence in the utility, the magnitude, and grandeur of the scheme is increasing throughout the Union.

At a colonization convention held in the city of Washington a few months ago, were adopted measures of high importance to the colonization cause; its friends are resolved to prosecute it with new vigor, and to seek from the General Government of the United States countenance and protection, and from the State Governments co-operation and support. The humane and pious every where are coming forward to their aid, and no doubt very soon the resources of the society will be so augmented as to enable them to carry on more successfully and vigorously their operations, both of removing emigrants to Liberia, of opening the resources of the country, and in making such public improvements in the colony as may be necessary for our protection and our convenience.

I regret, gentlemen, to inform you that I have not been able to carry into effect an important resolution of the last council, authorizing me to have compiled and published in one volume all the statute laws of the commonwealth. Feeling sensibly the importance of such a compilation, soon after the adjournment of the legislature I made several efforts to have the work attended to, but without success. Every application to gentlemen whom I considered competent to discharge such duties was refused, upon the ground that their private engagements were such as to prevent them without serious injury to their own business, especially at that season of the year, from giving that attention to the work that would ensure success. Finding the year so far spent before I could procure the services of competent persons, and thinking that the present legislature would more than likely make some necessary and important alterations in the present code, I concluded to defer the compilation until after the present session. I would here call your attention, gentlemen, to the propriety of expunging, altering, or so amending the 4th section of "A bill for the regulation of the towns and villages in this commonwealth," as to make it the duty of the governor, or of the governor and council, to appoint, from time to time, commissioners, with an equitable consideration, to carry into effect the provisions of that act, instead of the commissioners appointed in the 6th section of the "Act to provide regulations for the counties and villages in the commonwealth of Liberia," passed in August and September, 1839. And, further, that it shall be the duty of the commissioners so appointed to see that at stated times the streets in the towns and villages are cleared of underbrush and noxious weeds, and that in the event of persons refusing or neglecting to clear the street contiguous to their respective lots, then, and in that case, it shall be the duty of the said commissioners to proceed forthwith to clear up any such neglected streets, to be paid out of any funds belonging to the commonwealth; to be refunded in such way and manner as you may think proper to provide. Without entering into any arguments to prove to you, who must be equally convinced of the fact, the deleterious effects that the growth of noxious weeds in our streets must have upon the health of the community, I will only remark that, under the present arrangements, the responsibility imposed by the 5th section of the article referred to has rendered it most difficult to procure the services of proper persons (especially without an adequate compensation) to undertake the duties of the office; consequently, in this respect, our towns and villages have been shamefully neglected.

I would call your attention to another subject that deserves considera-

tion, and which must be provided for, if we expect to maintain the purity of our institutions. I allude to the great difficulty with which public officers are able to collect the fines and forfeitures imposed by the courts in the colony, and the indifference with which civil and military orders are sometimes treated by a certain portion of our community. According to our present system, most military delinquencies, and many offences against the municipal laws of the commonwealth, are punishable only by fines; and, as our laws allow no imprisonment for debt, a certain class of individuals, regardless of consequences, (having nothing upon which the officer can lay his hands, of which some of them make their boast,) wantonly refuse or neglect to do those duties required by law, and that good and responsible citizens are compelled to perform, thereby throwing the burden of certain public duties, that should be borne by all, on part of the community. One or two instances have occurred in the colony, when public officers have been defied. I am happy to state, however, that that resistance was confined to a very few, and of the class of individuals referred to above, viz: persons without property, consequently regardless of consequences. It is not unfrequent to hear them say, when brought up before a tribunal to answer for any conduct: "Well, fine me, and then get the money when and where you can. I have nothing you can seize; you can't sell my house, nor have I more personal chattels than the law protects from seizure." Merchants and others suffer from this very class of individuals. How frequently have I heard the bitter complaints of citizens with regard to the shameful conduct of such persons, whom they have been induced to credit! Something, gentlemen, must be done to correct this evil, or its demoralizing influence will be felt severely at no distant day.

Opposed as I am to the many changes and alterations generally made in the statute laws of the commonwealth at each session of the legislature, I am almost disposed to say nothing further on this subject; but I cannot forbear recommending to your consideration the propriety of one more amendment, viz: that of so altering or amending "A bill to prevent frauds in the management of intestate and other estates," passed August and September, 1839, as to provide that persons assuming the responsibility of settling estates shall be required to give bond and security for the faithful performance of their duty, as are required of administrators in the 4th section of said act; and, further, that all executors, administrators, or others having the management of estates, shall be compelled, at each session of the probate court, to render an account, in writing, of their doings in relation to any estate or property of which they may have had the management. And, further, at present we have no statute laws regulating the apportionment of widows' dowers, but have been conforming to a custom in the colony, how obtained I know not, of allowing the widow one-third of all the real estate, whether solvent or insolvent. This right, should the estate be insolvent, has been questioned; therefore, to avoid future misunderstanding, I would recommend that some definite regulation be made with regard to it.

The subject of common schools, gentlemen, is one that deserves your attention. Its importance is well known to you, and I believe will have your consideration; for if we expect, as I have no doubt all of you do, that Liberia is destined at some future day to take a stand among the nations of the earth, we must educate our children; the rising generation must be informed, for on them depends the erection of the fabric, the

foundation of which you are now commencing. A right education alone can raise man to his true and proper dignity, and without it we must ever remain cast out and degraded. Our peculiar situation demands that we, too, should make a strong and vigorous effort to improve our own minds; if we expect to maintain and hand down to posterity unimpaired the purity of our republican institutions. You know, gentlemen, that in an ignorant community republicanism will soon degenerate into a wretched democracy which must end in anarchy. The condition of our race, too, in other parts of the world, and especially of the inhabitants of this heathen country should be motives to rouse us to greater diligence, that we may show to the world that the African race is as susceptible of mental improvement as any other. At present, there are schools established in several of our towns and villages; these, however, are under the patronage and control of various religious institutions in America, and may be discontinued at any moment. It therefore becomes us to make an effort to assist ourselves in this great work of improvement; that we may be prepared for any emergency. We can do something, and should do something. Let us put our shoulders to the wheel, and when we have done all that we can do, I pledge myself there will be no lack of aid. The sympathies of the benevolent every where are enlisted in our favor, especially with regard to this subject; and when it is known abroad that we appreciate learning, and are doing all in our power to obtain it, and cannot succeed, then, and not till then, shall we have the efficient aid of our friends abroad, and be able to establish permanent schools for the education of our youth. On this subject, I scarcely know, gentlemen, what course to recommend to your consideration. An act regulating common schools, passed August and September, 1839, makes every provision necessary for the government of schools, but a very inadequate provision for their maintenance. The 3d section of that act provides that the sum of three dollars per year be paid by all those who may be admitted into these schools, or by their parents or guardians, if they be able; the said amount to be paid to the school committee, or any person appointed by them, of course for the support of the school. The 8th section provides, "that all persons shall be bound by law to send their children to school, provided their ages vary from five to twelve years; and whomsoever fails to comply with the above regulation shall without excuse be compelled to pay a fine of three dollars; said fine to go into the hands of the school committee, for the benefit of the school." Now, gentlemen, this is the only provision for the maintenance of public schools. How, then, could it be expected that competent teachers could be procured, especially when in no one settlement are to be found more than thirty or forty children whose parents or guardians are able to pay even a small amount towards their tuition? No; under such circumstances teachers could not be procured, nor have we been able the past year to supply even those settlements that are entirely destitute of schools with a public teacher; nor shall we be able until the commonwealth will take the responsibility and provide more effectually for the payment of teachers.

Another subject to which I would call your attention is the demoralizing influence that tippling shops must have in any community, and especially in a community like ours. At such places are always to be found the idle and the worthless, who are not backward, for the sake of a dram, in enticing the young and the thoughtless, who, after a few visits and a few glasses, like their seducers, become slaves to the intoxicating cup, and soon a reproach to their families and to society. I feel that it will be altogether unnecessary for me to

enter into any arguments to prove to you, gentlemen, who are so well informed on this subject, its baneful effects upon the prosperity of a people. Some, no doubt, will curl the lip, and say that we have no cause of alarm in Liberia; that a more temperate people exists no where; that gentlemen here touch the glass very cautiously, and that drinking to excess is confined to a few solitary exceptions in the whole commonwealth. I admit all this to be true; but does it plead any thing in favor of using ardent spirits? Certainly not; for if the people are so temperate as not to indulge the use of it at all, then of course we have no use for the article, and every one will say, let it go; and if the people are only so temperate as to indulge in occasional glasses, and as all will admit the danger of its increasing influence if used at all, then away with it, before we are called to experience more of its pernicious consequences. Touch not, taste not, handle not, the liquid poison. The fact is, gentlemen, there are establishments in Liberia—I am happy, however, to say their number is rapidly diminishing—where the poison is still dealt out in small quantities, to the injury not only of colonists, some few of whom will not give up the practice of taking it at stated times, but to natives, and to foreigners, whose health is materially injured in this climate by its frequent use. I would therefore recommend that the duty on ardent spirits, &c., be considerably increased, and that the special license to retailers be not less than one hundred dollars.

Notwithstanding the losses that some of our merchants have sustained by shipwrecks, for the want of more experienced navigators, and the great competition with foreigners, increased by an improper interference with our trade on their part, the commerce of the colony is steadily increasing, though at present, for causes unknown to us, there seems to be a cessation of trade. Our merchants are not discouraged by these difficulties, but are determined to prosecute the trade along the coast with renewed vigor. During the past year, three new vessels have been launched at Monrovia, one at Bassa Cove, two (which were foreign built) purchased by colonists; and there are now on the stocks, to be launched soon, three others—one at Monrovia, one at Edina, and one at Greenville. I am informed it is contemplated, by one or two gentlemen, to build and fit a vessel this year capable of performing a voyage across the Atlantic.

The want of adequate means and sufficient protection will for some time prevent our merchants from competing successfully with foreign traders, and from making the coast trade as lucrative as, under other circumstances, it would be, not only to us, but also to foreign traders. Many of them have adopted a system of crediting the chiefs and headmen along the coast to a large amount, one-half of which they can never collect; endeavoring by this means to obtain their influence, and to prejudice them against colonial traders, who are not willing, if they were able, to waste their property in this way; and wherever colonial traders are to be found, they pay extravagant prices for produce. If to monopolize the trade were the only objects of these men, their conduct might not be considered so reprehensible. But such is not the case. Their malignant and wicked designs extend further than that, some of which have come to my knowledge, and at a proper time shall be exposed. I beg you to observe, gentlemen, that I do not wish to be understood to include all traders that visit this part of the coast, as being inimical to the colony. No; there are some honorable exceptions among the traders, of almost all nations, who are courteous and gentlemanly, and who seem to take a deep interest in the prosperity of

these colonies, founded, as they know them to have been, by the hand of benevolence and Christian philanthropy. But to return: if to monopolize the trade were the only object of most of these traders, I think it would not be difficult to convince them, as are some already, that, taking into consideration the losses they suffer by robbery, bad debts, protracted voyages, loss of life, &c., if the foreign trade was confined to the settlements, they would be able to purchase their cargoes here at a much cheaper rate than at present; and then the colonists, who are better acquainted with the African trade, (which acquaintance alone has enabled them to compete in any degree with other traders,) could regulate the prices, and thereby extend the influence of the colony, and more effectually carry out the design of the American Colonization Society, in civilizing the heathen of this country. As it is, gentlemen, nothing but untiring perseverance on the part of our merchants will enable them to maintain their standing; this, I am persuaded, they will not fail to use.

Information has reached me, that some time in March last, one D. Murrey, a British trader, notwithstanding he had been repeatedly admonished by the authorities not to do so, landed a quantity of merchandise to the natives at Fishtown, in the county of Grand Bassa, contrary to the maritime regulations of this commonwealth. From certain considerations, arising from a misunderstanding with regard to that territory, and my aversion to any collision with British traders, I have been induced to exercise an almost unwarrantable degree of forbearance. The native residents, too, of that place, are guilty of a breach of faith, by not complying with certain treaty stipulations entered into with this government. It now remains, gentlemen, for you to determine whether the majesty of the laws shall be maintained, and what course shall be pursued by the executive with regard to these important subjects.

Another branch of our political economy, on which depend our present comforts and future greatness, I am sorry to say, is not increasing so rapidly as I could wish to see it. Agriculture in the colony is not prosecuted with that vigor, by a great many of the settlers, which its importance demands. I know that farmers in Liberia have to contend with many disadvantages, for the want of working animals, &c.; still there is no just reason for despondency. The soil is good, and capable of producing abundant harvests; this will be admitted by all; and in every instance where individuals have perseveringly given the business a fair trial, it has not failed to yield them a handsome reward. The greatest hinderance to successful agriculture in Liberia is the ruinous desire of most of our people to become wealthy in a very short time; therefore, they are not willing to trust to a slow but sure means of becoming so, but prefer to employ their little capital in speculations, become traders, and in nine cases out of ten, from their unacquaintance with a system of which they have had no previous knowledge, in a few years they become bankrupts; then, as a last resort, without sufficient means to give them a fair start, they go upon their farms, where they have to plod and dig for several years before their circumstances are again easy and comfortable. I am happy to state, however, from personal observation, that this practice of general trading is losing ground. Though the crops among the natives last year in a great degree failed, the colonists, especially in the upper settlements, were generally free from want, and in many instances were able to supply the neighboring natives. The past season has been one of rejoicing among the farmers. Rice crops, especially,

have been abundant, and I rejoice to find that the people throughout the commonwealth are becoming awake to their true interests, and convinced that the future prosperity and independence of the colony depend upon the agricultural resources of the country. Several gentlemen, both in this and Bassa country, are turning their attention to this subject, and are establishing coffee and sugar estates, though at present on a small scale. The experiment has proved successful, and established beyond a doubt the fact, that farmers in Liberia, if industrious, frugal, and persevering, may become not only independent, but rich. Therefore, to encourage this manifest spirit of agriculture in the colony, I would recommend that some immunity be granted to such agriculturists as will cultivate certain articles in certain quantities.

Public improvements in the colony have not advanced so rapidly as I had anticipated. This, in a great degree, has been owing to the difficulty of procuring proper materials. I have the pleasure, however, to inform you that, notwithstanding these difficulties, we have succeeded in finishing, and have now in successful operation, a light-house on Cape Mesurado. This, I believe, is acknowledged, by all strangers that have visited the colony since its erection, to be a very important improvement. Of the court-house for this county I can only report, that every effort has been made to drive forward the work, but, for reasons above stated, it has advanced slowly. We are now encouraged, however, to hope that in two or three months this building will be completed, or at least so far advanced as to be used.

In Grand Bassa county, through the agency of I. Sheridan, Esq., we have succeeded in thoroughly repairing the court house and jail, which have been for some time in a dilapidated condition.

The roads in the vicinity of some of the settlements have been somewhat improved, especially near New Georgia. The citizens of that place are doing themselves much credit. They have nearly succeeded in opening a ditch around that settlement, which will not only add much to the health of the village, but will soon more than repay the inhabitants, by the great advantage it will give them in raising live stock.

The defence of the colony is as adequate as our pecuniary circumstances will admit, though perhaps not as much so as our position requires, especially in our interior settlements. The past year I have had mounted on light carriages two small brass field pieces, which, added to the large cannon previously mounted, makes a pretty formidable appearance, and no doubt will contribute much to secure to the colony for some time an undisturbed state of tranquillity, as in my opinion nothing is better calculated to maintain a good understanding with our neighbors than a state of overt military preparation.

I am happy to inform you, gentlemen, that the revenue of the commonwealth is steadily increasing. From official returns to the 31st December, I have been able to make up the following summary statements of the transactions at the colonial treasury for the year ending 31st December, 1842. The accounts in detail will be laid before you. The treasurer for the county of Mesurado acknowledges the receipt of the following amounts, viz :

From the collector of customs, P. M.—\$2,940 93, duty on imports ; \$450 50, anchorage duty ; \$57, light duty ; \$90 93, tonnage duty, C. V.

From the sheriff of the county—\$22 20, court fines ; and \$37 06, military fines.

From the clerk of the court of C. P.—\$50, for auction license; \$120 80, for commission license; \$119 25, for special license; and \$144 69, for retail license. Making an amount total of \$4,037 36.

The following have been the disbursements, viz: For public buildings, including \$500 paid on account of the light-house, \$2,250; for the session of the legislature in 1842, \$262; for the judiciary, \$370; for prisoners, \$350; for the defence of the colony, \$200; for signal master and light-house on Cape Mesurado, \$165; for elections, \$32; for printing, \$39; and for contingences, \$33 12—making \$3,698 12; being \$329 24 less than the receipts; which, added to \$858 80, balance in the hands of treasurer, 31st December, 1841, will leave a balance in the treasury this day of \$1,188 04.

The following are the amounts collected in the county of Grand Bassa, viz:

By the collector for the port of Marshall. Duty on imports, \$230.

By the collector for the ports of Edina and Bassa Cove. Duty on imports, \$726 17; anchorage duty, \$12.

By the sheriff of the county. Court fines, \$79; tax fee, \$10.

By the clerk of the court of C. P. For commission license, \$125; special license, \$50; retail license, \$144. Making an amount total of \$1,376,17.

The following amounts have been disbursed, viz: For public buildings, \$219 50; for the legislature, \$62 50; judiciary, \$131; for defence of the colony, \$48; incidental expenses, \$96—making an amount total of \$587; leaving a balance in favor of the commonwealth, this day, of \$789 17.

These, gentlemen, are the matters respecting the state of the commonwealth which I have thought of importance to be submitted to your consideration. Some others, no doubt, will arise in the course of your deliberations, that may require equal attention. I am happy, however, in this opportunity of committing the arduous affairs of our government to the collected wisdom of this people. To you, then, gentlemen, who are charged with the function of legislation, we look with encouragement for that guidance and support which may enable us to steer with safety the vessel in which we are embarked.

The prudence and temperance of your discussions within these walls will no doubt promote that conciliation so necessary for the advancement of our political and religious institutions. That all should be satisfied with any one order of things is not to be expected. But I indulge the hope that a great majority of our citizens will cordially concur in honest and disinterested efforts, which have for their object the general good of the people, the maintenance of peace with our neighbors, and order and obedience to the laws by the citizens of the commonwealth, to establish principles and practices of administration favorable to the security of liberty and property, and to the furtherance of civilization and Christianity among the heathen tribes around us.

J. J. ROBERTS.

GOVERNMENT HOUSE, *January 9, 1843.*

PROCEEDINGS OF THE VIRGINIA LEGISLATURE ON THE SUBJECT OF
AFRICAN COLONIZATION.

IN THE HOUSE OF DELEGATES, *December 31, 1800.*

Resolved, That the Governor be requested to correspond with the President of the United States on the subject of purchasing lands without the limits of this State, whither persons obnoxious to the laws or dangerous to the peace of society may be removed.

A copy from the journal of the House of Delegates.

WILLIAM WIRT, *Clerk H. D.*

RICHMOND, *June 15, 1801.*

SIR: I enclose you a resolution of the General Assembly of the Commonwealth, of the last session, by which it is made my duty to correspond with you on the subject of obtaining, by purchase, lands without the limits of this State, to which persons obnoxious to the laws or dangerous to the peace of society may be removed. This resolution was produced by the conspiracy of the slaves which took place in this city and neighborhood last year, and is applicable to that description only. The idea of such an acquisition was suggested by motives of humanity, it being intended by means thereof to provide an alternate mode of punishment for those described by the resolution, who, under the existing law, might be doomed to suffer death. It was deemed more humane, and, it is hoped, would be found in practice not less expedient, to transport such offenders beyond the limits of the State.

It seems to be the more obvious intention of the Legislature, as inferred from the resolution, to make the proposed acquisition of land in the vacant Western territory of the United States; but it does not appear to me to preclude one without the limits of the Union. If a friendly Power would designate a tract of country within its jurisdiction, either on this continent or a neighboring island, to which we might send such persons, it is not improbable the Legislature might prefer it. In any event, an alternative could not be otherwise than desirable, since, after maturely weighing the condition and advantages of each position, the Legislature might still prefer that which appeared to it most eligible.

It is proper to remark, that the latter part of the resolution, which proposes the removal of such persons as are dangerous to the peace of society, may be understood as comprising many to whom the preceding member does not apply. Whether the Legislature intended to give it a more extensive import, or, rather, whether it contemplated removing from the country any but culprits condemned to suffer death, I will not pretend to decide. But, if the more enlarged construction of the resolution is deemed the true one, it furnishes, in my opinion, a strong additional motive why the Legislature, in disposing of this great concern, should command an alternative of places. As soon as the mind emerges, in contemplating the subject, beyond the contracted scale of providing a mode of punishment for offenders, vast and interesting objects present themselves to view. It is impossible not to revolve in it the condition of those people, the embarrassment they have already occasioned us, and are still likely to subject us to.

We perceive an existing evil, which commenced under our colonial system, with which we are not properly chargeable, or, if at all, not in the present degree; and we acknowledge the extreme difficulty of remedying it. At this point the mind rests with suspense, and surveys with anxiety obstacles which become more serious as we approach them. It is in vain for the Legislature to deliberate on the subject, in the extent of which it is capable, with a view to adopt the system of policy which appears to it most wise and just, if it has not the means of executing it. To lead to a sound decision, and make the result a happy one, it is necessary that the field of practicable expedients be opened to its election on the widest possible scale.

Under this view of the subject, I shall be happy to be advised by you whether a tract of land in the Western territory of the United States can be procured for this purpose, in what quarter, and on what terms? And, also, whether a friendly Power will permit us to remove such persons within its limits, with like precision as to the place and conditions? It is possible a friendly Power may be disposed to promote a population of the kind referred to, and willing to facilitate the measure by co-operating with us in the accomplishment of it. It may be convenient for you to sound such Powers, especially those more immediately in our neighborhood, on the subject, in all the views which may appear to you to be suitable.

You will perceive that I invite your attention to a subject of great delicacy and importance, one which, in a peculiar degree, involves the future peace, tranquillity, and happiness, of the good people of this Commonwealth. I do it, however, in a confidence that you will take that interest in it which we are taught to expect from your conduct through life, which gives you so many high claims to our regard.

With great respect, I have the honor to be, &c.

JAMES MONROE.

THOMAS JEFFERSON,
President of the United States.

WASHINGTON, November 24, 1801.

DEAR SIR: I had not been unmindful of your letter of June 15th, covering a resolution of the House of Representatives of Virginia, and referred to in yours of the 17th instant. The importance of the subject, and the belief that it gave us time for consideration till the next meeting of the Legislature, have induced me to defer the answer to this date. You will perceive that some circumstances connected with the subject, and necessarily presenting themselves to view, would be improper but for your and the legislative ear. Their publication might have an ill effect in more than one quarter; in confidence of attention to this, I shall indulge greater freedom in writing.

Common malefactors, I presume, make no part of the object of that resolution. Neither their numbers, nor the nature of their offences, seem to require any provisions beyond those practised heretofore, and found adequate to the repression of ordinary crimes. Conspiracy, insurgency, treason, rebellion, among that description of persons who brought on us the alarm, and on themselves the tragedy of 1800, were doubtless within the view of every one; but many, perhaps, contemplated, and one expression of the resolution might comprehend, a much larger scope. Respect

to both opinions makes it my duty to understand the resolution in all the extents of which it is susceptible.

The idea seems to be, to provide for these people by a purchase of land; and it is asked whether such a purchase can be made of the United States, in their Western territory? A very great extent of country north of the Ohio has been laid off into townships, and is now at market, according to the provisions of the acts of Congress, with which you are acquainted. There is nothing which would restrain the State of Virginia, either in the purchase or the application of these lands; but a purchase by the acre might, perhaps, be a more expensive provision than the House of Representatives contemplated. Questions would also arise, whether the establishment of such a colony within our limits, and to become a part of our Union, would be desirable to the State of Virginia itself, or to the other States, especially those who would be in its vicinity?

Could we procure lands beyond the limits of the United States, to form a receptacle for these people? On our Northern boundary the country not occupied by British subjects is the property of Indian nations, whose titles would be to be extinguished, with the consent of Great Britain; and the new settlers would be British subjects. It is hardly to be believed that either Great Britain or the Indian proprietors have so disinterested a regard for us as to be willing to relieve us by receiving such a colony themselves; and as much is it to be doubted whether that race of men could long exist in so rigorous a climate. On our Western and Southern frontiers Spain holds an immense country; the occupancy of which, however, is in the Indian natives, except a few insulated spots possessed by Spanish subjects. It is very questionable, indeed, whether the Indians would sell—whether Spain would be willing to receive these people—and nearly certain that she would not alienate the sovereignty. The same question to ourselves would recur here also as did in the first case: Should we be willing to have such a colony in contact with us? However our precedent interests may restrain us within our own limits, it is impossible not to look forward to distant times, when our rapid multiplication will expand itself beyond those limits, and cover the whole Northern, if not the Southern continent, with a people speaking the same language, governed in similar forms and by similar laws. Nor can we contemplate with satisfaction either blot or mixture in that surface. Spain, France, and Portugal, hold possessions on the Southern continent, as to which I am not well enough informed to say how far they might meet our views. But either there or in the Northern continent, should the constituted authorities of Virginia fix their attention of preference, I will have the dispositions of those Powers sounded in the first instance.

The West Indies offer a more probable and practicable retreat for them. Inhabited already by a people of their own race and color—climates congenial with their natural constitution, insulated from the other descriptions of men—nature seems to have formed these islands to become the receptacles of the blacks transplanted into this hemisphere. Whether we could obtain from the European sovereigns of those islands leave to send thither the persons under contemplation, I cannot say; but I think it more probable than the former proposition, because of their being already inhabited more or less by the same race. The most promising portion of them is the island of St. Domingo, where the blacks are established into a sovereignty *de facto*, and have organized themselves under regular laws and

government. I should conjecture that their present ruler might be willing on many considerations to receive even that description which would be exiled for acts deemed criminal by us, but meritorious perhaps by him. The possibility that these exiles might stimulate and conduct vindictive or predatory descents on our coast, and facilitate concert with their brethren remaining here, looks to a state of things between that island and us not probable, on a contemplation of our relative strength, and of the disproportion daily growing; and it is overweighed by the humanity of the measures proposed, and the advantages of disembarassing ourselves of such dangerous characters. Africa would offer a last and undoubted resort, if all others more desirable should fail us. Whenever the Legislature of Virginia shall have brought its mind to a point, so that I may know exactly what to propose to foreign authorities, I will execute their wishes with fidelity and zeal. I hope, however, they will pardon me for suggesting a single question for their own consideration. When we contemplate the variety of countries and of sovereigns towards which we may direct our views, the vast revolutions and changes of circumstance which are now in a course of progression, the possibilities that arrangements now to be made with a view to any particular place may at no great distance of time be totally deranged by a change of sovereignty, of government, or of other circumstances, it will be for the Legislature to consider whether, after they shall have made all those general provisions which may be fixed by legislative authority, it would be reposing too much confidence in their Executive to leave the place of relegation to be decided on by them, and executed with the aid of the Federal Executive? They could accommodate their arrangements to the actual state of things in which countries or powers may be found to exist at that day, and may prevent the effect of the law from being defeated by intervening changes. This, however, is for them to decide. Our duty will be to respect their decision.

Accept assurances, &c.

THOMAS JEFFERSON.

Governor MONROE.

RICHMOND, *December 21, 1801.*

SIR: I have the pleasure to communicate to the General Assembly a copy of my correspondence with the President of the United States, in compliance with the resolution of 31st December last, relative to the purchase of lands without the limits of the State, to which persons obnoxious to its laws or dangerous to the peace of society may be removed. As it was known that the United States had lands for sale in the territory lying between the Ohio and Mississippi, a proposition to make the acquisition by purchase conveyed the idea of a preference for a tract in that quarter; but as such preference was not declared, and a liberal construction of the resolution admitted a greater scope, I thought it my duty to open the subject in that light to the President. His reply has stated fully and ably the objections which occur to such an establishment within the limits of the United States. He also presents to view all the other places, on the continent and elsewhere, which furnish alternatives, with the advantages attending each, and assures us of the promptitude that he will co-operate in

carrying into effect whatever plan the Legislature may adopt in reference to the object contemplated. It remains, therefore, for the General Assembly to explain more fully the description of persons who are to be thus transported, and the place to which it is disposed to give the preference. As soon as its sense is declared on these points, I shall hasten to communicate the same to the President, and shall not fail to lay the result before you at your next session. It is proper to add, that it is the wish of the President that the communication be considered as confidential.

I am, sir, with great respect and esteem, your very humble servant,
JAMES MONROE.

IN THE HOUSE OF DELEGATES,

Saturday, January 16, 1802.

The Legislature of the Commonwealth, by their resolution of December last, having authorized the Governor to correspond with the President of the United States relative to the purchase of lands without the limits of this State, to which persons obnoxious to the laws or dangerous to the peace of society might be removed, from which general expressions a difference of construction has prevailed, to reconcile which, recourse must be had to the actual state of things which produced the resolution; therefore, resolved, that, as the resolution was not intended to embrace offenders for ordinary crimes, to which the laws have been found equal, but only those for conspiracy, insurgency, treason, and rebellion, among those particular persons who produced the alarm in this State in the fall of 1800, the Governor be requested, in carrying the said resolution into effect upon the construction here given, to request the President of the United States, in procuring the lands, to prefer the continent of Africa, or any of the Spanish or Portuguese settlements in South America.

Resolved, also, that the Governor be requested to correspond with the President of the United States, for the purpose of obtaining a place without the limits of the same, to which free negroes or mulattoes, and such negroes or mulattoes as may be emancipated, may be sent or choose to remove as a place of asylum; and that it is not the wish of the Legislature to obtain, on behalf of those who may remove or be sent thither, the sovereignty of such place. Resolved, also, that the Governor lay before the next General Assembly the result of his communication, to be subject to their control.

WILLIAM WIRT, C. H. D.

January 23, 1802.—Agreed to by the Senate.

H. BROOKE, C. S.

A copy.—Test:

JAMES PLEASANTS, JR., C. H. D.

WASHINGTON, *December 27, 1804.*

DEAR SIR: Resuming the subject of the resolutions of the House of Delegates of December 31st, 1800, January 16th, 1802, and February 3d, 1804, I have it not in my power to say that any change of circumstances

has taken place which enables me yet to propose any specific asylum for the persons who are the subjects of our correspondence. The island of St. Domingo, our nearest and most convenient recourse, is too unsettled in the conditions of its existence to be looked to as yet for any permanent arrangements; and the European nations have territories in the same quarter, and possess the same kind of population. Whether the inhabitants of our late acquisition beyond the Mississippi, or the National Legislature, would consent that a portion of that country should be set apart for the persons contemplated, is not within my competence to say.

My last information as to Sierra Leone is, that the company was proposing to deliver up their colony to their Government. Should this take place, it might furnish occasion for another effort to procure an incorporation of ours into it. An attack during the war has done the settlement considerable injury.

I beg you to be assured that, having the object of the House of Delegates sincerely at heart, I will keep it under my constant attention, and omit no occasion which may occur of giving it effect.

Accept my affectionate salutations, and assurances of great respect and consideration.

THOMAS JEFFERSON.

Governor PAGE.

VIRGINIA.

General Assembly begun and held at the Capitol in the city of Richmond, on Monday, the third day of December, in the year of our Lord one thousand eight hundred and four, and of the Commonwealth the twenty-ninth:

Resolved, That the Senators of this State in the Congress of the United States be instructed, and the Representatives be requested, to exert their best efforts for the purpose of obtaining from the General Government a competent portion of territory, in the country of Louisiana, to be appropriated to the residence of such people of color as have been or shall be emancipated in Virginia, or may hereafter become dangerous to the public safety: *Provided*, That no contract or arrangement respecting such territory shall be obligatory on this Commonwealth until ratified by the Legislature.

H. HOLMES,

Speaker of the House of Delegates.

Agreed to January 22d, 1805.

C. TAYLOR,

Speaker of the Senate.

A copy.—Test:

JAMES PLEASANTS, JR., C. H. D.

RICHMOND, February 2, 1805.

GENTLEMEN: I have the honor to enclose a resolution of the General Assembly, for an explanation of which, I beg leave to refer you to the copies of letters which passed between the President of the United States

and Governor Monroe, and to one written by the President to me, and by this mail transmitted to our Senators in Congress; but, for more satisfactory information, I would refer you to the President himself, to whom I shall apologize for requesting you to trouble him on this occasion; but I know that he will with pleasure give you all the information you may require. From the nature of the delicate business contemplated in the resolution, you will see the propriety of its being considered confidential.

I am, gentlemen, with great respect, your obedient servant,

JOHN PAGE.

The REPRESENTATIVES from Virginia in Congress.

THOUGHTS ON THE COLONIZATION OF FREE BLACKS.*

What shall we do with the free people of color? what can we do for their happiness, consistently with our own? are questions often asked by the thinking mind. The desire to make them happy has often been felt, but the difficulty of devising and accomplishing an efficient plan has hitherto appeared too great for humanity itself to accomplish. The mind shrunk back from the attempt. The time was not arrived. The servitude of the sons of Ham, *described* by Noah, in the spirit of prophesy, concerning the future condition of his posterity, was not terminated. At present, as if by a divine impulse, men of virtue, piety, and reflection, are turning their thoughts to this subject, and seem to see the wished-for plan unfolding, *in the gradual separation of the black from the white population, by providing for the former some suitable situation, where they may enjoy the advantages to which they are entitled by nature and their Creator's will.* This is a great subject, and there are several weighty questions connected with it, which deserve a deep consideration.

Is it a practicable thing to form a colony of free blacks in our own wild lands, or on the coast of Africa?

Is it probable that the establishment would be productive of general happiness?

What is the most deservable situation for such a settlement? In what manner, and by whom, might such a colony be planted with the greatest hope of success?

Much wisdom would no doubt be required in arranging a plan of so much magnitude, and some perseverance in executing it, and carrying it to perfection. But it cannot be supposed to be among the things which are impracticable to plant a colony, either of blacks or whites, either in Africa or in some remote district of our own country. Most nations have had their colonies. Greece and Rome planted many which grew and flourished, and which, as they grew, added strength and lustre to the mother country. At the present time, there are few nations who have not their foreign settlements, and some of them, from year to year, are increasing the numbers of their colonies. With what ease is Great Britain transplanting a part of her population in the remotest regions of the earth, and peopling New Holland—a land destined, like our own, to extend the empire of liberty and Christian blessings to surrounding nations.† It does

* Ascribed to Rev. Dr. Finley.

† It is a remarkable instance of the mysterious and inscrutable ways of Providence, that the colony of New Holland, which is principally composed of British convicts, have become flourishing; its

not appear that it would require much greater skill or labor to form a separate establishment for free blacks in our own distant territories than it is to form a new State. The people of color, observing the constant emigration of the whites, would soon feel the common impulse, if they could see a place where they might remove, and which they could fondly call their own. Many have both the means and disposition to go to any reasonable distance, or even to a great distance, where they could assume the rank of men, and act their part upon the great theatre of life. Their local attachments are no stronger than those of other men, their ambition no less than that of any other color.

To colonize them in Africa would be a much more arduous undertaking. The country must be explored, and some situation chosen, fertile and healthy; expense must be incurred in fair and honorable purchase from the natives; an honorable appeal *perhaps* be made to the nations of Europe, as to the justice and humanity of our views; an efficient government must for a time at least be afforded to the colony; the free blacks must be instructed that it would be to their interest to remove to the land which gave them origin, and instruction provided, to raise their minds to that degree of knowledge, which in time would fit them for self-government. These difficulties are real, and some of them might be found to be very great, but they are not insurmountable. We have wisdom in our councils, and energy in our Government. In such an undertaking, we should have reason and the God of eternal justice on our side. Humanity has many a virtuous son, who would willingly and carefully explore the long line of African coast which has not fallen under the dominion of any European nation. Their devotedness to their country's interest and glory would make them faithful to their undertaking, and their desire for the happiness of the free people of color would induce them, if possible, to find a country where health and plenty might be enjoyed. The consent of the chiefs to part with a sufficient portion of the soil might be easily obtained, especially when they are informed that the sole design of the colony was to restore their own children, and bring them back free and happy. From what has often taken place on the coast of Africa, we may be assured that the cost of procuring the right of soil, by fair and just purchase, would not be great. The expense of conveying the first settlers, of maintaining a sufficient force to protect the colony, and of supplying the wants of the colonists for a short period, might be more considerable; yet the wisdom of Congress might devise some means of lightening, perhaps of repaying, the cost. Many of the free people of color have property sufficient to transport, and afterwards to establish themselves. The ships of war might be employed occasionally in this service, while many would indent themselves to procure a passage to the land of their independence. The crews of the national ships, which might be, from time to time, at the colony, would furnish at least a part of that protection which would be necessary for the settlers; and in a little time the trade, which the colony would open with the interior, would more than compensate for every expense, if the colony were wisely formed. "From the single river of Sierra Leone, where there is a colony of free people of color, the imports in Great Britain were

inhabitants peaceable, orderly, and industrious; and, through the instrumentality of missionaries, Christianity is flourishing among them, and, through them, likely to extend civilization, and the benefits of the Christian religion, to the ignorant and superstitious natives of that country and the adjacent islands.

nearly, and the exports to the same river fully, equal to the imports and exports, exclusive of the slave trade, of the whole extent of the western coast of Africa prior to the abolition of that traffic.* To allay the jealousies of other nations, which might arise from our establishing a settlement in Africa, a successful appeal might be made to their justice and humanity. It would be only doing as they have done, should no such appeal be made. Spain has her settlements in Africa; France, on the rivers Gambia and Senegal; Great Britain, at Sierra Leone and the Cape; Portugal, in Congo and Loango. On the principles of justice, no nation would have a right to interfere with our intentions. Moreover, in this period of the world, when the voice of justice and humanity begins to be listened to with attention, is there not reason to hope that plans, the sole design of which is the benefit of the human race, would be approved in the cabinet of princes, and hailed by the benevolent of all nations? The colony would not suffer for want of instructors, in morals, religion, and the useful arts of life. The time at last is come, when not a few are imbibing the spirit of Him who came from heaven "to seek and save the lost." That spirit is only beginning to go forth, which has already been so successful in teaching the Caffre, the Hotténtot, the Boshemen, the means of present happiness and the way of eternal life.† In the mean time, the great efforts which are making to improve the mental condition of the people of color seems designed in Providence to prepare them for some great and happy change in their situation.

It need not be apprehended that these people would be unwilling to remove to the proposed establishment. To suppose this is to suppose that they do not long after happiness, that they do not feel the common pride and feelings of men. In some of our great cities there are associations formed to open a correspondence with the colony at Sierra Leone, and prepare their minds for a removal to a colony, should it be ever formed.‡ The colony at Sierra Leone, on the western coast of Africa, seems, as if designed by God, to obviate every difficulty, to silence objections, and point out the way in which every obstacle may be removed, if measures sufficiently wise are adopted in establishing a similar colony from this country. The colony alluded to was first established in the year 1791. Its first settlers were a few people of color who were in Great Britain, and from 1,100 to 1,200 of the same description in Nova Scotia. In the year 1811, the population had increased to 2,000, exclusive of many natives, notwithstanding the sickness and mortality incident to a new settlement, and the settlement being once destroyed by the French. In the year 1816, the population had increased to 3,000.§ All this has been accomplished,

* Ninth report of African Institution.

† A plan of a school was laid in New York, October, 1816, for the purpose of training young people of color as teachers for those of their own color in this country, and to have a supply of instructors ready for the proposed colony, should it be ever formed.

‡ Such an association exists in Philadelphia.

§ "Early in the winter of 1816, about thirty people of color left Boston, with a view of settling themselves in the British colony at Sierra Leone, in Africa. The vessel in which they sailed was the property and under the command of the celebrated Paul Cuffee. Captain Cuffee has returned to this country, and brings letters from the emigrants to their friends and benefactors. We have seen one of the letters, dated April 3, 1816. It states that they all arrived safe at Sierra Leone, after a passage of fifty-five days, and were welcomed by all in the colony. The place is represented as 'good.' They have fruits of all kinds, and at all seasons of the year. The governor gave each family a lot of land in the town, and fifty acres of 'good land' in the country, or more, in proportion to their families. Their land in the country is about two miles from town.

or at least it was originated, and for many years maintained, by a company of benevolent and enterprising men—by men, too, who are far removed from those places where free blacks are to be found. What, then, might be done, under the blessings of that Being who wills the happiness of all his creatures, by the American Government, aided by the benevolence of all its citizens, and surrounded with thousands who would be willing to emigrate, and many of whom could carry with them property, the useful arts of life, and, above all, the knowledge of the benign religion of Christ.

Is it probable that the general good would be promoted by the establishment of such a colony? If there is not reason to believe that it would be for the general benefit, the idea ought to be given up, and the scheme rejected. But is there not reason to believe that the interest of the whites and the free people of color would be equally promoted by the latter being colonized in some suitable situation? It can scarcely be doubted that slavery has an injurious effect on the morals and habits of a country where it exists. It insensibly induces a habit of indolence. Idleness seldom fails to be attended with dissipation. Should the time ever come when slavery shall not exist in these States, yet, if the people of color remain among us, the effect of their presence will be unfavorable to our industry and morals. The recollection of their former servitude will keep alive the feeling that they were formed for labor, and that the descendants of their former masters ought to be exempt at least from the more humble and toilsome pursuits of life. The gradual withdrawing of the blacks would insensibly, and from an easy necessity, induce habits of industry, and along with it a love of order and religion. Could they be removed to some situation where they might live alone, society would be saved many a pang which now is felt, and must in course of time be much more sensibly felt, from the intermixture of the different colors, and at the same time be relieved from a heavy burden, in supporting that large portion of this people which falls into poverty, and must be maintained by others. If the benefit of the proposed separation would be considerable to those States where the people of color are comparatively few, how great would it be to those where they are very numerous? The love of liberty, which prevails in those States, must be attended with a desire to see abolished a system so contrary to the best feelings of our natures. But however strong the desires of many, however lively the impressions of the great principles of right, or however pungent the convictions of a dying bed, it is believed to be unsafe to encourage the idea of emancipation. The evil therefore increases every year, and the gloomy picture grows darker continually, so that the question is often and anxiously asked, *What will be the end of all this?* The most natural and easy answer seems to be, Let no time be lost; let a colony or colonies be formed on the coast of Africa, and let laws be passed permitting the emancipation of slaves, on condition that they shall be colonized. By this means the evil of slavery will be diminished, and in a way so gradual as to prepare the whites for the happy and progressive change.

The benefits of the proposed plan to the race of blacks appear to be numerous and great. That they are capable of improvement is not to be

They have plenty of rice and corn, and all other food that is good. There were five churches in the colony, and three or four schools, in one of which there were one hundred and fifty female Africans, who are taught to read the word of God."—*Boston Recorder*.

contradicted, and that their improvement progresses daily, notwithstanding every obstacle, is not to be denied. Their capacity for self-government, whether denied or not, is ever present to our view in the island of St. Domingo. But it is in vain that we believe them capable of improvement, or that we are convinced that they are equal to the task of governing themselves, unless this unhappy people are separated from their former masters. The friends of man will strive in vain to raise them to a proper level while they remain among us. They will be kept down—on the one side by prejudice too deep rooted to be eradicated; on the other by the recollection of former inferiority, and despair of ever assuming an equal standing in society. Remove them, place them by themselves in some climate congenial with their color and constitutions, and in some fruitful soil; their contracted minds will then expand, and their natures rise. The hope of place and power will soon create the feeling that they are men. Give them the hope of becoming possessed of power and influence, and the pleasure of their invigorated minds will be similar to ours in like circumstances. At present they have few incentives to industry and virtue, compared with those which they would feel in a land which they could call their own, and where was no competition, except with their own color.

This great enterprise must be undertaken, either by a unison of virtuous and pious individuals, as in the case of the colony of Sierra Leone, already mentioned in its original state, or by the Government of the United States. Perhaps, on mature deliberation, it might appear a work worthy of the Government, and one that could be accomplished with the greatest ease, and in the most efficient manner, under the patronage of the nation. None but the nation's arm could reach to all the situations in which the free blacks are placed through our extended country, nor any but its councils be wise enough to accommodate the various interests which ought to be consulted in so great an undertaking. If wrong has been done to Africa in forcing away her weeping children, the wrong can be best redressed by that power which did the injury. If Heaven has been offended by putting chains on those whom, by its eternal laws, it has willed to be free, the same hand which provoked the divine displeasure should offer the atoning sacrifice. Under a former Government, this guilt and evil were brought principally upon our land; but for many years the State Governments, under the eye of the General Government, continued this great violation of the laws of nature. Let, then, the representatives of this great and free people not only feel it to be their interest, but their duty and glory, to repair the injuries done to humanity by our ancestors, by restoring to independence those who were forced from their native land, and are now found among us.

It remains yet to answer the question: Should Congress, in their wisdom, adopt the proposed measure, would it best answer the end designed to plant the colony in some distant section of our country, or in the land to which their color and original constitution are adapted? If fixed in the territories of the United States, the expense of procuring soil might be saved, and the difficulty of removing settlers to the appointed place would be diminished, especially if the colony were planted at no very great distance in the interior. But these advantages would be in part counterbalanced by having in our vicinity an independent settlement of people who were once our slaves. There might be cause of dread, lest they should occasionally combine with our Indian neighbors, or with those European

nations who have settlements adjacent to our own, and we should have them for our enemies. However great the distance at which such a settlement would be made in our own country, it would furnish great facility to the slaves in the nearest States to desert their masters' service, and escape to a land where their own race was sovereign and independent. An easy communication would also be open to send information to those who remain in slavery, so as to make them uneasy in their servitude. If removed to Africa, these last difficulties would disappear, or be greatly diminished. There we should have nothing to fear from their becoming our enemies. Removed far from our sight, our contempt of them, produced by their situation, and by long habit confirmed, would gradually die away, and their jealousy and suspicion proportionably decrease. The colony could never become an asylum for fugitive slaves, and but little opportunity could be afforded to communicate with this country in such a manner as to render the slaves uneasy in their masters' service. On the other hand, great and happy results might be produced by their being colonized in Africa. It is the country of their fathers—a climate suited to their color, and one to which their constitution, but partially altered by their abode in this country, would soon adapt itself. Who can tell the blessings which might in this way be conferred on Africa herself, when her strangers should be restored; and she should receive her children redeemed from bondage by the humanity of America, and by the hand of virtue and religion restored from their captivity. With what delight would she view them, improved in arts, in civilization, and in knowledge of the true God; she would forget her sorrows, her wounds would be healed, and she would bless the hands of her benefactors. Do we not owe to that hapless country a debt contracted by our fathers; and how can we so well repay it as by transporting to her shores a multitude of its own descendants, who have learned the arts of life, and are softened by the power of true religion, and who can therefore be instrumental in taming and placing in fixed abodes the wild and wandering people who now roam over that great section of the globe? A nation of Christians ought to believe that all the earth is destined to enjoy happiness under the dominion of *the Prince of Peace*. Africa is not forgotten by Him who "feeds the sparrows." The spirit of her people shall rise. Her sons shall assume their proper dignity, and she shall yet rejoice in her Creator's favor. Heaven executes its purposes by human agents; and perhaps this may be one of those means which are laid up in store to bless the sable millions that now exist, the pity of angels, but the scorn of thoughtless man. Could any thing be deemed so effectual for the happiness of that portion of the world as the plan proposed? In this way there might soon be fixed a seat of liberal learning in Africa, from which the rays of knowledge might dart across those benighted regions. Is it too much to believe it possible that *He* who brings light out of darkness, and good out of evil, has suffered so great an evil to exist as African slavery, that, in a land of civil liberty and religious knowledge, thousands and tens of thousands might at the appointed time be prepared to return, and be the great instrument of spreading peace and happiness? Let not these reflections be thought wholly visionary. We know that the ways of the great Ruler of the world and Director of events are wonderful and great beyond calculation. We know that great and increasing benefits arise to the natives of Africa from the colony at Sierra Leone. From the vicinity of that colony, the son of

an African chief, who has seen and felt its benefits, thus writes in the summer of 1815: "What a happy thing it is to see the peaceable state that this country is now in: quiet, and free from slave vessels; no dragging of families from one another; no innumerable slaves chained together, male and female; and the enemies of humanity, the slave traders, gradually quitting the country!" It has struck me forcibly, that where the gospel makes its appearance, there Satan's kingdom gradually diminishes. May God give grace and perseverance to carry on his work; and make them instruments in his hands of bringing them to perfection. On the 4th of June, 1815, ninety children and one adult were baptized into the faith of Christ in the colony, on which occasion the same young prince thus writes: "I never was better pleased in my lifetime than to see so many of my countrymen brought so far as to be baptized, and particularly when I saw a grown up native come forward to be baptized. We had likewise the happiness of seeing our church so full that some were obliged to stand out of doors. Five or six of the native chiefs were present on the occasion. I had more hopes that day than I ever had of those poor perishing countrymen of mine."* The period in which we live is big with great events, and as happy as they are great. It is pregnant with greater still. We have lived to see the day when man has begun to learn the lesson of freedom and happiness. America is blessed with every blessing, civil and religious. Europe begins slowly, but sensibly, to reform her governments. The gloomy and dread superstitions of Asia begin to totter before the gospel of Christ. Nor shall Africa be forgotten. The bosom begins to warm with hope, and her heart to beat with expectation and desire. Toward this land of liberty she turns her eyes, and to the representatives of this great and free people she stretches forth her hands, panting for the return of her absent sons and daughters. Happy America! if she shall endeavor not only to rival other nations in arts and arms, but to equal and exceed them in the great cause of humanity which has begun its never-ending course.

MEMORIAL OF THE AMERICAN COLONIZATION SOCIETY.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the American Society for Colonizing the Free People of Color of the United States, by their board of managers,

RESPECTFULLY REPRESENTS:

That in the year 1816 a number of respectable individuals formed themselves into a society, at the seat of the National Government, for the purpose of promoting the voluntary colonization of the free people of color of the United States, in Africa or elsewhere; and soon afterwards adopted preparatory measures for the accomplishment of their purpose.

With this view, suitable persons were sent to the southwestern coast of Africa, with instructions to visit the British settlement of Sierra Leone, and other places in the vicinity, to select a proper location for the proposed colony, and to ascertain how far reliance might be placed on the favorable

*Appendix to Christian Observer for 1815.

disposition of the native tribes; and from these commissioners a report was received, of the most encouraging character. After some further inquiries and preparatory efforts, a small colony was sent out in the year 1820, and placed on Sherbro island, as a temporary residence, until possession could be obtained of a neighboring tract of land on the continent, which the natives had promised to sell. The performance of this promise was delayed and evaded, under various pretexts, for a considerable time, during which the health of the colony suffered very materially, from the low, flat, and marshy ground of Sherbro, where they were compelled to continue their residence much longer than had been anticipated.

At length, however, the agents of the Colonization Society were enabled to effect the purchase of an extensive territory at the mouth of Montserado river, including the cape and bay of that river, and there the colony has been established. The soil is fertile, the land elevated nearly one hundred feet above the sea, the climate as healthy as any in Africa, and the anchorage in the bay and roadstead not inferior to any on the whole coast.

The distance from the colony of Sierra Leone is between two and three hundred miles. The natives in the vicinity are divided into a great number of small and nearly independent tribes; and, being but slightly held together by any superior authority, may be considered as wholly incapable of uniting, to any serious extent, for purposes of hostility. In a single instance, an attack was made on the colony, while in its feeblest condition; but the facility with which it was repelled renders the future security of the colony from similar attacks unquestionable, under its probable increase of population and the improved means of defence with which it has already been provided. The conduct of the natives, indeed, is now of the most peaceable and friendly character; and their kindness and confidence has been considerably increased by the return of several individuals of distinction among the neighboring tribes, who had been taken from a Spanish slave ship, and, after receiving in America the most friendly attention, were restored by the American Government to the homes from which they had been torn.

Notwithstanding the difficulties inseparable from the opening and first settlement of distant and uncultivated regions, difficulties increased on the present occasion by the scanty means to be drawn from the only sources of supply open to the society, the colony has annually increased in population, and now contains more than twelve hundred individuals. A government has been established, republican in its principles, (as far as the unformed character of the colony will permit,) regular and efficient in its operation, and thus far providing the necessary securities for life, liberty, and property. One hundred and fifty miles of the coast are under the colonial jurisdiction; and no less than eighty important stations, on this line, are occupied by traders from the colony. From this territory the slave trade is believed to be nearly, if not quite, banished; and the natives begin to engage in agriculture, and carry on a valuable commerce with the inhabitants of Liberia. The trade of the colony has increased with remarkable rapidity, and many of the settlers have each acquired by it, in the course of three or four years, property to the amount of several thousand dollars.

Many plantations have been cleared and put under cultivation, and so fertile is the soil, that an annual product will soon doubtless be realized, adequate to the supply not only of those who have already emigrated, but

of those also who may be induced hereafter to seek for happiness and independence in the land of their fathers, and a home of their own.

Schools have been established, and every child in the colony enjoys their benefits. Fortifications and many public buildings have been erected; a spirit of enterprise prevails; and peace, order, and contentment, are the evidences of general prosperity.

For more full and detailed information concerning the colony, the Society refer to the accompanying extracts from the reports of the board of managers. (See A.)

Such is a general outline of the operations of the society, and such the present condition of the colony. In the progress that has been made, your memorialists have found nothing to discourage them, and from the actual state of things which they have thus been enabled to present to the view of your honorable body, they derive the pleasing anticipation of being able to demonstrate to the world, that they are engaged in an enterprise neither unwise nor impracticable. In the course of a few short years, a small number of individuals, actuated only by the most philanthropic motives, possessing no political power, and destitute of all pecuniary resources, except such as were to be found in the charity, the benevolence, and the patriotism of their fellow-citizens, and the efforts of Congress to abolish the African slave trade, have succeeded in exploring a distant coast, in overcoming, in a great measure, the very natural but very powerful prejudices of the community in which they live, and in transporting to the western shores of a remote continent, and maintaining, in a state of perfect security, a colony of several hundred of the free colored population of their country. But a period has at length arrived, when the society would no longer be justified in relying on its own limited resources for accomplishing what yet remains of its patriotic undertaking.

The colony that has been settled, small as it is, is yet too large to be governed by a distant and unincorporated society. The acknowledged imperfections of human nature, and the uniform history of mankind, evince the dangers necessarily connected with the sudden transition of any people from a state of moral and political degradation to one of unqualified freedom. If, with such evidences before it, the society should leave its infant settlement to the inadequate protection to be derived from its own resources, it would be justly chargeable with all the evils that must necessarily result from the defective powers of control with which it is invested, for tranquillity at home, or security from foreign danger.

In reference, too, to the great objects to be accomplished, it is now time to look to other means than such as can be supplied by individual charity. The extent to which reliance may be placed on this resource has been in a great measure ascertained; and if, at the very commencement of the undertaking, aided as it has been by all the charms of novelty, means have been furnished for removing only a few hundred out of the many thousand that are annually added to the free colored population of the country, it is obvious that a further dependence on this resource would be little less than an abandonment of the enterprise. The evil to be removed is continually increasing; and with every exertion on the part of the Colonization Society, unless access can be had to other resources, each succeeding year must find it more remote from the object of its pursuit. Under these circumstances, the society has felt itself justified in asking the immediate and effectual in-

terposition of the Government of the country. The object it proposes to accomplish is the removal to Africa, with their own consent, of such people of color within the United States as are already free, and of such others as the humanity of individuals and the laws of the different States may hereafter liberate.

Such an object, connected as it is with the justice, the humanity, and the welfare of our country, and calculated to elevate the character and to improve the condition of a degraded portion of the human race, cannot fail to be considered as one of deep and general interest; and the wisdom of the National Legislature may be safely relied on for suggesting and applying the necessary means for its accomplishment. Your memorialists confidently trust that in this explicit avowal of the real and only design of the American Colonization Society will be found its best vindication from the contradictory imputations cast upon it, of attempting, at the same moment, and by the same process, to interfere, on the one hand, with the legal obligations of slavery, and, on the other, to rivet the chains more firmly on its present subjects. The society has at all times recognised the constitutional and legitimate existence of slavery; and, whatever may have been thought of its unhappy influence on the general interests of the country, the Government of the Union has never been looked to as the proper or authorized instrument for effecting its removal.

But to that Government it has been thought that resort might be had for furnishing the means of voluntary emigration to another description of population, exercising a confessedly injurious influence on every portion of our country, but especially so on those parts of it in which slavery still exists.

And if, in relation to the latter, the effects of such a measure should be to afford to individual humanity a wider field for action, and to the State authorities an opportunity and an inducement to encourage rather than to forbid emancipation within their respective limits, your memorialists have hoped that this consideration alone, instead of prejudicing their present application, would operate as one of its most powerful recommendations. And that such would be the case with the nation, they have every reason to believe.

Pecuniary aid is now afforded to the operations of the society by an annuity from the State of Maryland; and the Legislature of Virginia, besides its early, explicit, and repeated requests to the United States to open a channel for the removal of her free people of color, has, on two several occasions, granted similar aid to this society.

The District of Columbia, the territory of which is situated between these Commonwealths, and placed by their consent, and by the Constitution of the United States, under the exclusive legislation of Congress, has no other tribunal to which it can appeal for like assistance in removing from its bosom the same description of persons.

There can be no State of the Union where these persons constitute, as it is believed they do in all, a distinct caste from the rest of the community, that must not perceive the expediency of pursuing the same policy.

The reception which the Colonization Society has met, in almost every instance, from the people, bespeaks a deep and general interest in its success.

And the resolutions which have been adopted by a very large proportion of the Legislatures of the States, in favor of the plan of colo-

nizing the free people of color, indicate it as an object entitled, in every respect, to the aid and patronage of a Government, whose peculiar province it is, in the exercise of its legitimate powers, as the exclusive Legislature of the District of Columbia, to promote the welfare of the people subject to its sole authority, by legislation as unrestricted and discretionary as can be exercised by any State Government over its citizens; and, in its capacity of a General Government, under the limitations of the Constitution, to suppress the African slave trade, by all the means, direct or auxiliary, conducive to that great end of general policy and public morality—a power claimed and practically exercised by the Government, in a spirit manifesting a sense of duty as high and imperative as the power is unquestionable. To that Government the question is now fairly submitted, in the fullest confidence that it will receive the consideration due to its importance, and a decision worthy of the Legislature of a free, a great, and an enlightened nation.

Your memorialists trust that in the connexion between their leading purpose and the utter extinction of the African slave trade there will be found a sufficient apology for calling your earnest attention to the present extent of that traffic, and the hopelessness of success to the very limited efforts now directed towards its abolition.

The United States are bound, not only by the general claims of humanity on every enlightened nation, but by positive treaty stipulations with Great Britain, to neglect no adequate and legitimate means of attaining this object. It is for the wisdom of Congress to determine whether any such means can be provided, and to weigh the obligations, both moral and political, which urge their energetic application.

F. S. KEY.

W. JONES.

JAMES LAURIE.

S. B. BALCH.

O. B. BROWN.

WILLIAM HAWLEY.

THOMAS HENDERSON.

J. N. CAMPBELL.

W. W. SEATON.

S. SMITH.

WILLIAM RYLAND.

R. R. GURLEY.

JOHN UNDERWOOD.

A.

POPULATION OF THE COLONY.

About 1,200, exclusive of near four hundred captured Africans, who have been transferred to the colony by the Government of the United States.

FORM OF GOVERNMENT.

At the time of the departure of the first expedition to Africa, in 1820, a concise constitution of ten articles was adopted by the managers, for the government of the settlement, and all emigrants took an oath to support it. By this constitution the society is authorized, either directly or through its agents, to make all needful rules and regulations for the government of the settlement, and to appoint all officers in the colony. Slavery within its limits is absolutely prohibited. Every settler, when arriving at the age of twenty-one, is bound to take an oath or affirmation to support this constitution; and the common law, as in force and modified in the United States, and applicable to the situation of the new colony, was to be enforced.

Before and during the year 1824, a spirit of insubordination had been evinced in the colony, and in some instances leading individuals had manifested an utter disregard of the authority of the agent.

For this and other reasons, the present secretary of the society was commissioned to visit the colony, and make such arrangements as might be necessary to restore order, and secure the permanent peace and harmony of the settlement. He was joined by the late excellent Mr. Ashmun at the Cape de Verds, (to which islands he had retired for a short season, for the recovery of his strength, which had been greatly impaired,) and, with his most valuable counsel and assistance, the present plan of civil government for the colony of Liberia was adopted, in the presence and with the unanimous consent of the colonists, August 19, 1824, and the officers appointed under it, August 20th, 1824. The great object aimed at in that form of government was to confirm and augment the power of the agency, and yet to admit the existence of officers from among the colonists, and to allow on political questions a full expression of the popular opinion. This plan having, after the experience of several months, proved itself well adapted to promote the welfare and prosperity of the colony, received the sanction of the board of managers on the 18th May, 1825.

The plan of government, as submitted to the board in 1828, exhibited a few deviations from the original form, though it continued in its principles the same. These deviations, Mr. Ashmun remarks, "have grown gradually out of the altered and improving state of the colony, and are neither the offspring of a rash spirit of experiment, nor have they been made without evident necessity. This revised constitution, or form of government, was adopted by the managers of the society, October 22d, 1828.

PLAN OF CIVIL GOVERNMENT FOR THE COLONY OF LIBERIA.

The necessity of a mild, just, and efficient civil government, for the preservation of individual and political rights among any people, and the advancement of true prosperity, induces the board of managers of the

American Colonization Society to adopt, after mature consideration, the following system of government, for the proper regulation of public affairs in the colony of Liberia:

ARTICLE I. The agent of the American Colonization Society, resident in the colony, possesses, within the same, sovereign power, subject only to the constitution, the chartered rights of the citizens, and the decisions of the board.

ARTICLE II. All male colored people, who have subscribed the oath to support the constitution, and drawn and not forfeited lands in the colony, shall be entitled to vote for, and be eligible to, the civil offices of the colony.

ARTICLE III. The civil officers of the colony shall be appointed annually; and the polls for the general annual election of the colony shall be opened on the last Tuesday in August, and continued open not more than three nor less than two successive days, in the different settlements. Elections shall be organized by the sheriff, by the appointment in each settlement of a president, two judges, and two clerks.

ARTICLE IV. The colonial officers eligible by the annual suffrage of the freeholders, in which the agent has the right to interpose his negative, assigning to the voters, in time to renew the choice at the same election, his reasons for such interposition, are, *for the colony*, a vice agent, two counsellors, a high sheriff, a register, and a treasurer; and for each of the settlements consisting of not less than sixty families, two commissioners of agriculture, two commissioners to form a board of health, and two censors.

ARTICLE V. The vice agent shall be admitted to the council of the agent in all important matters, and shall express an opinion on all questions submitted to his consideration. He shall aid the agent in the discharge of his various duties, and in the support and execution of the laws; and, in the event of the agent's absence or sickness, the vice agent shall become the general superintendent of public affairs.

ARTICLE VI. The vice agent, with two counsellors, shall constitute a council, who shall meet, when requested by the agent, to deliberate on the interests of the colony, and the measures to be taken for their security and advancement.

The vice agent shall also advise with the other members of the council, on any subjects connected with the general welfare, as often as he shall think it proper; and report the result to the agent, if proper, or act upon the same in case of his absence.

ARTICLE VII. The duty of the counsellors shall be, to aid the agent or vice agent with their advice and counsel, on subjects relating to the general welfare of the colony, whenever thereto requested by either.

ARTICLE VIII. The high sheriff shall, either by himself or his deputies, aid in the organization of elections; act as marshal for the government of the colony; execute all processes, judgments, and commands, of the court of sessions; and perform, generally, the services required of the same officer by the common laws of England and the United States.

ARTICLE IX. The secretary of the colony shall take charge of, and carefully keep, all the papers, records, and archives, of the colony, generally; shall attend and exactly record the doings of the agent in council; shall publish all the ordinances and legal enactments of the government; publish government notices; issue the agent's orders, civil, military, and judicial,

to the proper functionaries; deliver a fair copy of government papers necessary to be recorded to the register of the colony; and manage its internal correspondence on the part and under the directions of the agent.

ARTICLE X. The register shall record all documents and instruments relating to the security and title of public and individual property, government grants, patents, licenses, contracts, and commissions; and all other papers which are properly a matter of record, and to which the government of the colony shall be a party.

Every volume of records, when completed, shall be delivered by the register to the secretary of the colony, for preservation among the archives of the colony.

ARTICLE XI. The treasurer of the colony shall receive and safely keep all the moneys and public securities required by law or the judgment of the courts to be deposited in the public treasury, and shall deliver up and pay over the same only by a requisition signed by the agent or vice agent of the colony, to whom he shall render a statement of the public finances on the Monday preceding the annual election of the colony.

ARTICLE XII. The commissioners of agriculture shall report, and serve as the organ of the government, on all subjects relating to the agriculture of the colony.

The commissioners composing the board of health shall report, and serve as the organ of the government, on all subjects relating to the health of the colony, shall ascertain the proper objects of medical attention, report nuisances prejudicial to the public health, direct their removal, and make themselves generally active in diminishing the sufferings and dangers of the settlers caused by sickness.

Each of these committees shall record, for the future use of the colony, all important observations and facts relating to the subjects of their charge.

ARTICLE XIII. The two censors shall act as conservators of the public morals and promoters of the public industry, and be obliged to do all the duties and invested with all the legal powers, on whatever relates to the public morals and industry, which are lawfully required of, and possessed by grand jurors, in such parts of the United States as recognise such auxiliaries to their magistracy.

It shall be the special duty of these officers to ascertain in what way every person, in their proper districts, acquires a livelihood; to report or present idlers; detect vicious or suspected practices; and present, for legal investigation and cure, every actual or probable evil, growing out of the immoralities, either of a portion of the community or of individuals.

ARTICLE XIV. The judiciary of the colony shall consist of the agent, and a competent number of the justices of peace created by his appointment. The justices shall have cognizance of all cases affecting the peace, and of criminal cases within the definition of *petit larceny*, and all actions of debt not exceeding twenty dollars. In the court of monthly sessions, whether acting as a court of law or a court of equity, the agent or vice agent shall preside, and the justices be his associates.

The court of monthly sessions shall have original jurisdiction in all actions of debt in which the amount in litigation shall exceed twenty dollars, and in criminal causes above the degree of *petit larceny*; and shall have appellate jurisdiction in all civil causes whatsoever.

The requisite number of constables for the colony shall be appointed by the agent annually.

A clerk and a crier of the court of sessions shall also be appointed by the said court annually.

An auctioneer, who shall conduct all auction sales except those of the sheriff and constables, in pursuance of the judgment of the courts of the colony, shall also be created by annual appointment of the agent.

A storekeeper, librarian, commissary of ordnance, to be appointed by the agent, shall be respected and obeyed in matters belonging to their respective functions, as officers of the colony.

Instructors in all public schools, having the sanction of a public charter, or participating in any degree in the public funds, shall be appointed and employed by the regular school committees of the colony, but with the agent's approbation and concurrence.

All custom, port, infirmary, medical, guard, and police officers, not appointed by the managers of the Colonization Society, and whose services are required and defined by the laws of the colony, together with the public measurers, inspectors, and appraisers, shall be appointed by the agent of the colony.

ARTICLE XV. The militia of the colony shall consist wholly of such uniformed volunteer corps as shall obtain charters under the government of the colony; of which charters the following shall be fundamental articles:

1st. That the corps shall always comply with any requisitions for their services, either wholly or in part, made by the executive government of the colony.

2d. That the corps shall ever preserve, and hold themselves, and their arms and equipments, in a state of readiness for actual service at the shortest notice.

3d. That the officers be commissioned by the agent. And

4th. That they shall muster, parade, and serve in the line of the colony, under general officers, when thereto required by the executive government.

General officers shall be appointed by the agent; and, when especial reasons do not forbid, shall be taken from the officers of the several corps, and promoted according to rank and the seniority of their commissions.

All military offences and delinquencies shall be tried by a general court martial, to be composed, except the officers and guards of the court, of commissioned officers, and to sit quarterly.

A correct copy.

J. ASHMUN.

FIRST ANNUAL REPORT OF THE COLONIZATION SOCIETY.

The society for colonizing the free people of color held its first anniversary on Thursday, the 1st day of January, 1818, in the chamber of the House of Representatives, and it will be worthy of note, if on no other account, from the fame and talents of the individuals whose influence and exertions have been blended to achieve the objects of the society. Nor can any subject more justly ennoble the efforts of genius than the interests of an institution grasping so wide a field of patriotism and humanity. But to those patrons of it, by whose gracious endeavors it was begun and advanced, it must have been eminently gratifying to find, in the report of

the proceedings of the past year, such abundant proofs of its prosperity and improvement. The concurrence of every part of the country to strengthen and establish it leaves no doubt that the warmest wishes of the philanthropist will be satisfied with the success of its issue. The succeeding publications, however, will best illustrate the views and resources of the society.

The meeting was opened by the Hon. Bushrod Washington, with the following perspicuous and elegant address :

“It is with peculiar satisfaction that I meet the founders and patrons of the American Colonization Society, after the experience of a year has ascertained that their wise and benevolent purpose will be seconded by the voice of our common country.

From every quarter of the United States, the aspirations of good men have been breathed to Heaven, for the success of our future labors.

The resolution of Virginia, soliciting the aid of the General Government in effecting a similar object, which had passed the popular branch of her Legislature by a very large majority, before the organization of this society, received shortly after the almost unanimous sanction of her Senate.

Auxiliary societies have been formed in many parts of the country, and in the populous cities of New York, Philadelphia, and Baltimore, for the purpose of co-operating with the parent society established at the seat of the General Government ; and many similar associations await only the measures which the President of the United States may be expected to take, in pursuance of the request of Virginia, to embody themselves, and to combine the resources of the Union for the completion of our comprehensive and benevolent design.

Among a small but opulent society of slaveholders in Virginia a subscription has been raised, by the zealous exertions of a few individuals, of such magnitude as to illustrate the extent of the funds which we may hope hereafter to command, and to induce a confident hope that our labors will be rewarded by the willing contributions of a generous and enlightened people.

Other public-spirited individuals have forborne to make similar efforts until the success of our preparatory measures shall have been clearly ascertained.

The society have engaged two agents to explore the western coast of Africa, and to collect such information as may assist the Government of the United States in selecting a suitable district on that continent for the proposed settlement. The performance of this preliminary duty has been confided to Samuel J. Mills and Ebenezer Burgess, gentlemen possessing all the qualifications requisite for the important trust confided to them, and their report may reasonably be expected before the next annual meeting of the society.

The addition which has recently been made to our stock of knowledge of that continent, to which every eye is directed as the proper theatre of our future labors, is highly encouraging to that enlarged and beneficent plan, which associates the political emancipation and future comfort of an unfortunate class of men with the civilization and happiness of an afflicted, oppressed, and degraded quarter of our globe.

Amidst these encouraging prospects, I cannot forbear a momentary tribute of regret to the memory of a man to whom Africa is indebted for a vindication of her capacity for moral and intellectual improvement, and the

world for an illustrious example of disinterested benevolence. This event is the more to be deplored, as the death of Captain Paul Cuffee occurred after his usefulness had been recently manifested by the restoration of fifty of his countrymen to the land of their forefathers—an act which must afford to every Christian society fresh cause of gratitude to that God who inspired this generous African to execute the counsels of universal benevolence.

An effort has been unfortunately made to prejudice the minds of the free people of color against this institution, which had its origin, it is believed, in an honest desire to promote their happiness. A suggestion has been made to them, which this society disclaims by the terms of its constitution, that they are to be constrained to migrate to the country which may be selected for the seat of our colony. No suspicion can be more unfounded. It is sanctioned by no declarations or acts of this society, from which alone our intentions can be candidly inferred.

As little can be apprehended by the proprietor who will not voluntarily avail himself of the opportunity which this settlement will afford him of emancipating his slaves without injury to his country. The effect of this institution, if its prosperity shall equal our wishes, will be alike propitious to every interest of our domestic society; and should it lead, as we may fairly hope it will, to the slow but gradual abolition of slavery, it will wipe from our political institutions the only blot which stains them; and, in palliation of which, we shall not be at liberty to plead the excuse of moral necessity, until we shall have honestly exerted all the means which we possess for its extinction.

In the magnificent plans now carrying on for the improvement and happiness of mankind in many parts of the world, we cannot but discern the interposition of that Almighty power who alone could inspire and crown with success these great purposes. But, amongst them all, there is perhaps none upon which we may more confidently implore the blessing of Heaven than that in which we are now associated. Whether we consider the grandeur of the object, and the wide sphere of philanthropy which it embraces, or whether we view the present state of its progress under the auspices of this society, and under the obstacles which might have been expected from the cupidity of many, we may discover in each a certain pledge that the same benignant hand which has made these preparatory arrangements will crown our efforts with success. Having, therefore, these motives of piety to consecrate and strengthen the powerful considerations which a wise policy suggests, we may, I trust, confidently rely upon the liberal exertions of the public for the necessary means of effecting this highly interesting object."

The secretary, E. B. Caldwell, Esq., then proceeded to read the annual report of the board of managers, as follows:

"The managers of the American Society for colonizing the free people of color of the United States, in submitting to the society their first report, are encouraged to persevere in their efforts, from an increased confidence as well in its practicability as in its importance. In a plan of such magnitude, involving the happiness of many millions, and the success of which, while it cannot fail to create a general interest, might conflict with established prejudice, circumspection and delicacy become essential to its progress. The first step of the board of managers was to present a memorial to Congress at their last session, which, with the report of the committee

to whom it was referred, is now laid before the society. The nature and novelty of the subject, not less than the mass of business which engaged the deliberations of that body, did not permit them to pursue the report. On the adjournment of Congress, the board adopted suitable measures to promote the views of the society, without waiting the lapse of another session. No efficient and decisive measures could be adopted, until it was ascertained where the most suitable situation could be procured on the west coast of Africa for planting the proposed colony; and, although the managers collected much interesting and useful information, and such as gave them great encouragement to proceed, it could not supply the place of that which must be obtained from their own agents upon the spot. It was therefore resolved, shortly after the rising of Congress, to appoint an agent to visit and explore a part of the west coast of Africa. Upon further deliberation, and considering the importance of the mission, the variety of objects to which the attention of a single agent would be directed, the danger of having the main object defeated by the casualties to which he might be exposed, as well as the importance of concert and co-operation in many difficulties which might occur, it was thought advisable to increase the number to two. The managers accordingly, after having received the most satisfactory testimony of their zeal, ability, and other qualifications, appointed Mr. Samuel J. Mills and Mr. Ebenezer Burgess agents of the society for this purpose. It was supposed that much useful information might be procured in England, and the inquiries of the agents much facilitated by calling there, on their way to Africa. The members of the African Institution in England have been for many years engaged in the laudable work of meliorating the condition of the long-neglected and much-abused Africans, and possess great influence in that country, and particularly in the colony of Sierra Leone. A letter was therefore addressed by the president to that body, in hopes that the high character of benevolence which characterizes the conductors of that institution, and the similarity of the objects of its pursuits, would lead them cordially to cooperate in the great designs of this society, and to give our agents all the aid in their power. This letter, and the instructions and commissions of the agents, are annexed to this report, for the information of this society. The agents sailed from this country the middle of November last.

The raising of funds to meet the expenditure necessary for effecting this object has occupied much of the attention and labors of the board of managers, and a still further increase of our resources will be essential to its completion. Nor do we fear that the American community will suffer an object of so much importance, and of so high a character of benevolence, to fail for the want of necessary pecuniary aid. We are happy to state that auxiliary societies have been formed in Baltimore, Philadelphia, New York, Virginia, and Ohio, and the board have received information of the intention of forming other societies in different parts of the country. The extension of these auxiliaries is of the first importance, as it is by their means the public mind must be enlightened on the great and important objects of the society, and it is through them, in some measure, the necessary funds must be drawn for its support. In the prosecution of a plan, which was likely to attract the public attention to subjects of deep interest and of great delicacy, it was expected that much jealousy would be excited, and many fears and prejudices would be awakened. Persons acting from the most opposite and contradictory views and principles have been ar-

rayed in opposition to the society, from a mistaken apprehension of its tendency, as well as of the motives of its members. But, in the midst of these difficulties, which jealousy and prejudice have raised to impede our course, we are encouraged by the decided approbation of many of the most intelligent of our fellow-citizens in different parts of the country among those the most distinguished for whatever is great or good, and almost all who have taken pains to investigate and examine the subject. The more the public mind becomes informed, the more decided and general will be its approbation; and we already number among our patrons many whose dispositions were at first neutral, if not unfriendly.

The objectors to the society are generally those who acknowledge the importance and utility of establishing the proposed colony, but suppose it impracticable; and they refer principally: 1st. To the difficulty of procuring a proper situation for the colony. 2d. The supposed repugnance of the colonists. 3d. The expense of emigration. The first objection is assuming a difficulty without proof, and will be best answered by the report of the agents who have been sent to explore the country. The managers are enabled at present to state that, from information derived from various sources, they are persuaded that a situation can be procured in Africa, with the approbation and secured from the hostility of the neighboring nations, which will possess such fertility of soil and salubrity of climate as to make it an inviting situation to the people of color in this country.

2d. The objection on the part of the colored people, it is readily seen, springs from first impressions, and is the result entirely of ignorance and misapprehension. As these are removed, and their minds are informed upon the subject, the phantoms which their alarmed imaginations had conjured up gradually disappear; and when they learn that the land of their fathers is not cursed by a perpetual and unvarying sterility, nor inhabited by the most sanguinary and ferocious savages, that instinctive principle which binds it to their affections is soon seen to unfold itself; and, though the managers have learned with surprise and regret that their fears have been awakened in some places, by persons claiming their confidence, as their peculiar and avowed defenders and benefactors, they still believe that the diffusion of juster opinions, founded on undoubted facts, in relation to the state of things in Africa, and the advantages of a settlement there, will make it very generally, if not universally, the place of their decided preference. The managers are the more confirmed in this opinion, from their knowledge of the approbation of many of the most intelligent among the people of color to the plan of the society, notwithstanding the alarms which had been created, and the misapprehensions which had been excited, and that many of those who were at first violent in their opposition have become as decidedly friendly, upon learning the real motives, intentions, and objects of the society.

The managers have ascertained that there are numbers, of the highest standing for intelligence and respectability, among that class of people, who are warmly in favor of the plan, from a conviction that it will, if accomplished, powerfully co-operate in placing the situation of their brethren here and in Africa in that scale of happiness and respectability among the nations of the earth from which they have long been degraded. Offers of service have been received from many worthy and influential individuals of their own color, and from a number of families from different parts of the United States, to become the first settlers in the colony, whenever a

suitable situation shall be procured. The managers can, with confidence, state their belief that they would have no difficulty in procuring individuals among them, worthy of trust and confidence, to explore the country, if necessary, and to plant a colony of sufficient strength to secure its safety and prosperity. This being accomplished, there can be no difficulty in presenting its importance to their brethren in such a manner and with such unquestionable testimony as must command their fullest confidence. Without detailing the variety of information received by the board on this subject, the managers cannot omit the testimony of Captain Paul Cuffee, so well known in Africa, Europe, and America, for his active and enlarged benevolence, and for his zeal and devotedness to the cause of the people of color. The opportunities of Captain Cuffee of forming a correct opinion were superior perhaps to those of any man in America. His judgment was clear and strong, and the warm interest he took in whatever related to the happiness of that class of people is well known. The testimony of such a man is sufficient to outweigh all the unfounded predictions and idle surmises of those opposed to the plan of the society. He had visited twice the coast of Africa, and became well acquainted with the country and its inhabitants. He states that, upon his opinion alone, he could have taken to Africa at least two thousand people of color from Boston and its neighborhood. In the death of Paul Cuffee the society has lost a most useful advocate, the people of color a warm and disinterested friend, and society a valuable member. His character alone ought to be sufficient to rescue the people to which he belonged from the unmerited aspersions which have been cast on them. The plan of the society met with his entire approbation, its success was the subject of his ardent wishes, and the prospect of its usefulness to the native Africans and their descendants in this country was the solace of his declining years, and cheered the last moments of his existence.

3d. The objection urged on the score of expenditure, in transporting so many persons to Africa, has been arrayed in all the imposing forms of figures and calculations. There is a material error in estimating the expense of removing each individual by the same ratio which may be incurred in the removal of the first colonists, without making any allowance for the thousands that will be enabled to defray their own expenses.

The advantages of the progress of the colony must have been equally overlooked, as it may be expected soon to become sufficiently established and flourishing to offer immediate employment to those who come among them, and who will be able to work and provide for their own subsistence. In addition to this, much may be expected from the augmented value of the land in proportion to its settlement.

Our Western countries present the best comment on this subject. An emigration to Africa will be attended with less expense, and the emigrants will be exposed to less inconvenience, and to fewer difficulties, when the colony is established, than many of the emigrants to the Western country now encounter; and yet we find thousands coming, even from the remote parts of Europe, to the interior of America, without the means and advantages which thousands of people of color possess in this country, and that they often rise to respectability and independence, and even to wealth.

The managers cannot pass the occasion without noticing the death of the Reverend Doctor Finley, one of the vice presidents, during the past year. The deep interest which he took in the success of the society, and the zeal he displayed in its formation, are well known to many present.

In his last sickness, he was much gratified upon receiving information of the progress of the society, and of its prospects of success. It gave consolation and comfort to his last moments. When we view the society in this early stage of its proceedings, as animating the hopes and cheering the prospects of the dying Christian who had been engaged in its service, when we view it as consecrated by the prayers of the pious, may we not be led with humble confidence to look to the good hand of an overruling Providence to guide its deliberations? may we not expect that the benedictions of millions yet unborn shall bless its anniversary?"

On motion of Mr. Clay, a letter of Thomas Jefferson, late President of the United States, was read, which he understood was in the hands of some one present, and would show that the importance of such an institution had been long since duly appreciated, and had received the approbation of that illustrious individual.

Copy of a letter from Thomas Jefferson, late President of the United States, to John Lynd.

MONTICELLO, January 21, 1811.

SIR: You have asked my opinion on the proposition of Ann Mifflin, to take measures for procuring, on the coast of Africa, an establishment to which the people of color of these States might, from time to time, be colonized, under the auspices of different Governments. Having long ago made up my mind on this subject, I have no hesitation in saying that I have ever thought that *the most desirable measure which could be adopted* for gradually drawing off this part of our population—most advantageous for themselves as well as for us. Going from a country possessing all the useful arts, they might be the means of transplanting them among the inhabitants of Africa; and would thus carry back to the country of their origin the seeds of civilization, which might render their sojournment here a blessing in the end to that country.

I received, in the last year of my entering into the administration of the General Government, a letter from the Governor of Virginia, consulting me, at the request of the Legislature of the State, on the means of procuring some such asylum, to which these people might be occasionally sent. I proposed to him the establishment of Sierra Leone, in which a private company in England had already colonized a number of negroes, and particularly the fugitives from these States during the revolutionary war; and at the same time suggested, if that could not be obtained, some of the Portuguese possessions in South America as most desirable.

The subsequent Legislature approving these ideas, I wrote the ensuing year (1802) to Mr. King, our minister in London, to endeavor to negotiate with the Sierra Leone company, and induce them to receive such of these people as might be colonized thither. He opened a correspondence with Mr. W—— and Mr. Thornton, secretary of the company, on the subject; and, in 1803, I received, through Mr. King, the result; which was, that the colony was going on in but a languishing condition; that the funds of the company were likely to fail, as they received no return of profit to keep them up; that they were then in treaty with the Government to take the establishment off their hands; but that in no event should they be willing to receive more of these people from the United States, as it was that portion of settlers who had gone from the United States, who,

by their idleness and turbulence, had kept the settlement in constant danger of dissolution, which could not have been prevented, but for the aid of the Marroon negroes from the West Indies, who were more industrious and orderly than the others, and supported the authority of the Government and its laws.

I think I learned afterwards that the British Government had taken the colony into their own hands, and I believe it still exists.

The effort which I made with Portugal, to obtain an establishment from them, within their colonies in South America, proved also abortive.

You inquired, further, "whether I would use my endeavors to procure such an establishment, secure against violence from other Powers, and particularly the French." *Certainly, I shall be willing to do any thing I can to give it effect and safety.*

But I am but a private individual, and could only use endeavors with individuals; whereas *the National Government* can address themselves at once to those of Europe, to obtain the desired security, and will unquestionably be ready to exert its influence with those nations to effect an object so benevolent in itself, and so important to a great portion of its constituents; indeed, *nothing is more to be wished than that the United States would themselves undertake to make such an establishment on the coast of Africa.*

Exclusive of motives of humanity, the commercial advantages to be derived from it might defray *all its expenses*; but for this the national mind is not prepared. It may, perhaps, be doubted whether many of these people would voluntarily consent to such an exchange of situation, and but few of those who are advanced to a certain age in habits of slavery would be capable of governing themselves. This should not, however, discourage the experiment, nor the early trial of it. And propositions should be made, with all the prudent caution and attention requisite to reconcile it to the interest, the safety, and prejudice of all parties.

Accept the assurance of my respects and esteem.

THOMAS JEFFERSON.

Mr. Mercer then rose and said he was happy to have it in his power to inform the society that the sentiments of our present Chief Magistrate were not less friendly to its benevolent object than those of his predecessor, whose letter had been just read. It was (said Mr. Mercer) through a very interesting correspondence between Mr. Monroe, then Governor of Virginia, with Mr. Jefferson, that the General Assembly had first solicited the aid of the Government of the United States to procure an asylum for our free people of color. Nor was the sentiment which prompted this effort in the councils of Virginia confined to a few individuals, distinguished for the extent of their political views or by romantic feelings of benevolence. The resolution, to which the address of the president had just called the attention of the society, passed the popular branch of the Legislature of Virginia with but *nine* dissenting voices out of one hundred and forty-six, and a full quorum of the Senate, with but *one*. It was, in fact, but a repetition of certain resolutions which had been unanimously adopted by the same Legislature, though in secret session, at three antecedent periods in the last seventeen years. It was truly the feeling and voice of Virginia.

Many thousand individuals in our native State, you well know, Mr. President, are restrained (said Mr. Mercer) from manumitting their slaves,

as you and I are, by the melancholy conviction that they cannot yield to the suggestions of humanity without manifest injury to their country.

The rapid increase of the free people of color, by which their number was extended, in the ten years preceding the last census of the United States, from fifteen to thirty thousand, if it has not endangered our peace, has impaired the value of all the private property in a large section of our country. Upon our low lands, (said Mr. Mercer,) it seems as if some malediction had been shed. The habitations of our fathers have sunk into ruins; the fields which they tilled have become a wilderness. Such is the table land between the valleys of our great rivers. Those newly grown and almost impenetrable thickets, which have succeeded a wretched cultivation, shelter and conceal a banditti, consisting of this degraded, idle, and vicious population, who sally forth from their coverts, beneath the obscurity of night, and plunder the rich proprietors of the valleys. They infest the suburbs of the towns and cities, where they become the depositories of stolen goods, and, schooled by necessity, elude the vigilance of our defective police.

It has been suggested, (said Mr. Mercer,) that resources will be wanted to give success to our enterprise. Let its commencement be but propitious, and it will eventually prosper to the extent of our most sanguine wishes. The great obstacle to be surmounted will arise, not from the sordid propensity of the slaveholder, but from the imperfect means within our reach of transporting and early providing for the numerous colonists who will present themselves to our charity, or be tendered to our acceptance by their present masters.

The laws of Virginia now discourage, and very wisely perhaps, the emancipation of slaves. But the very policy on which they are founded will afford every facility to emancipation, when the colonization of the slave will be the consequence of his liberation.

I have, Mr. President, offered these hasty remarks, under the impression that some of the facts which they disclose may have been unknown to the society. It has my most fervent prayers, and shall command my utmost efforts for its success, which requires, to ensure it, nothing but our united, zealous, and persevering exertions.

On motion of Mr. Clay,

Resolved, unanimously, That the thanks of the society be presented to the board of managers, for the able and satisfactory manner in which they have discharged the duties assigned to them by the society, and that they be requested to furnish a copy of the first report of their proceedings for publication.

Mr. Clay rose to submit a motion which he had hoped some other gentleman would have offered. It was a vote of thanks to the board of managers. He would not be restrained from proposing it by the official relation in which he stood to the board, because, although he was ex-officio a member, he had really participated very little in its valuable labors, and therefore could not be justly reproached with proposing thanks to himself.

Whilst he was up, he would detain the society for a few moments. It was proper again and again to repeat, that it was far from the intention of the society to affect, in any manner, the tenure by which a certain species of property is held. He was himself a slaveholder; and he considered that kind of property as inviolable as any other in the country. He would resist as soon, and with as much firmness, encroachments upon it as he

would encroachments upon any other property which he held. Nor was he disposed even to go as far as the gentleman who had just spoken, (Mr. Mercer,) in saying that he would emancipate his slaves, if the means were provided of sending them from the country. It was also proper to repeat, that it was equally remote from the intention of the society that any sort of coercion should be employed in regard to the free people of color who were the objects of its proceedings. Whatever was proposed to be done was to be entirely voluntary on their part.

It has been said that the plan of the society is impracticable and utopian. Why? How have the descendants of Africa been brought to the shores of America? By the most nefarious traffic that ever disgraced the annals of man. It has been, it is true, the work of ages. May we not, by a gradual and persevering exertion, restore to Africa that portion of her race among us that shall be liberated? He would not, he could not, believe that man, in the pursuit of the vilest cupidity, in the prosecution of purposes of the most cruel injustice, which had constantly marked the African slave trade, could accomplish more than might be attained in a cause which was recommended by so many high, honorable, and animating considerations. Such was the cause in which this society is engaged. The Christian, of whom unwearied constancy is the characteristic; the philanthropist; the statesman, who looks only to the safety and happiness of his own country; in short, all good men, will find motives for engaging their co-operation or their wishes in behalf of the society. Its object is not impracticable. Scarcely any thing—nothing, is beyond the power of those who, in the pursuit of a just purpose, approved by good men, and sanctioned by Providence, boldly and resolutely determine to command success.

But the persons the amelioration of whose condition is the object of the society will not, it is said, accept the proffered favor. Mr. Clay believed at first that, from want of information, very few of them would—not perhaps one in a hundred in the interior. He was inclined to believe, however, that a number amply sufficient for the commencement of a colonial establishment would go. These would be drawn principally from the cities, which would act as a sort of depot from the country for the colony. Let five in a hundred only of that portion of our population be induced to migrate, and a number abundantly sufficient to begin with will be obtained. The first difficulties obviated, and all will be obviated. Let the colony be once firmly established and in prosperity, and all the obstacles will disappear. Why should they not go? Look at the earliest history of man; follow him through all his subsequent progress, and you find him continually migrating. What is the motive of this unceasing change of abode? To better his condition. What brought our fathers voluntarily to these shores, then savage and forbidding, not less savage and forbidding, perhaps, than those of Africa itself? To render themselves more happy. This word happiness (Mr. Clay said) comprised many items. It comprehended, what was hardly less important than subsistence, political and social considerations. These the man of color never can enjoy here, but are what he would find in the contemplated colony. And can there be any thing to a reflecting freeman (and some among the class of persons to whom he alluded were doubtless capable of reflection) more humiliating, more dark and cheerless, than to see himself, and to trace in imagination his posterity, through all

succeeding time, degraded and debased, aliens to the society, of which they are members, and cut off from all its higher blessings ?

Further, several of the slaveholding States already had, and perhaps all of them would, prohibit entirely emancipation, without some such outlet was created. A sense of their own safety required the painful prohibition. Experience proved that persons turned loose, who were neither freemen nor slaves, constituted a great moral evil, threatening to contaminate all parts of society. Let the colony once be successfully planted, and legislative bodies, who have been grieved at the necessity of passing those prohibitory laws, which at a distance might appear to stain our codes, will hasten to remove the impediments to the exercise of benevolence and humanity. They will annex the condition, that the emancipated shall leave the country ; and he has placed a false estimate upon liberty who believes that there are many who would refuse the boon, when coupled even with such a condition.

But (Mr. Clay said) he would not longer digress from the object of his motion. He was persuaded he would meet the unanimous concurrence of the society in the proposition that its thanks be tendered to the board of managers, for the able and satisfactory manner in which they had executed their duties.

On motion of Mr. Key,

Resolved, unanimously, That the thanks of the society be presented to the president of the society, for his aid and influence in promoting the objects of the society, and that he be requested to furnish a copy of his address for publication.

On motion of Mr. Bayard,

Resolved, unanimously, That the thanks of this society be presented to the members of those auxiliary societies that have been formed in various parts of the United States, to forward the plan and to contribute to the funds of this institution.

On motion of Mr. Herbert,

Resolved, unanimously, That the future annual meeting of this society be held on the last Saturday of December.

The society then proceeded to the appointment of officers for the present year, when the following persons were elected :

The Hon. Bushrod Washington was unanimously elected president.

Vice Presidents.

Hon. William H. Crawford, of Georgia.
 Hon. Henry Clay, of Kentucky.
 Hon. William Phillips, of Massachusetts.
 Col. Henry Rutgers, of New York.
 Hon. John E. Howard, }
 Hon. Samuel Smith, } of Maryland.
 Hon. John C. Herbert, }
 John Taylor of Caroline, Esq., of Virginia.
 Gen. Andrew Jackson, of Tennessee.
 Robert Ralston, Esq., }
 Richard Rush, Esq., } of Pennsylvania.
 Gen. John Mason, District of Columbia.
 Samuel Bayard, of New Jersey.

Managers.

Francis S. Key.
 Walter Jones.
 John Laird.
 Rev. Dr. James Laurie.
 Rev. Stephen B. Balch.
 Rev. Obadiah B. Brown.

Benjamin G. Orr.
 John Peter.
 Edmund I. Lee.
 William Thornton.
 William H. Fitzhugh.
 Henry Carroll.

Elias B. Caldwell, Esq., Secretary.
 John G. McDonald, Recording Secretary.
 David English, Treasurer.

WASHINGTON, November, 5, 1817.

To Samuel J. Mills and Ebenezer Burgess:

You have been appointed the agents of the "board of managers of the American Society for colonizing the free people of color of the United States," for the purpose of visiting England and Africa on a mission of inquiry.

The object which you will keep in view while engaged in this mission is, to obtain that information which will enable the board to concert their future measures with a prospect of succeeding in their design. Your general conduct will be governed by the following instructions:

1. You will make the necessary preparation for leaving this country, and embrace the first favorable opportunity which shall present, for England.
2. Upon your arrival in London, you will present your instructions and letters to such gentlemen as shall be named by the board, and to others to whom you may have letters of introduction.
3. You will endeavor to procure information from those gentlemen relative to the state of the west coast of Africa, the best means of prosecuting your inquiries when you arrive there, and to obtain letters of introduction from the proper persons to the governor of the Sierra Leone colony, and to any other gentlemen on the coast who may probably aid you in your object.
4. When you have made the necessary preparations, which you are requested to do with the least possible delay, you will embark for the coast of Africa. You will make the Sierra Leone colony, with the approbation of the governor thereof, your principal station, while you remain on the coast.
5. You will make yourselves acquainted with the Sierra Leone colony, particularly of its history, progress, improvement, and prospects, with a view to furnish such information as may be useful in forming a colony on the coast.
6. You will visit the coast above and below the colony of Sierra Leone to as great an extent as shall be deemed expedient, and give a description of that part of the coast visited by you, and endeavor to procure as much information as possible of other parts of the coast and of the interior. And we would particularly direct your attention to the climate, soil, and

healthiness of the country, and its fitness for agricultural improvements; as it is in contemplation to turn the attention of the new colonists mostly to agriculture. As connected with this object, you will procure all the information in your power as to the extent of the rivers on the coast; their sources, and how far navigable; the mountains, and general face of the country; and, finally, every thing that may be considered interesting and useful to the society, to enable it to form an opinion as to the most eligible spot for the colony, and the prospect of success, when established. It would be particularly desirable to ascertain the character of the different nations or tribes on the coast, and more especially of those in the neighborhood of the place you may recommend as a proper situation for the colony.

7. You will direct your attention particularly to the Sherbro country, which country it is expected you will visit. By means of native interpreters, you will endeavor to consult with the native chiefs of the different tribes, and explain to them the design which the board have in view. Should circumstances permit, you will obtain from them a pledge that they will promote the designs of the colony, should one be established; and that, as far as they have the possession of the country, a section of it shall be given up to the Government of the United States, or the society, at a fair price, should Congress or the board hereafter make the request, for the purpose of colonizing the free people of color, as the board propose.

8. After you shall have completed your inquiries, and as far as possible attained the object of your mission, you will return to America direct or by the way of England, as shall be deemed proper. It is desired that you would return direct to this country, unless the inducements to revisit England are strong.

9. You will obtain as particular and accurate an account of the territories, and their limits, claimed by the different European nations, on the west coast of Africa, as possible, together with the character of the different nations on the coast and in the interior, and the boundaries of their territories. On your return, you will present to the board a full account of your expedition, and of the information procured by you, and improve every opportunity which may present to inform the board of your progress.

10. You will keep an account of your expenses, for the inspection of the board.

In addition to these instructions, you will be furnished with copies of the constitution of this society, and of the memorial of the board of managers which was addressed to the Congress of the United States during their session of 1816-'17.

BUSHROD WASHINGTON,

President of the American Colonization Society.

E. B. CALDWELL, *Secretary.*

To Samuel J. Mills and Ebenezer Burgess:

GENTLEMEN: The board of managers of the American Society for colonizing the free people of color of the United States have appointed you their agents, on a mission to explore a part of the west coast of Africa, for the purpose of ascertaining the best situation which can be procured for

colonizing the free people of color of the United States. You will act in conjunction as much as possible; but should you be separated, to forward the objects of the mission, or by a dispensation of Providence, you will act as if you had a separate commission, taking care, in case of acting separately, not to let your engagements interfere with each other. The situation to which you have been called is one of great importance and responsibility, and will require from you the greatest diligence, skill, and prudence, as the success of the benevolent designs of the society may, in a great measure, depend upon your mission. General instructions will be given with this commission, but very much must be left to your own discretion and prudence, on which the board place the greatest reliance. The objects of the society are of that enlarged benevolence, affecting, as they believe, not only the temporal and spiritual interests of thousands of our fellow-creatures in this country, but in Africa likewise; that they calculate upon the cordial aid and co-operation of the philanthropist of every clime and country, whose assistance you may need in the prosecution of your design; and they are the more sanguine in their calculations for this friendly support, from the attention which this class of the human family have received from the most distinguished individuals in Europe, and particularly in Great Britain. But whilst we thus say, "be ye wise as serpents, and harmless as doves," and recommend you to the benevolent and feeling stranger, your principal reliance will be on Him who has made of one blood all the nations of the earth, and in whose hands are the hearts of all the children of men, to turn them as he pleaseth. May he be your protector, and preserve you from "the arrow that flieth by day," and "the pestilence that walketh in darkness," and "the destruction that wasteth at noonday." May that "Saviour who is to receive Egypt as a ransom, and Ethiopia and Seba to himself," who hath promised to "call his sons from far, and his daughters from the end of the earth," "make for you a way in the sea" and in "the wilderness," and "a path in the mighty waters," that all may issue to His honor and glory, and the spread of the Redeemer's kingdom.

BUSHROD WASHINGTON,

President of the American Colonization Society.

E. B. CALDWELL, *Secretary.*

Copy of a letter from General Harper.

BALTIMORE, August 20, 1817.

DEAR SIR: Ever since I received your letter of July 11, requesting the communication of such ideas as had occurred to me concerning the proposed plan of colonizing the free blacks in the United States, with their own consent, and indeed from the time of our short interview at Washington, when you first mentioned the subject to me, I have kept it constantly in view, and revolved it much in my mind. Hitherto, however, I have been prevented from putting my thoughts on paper, or even digesting and reducing them to method, by various interruptions, arising in part from accident, and in part from professional engagements, in the midst of which I am obliged at last to write. This may interfere very much with the order of my ideas, but will not, I trust, occasion any material omission

Nor do I apprehend much inconvenience from the delay, since the preparatory measures for the first step in this great enterprise, the institution of a mission to the southwestern coast of Africa, to explore the ground, and seek out a suitable situation for the establishment of the colony, are not yet, I believe, entirely completed.

Although you confine your request to the communication of my ideas concerning the manner and means of accomplishing this great design, it will not, I trust, be improper or unseasonable to throw out, by way of preface and introduction, some hints on its usefulness and practicability, which have long engaged my attention, and are susceptible I think of very full proof. To many, and especially to you, this I know is quite unnecessary; but great numbers of our countrymen, including many persons of good sense, considerable influence, and the best intentions, may have serious doubts on these two points, which it is of great importance to remove, in order to gain their zealous co-operation. Towards the attainment of so desirable an object I wish to contribute my mite, for which this seems to be a fit occasion.

In reflecting on the utility of a plan for colonizing the free people of color, with whom our country abounds, it is natural that we should be first struck by its tendency to confer a benefit on ourselves, by ridding us of a population for the most part idle and useless, and too often vicious and mischievous. These persons are condemned to a state of hopeless inferiority and degradation by their color, which is an indelible mark of their origin and former condition, and establishes an impassable barrier between them and the whites. This barrier is closed forever by our habits and our feelings, which perhaps it would be more correct to call our prejudices, and which, whether feelings or prejudices, or a mixture of both, make us recoil with horror from the idea of an intimate union with the free blacks, and preclude the possibility of such a state of equality, between them and us, as alone could make us one people. Whatever justice, humanity, and kindness, we may feel towards them, we cannot help considering them, and treating them, as our inferiors; nor can they help viewing themselves in the same light, however hard and unjust they may be inclined to consider such a state of things. We cannot help associating them in our feelings and conduct, nor can they help associating themselves, with the slaves, who have the same color, the same origin, and the same manners, and with whom they or their parents have been recently in the same condition. Be their industry ever so great, and their conduct ever so correct, whatever property they may acquire, or whatever respect we may feel for their characters, we never could consent, and they never could hope, to see the two races placed on a footing of perfect equality with each other; to see the free blacks, or their descendants, visit in our houses, form part of our circle of acquaintance, marry into our families, or participate in public honors and employments. This is strictly true of every part of our country, even those parts where slavery has long ceased to exist, and is held in abhorrence. There is no State in the Union where a negro or mulatto can ever hope to be a member of Congress, a judge, a militia officer, or even a justice of the peace; to sit down at the same table with the respectable whites, or to mix freely in their society. I may safely assert that Paul Cuffee, respectable, intelligent, and wealthy as he is, has no expectation or chance of ever being invited to dine with any gentleman in Boston; of marrying his daughter, whatever may be her fortune or education, to

one of their sons; or of seeing his son obtain a wife among their daughters.

This circumstance, arising from the difference of color and origin between the slaves and the free class, distinguishes the slavery of America from that of every other country, ancient or modern. Slavery existed among almost all the ancient nations; it now exists throughout Asia, Africa, and America, and in every part of the Russian and Turkish dominions in Europe; that is, in more than three-fourths of the world. But the great body of the slaves every where, except in North and South America, are of the same race, origin, color, and general character, with the free people. So it was among the ancients. Manumission therefore, by removing the slave from the condition of slavery, exempted him from its consequences, and opened his way to a full participation in all the benefits of freedom. He was raised to an equality with the free class, became incorporated into it with his family, and might, by good fortune or good conduct, soon wash out the stain, and obliterate the remembrance, of his former degraded condition.

But in the United States this is impossible. You may manumit the slave, but you cannot make him a white man; he still remains a negro or a mulatto. The mark and the recollection of his origin and former state still adhere to him; the feelings produced by that condition in his own mind, and in the minds of the whites, still exist; he is associated, by his color and by these recollections and feelings, with the class of slaves; and a barrier is thus raised between him and the whites, that is, between him and the free class, which he can never hope to transcend. With the hope he gradually loses the desire. The debasement, which was at first compulsory, has now become habitual and voluntary. The incitement to good conduct and exertion, which arises from the hope of raising himself or his family in the world, is a stranger to his breast. He looks forward to no distinction, aims at no excellence, and makes no effort beyond the supply of his daily wants; and the restraints of character being lost to him, he seeks, regardless of the future, to obtain that supply by the means which cost him the least present trouble. The authority of the master being removed, and its place not being supplied by moral restraints or incitements, he lives in idleness, and probably in vice, and obtains a precarious support by begging, or theft. If he should avoid those extremes, and follow some regular course of industry, still the habits of thoughtless improvidence, which he contracted while a slave himself, or has caught from the slaves among whom he is forced to live, who of necessity are his companions and associates, prevent him from making any permanent provision for his support by prudent foresight and economy, and, in case of sickness, or of bodily disability, from any other cause, send him to live as a pauper at the expense of the community.

There are no doubt many honorable, and some very distinguished, exceptions; but I may safely appeal to the observation of every man, at all acquainted with the class of people in question, for the correctness of this picture.

Such a class must evidently be a burden and a nuisance to the community; and every scheme which affords a prospect of removing so great an evil must deserve to be most favorably considered.

But it is not in themselves merely that the free people of color are a nuisance and burden. They contribute greatly to the corruption of the

slaves, and to aggravate the evils of their condition, by rendering them idle, discontented, and disobedient. This also arises from the necessity, under which the free blacks are, of remaining incorporated with the slaves, of associating habitually with them, and forming part of the same class in society. The slave, seeing his free companion live in idleness, or subsist, however scantily or precariously, by occasional and desultory employment, is apt to grow discontented with his own condition, and to regard as tyranny and injustice the authority which compels him to labor. Hence, he is strongly incited to elude this authority, by neglecting his work as much as possible, to withdraw himself from it altogether by flight, and sometimes to attempt direct resistance. This provokes or impels the master to severity, which would not otherwise be thought necessary; and that severity, by rendering the slave still more discontented with his condition, and more hostile towards his master, by adding the sentiments of resentment and revenge to his original dissatisfaction, often renders him more idle and more worthless, and thus induces the real or supposed necessity of still greater harshness on the part of the master. Such is the tendency of that comparison which the slave cannot easily avoid making between his own situation and that of the free people of his own color, who are his companions, and in every thing, except exemption from the authority of a master, his equals, whose condition, though often much worse than his own, naturally appears better to him; and, being continually under his observation, and in close contact with his feelings, is apt to chafe, goad, and irritate him incessantly. This effect, indeed, is not always produced; but such is the tendency of this state of things, and it operates more extensively, and with greater force, than is commonly supposed.

But this effect, injurious as it must be to the character and conduct of the slaves, and consequently to their comfort and happiness, is far from being the worst that is produced by the existence of free blacks among us. A vast majority of the free blacks, as we have seen, are and must be an idle, worthless, and thievish race. It is with this part of them that the slaves will necessarily associate the most frequently and the most intimately. Free blacks of the better class, who gain a comfortable subsistence by regular industry, keep as much as possible aloof from the slaves, to whom in general they regard themselves as in some degree superior. Their association is confined as much as possible to the better and more respectable class of slaves; but the idle and disorderly free blacks naturally seek the society of such slaves as are disposed to be idle and disorderly too, whom they encourage to be more and more so by their example, their conversation, and the shelter and means of concealment which they furnish. They encourage the slaves to theft, because they partake in its fruits; they receive, secrete, and dispose of the stolen goods, a part, and probably much the largest part, of which they often receive as a reward for their services; they furnish places of meeting and hiding places in their houses for the idle and the vicious slaves, whose idleness and vice are thus increased and rendered more contagious. These hiding places and places of meeting are so many traps and snares for the young and thoughtless slaves who have not yet become vicious; so many schools, in which they are taught, by precept and example, idleness, lying, debauchery, drunkenness, and theft. The consequence of all this is very easily seen, and I am sure is severely felt, in all places where free people of color exist in considerable numbers. That so many resist this contagion, that the free blacks them-

selves, as well as the slaves, do not become still more generally profligate, is a strong and consoling proof that the race possesses a fund of good dispositions, and is capable, in a proper situation, and under proper management, of becoming a virtuous and happy people. To place them in such a situation, to give them the benefit of such management, is the object of your noble enterprise; and surely no object is more entitled to approbation.

Great, however, as the benefits are which we may thus promise ourselves from the colonization of the free people of color, by its tendency to prevent the discontent and corruption of our slaves, and to secure to them a better treatment, by rendering them more worthy of it, there is another advantage, infinitely greater in every point of view, to which it may lead the way. It tends, and may powerfully tend, to rid us, gradually and entirely, in the United States, of slaves and slavery: a great moral and political evil, of increasing virulence and extent, from which much mischief is now felt, and very great calamity in future is justly apprehended. It is in this point of view, I confess, that your scheme of colonization most strongly recommends itself, in my opinion, to attention and support. The alarming danger of cherishing in our bosom a distinct nation, which can never become incorporated with us, while it rapidly increases in numbers and improves in intelligence; learning from us the arts of peace and war, the secret of its own strength, and the talent of combining and directing its force—a nation which must ever be hostile to us, from feeling and interest, because it can never incorporate with us, nor participate in the advantages which we enjoy; the danger of such a nation in our bosom need not be pointed out to any reflecting mind. It speaks not only to our understandings, but to our very senses; and however it may be derided by some, or overlooked by others, who have not the ability or the time, or do not give themselves the trouble to reflect on and estimate properly the force and extent of those great moral and physical causes which prepare gradually, and at length bring forth, the most terrible convulsions in civil society, it will not be viewed without deep and awful apprehension by any who shall bring sound minds and some share of political knowledge and sagacity to the serious consideration of the subject. Such persons will give their most serious attention to any proposition which has for its object the eradication of this terrible mischief lurking in our vitals. I shall presently have occasion to advert a little to the manner in which your intended colony will conduce to this great end. It is therefore unnecessary to touch on it here. Indeed, it is too obvious to require much explanation.

But, independently of this view of the case, there is enough in the proposed measure to command our attention and support on the score of benefit to ourselves.

No person who has seen the slaveholding States, and those where slavery does not exist, and has compared ever so slightly their condition and situation, can have failed to be struck with the vast difference in favor of the latter. This difference extends to every thing, except only the character and manners of the most opulent and best educated people. These are very much the same every where. But in population; in the general diffusion of wealth and comfort; in public and private improvements; in the education, manners, and mode of life of the middle and laboring classes; in the face of the country; in roads, bridges, and inns; in schools

and churches; in the general advancement of improvement and prosperity, there is no comparison. The change is seen the instant you cross the line which separates the country where there are slaves from that where there are none. Even in the same State, the parts where slaves most abound are uniformly the worst cultivated, the poorest, and the least populous; while wealth and improvement uniformly increase as the number of slaves in the country diminishes. I might prove and illustrate this position by many examples drawn from a comparison of different States, as Maryland and Pennsylvania, and between different counties in the same State, as Charles county and Frederick, in Maryland; but it is unnecessary, because every body who has seen the different parts of the country has been struck by this difference.

Whence does it arise? I answer, from this: that in one division of country the land is cultivated by freemen, for their own benefit, and in the other almost entirely by slaves, for the benefit of their masters. It is the obvious interest of the first class of laborers to produce as much and consume as little as possible, and of the second class to consume as much and produce as little as possible. What the slave consumes is for himself; what he produces is for his master. All the time that he can withdraw from labor is gained to himself; all that he spends in labor is devoted to his master. All that the free laborer, on the contrary, can produce is for himself; all that he can save is so much added to his own stock. All the time that he loses from labor is his own loss.

This, if it were all, would probably be quite sufficient to account for the whole difference in question. But, unfortunately, it is far from being all. Another, and a still more injurious effect of slavery, remains to be considered.

Where the laboring class is composed wholly, or in a very considerable degree, of slaves, and of slaves distinguished from the free class by color, features, and origin, the ideas of labor and of slavery soon become connected in the minds of the free class. This arises from that association of ideas which forms one of the characteristic features of the human mind, and with which every reflecting person is well acquainted. They who continually from their infancy see black slaves employed in labor, and forming by much the most numerous class of laborers, insensibly associate the ideas of labor and of slavery, and are almost irresistibly led to consider labor as a badge of slavery, and consequently as a degradation. To be idle, on the contrary, is in their view the mark and the privilege of freemen. The effect of this habitual feeling upon that class of free whites which ought to labor, and consequently upon their condition, and the general condition of the country, will be readily perceived by those who reflect on such subjects. It is seen in the vast difference between the laboring class of whites in the Southern and Middle, and those of the Northern and Eastern States. Why are the latter incomparably more industrious, more thriving, more orderly, more comfortably situated, than the former? The effect is obvious to all those who have travelled through the different parts of our country. What is the cause? It is found in the association between the idea of slavery and the idea of labor, and in the feeling produced by this association, that labor, the proper occupation of negro slaves, and especially agricultural labor, is degrading to a free white man.

Thus we see that, where slavery exists, the slave labors as little as possible, because all the time that he can withdraw from labor is saved to his

own enjoyments; and consumes as much as possible, because what he consumes belongs to his master; while the free white man is insensibly but irresistibly led to regard labor, the occupation of slaves, as a degradation, and to avoid it as much as he can. The effect of these combined and powerful causes, steadily and constantly operating in the same direction, may easily be conceived. It is seen in the striking difference which exists between the slaveholding sections of our country and those where slavery is not permitted.

It is therefore obvious that a vast benefit would be conferred on the country, and especially on the slaveholding districts, if all the slave laborers could be gradually and imperceptibly withdrawn from cultivation, and their place supplied by free white laborers—I say gradually and imperceptibly, because, if it were possible to withdraw, suddenly and at once, so great a portion of the effective labor of the community as is now supplied by slaves, it would be productive of the most disastrous consequences. It would create an immense void, which could not be filled; it would impoverish a great part of the community, unhinge the whole frame of society in a large portion of the country, and probably end in the most destructive convulsions. But it is clearly impossible, and therefore we need not enlarge on the evils which it would produce.

But to accomplish this great and beneficial change gradually and imperceptibly, to substitute a free white class of cultivators for the slaves, with the consent of the owners, by a slow but steady and certain operation, I hold to be as practicable as it would be beneficial; and I regard this scheme of colonization as the first step in that great enterprise.

The considerations stated in the first part of this letter have long since produced a thorough conviction in my mind that the existence of a class of free people of color in this country is highly injurious to the whites, the slaves, and the free people of color themselves. Consequently, that all emancipation, to however small an extent, which permits the persons emancipated to remain in this country, is an evil which must increase with the increase of the operation, and would become altogether intolerable, if extended to the whole, or even to a very large part, of the black population. I am therefore strongly opposed to emancipation, in every shape and degree, unless accompanied by colonization.

I may perhaps on some future occasion develop a plan, on which I have long meditated, for colonizing gradually, and with the consent of their owners, and of themselves, where free, the whole colored population, slaves and all; but this is not the proper place for such an explanation, for which indeed I have not time now. But it is an essential part of the plan, and of every such plan, to prepare the way for its adoption and execution, by commencing a colony of blacks, in a suitable situation and under proper management. This is what your society propose to accomplish. Their project therefore, if rightly formed and well conducted, will open the way for this more extensive and beneficial plan of removing, gradually and imperceptibly, but certainly, the whole colored population from the country, and leaving its place to be imperceptibly supplied, as it would necessarily be, by a class of free white cultivators. In every part of the country this operation must necessarily be slow. In the Southern and Southwestern States it will be very long before it can be accomplished, and a very considerable time must probably elapse before it can even commence. It will begin first, and be first completed, in the Middle States,

where the evils of slavery are most sensibly felt, the desire of getting rid of the slaves is already strong, and a greater facility exists of supplying their place by white cultivators. From thence it will gradually extend to the South and Southwest, till, by its steady, constant, and imperceptible operation, the evils of slavery shall be rooted out from every part of the United States, and the slaves themselves, and their posterity, shall be converted into a free, civilized, and great nation, in the country from which their progenitors were dragged, to be wretched themselves and a curse to the whites.

This great end is to be attained in no other way than by a plan of universal colonization, founded on the consent of the slaveholders and of the colonists themselves. For such a plan, that of the present colonization society opens and prepares the way, by exploring the ground, selecting a proper situation, and planting a colony, which may serve as a receptacle, a nursery, and a school, for those that are to follow. It is in this point of view that I consider its benefits as the most extensive and important, though not the most immediate.

The advantages of this undertaking, to which I have hitherto adverted, are confined to ourselves. They consist in ridding us of the free people of color, and preparing the way for getting rid of the slaves and of slavery. In these points of view they are undoubtedly very great. But there are advantages to the free blacks themselves, to the slaves, and to the immense population of middle and southern Africa, which no less recommend this undertaking to our cordial and zealous support.

To the free blacks themselves the benefits are the most obvious, and will be the most immediate. Here they are condemned to a state of hopeless inferiority, and consequent degradation. As they cannot emerge from this state, they lose by degrees the hope and at last the desire of emerging. With this hope and desire they lose the most powerful incitements to industry, frugality, good conduct, and honorable exertion. For want of this incitement, this noble and ennobling emulation, they sink for the most part into a state of sloth, wretchedness, and profligacy. The few honorable exceptions serve merely to show of what the race is capable in a proper situation. Transplanted to a colony composed of themselves alone, they would enjoy real equality: in other words, real freedom. They would become proprietors of land, master mechanics, shipowners, navigators, and merchants, and by degrees schoolmasters, justices of the peace, militia officers, ministers of religion, judges, and legislators. There would be no white population to remind them of and to perpetuate their original inferiority; but, enjoying all the privileges of freedom, they would soon enjoy all its advantages and all its dignity. The whites who might visit them would visit them as equals, for the purposes of a commerce mutually advantageous. They would soon feel the noble emulation to excel, which is the fruitful source of excellence in all the various departments of life; and, under the influence of this generous and powerful sentiment, united with the desire and hope of improving their condition, the most universal and active incitements to exertion among men, they would rise rapidly in the scale of existence, and soon become equal to the people of Europe, or of European origin, so long their masters and oppressors. Of all this the most intelligent among them would soon become sensible. The others would learn it from them; and the prospect and hope of such blessings would have an immediate and most beneficial effect on their con-

dition and character; for it will be easy to adopt such regulations as to exclude from this colony all but those who shall deserve by their conduct to be admitted: thus rendering the hope of admission a powerful incentive to industry, honesty, and religion.

To the slaves, the advantages, though not so obvious or immediate, are yet certain and great.

In the first place, they would be greatly benefited by the removal of the free blacks, who now corrupt them, and render them discontented: thus exposing them to harsher treatment and greater privations. In the next place, this measure would open the way to their more frequent and easier manumission; for many persons, who are now restrained from manumitting their slaves by the conviction that they generally become a nuisance when manumitted in the country, would gladly give them freedom, if they were to be sent to a place where they might enjoy it usefully to themselves and to society. And, lastly, as this species of manumission, attended by removal to a country where they might obtain all the advantages of freedom, would be a great blessing, and would soon be so considered by the slaves, the hope of deserving and obtaining it would be a great solace to their sufferings, and a powerful incitement to good conduct. It would thus tend to make them happier and better before it came, and to fit them better for usefulness and happiness afterwards.

Such a colony, too, would enlarge the range of civilization and commerce, and thus tend to the benefit of all civilized and commercial nations. In this benefit our own nation would most largely participate; because, having founded the colony, and giving it constant supplies of new members, as well as its first and principal supply of necessaries and comforts, its first connexions would be formed with us, and would naturally grow with its growth and our own, till they ripened into fixed habits of intercourse, friendship, and attachment.

The greatest benefit, however, to be hoped from this enterprise, that which, in contemplation, most delights the philanthropic mind, still remains to be unfolded. It is the benefit to Africa herself, from this return of her sons to her bosom, bearing with them arts, knowledge, and civilization, to which she has hitherto been a stranger. Cast your eyes, my dear sir, on this vast continent; pass over the northern and northeastern parts, and the great desert, where sterility, ferocious ignorance, and fanaticism, seem to hold exclusive and perpetual sway; fix your attention on Soudan, and the widely extended regions to the south; you see there innumerable tribes and nations of blacks, mild and humane in their dispositions, sufficiently intelligent, robust, active, and vigorous, not averse from labor or wholly ignorant of agriculture, and possessing some knowledge of the ruder arts, which minister to the first wants of civilized man; you see a soil generally fertile, a climate healthy for the natives, and a mighty river, which rolls its waters through vast regions inhabited by these tribes, and seems destined, by an all wise and beneficent Providence, one day to connect them with each other, and all of them with the rest of the world, in the relations of commerce and friendly intercourse. What a field is here presented for the blessings of civilization and Christianity, which colonies of civilized blacks afford the best and probably the only means of introducing. These colonies, composed of blacks already instructed in the arts of civilized life and the truths of the gospel, judiciously placed, well conducted, and constantly enlarged, will extend gradually into the interior,

will form commercial and political connexions with the native tribes in their vicinity, will extend those connexions to tribes more and more remote, will incorporate many of the natives with the colonies, and in their turn make establishments and settlements among the natives, and thus diffuse all around the arts of civilization, and the benefits of literary, moral, and religious instruction.

That such must be the tendency of colonies of this description, if well placed, well formed, and well conducted, cannot, I think, be reasonably doubted. Such a colony has already been established, with satisfactory success and flattering prospects. But it may be doubted, perhaps, whether the situation has been fortunately chosen with respect to all the objects that ought to be kept in view; and it is still more questionable, whether a sufficient supply of colonists of a proper description, to give it the extent necessary for rendering it in any considerable degree beneficial, can be drawn from the sources on which it must rely. It is in the United States alone that such colonists can be found in any considerable numbers. In the choice of a good situation, too, on which so much depends, we have far more assistance from recent discoveries, and the extention of geographical knowledge in that quarter of the globe, than was possessed by the founders of that colony. We have the benefit of their experience, of their discoveries, and even of their errors, which we may be able to correct or avoid. Useful therefore and meritorious as their establishment certainly is, we may hope to render ours far more extensively beneficial.

An objection, of some plausibility, is frequently urged against this scheme of colonizing the free people of color, which it may be proper in this place to notice. These people, it is said, especially the industrious and estimable part of them, will not go to the new colony. That many of them will decline to go at first, and some always, cannot be doubted. It is even probable, and may be safely admitted, that but few of them now think favorably of the project; for men, especially ignorant men, venture unwillingly upon great changes, the extent, nature, and consequences of which they are little capable of understanding. But it by no means follows that the same unwillingness or hesitation will continue, after the ground shall have been broken, the way opened, and the settlement formed. In the first instance, none will engage but the most industrious, intelligent, and enterprising, who are capable of discerning the advantages of the undertaking, and have resolution and energy enough to encounter its first hardships and risks. This is the case with all colonies, and especially those formed in distant, unknown, or unsettled countries. Some resolute and adventurous spirits first embark, and they open and prepare the way for others. It is stated and believed, on evidence better known to you than to me, that a sufficient number of such persons stand ready at this time to commence the colony, as soon as the necessary previous arrangements can be made. I have no doubt of the fact, not only from information, but from general reasoning on the human character, and my knowledge of many individuals among the free blacks. When this first step is taken, (and in most enterprises the greatest difficulty lies in the first step,) when a settlement of free blacks shall have actually been formed, the way opened, and the first difficulties surmounted, others will soon be disposed to follow. If successful and prosperous, as it certainly will be if properly conducted, its success will quickly become known to the free blacks in every part of the country.

However distrustful of the whites, they will confide in the reports made to them by people of their own color and class. The prosperity of the settlement, and the advantageous condition of the settlers, will soon be universally understood and believed; and, indeed, will be far more apt to be exaggerated than undervalued. The most ignorant and stupid of the free people of color will speedily understand or believe that, in the colony, they may obtain a state of equality, opulence, and distinction, to which they can never aspire in this country: hence the desire to join their friends and equals there may be expected soon to become general among them; nor is it too much to hope and anticipate that this desire will speedily grow into a passion; that the difficulty will be not to find colonists, but to select them; and that the hope of being received into the favored number, for whom it may be practicable to provide annually, will ere long become a most powerful and operative incentive to industry, sobriety, and general good conduct, among the whole class from which the selection will be annually made.

Having detained you thus long, my dear sir, much too long, I am afraid, with these preliminary observations on the benefits which may be expected from this undertaking, I proceed now to the manner of carrying it into execution. I shall not, however, treat this branch of the subject in its whole extent, for which this is not the proper place, but shall confine myself to the objects more immediately in view at this time—the choice of a proper situation for the first settlement, and the circumstances to which the attention of the agent, who is to be sent out for the purpose of exploring the ground, ought chiefly to be directed.

The first of these circumstances is salubrity, with a view to which the vicinity of low and marshy grounds, of swamps, and of rivers which are apt to overflow their banks, ought to be carefully avoided. High situations, open to the sea, or washed by rivers with high and steep banks, should be sought. Mountains in the vicinity, and in the direction from which the winds regularly blow, are much to be desired; and great attention should be paid to the abundance of brooks and springs, and to the quality of their water. On all these accounts, an elevated and uneven surface ought to be preferred, though less fertile than the flat low grounds. Too much attention ought not to be paid, in the first settlements, either to great fertility or the convenience of navigation. The first establishment should no doubt be within a convenient distance from a good port, but need not be close to it; nor ought to be so, unless the immediate vicinity should be much more healthy than such situations usually are. The settlement must be entirely agricultural at first, and will long, perhaps always, continue so, in a very great degree. Commerce there, as in our own country, must and will soon grow out of agriculture; but the first settlements ought to be made with a view to the latter, far more than to the former. Contiguity to a good market for agricultural productions is, indeed, a very important incitement and aid to agricultural industry, and therefore a very important circumstance in the location of an agricultural colony; but it is far from being the most important, and care must be taken to prevent its being too much regarded.

Nor ought any thing in this respect to be sacrificed to great fertility, which is most frequently found in low, flat, and unwholesome situations. A good soil, well adapted to the cultivation of wheat, Indian corn or maize, and cotton, is all in this respect that ought to be desired; and such

soils are found in places possessing every advantage of good water, with a dry and pure atmosphere. Wheat and Indian corn are the best articles of food, and the soils that produce them are fit also for various other grains and vegetables, useful for food and of easy culture, especially the sweet potato and various kinds of pulse, which thrive well in hot climates. As an object of tillage, with a view to exportation, cotton is by far the best, because it thrives well in high and healthy situations, of a light soil, may be cultivated to advantage on small farms, and requires little labor which cannot be performed by women and children.

Attention should also be paid to suitable streams for the erection of grist mills, saw mills, and other water works, which will be almost indispensable to the colony in its infant state, and of great utility at a more advanced period. Fortunately, such streams abound most in the countries best adapted in other respects to agricultural settlements.

The character, condition, and disposition of the natives, will also require very particular attention; it being of the greatest importance to gain and preserve their good will, so as to cultivate and cement a free and friendly intercourse with them, obtain from them assistance and supplies, and gradually communicate to them the knowledge and habits of civilized life. For this essential purpose, we should not only avoid the neighborhood of fierce and warlike tribes, but that of very large and powerful ones, who will be much more unmanageable and dangerous than small ones in many points of view.

It would also be best to select a situation as distant as possible from Sierra Leone. There would no doubt be some advantages at first in a close neighborhood, but they would probably be soon overbalanced by the jealousies and collisions which could hardly fail to take place between two colonies established under different Governments, and with different views and interests in many important points. This is an objection to Sherbro river, probably not insurmountable, but sufficient to turn the scale in favor of a more distant position, possessing in other respects equal or nearly equal advantages.

If, indeed, an arrangement could be made with the British Government for an union and incorporation of the two colonies, or rather for the reception of our colonists into their settlement, it might deserve serious consideration. There would no doubt be many advantages at first in sending them to a settlement already formed, where the first difficulties have been surmounted, and a regular government exists. But this is matter for future deliberation. We ought now to search out a fit place for ourselves; for it is doubtful whether an incorporation would be agreed to by the British Government, and far from being certain that the best place has been chosen for their establishment. When these points shall have been ascertained, and we know what prospect there is of obtaining a suitable situation elsewhere, a negotiation may be opened, if then thought advisable, for uniting the two colonies.

There will always be one strong objection to the incorporation. The British colony will be for a long time retained in the colonial state, subject to a foreign and distant Government, and, when ripe for independence, will probably be compelled to seek it by force of arms. The nature and habitual policy of that Government will almost necessarily lead to this result. Our colony, on the contrary, ought to be republican from the beginning, and formed and fashioned with a view to self-government and inde-

pendence, with the consent of the mother country, at the earliest practicable period. It is thus only that it can be most useful to the colonists, to Africa; to us, and to the general cause of humanity.

It would, however, be premature at present to decide on the question of incorporation; and therefore, with a view to this interesting part of the case, the agent should be instructed to investigate most carefully the progress and present state of the Sierra Leone settlement, and to ascertain, as exactly as possible, all the circumstances of its locality, as relates to health; fertility; objects of culture suitable to its soil and climate; navigation; the nature of the country in its vicinity; the character, situation, and strength of the neighboring tribes; and the facilities of communication with the remote and interior parts of the continent.

One very important circumstance in the selection of a suitable place for our settlements, to which the attention of the agent ought to be particularly directed, still remains to be brought into view. I mean the facility of communication with the Niger, that mighty river, which seems destined to supply the link of connexion between the interior of Africa and the civilized world.

I take the question relative to the lower course and termination of the Niger to be now satisfactorily settled. The discoveries of Park, in his last journey, compared and connected with the information derived from Mr. Maxwell and others, concerning the river Zayr, improperly called the Congo, from the name of a little district at its mouth, to say nothing of Sidi Hamet's narrative, as given to us by Captain Riley, which deserves great attention, authorize us, I think, to conclude that these two rivers are the same; in other words, that the Niger, after having traversed the interior of Africa four thousand miles, falls, under the name of Zayr, into the Atlantic, south of the equator: thus laying open that vast continent to its inmost recesses, and bringing its immense population into contact with the rest of the world. There is some doubt and much contrariety of opinion on this point, and this is not the place for entering at large into the discussion. Fortunately, a decision of the question, which cannot be absolutely decided till the course of the Niger shall be pursued to its termination, is not necessary for our present purpose; for, whether this great body of waters, collected in a course of two thousand miles, be lost, according to the opinion of some, in the sands, marshes, and lakes, supposed to exist in the centre of Africa; or, as others have imagined, be discharged into the Mediterranean through the Nile, a river of a more elevated bed, and hardly a tenth part as large; or, being arrested in its progress eastward toward the Indian ocean, by the elevated country in which the Nile has its sources, is driven through the feeble barrier of the mountains on the south, and thrown off to the Southern Atlantic; it is still the only avenue into the interior of Africa—and a noble avenue it is. At Bammakoo, where Park struck it in his last voyage, he states it to be a mile wide. From thence to Houssa, a distance of between six and seven hundred miles, its course has been satisfactorily ascertained. Throughout this great extent, in which it receives many large streams, and flows through a fertile country, its current, though strong, is smooth and even, uninterrupted by cataracts or shoals. As it advances eastward, it recedes more and more from the coast, and thus becomes more and more difficult of access. Settlements therefore on the Atlantic, formed with a view to commercial intercourse with the vast countries on the Niger, and those more distant to which it leads,

must be placed as near as possible to its upper waters, where they first begin to be navigable for boats.

These waters probably approach much nearer the Atlantic than has hitherto been believed. We have seen that, at Bammakoo, the highest point to which it has yet been traced, it is a mile wide—as large as the Susquehanna at its entrance into the Chesapeake bay. It must therefore be a very considerable stream much higher up; that is, much further to the southwest, and consequently much nearer to the Atlantic. It has its source in the western part of a chain of mountains, which runs from west to east, nearly parallel with that part of the coast of Africa which extends from Sierra Leone to the bight of Benin. These mountains separate it from the rivers which, rising on their southern side, fall into the Atlantic, in the neighborhood of Sierra Leone. Their sources no doubt approach very near to those of the Niger; probably no great distance divides its navigable waters from theirs. Such a river, with a good port at or near its mouth, and a fertile country on its banks, would present the proper situation for a colony, planted with a view to the civilization of Africa, by the commerce of the Niger.

The course of such a commerce would be to ascend the Atlantic river, as far as possible, in boats, with the commodities wanted for the interior consumption, and to establish at that point a place of deposit, from whence the merchandise would be sent over land to the Niger, and down it to the various markets below. The returns would go up the Niger to its highest navigable point, where a town would soon arise; from thence, they would pass by land to the place of deposit on the other side of the mountain, and there be put into boats, for transportation down the river to the shipping port. If the Niger should be ascertained to continue its course to the ocean, an intercourse would gradually be extended down to its mouth, where a great commercial city would arise; and to this mart the return cargoes purchased above would gradually find their way down the stream. Thus an immense circle of commerce would imperceptibly be formed, embracing the whole course of the Niger, and the vast countries which it waters and lays open, and connecting them all with each other, and with the whole commercial world. For a very considerable time this commerce would be confined to the countries far up the river, near to its source, where settlements would first be formed, and civilization would commence. As the communication between these first settlements and those on the Atlantic became more and more safe, easy, and expeditious, by means of intermediate settlements, good roads, and improved inland navigation, colonies and trade would extend further and further down the river. Other settlements would soon be commenced at its mouth. At last, these two branches would meet and unite in a commerce vast as the stream on which it would be borne, and as the continent which it would civilize, enlighten, and adorn.

Ages, indeed, may be required for the full attainment of these objects; untoward events or unforeseen difficulties may retard or defeat them; but the prospect, however remote or uncertain, is still animating, and the hope of success seems sufficient to stimulate us to the utmost exertion. How vast and sublime a career does this undertaking open to a generous ambition, aspiring to deathless fame by great and useful actions! Who can count the millions that in future times shall know and bless the names of those by whom this magnificent scheme of beneficence and philanthropy

has been conceived, and shall be carried into execution ! Throughout the widely extended regions of middle and southern Africa, then filled with populous and polished nations, their memories shall be cherished and their praises sung, when other States, and even the flourishing and vigorous nation to which they belong, now in its flower of youth, shall have run their round of rise, grandeur, and decay, and, like the founders of Palmyra, Tyre, Babylon, Memphis, and Thebes, shall no longer be known, except by vague reports of their former greatness, or by some fragments of those works of art, the monuments of their taste, their power, or their pride, which they may leave behind.

It is in connexion, my dear sir, with this great operation that I consider your proposed colony of free blacks as most interesting and important. It ought to be the first step in this splendid career, and ought to be located with that view. In choosing a situation for it, therefore, the greatest regard ought to be had to its future connexion with the Niger. To this end, the agent ought to be instructed to make the most careful inquiries concerning the sources of that river, and its highest or most southwestern point ; he should also make every effort to obtain the most full and accurate information concerning the rivers that rise in the mountains opposite to its sources, and take their course southwestwardly to the ocean ; their size, the nature of the country through which they flow, the height to which they are navigable for ships and for boats, and the harbors at or near their mouths, should all be ascertained with the utmost care and accuracy. That river which combines in the greatest degree the advantages of salubrity, soil, navigation, and good neighborhood, and at the same time brings us nearest to the navigable waters of the Niger, by a good pass over the intervening mountains, is, I apprehend, the proper place, in itself, for the establishment of our colony.

I say in itself : because a place combining all those advantages may still be very unfit for our purpose, if it lie within the claims of any European Power, or too near any of their settlements. It should therefore be a particular object of the agent's attention to ascertain the situation and extent of those claims, and the distance between any European settlements and such place as may appear suited to our views. Inquiries concerning the territorial claims of European Powers can best be made in London ; but it is in Africa alone that such information, when obtained, can be applied to the object of the intended mission.

There is a river, called in some maps the Mesurada, which, as there laid down, extends its branches further northeast than any other, and enters the ocean about one hundred or one hundred and fifty miles southeast of the Sherbro. It deserves, I think, the particular attention of the agent, who should be instructed to make inquiries about it, with a view to all the circumstances which may render it proper for a settlement, and to visit it, should the result of this investigation offer encouragement.

The river Nunez, or Noones, also merits particular regard. It empties itself into the Atlantic in latitude $10^{\circ} 1'$ north, about one hundred and fifty miles northwest from Sierra Leone. It has a very good harbor at its mouth, and carries from six to eight fathoms of water about twenty miles up, to a bar, over which there is however three fathoms, or eighteen feet. After passing the bar, the water continues from five to eight fathoms deep, to a point about fifty miles up from the mouth. From thence to the falls, about fifty miles higher up, it is said to admit vessels of one hundred and

twenty tons. The country around and above the falls is represented as elevated, fertile, and healthy; abounding in game; well supplied with excellent timber, and watered by numerous streams large enough for mills; Indian corn, and all sorts of pulse and garden vegetables, are said to grow luxuriantly; cattle abound so much that an ox is sold for a dollar. The country below yields rice, Indian corn, and all the usual tropical productions. The natives are represented as peaceable and friendly, and the principal chief, who resides about ninety miles up the river, a little below the falls, and whose authority extends down to the mouth, and far into the interior, is said to be a man of sense and abilities, of a mild and humane character, and favorably disposed towards the whites, and especially the Americans. He speaks English perfectly well. This place would seem therefore to deserve the particular attention of the agent and the society. In addition to its other advantages, its upper waters approach near to those of the river Grande—a very important and interesting feature of African geography, as respects commercial intercourse with the interior, and the extension of civilization by means of colonies of civilized blacks.

These, my dear sir, are the hints that I thought I might venture to suggest to you on this most interesting subject. I make no apology for the length of my letter. It might no doubt be curtailed with advantage; but it might also, and with more ease, if not to a better purpose, be very much enlarged: for I have touched briefly on less important topics, and altogether omitted some which belong properly to the subject, but did not seem to require immediate attention. Such as it is, I submit it to your consideration, with the hope that it may be of some use in the preparatory arrangements which you are engaged in making.

With the best wishes, I am, dear sir, your most obedient servant,

ROBERT G. HARPER.

ELIAS B. CALDWELL, Esq.,

Secretary of the Colonization Society of the U. S.

IN THE HOUSE OF REPRESENTATIVES, JANUARY 14, 1817.

Memorial of the President and Board of Managers of the American Society for colonizing the Free People of Color of the United States.

To the Senate and House of Representatives of the United States of America in Congress assembled:

The memorial of the President and Board of Managers of the "American Society for colonizing the Free People of Color of the United States,"

RESPECTFULLY SHOWS:

That your memorialists are delegated by a numerous and highly respectable association of their fellow-citizens, recently organized at the seat of Government, to solicit Congress to aid, with the power, the patronage, and the resources of the country, the great and beneficial object of their institution—an object deemed worthy of the earnest attention, and of the strenuous and persevering exertions, as well of every patriot, in

whatever condition of life, as of every enlightened, philanthropic, and practical statesman.

It is now reduced to be a maxim, equally approved in philosophy and practice, that the existence of distinct and separate castes, or classes, forming exceptions to the general system of policy adapted to the community, is an inherent vice in the composition of society, pregnant with baneful consequences, both moral and political, and demanding the utmost exertion of human energy and foresight to remedy or remove it. If this maxim be true in the general, it applies with peculiar force to the relative condition of the free people of color in the United States; between whom and the rest of the community a combination of causes, political, physical, and moral, has created distinctions, unavoidable in their origin and most unfortunate in their consequences. The actual and prospective condition of that class of people; their anomalous and indefinite relations to the political institutions and social ties of the community; their deprivation of most of those independent, political, and social rights, so indispensable to the progressive melioration of our nature; rendered, by systematic exclusion from all the higher rewards of excellence, dead to all the elevating hopes that might prompt a generous ambition to excel—all these considerations demonstrate that it equally imports the public good, as the individual and social happiness of the persons more immediately concerned; that it is equally a debt of patriotism and of humanity to provide some adequate and effectual remedy. The evil has become so apparent, and the necessity for a remedy so palpable, that some of the most considerable of the slaveholding States have been induced to impose restraints upon the practice of emancipation, by annexing conditions, which have no effect but to transfer the evil from one State to another; or, by inducing other States to adopt countervailing regulations, end in the total abrogation of a right, which benevolent or conscientious proprietors had long enjoyed under all the sanctions of positive law and of ancient usage. Your memorialists beg leave, with all deference, to suggest that the fairest and most inviting opportunities are now presented to the General Government for repairing a great evil in our social and political institutions, and at the same time for elevating, from a low and hopeless condition, a numerous and rapidly increasing race of men, who want nothing but a proper theatre to enter upon the pursuit of happiness and independence, in the ordinary paths which a benign Providence has left open to the human race. Those great ends, it is conceived, may be accomplished by making adequate provision for planting in some salubrious and fertile region a colony, to be composed of such of the above description of persons as may choose to emigrate; and for extending to it the authority and protection of the United States, until it shall have attained sufficient strength and consistency to be left in a state of independence.

Independently of the motives derived from political foresight and civil prudence on the one hand, and from moral justice and philanthropy on the other, there are additional considerations and more expanded views to engage the sympathies and excite the ardor of a liberal and enlightened people. It may be reserved for our Government, (the first to denounce an inhuman and abominable traffic, in the guilt and disgrace of which most of the civilized nations of the world were partakers,) to become the honorable instrument, under divine Providence, of conferring a still

higher blessing upon the large and interesting portion of mankind benefited by that deed of justice, by demonstrating that a race of men, composing numerous tribes, spread over a continent of vast and unexplored extent, fertility, and riches, unknown to the enlightened nations of antiquity, and who had yet made no progress in the refinements of civilization; for whom history has preserved no monuments of arts or arms; that even this hitherto ill-fated race may cherish the hope of beholding at last the orient star revealing the best and highest aims and attributes of man. Out of such materials, to rear the glorious edifice of well-ordered and polished society, upon the deep and sure foundations of equal laws and diffusive education, would give a sufficient title to be enrolled among the illustrious benefactors of mankind; whilst it afforded a precious and consolatory evidence of the all-prevailing power of liberty, enlightened by knowledge and corrected by religion. If the experiment, in its more remote consequences, should ultimately tend to the diffusion of similar blessings through those vast regions and unnumbered tribes, yet obscured in primeval darkness; reclaim the rude wanderer from a life of wretchedness to civilization and humanity; and convert the blind idolater, from gross and abject superstitions, to the holy charities, the sublime morality, and humanizing discipline of the gospel, the nation or the individual that shall have taken the most conspicuous lead in achieving the benignant enterprize will have raised a monument of that true and imperishable glory, founded in the moral approbation and gratitude of the human race, unapproachable to all but the elected instruments of divine beneficence—a glory with which the most splendid achievements of human force or power must sink in the competition, and appear insignificant and vulgar in the comparison. And, above all, should it be considered that the nation or the individual, whose energies have been faithfully given to this august work, will have secured, by this exalted beneficence, the favor of that Being, “whose compassion is over all his works,” and whose unspeakable rewards will never fail to bless the humblest effort to do good to his creatures.

Your memorialists do not presume to determine that the views of Congress will be necessarily directed to the country to which they have just alluded. They hope to be excused for intimating some of the reasons which would bring that portion of the world before us, when engaged in discovering a place the most proper to be selected; leaving it with perfect confidence to the better information and better judgment of your honorable body to make the choice.

Your memorialists, without presuming to mark out in detail the measures which it may be proper to adopt in furtherance of the object in view, but implicitly relying upon the wisdom of Congress to devise the most effectual measures, will only pray that the subject may be recommended to their serious consideration, and that, as an humble auxiliary in this great work, the association represented by your memorialists may be permitted to aspire to the hope of contributing its labors and resources.

BUSHROD WASHINGTON, *President.*

The memorial, after being read in the House of Representatives, and ordered to be printed, was referred to the Committee on the Slave Trade—Messrs. Pickering, Comstock, Condict, Tucker, Taggart, Cilley, and Hooks. Their report and resolutions follow.

FOURTEENTH CONGRESS, SECOND SESSION.

FEBRUARY 11, 1817.

Report of the committee consisting of Mr. Pickering, Mr. Comstock, Mr. Condict, Mr. Tucker, Mr. Taggart, Mr. Cilley, and Mr. Hooks, on colonizing the free people of color of the United States.

The committee to whom was referred the memorial of the president and board of managers of the "American Society for Colonizing the Free People of Color of the United States," have had the same under their deliberate consideration. The subject is of such magnitude, and attended with so many difficulties, it is with much diffidence they present their views of it to the House.

Were it simply a question of founding a colony, numerous and well-known precedents show with what facility the work might be accomplished. Every new Territory established by our own Government constitutes, indeed, a colony, formed with great ease, because it is only an extension of homogeneous settlements. But, in contemplating the colonization of the free people of color, it seemed obviously necessary to take a different course. Their distinct character and relative condition render an entire separation from our own States and Territories indispensable. And this separation must be such as to admit of an indefinite continuance. Hence, it seems manifest that these people cannot be colonized within the limits of the United States. If they were not far distant, the rapidly extending settlements of our white inhabitants would soon reach them; and the evil now felt would be renewed, probably with aggravated mischief. Were the colony to be remote, it must be planted on lands now owned and occupied by the native tribes of the country. And could a territory be purchased, the transporting of the colonies thither would be vastly expensive, their subsistence for a time difficult, and a body of troops would be required for their protection. And, after all, should these difficulties be overcome, the original evil would at length recur, by the extension of our white population. In the mean time, should the colony so increase as to become a nation, it is not difficult to foresee the quarrels and destructive wars which would ensue, especially if the slavery of people of color should continue, and accompany the whites in their migrations.

Turning our eyes from our own country, no other adapted to the colony in contemplation presented itself to our view, nearer than Africa, the native land of negroes; and probably that is the only country on the globe to which it would be practicable to transfer our free people of color, with safety and advantage to themselves and the civilized world. It is the country which, in the order of Providence, seems to have been appropriated to that distinct family of mankind. And while it presents the fittest asylum for the free people of color, it opens a wide field for the improvements in civilization, morals, and religion, which the humane and enlightened memorialists have conceived it possible, in process of time, to spread over that great continent.

Should the measure suggested be approved, an important question occurs—In what way shall its execution be essayed?

A preliminary step would be, to provide for the perfect neutrality of

the colony, by the explicit assent and engagement of all the civilized Powers, whatever dissensions may at any time arise among themselves.

The next important question is, Will it be expedient to attempt the establishment of a new colony in Africa, or to make to Great Britain a proposal to receive the emigrants from the United States into her colony of Sierra Leone?

At Sierra Leone, the first difficulties have been surmounted; and a few free people of color from the United States have been admitted. A gradual addition from the same source (and such would be the natural progress) would occasion no embarrassment, either in regard to their sustenance or government. Would the British Government consent to receive such an accession of emigrants, however eventually considerable, from the United States? Would that Government agree that, at the period when that colony shall be capable of self-government and self-protection, it shall be declared independent? In the mean time, will it desire to monopolize the commerce of the colony? This would be injurious to the colonists, as well as to the United States. Should that country, from the nature of its soil and other circumstances, hold out sufficient allurements, and draw to it, from the United States, the great body of the free people of color, these would form its strength, and its ability to render its commerce an object of consideration. Now, as the great and permanent benefit of the *colonists* was the fundamental principle of the establishment, will the British Government decline a proposition calculated to give to that benefit the important extension which will arise from a freedom of commerce? to those, at least, at whose expense, and by whose means, the colony shall be essentially extended? Should an agreement with Great Britain be effected, no further negotiation, nor any extraordinary expenditure of money, will be required. The work already commenced will be continued—simply that of carrying to Sierra Leone all who are willing to embark.

It would seem highly desirable to confine the migrations to a single colony. Two distinct and independent colonies, established and protected by two independent Powers, would naturally imbibe the spirit and distinctions of their patrons and protectors, and put in jeopardy the peace and prosperity of both. Even the simple fact of separate independence would eventually tend to produce collisions and wars between the two establishments, (unless, indeed, they were far removed from each other,) and perhaps defeat the further humane and exalted views of those who projected them. The spirit which animated the founders of the colony of Sierra Leone would be exerted to effect a union of design, and the cordial co-operation of the British Government with our own, and, it might be hoped, not without success. It would be in accordance with the spirit of a stipulation in the last treaty of peace, by which the two Governments stand pledged to each other to use their best endeavors to effect the entire abolition of the traffic in slaves, while the proposed institution would tend to diminish the quantity of slavery actually existing.

If, however, such enlarged and liberal views should be wanting, then the design of forming a separate colony might be announced by the American ministers to the maritime Powers, and their guaranty of the neutrality of the colony obtained.

Your committee do not think it proper to pursue the subject any further at this time; but that the Government should wait the result of the suggested negotiations, on which ulterior measures must depend.

In conclusion, your committee beg leave to report a joint resolution, embracing the views hereinbefore exhibited.

JOINT RESOLUTION for abolishing the traffic in slaves, and the colonization of the free people of color of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to consult and negotiate with all the Governments where ministers of the United States are or shall be accredited, on the means of effecting an entire and immediate abolition of the traffic in slaves. And, also, to enter into a convention with the Government of Great Britain for receiving into the colony of Sierra Leone such of the free people of color of the United States as, with their own consent, shall be carried thither; stipulating such terms as shall be most beneficial to the colonists, while it promotes the peaceful interests of Great Britain and the United States. And should this proposition not be accepted, then to obtain from Great Britain and the other maritime Powers a stipulation, or a formal declaration to the same effect, guarantying a permanent neutrality for any colony of free people of color which, at the expense and under the auspices of the United States, shall be established on the African coast.

Resolved, That adequate provision shall hereafter be made to defray any necessary expenses which may be incurred in carrying the preceding resolution into effect.

NOTE —No proceeding took place in the House on these resolutions at this session.

A view of exertions lately made for the purpose of colonizing the free people of color in the United States, in Africa or elsewhere.

The present age witnesses numerous and unexpected changes, and it is peculiarly grateful to the benevolent man to notice among these changes many which are ominous of good. As a traveller, wearied with the roughness and barrenness of the region he has passed, enjoys the scenery of a cultivated and luxuriant country, so the philanthropist, distressed with the confusion and misery which pervade many portions of the world, may still fix his attention on those favorable occurrences in Divine Providence, and contemplate with peculiar pleasure the rising glory of the kingdom of Christ, and the prevalence of that religion which proclaims "peace on earth and good will to men."

The success which attends charitable and benevolent societies has, in many instances, surpassed the expectations even of their friends and patrons; and whether the public are encouraged and gratified with the success of past exertions, or whether they are alarmed and excited by the miseries which thousands feel, and in which other thousands sympathize, it is but just to acknowledge that there exists an unusual sensibility and desire to aid the cause of humanity and religion. The tone of public feeling is elevated. If any sufficient object can be assigned for benevolent

exertion, and can be enforced by any sufficient reasons, it will scarcely fail to receive all deserved approbation and support.

Influenced by these considerations, the following view of exertions lately made for the colonizing free people of color is presented to the public:

It is already known that the attention of many intelligent men in the United States has been recently turned with peculiar force and a corresponding zeal and spirit of perseverance to this subject. Some very important preparatory steps to such a measure have been taken. Soon after the commencement of the present session of Congress, the expediency of colonizing free people of color became a subject of consideration with many gentlemen of respectability from the different States. The propriety of such a measure, could it be carried into effect, was generally admitted. It was thought that a design of such importance, so intimately connected with the best interests of the citizens of the United States, and promising at the same time to improve and meliorate the state of that class of the community for whom provision was to be made, should not be abandoned without a vigorous and a thorough effort to carry it into execution.

The formation of a Colonization Society was therefore proposed. Many were led the more readily to approve of an institution of this kind, from a knowledge that this subject occupies the attention of many worthy citizens in different States; but particularly from the consideration which had been bestowed upon it by the Legislature of a highly respectable sister State, (Virginia.) As the following preamble and resolution were approved by the House of Delegates of that State, previous to the first meeting for the formation of the American Colonization Society, it will be proper to introduce them in this place, as they were afterwards amended by the Senate and adopted:

“Whereas the General Assembly of Virginia have repeatedly sought to obtain an asylum, beyond the limits of the United States, for such persons of color as had been, or might be, emancipated under the laws of this Commonwealth, but have hitherto found all their efforts frustrated, either by the disturbed state of other nations, or domestic causes equally unpropitious to its success:

“They now avail themselves of a period when peace has healed the wounds of humanity, and the principal nations of Europe have concurred with the Government of the United States in abolishing the African slave trade, (a traffic which this Commonwealth, both before and since the Revolution, zealously sought to terminate,) to renew this effort, and do therefore resolve, that the Executive be requested to correspond with the President of the United States, for the purpose of obtaining a territory on the coast of Africa, or some other place, not within any of the States or Territorial Governments of the United States, to serve as an asylum for such persons of color as are now free, and may desire the same, and for those who may be hereafter emancipated within this Commonwealth; and that the Senators and Representatives of this State in the Congress of the United States be requested to exert their best efforts to aid the President of the United States in the attainment of the above object; *Provided*, That no contract or arrangement respecting such territory shall be obligatory on this Commonwealth until ratified by the Legislature.”

Believing that the Legislature of Virginia had entered upon this subject with a spirit and a determination to prosecute the measure proposed, and desirous of producing a more general and simultaneous feeling and move-

ment in aid of this object, by calling the attention of the General Government to the subject, a meeting for the purpose of forming a Colonization Society was appointed to be held in this city on the 21st of December, 1816. At the time proposed, a very respectable number of gentlemen attended.

The following extracts relative to the proceedings of the meeting are from the National Intelligencer of December 24.

Mr. Henry Clay, of Kentucky, having been called to the chair, and Mr. Thomas Dougherty, of this District, having been appointed Secretary :

Mr. Clay, on taking the chair, said that he had hoped to have seen called to the place for which he had the honor of being selected a gentleman (Judge Washington) who, from his name, his exalted station, and his distinguished virtues, would have communicated an additional importance to the present meeting.

But as that gentleman was not present, Mr. C. regretted to learn, from causes beyond his control, he would, with great pleasure, endeavor to discharge the duties of the Chair. He understood the object of the present meeting to be, to consider of the propriety and practicability of colonizing the free people of color in the United States, and of forming an association in relation to that object. That class of the mixed population of our country was peculiarly situated. They neither enjoyed the immunities of freemen, nor were they subject to the incapacities of slaves, but partook, in some degree, of the qualities of both. From their condition, and the unconquerable prejudices resulting from their color, they never could amalgamate with the free whites of this country. It was desirable, therefore, both as it respected them and the residue of the population of the country, to drain them off. Various schemes of colonization had been thought of, and a part of our own continent, it was thought by some, might furnish a suitable establishment for them. But, for his part, Mr. Clay said he had a decided preference for some part of the coast of Africa. There ample provision might be made for the colony itself, and it might be rendered instrumental to the introduction into that extensive quarter of the globe of the arts, civilization, and Christianity. There was a peculiar, a moral fitness in restoring them to the land of their fathers; and if, instead of the evils and sufferings which we had been the innocent cause of inflicting upon the inhabitants of Africa, we can transmit to her the blessings of our arts, our civilization, and our religion, may we not hope that America will extinguish a great portion of that moral debt which she has contracted to that unfortunate continent? We should derive much encouragement in the prosecution of the object which had assembled us together by the success which had attended the colony of Sierra Leone. That establishment had commenced about twenty or twenty-five years ago, under the patronage of private individuals in Great Britain. The basis of the population of the colony consisted of the fugitive slaves of the Southern States, during the Revolutionary war, who had been first carried to Nova Scotia, and who, afterwards, about the year 1792, upon their own application, almost in mass, had been transferred to the Western coast of Africa. This colony, after struggling with the most unheard of difficulties—difficulties resulting from the ignorance, barbarity, and prejudices of the natives; from the climate; (which were, however, found to be not at all insur-

mountable ; from wars, African as well as European, and such as are incidental to all new settlements—had made a gradual and steady progress, until it has acquired a strength and stability which promises to crown the efforts of its founders with complete success. We have their experience before us ; and can there be a nobler cause than that which, while it proposes to rid our own country of a useless and pernicious, if not a dangerous portion of its population, contemplates the spreading of the arts of civilized life, and the possible redemption from ignorance and barbarism of a benighted quarter of the globe !

It was proper and necessary distinctly to state, that he understood it constituted no part of the object of this meeting to touch or agitate, in the slightest degree, a delicate question connected with another portion of the colored population of our country. It was not proposed to deliberate on, or consider at all, any question of emancipation, or that was connected with the abolition of slavery. It was upon that condition alone, he was sure, that many gentlemen from the South and the West, whom he saw present, had attended, or could be expected to co-operate. It was upon that condition only that he had himself attended. He would only further add, that he hoped, in their deliberations, they would be guided by that moderation, politeness, and deference for the opinion of each other, which were essential to any useful result. But when he looked around and saw the respectable assemblage, and recollected the humane and benevolent purpose which had produced it, he felt it unnecessary to insist further on this topic.

Mr. Elias B. Caldwell, of this District, then rose. He said he felt peculiar embarrassment in obtruding himself upon the notice of so large and respectable a meeting, in which he found some of the most distinguished characters in our country. I ask, said he, your indulgence, in offering to the consideration of the meeting the resolutions which I hold in my hand, and to a few explanatory observations. The objects of the meeting had been feelingly and correctly stated by the honorable chairman. The subject seems to be divided into—

1st, the expediency ; and, 2dly, the practicability of the proposed plan. The expediency of colonizing the free people of color in the United States may be considered in reference to its influence on our civil institutions, on the morals and habits of the people, and on the future happiness of the free people of color. It has been a subject of unceasing regret and anxious solicitude, among many of our best patriots and wisest statesmen, from the first establishment of our independence, that this class of people should remain a monument of reproach to those sacred principles of civil liberty which constitute the foundation of all our constitutions. We say in the Declaration of Independence "that all men are created equal," and have certain "inalienable rights." Yet it is considered impossible, consistently with the safety of the state, and it certainly is impossible with the present feelings towards these people, that they can ever be placed upon this equality, or admitted to the enjoyment of these "inalienable rights," whilst they remain mixed with us. Some persons may declaim, and call it prejudice. No matter ; prejudice is as powerful a motive, and will as certainly exclude them, as the soundest reason. Others may say they are free enough. If this is a matter of opinion, let them judge ; if of reason, let it be decided by our repeated and solemn declarations, in all our public acts. This state of society unquestionably tends in various ways to injure the

morals and destroy the habits of industry among our people. This will be acknowledged by every person who has paid any attention to the subject; and it seems to be so generally admitted that it would promote the happiness of the people and the interest of the country to provide a place where these people might be settled by themselves, that it is unnecessary to dwell on this branch of the subject.

As to the blacks, it is manifest that their interest and happiness would be promoted by collecting them together where they would enjoy equal rights and privileges with those around them. A state of degradation is necessarily a state of unhappiness: it debases the mind; it cramps the energies of the soul, and represses every vigorous effort towards moral or intellectual greatness. How can you expect from them any thing great or noble, without the motives to stimulate or the rewards to crown great and noble achievements? It not only prevents their climbing the steep and rugged paths of fame, but it prevents the enjoyment of the true happiness of calm contentment, satisfied with enjoying but a part of what we possess—of using only a portion of what is in our power. Take away, however, the portion that is not used, and it immediately becomes the object of our fondest desires. The more you endeavor to improve the condition of these people, the more you cultivate their minds, (unless by religious instruction,) the more miserable you make them in their present state. You give them a higher relish for those privileges which they can never attain, and turn what we intend for a blessing into a curse. No; if they must remain in their present situation, keep them in the lowest state of degradation and ignorance. The nearer you bring them to the condition of brutes, the better chance do you give them of possessing their apathy. Surely Americans ought to be the last people on earth to advocate such slavish doctrines—to cry peace and contentment to those who are deprived of the privileges of civil liberty. They who have so largely partaken of its blessings, who know so well how to estimate its value, ought to be among the foremost to extend it to others.

I will consider the practicability of colonization under three heads: The territory, the expense, and the probability of obtaining their consent.

1. The territory. Various places have been mentioned by different persons; a situation within our own territory would certainly possess some considerable advantages. It would be more immediately under the eye and control of our Government. But there are some real and some apprehended evils to encounter. Many apprehend that they might hereafter join the Indians, or the nations bordering on our frontier, in case of war, if they were placed so near us—that the colony would become the asylum of fugitives and runaway slaves: added to these difficulties, there are inveterate prejudices against such a plan, in so large a portion of the country, which it would be impossible to overcome or remove. Upon mature reflection, with all the light that has yet been shed upon the subject, I believe it will be found that Africa will be liable to the fewest objections. A territory might no doubt be procured there; the climate is best adapted to their constitutions, and they could live cheaper. But, Mr. Chairman, I have a greater and nobler object in view, in desiring them to be placed in Africa. It is the belief that, through them, civilization and the Christian religion would be introduced into that benighted quarter of the world. It is the hope of redeeming many millions of people from the lowest state of ignorance and superstition, and restoring them to the knowledge and wor-

ship of the true God. Great and powerful as are the other motives to this measure, (and I acknowledge them to be of sufficient magnitude to attract the attention and call forth the united efforts of this nation,) in my opinion—and you will find it the opinion of a large class of the community—all other motives are small and trifling compared with the hope of spreading among them the knowledge of the gospel. From the importance of this view of the subject, permit me to enlarge a little upon it. Whatever may be the difference of opinion among the different denominations of Christians, I believe they will all be found to unite in the belief that the scriptures predict a time when the gospel of Jesus Christ shall be spread over every part of the world, shall be acknowledged by every nation, and perhaps shall influence every heart. The opinion is perhaps as general, that this glorious and happy day is near at hand. The great movements and mighty efforts in the moral and religious world seem to indicate some great design of Providence on the eve of accomplishment. The unexampled and astonishing success attending the various and numerous plans which have been devised, and which are now in operation in different parts of the world, and the union and harmony with which Christians of different denominations unite in promoting these plans, clearly indicate a divine hand in their direction. Nay, sir, the subject on which we are now deliberating has been brought to public view nearly at the same time in different parts of our country. In New Jersey, New York, Indiana, Tennessee, Virginia, and perhaps other places, not known to me, the public attention seems to have been awakened, as from a slumber, to this subject. The belief that I have mentioned leads Christians to look with anxious solicitude and joyful hope to every movement which they believe to be instrumental in accomplishing the great designs of Providence. They will receive your proposal with joy, and support it with zeal; and permit me to say, that it will be of no small consequence to gain the zealous support and co-operation of this portion of the community.

On the subject of expense, I should hope there would not be much difference of opinion. All are interested, though some portions of the community are more immediately so than others. We should consider that what affects a part of our country is interesting to the whole. Besides, it is a great national object, and ought to be supported by a national purse. And, as has been justly observed by the honorable gentleman in the chair, there ought to be national atonement for the wrongs and injuries which Africa has suffered. For, although the State Legislatures commenced early after our independence to put a stop to the slave trade, and the National Government interfered as soon as the Constitution would permit, yet, as a nation, we cannot rid ourselves entirely from the guilt and disgrace attending that iniquitous traffic, until we, as a nation, have made every reparation in our power. If, however, more funds are wanting than it is thought expedient to appropriate out of the public treasury, the liberality and humanity of our citizens will not suffer it to fail for want of pecuniary aid. I should be sorry, however, to see our Government dividing any part of the honor and glory which cannot fail of attending the accomplishment of a work so great, so interesting, and which will tend so much to diffuse the blessings of civil liberty and promote the happiness of man.

Among the objections which have been made, I must confess that I am most surprised at one which seems to be prevalent, to wit: that these people will be unwilling to be colonized. What, sir! are they not men? Will

they not be actuated by the same motives of interest and ambition which influence other men? Or will they prefer remaining in a hopeless state of degradation for themselves and their children, to the prospect of the full enjoyment of the civil rights of a state of equality? What brought our ancestors to these shores? They had no friendly hand to lead them; no powerful human arm to protect them. They left the land of their nativity, the sepulchres of their fathers, the comforts of civilized society, and all the endearments of friends and relatives, and early associations, to traverse the ocean to clear the forests, to encounter all the hardships of a new settlement, and to brave the dangers of the tomahawk and scalping knife. How many were destroyed! Sometimes whole settlements cut off by disease and hunger, by the treachery and cruelty of the savages; yet were they not discouraged. What is it that impels many Europeans daily to seek our shores, and to sell themselves for the prime of their life to defray the expense of their passages? It is that ruling, imperious desire, planted in the breast of every man—the desire of liberty, of standing upon an equality with his fellow-men. If we were to add to these motives the offer of land, and to aid in the expense of emigration, and of first settling, they cannot be so blind to their own interest, so devoid of every noble and generous feeling, as to hesitate about accepting of the offer. It is not a matter of speculation and opinion only. It has been satisfactorily ascertained that numbers will gladly accept of the invitation. And when once the colony is formed and flourishing, all other obstacles will be easily removed. It is for us to make the experiment and the offer; we shall then, and not till then, have discharged our duty. It is a plan in which all interests, all classes and descriptions of people, may unite; in which all discordant feelings may be lost in those of humanity, in promoting “peace on earth and good will to men.”

Mr. John Randolph, of Roanoke, rose and said, that it had been properly observed by the chairman, that there was nothing in the proposition [*referring to the resolutions which follow*] submitted to consideration, which in the smallest degree touches another very important and delicate question, which ought to be left as much out of view as possible. But, Mr. R. said, it appeared to him that it had not been sufficiently insisted on, with a view to obtain the co-operation of all the citizens of the United States, not only that this meeting does not in any wise affect the question of negro slavery, but, as far as it goes, must materially tend to secure the property of every master in the United States over his slaves. It appeared to him that this aspect of the question had not been sufficiently presented to the public view. It was a notorious fact, he said, that the existence of this mixed and intermediate population of free negroes was viewed by every slaveholder as one of the greatest sources of the insecurity and also unprofitableness of slave property; that they serve to excite in their fellow-beings a feeling of discontent, of repining at their situation; and that they act as channels of communication not only between different slaves, but between the slaves of different districts; that they are the depositories of stolen goods, and the promoters of mischief. In a worldly point of view, then, without entering into the general question, and apart from those higher and nobler motives which had been presented to the meeting, the owners of slaves were interested in providing a retreat for this part of our population. There was no fear that this proposition would alarm them: they had been accustomed to think seriously of the subject. There was a popular work on agriculture, by John Taylor, of Caroline, which was widely circulated and much

confided in, in Virginia. In that book, much read because coming from a practical man, this description of people were pointed out as a great evil. If a place could be provided for their reception, and a mode of sending them hence, there were hundreds, nay, thousands of citizens who would, by manumitting their slaves, relieve themselves from the cares attendant on their possession.

Mr. Robert Wright, of Md., said he could not withhold his approbation of a measure that had for its object the melioration of the lot of any portion of the human race, particularly of the free people of color, whose degraded state robs them of the happiness of self-government, so dear to the American people. And, said he, as I discover the most delicate regard to the rights of property, I shall with great pleasure lend my aid to restore this unfortunate people to the enjoyment of their liberty; but I fear gentlemen are too sanguine in their expectations, that they would be willing to abandon the land of their nativity, so dear to man. However, I have no indisposition to give them that election, by furnishing all the means contemplated. But, while we wish to promote the happiness of these free people of color, we ought to take care not to furnish the means of transporting out of the reach of the master his property.

Mr. Caldwell offered the following preamble and resolutions, which were unanimously adopted:

The situation of the free people of color in the United States has been the subject of anxious solicitude with many of our most distinguished citizens, from the first existence of our country as an independent nation; but the great difficulty and embarrassment attending the establishment of an infant nation, when first struggling into existence, and the subsequent convulsions of Europe, have hitherto prevented any great national effort to provide a remedy for the evils existing or apprehended. The present period seems peculiarly auspicious to invite attention to this important subject, and gives a well-grounded hope of success. The nations of Europe are hushed into peace; unexampled efforts are making, in various parts of the world, to diffuse knowledge, civilization, and the benign influence of the Christian religion; the rights of man are becoming daily better understood; the legitimate objects of Government, as founded for the benefit and intended for the happiness of men, are more generally acknowledged; and an ardent zeal for the happiness of the human race is kindled in almost every heart. Desirous of aiding in the great cause of philanthropy and of promoting the prosperity and happiness of our country, it is recommended by this meeting to form an association or society for the purpose of giving aid and assisting in the colonization of the free people of color in the United States. Therefore—

Resolved, That an association or society be formed for the purpose of collecting information and to assist in the formation and execution of a plan for the colonization of the free people of color, with their consent, in Africa or elsewhere, as may be thought most advisable by the constituted authorities of the country.

Resolved, That Elias B. Caldwell, John Randolph, Richard Rush, Walter Jones, Francis S. Key, Robert Wright, James H. Blake, and John Peter, be a committee to present a respectful memorial to Congress, requesting them to adopt such measures as may be thought most advisable for procuring a territory, in Africa or elsewhere, suitable for the colonization of the free people of color.

Resolved, That Francis S. Key, Bushrod Washington, Elias B. Caldwell, James Breckenridge, Walter Jones, Richard Rush, and William G. D. Worthington, be a committee to prepare a constitution and rules for the government of the association or society above mentioned, and report the same to the next meeting for consideration.

And the meeting adjourned until next Saturday evening, at six o'clock.

HENRY CLAY, *Chairman*.

THOMAS DOUGHERTY, *Secretary*.

At an adjourned meeting of the citizens of Washington, Georgetown, and Alexandria, and many others, held in the hall of the House of Representatives of the United States, on Saturday, the 28th day of December, 1816, for the purpose of receiving and considering, from the committees appointed to that duty at a previous meeting, a constitution of the society for meliorating the condition of the free people of color in the United States by providing a colonial retreat on this or the continent of Africa, and a memorial to Congress requesting the sanction and co-operation of the General Government in the object of the institution aforesaid, a constitution was reported by the committee appointed for that purpose, and, having been discussed and amended, was then unanimously accepted by the meeting, in the following words :

ARTICLE 1. This society shall be called "the American Society for colonizing the Free People of Color of the United States."

ART. 2. The object to which its attention is to be exclusively directed is to promote and execute a plan for colonizing (with their consent) the free people of color, residing in our country, in Africa, or such other place as Congress shall deem most expedient; and the society shall act, to effect this object, in co-operation with the General Government and such of the States as may adopt regulations upon the subject.

ART. 3. Every citizen of the United States, who shall subscribe these articles and be an annual contributor of one dollar to the funds of the society, shall be a member—on paying a sum of not less than thirty dollars, at one subscription, shall be a member for life.

ART. 4. The officers of this society shall be a president, thirteen vice presidents, a secretary, a treasurer, a recorder, and a board of managers, composed of the above-named officers and twelve other members of the society. They shall be annually elected by the members of the society, at their annual meeting on new-year's day, (except when that happens to be the Sabbath, and then the next day,) and continue to discharge their respective duties until others are appointed.

ART. 5. It shall be the duty of the president to preside at all meetings of the society and of the board of managers, and to call meetings of the society and of the board, when he thinks necessary, or when required by any three members of the board.

ART. 6. The vice presidents, according to seniority, shall discharge these duties in the absence of the president.

ART. 7. The Secretary shall take minutes of the proceedings, prepare and publish notices, and discharge such other duties as the board or the president (or, in his absence, the vice president, according to seniority) shall direct; and the recorder shall record the proceedings and the names of the members, and discharge such other duties as may be required of him.

ART. 8. The treasurer shall receive and take charge of the funds of the society; under such security as may be prescribed by the board of managers; keep the accounts, and exhibit a statement of receipts and expenditures at every annual meeting; and discharge such other duties as may be required of him.

ART. 9. The board of managers shall meet on the first Monday in January, the first Monday in April, the first Monday in July, and the first Monday in October, every year, and at such other time as the president may direct. They shall conduct the business of the society, and take such measures for effecting its object as they shall think proper, or shall be directed at the meetings of the society, and make an annual report of their proceedings. They shall also fill up all vacancies occurring during the year, and make such by-laws for their government as they may deem necessary; *provided* the same are not repugnant to this constitution.

ART. 10. Every society which shall be formed in the United States to aid in the object of this association, and which shall co-operate with its funds for the purposes thereof, agreeably to the rules and regulations of this society, shall be considered auxiliary thereto, and its officers shall be entitled to attend and vote at all meetings of the society and of the board of managers.

The committee appointed for the purpose having reported a draught of a memorial to Congress, discussion arose respecting the same; whereupon it was, on motion,

Resolved, That the committee appointed to prepare and present to Congress a memorial on the subject of this association be instructed to report the same to the annual meeting of the society, for its consideration.

On motion, it was also

Resolved, That the first election of officers of the society shall be held on the first Wednesday in January ensuing, of which due notice shall be given by the secretary in the public prints in the District of Columbia; and that, meanwhile, a book shall be opened for receiving subscriptions to the constitution, at the reading rooms in Washington, Georgetown, and Alexandria, at the office of the National Intelligencer, and with the secretary of this meeting.

And then the meeting adjourned.

H. CLAY, *Chairman*.

THOMAS DOUGHERTY, *Secretary*.

WEDNESDAY, JANUARY 1, 1817.

The American Society for colonizing the Free People of Color of the United States met this day, agreeably to the directions of the constitution. The honorable Henry Clay, chairman; Thomas Dougherty, secretary. The society proceeded to the election of its officers.

The honorable Bushrod Washington was unanimously elected president.

VICE PRESIDENTS.

Hon. William H. Crawford, *of Georgia*.

Hon. Henry Clay, *of Kentucky*.

Hon. William Phillips, *of Massachusetts*.

Col. Henry Rutgers, *of New York*.

Hon. John E. Howard, }
 Hon. Samuel Smith, } *of Maryland.*
 Hon. John C. Herbert, }
 John Taylor of Caroline, Esq., *of Virginia.*
 Gen. Andrew Jackson, *of Tennessee.*
 Robert Ralston, Esq. }
 Richard Rush, Esq. } *of Pennsylvania.*
 Gen. John Mason, *of the District of Columbia.*
 Rev. Robert Findley, *of New Jersey.*

MANAGERS.

Francis S. Key.	James H. Blake.
Walter Jones.	John Peter.
John Laird.	Edmund I. Lee.
Rev. Dr. James Laurie.	William Thornton.
Rev. Stephen B. Balch.	Jacob Hoffman.
Rev. Obadiah B. Brown.	Henry Carroll.

Elias B. Caldwell, *Secretary.*
 W. G. D. Worthington, *Recording Secretary.*
 David English, *Treasurer.*

Resolved, That the president and board of managers be, and they are hereby, instructed and required to present a memorial to Congress on the subject of colonizing, with their consent, the free people of color of the United States, in Africa or elsewhere.

Mr. Clay having left the chair, Gen. Mason, one of the vice presidents, presided as president.

Resolved, unanimously, That the thanks of this meeting be presented to Mr. Clay, for the ability and attention with which he has presided as chairman of the meetings in organizing the society.

On motion of Mr. Herbert,

Resolved, unanimously, That the Rev. Robert Findley be requested to close the meeting with an address to the Throne of Grace.

Letter from the Committee of the Colonization Society to the House of Representatives.

WASHINGTON, January 23, 1819.

SIR: In obedience to instructions from the American Society for colonizing the Free People of Color of the United States, we beg leave to lay before Congress some account of the measures pursued by the society for accomplishing the great objects of its institution; and the result of their inquiries and researches after such facts and information as might most clearly demonstrate how far any scheme of colonization, dependent for its success upon the interior state of Africa, and upon the actual condition and disposition of her native tribes, might be practicable, and also enable the founders of the intended colony to make the most prudent and judicious

selection of a situation for it. In order to obtain the most recent and accurate information from sources of the most unquestionable authority, the society sent out, at great expense, two agents, Mr. Mills and Mr. Burgess, who have proved themselves eminently qualified for the undertaking. The agents first visited England, with a view to acquire such preparatory instruction in the most efficacious mode of pursuing the objects of their mission, as the great mass of rare, valuable, and authentic information, collected in that country, from various sources, might afford them. They proceeded from England to the west coast of Africa, where they prosecuted their researches with such zeal, industry, and intelligence, as to have contributed essentially to the illustration of many important and interesting facts, connected with the geography, climate, soil, and products of that part of the continent; and with the habits, manners, social institutions, and domestic economy of its inhabitants. From the information thus obtained, the present period would seem to be designated, by a combination of favorable circumstances, as the fortunate crisis for reducing to the test of practical experiment these views and objects of the society, which have already met so encouraging a notice from Congress; and upon the comprehensive utility and beneficence of which (abstracted from any doubts of their being susceptible of practical execution) no question seems to be entertained in any quarter.

The present facilities for acquiring the requisite territory from the native tribes, in situations combining every advantage of salubrious and temperate climate, with fertile soil; the pacific and humanized temper of mind prevailing among these tribes; their existing prepossessions in favor of the expected colonists from America; the actual settlement, in that part of Africa, of some prosperous, intelligent, and well-disposed emigrants from among the free people of color in this country; and the state of general peace, so favorable to enterprises of benevolence and utility, wholly unconnected with any political schemes of territorial or commercial aggrandizement; altogether form a conjuncture which must prove decisive of the success of an immediate experiment. But upon any permanent continuance of so favorable a state of things, no human wisdom or foresight can calculate with any reasonable certainty, if the present opportunity be not adequately improved.

It is now reduced to the single question, whether the undertaking shall be adopted and patronized by the Government, so as to become essentially national in its means and its objects; or whether its ultimate success is to depend upon the responsibility and exertions of individuals, whose zeal and perseverance, unsubdued and unabated by difficulty, by delay, or disappointment, may be surely counted on; but whose unprotected exertions and unaided resources, whether of power or of capital, must necessarily be contingent and precarious, if not in their ultimate effect, at least in the acceleration of the results.

It is now conceived to be apparent, that, with the adequate aids and sanction from the Government, the present generation cannot pass away without permanent, practical, and important benefits from the experiment—benefits which will be felt equally in our social and domestic relations, as in the advancement of the great object of political and internal morality, connected with the suppression of the slave trade; and this nation has ever stood foremost in the most decided and vigorous efforts to abolish that opprobrious traffic.

From the journals kept by the agents, of their proceedings and personal observations, with an abstract of collateral information of unquestionable authenticity and great interest, collected by them from sources not frequently accessible to the general reader or inquirer, the society has become possessed of many rare and valuable materials, not only for forming a more accurate judgment of the utility of the scheme of colonization, but also for demonstrating how flagrantly and notoriously, and with what impunity, the prohibitory laws of the United States and of other nations, in regard to the slave trade, are violated by their respective citizens and subjects. Some important hints also may be derived from these documents, for making the penal sanctions of those laws more effectual; and there is good reason to conclude, that the establishment of such a colony as has been projected by our society may prove an important and efficient adjunct to the other preventive checks provided by law.

The body of accurate and valuable information thus collected will be found among the documents, which we now beg, sir, through your kind mediation, to present to Congress.

We have the honor to be, with great respect, your obedient servants,

E. B. CALDWELL,
WALTER JONES, } Committee.
F. S. KEY,

Hon. HENRY CLAY,

Speaker of the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES OF THE U. S.,

January 23, 1819.

The Speaker presented to the House a letter addressed to him, signed by Elias B. Caldwell, Walter Jones, and Francis S. Key, a committee of the American Colonization Society, accompanied with an account of the measures pursued by the society for accomplishing the great object of its institution, and of the result of their inquiries and researches; as, also, of documents showing the unlawful participation of the citizens of the United States in the African slave trade; which letter, and its accompanying documents, were referred to a select committee; and

Mr. Mercer, Mr. Mills, and Mr. Campbell, were appointed the said committee.

An extract, &c.

Attest: THOMAS DOUGHERTY, C. H. R.

IN THE HOUSE OF REPRESENTATIVES OF THE U. S.,

March 3, 1819.

Resolved, That the account of Messrs. Davis & Force, for printing the documents accompanying the letter from the Committee of the American Colonization Society to the Speaker of this House, amounting to two hundred and fifty-nine dollars, be paid out of the contingent fund of the House.

Attest: THOMAS DOUGHERTY, C. H. R.

FIFTEENTH CONGRESS, FIRST SESSION.

TUESDAY, DECEMBER 30, 1817.

On motion of Mr. Mercer,
Resolved, That the committee to whom was referred the memorial of the American Colonization Society be instructed to inquire into the expediency of making such further alterations in the laws prohibiting the citizens of the United States from engaging in the African slave trade, as may more effectually cause [secure] their intended operation; and that the said committee have leave to report by bill or otherwise.

NOTE.—The subject of this resolution was not further acted on during this session.

Report of the Committee of the House of Representatives, consisting of Mr. Mercer, Mr. Comstock, Mr. Darlington, Mr. Terrell, and Mr. Edwards—April 18, 1818.

The committee to whom was referred the memorial of the "president and board of managers of the American Society for colonizing the Free People of Color of the United States," have, according to order, had the same under their attentive consideration.

Referring to the memorial itself, and to the report of the committee on the slave trade to the 14th Congress, your committee beg leave to add, that a new interest has been recently imparted to the benevolent enterprise of the memorialists, by the prospect of a speedy termination of that odious traffic, which has been so long the crime of Europe, the scourge of Africa, and the affliction and disgrace of America. Spain and Portugal have at length concurred in that just and humane policy of the United States, which Great Britain was the first to imitate, and which, by her liberal and unremitting zeal, she has successfully extended throughout the civilized world.

So far as the civilization of Africa, the victim of this inhuman traffic, is embraced among the views of the memorialists, the removal of this formidable impediment to their success is calculated to elevate the hopes of the philanthropist, and to secure to their enterprise a larger share of public confidence.

America cannot but sympathize in the wish to redeem from ignorance, barbarism, and superstition, a continent of vast extent, spread out beneath every climate, embracing every variety of soil, and inhabited by a much injured and degraded portion of the human race.

But your committee have no hesitation in acknowledging that they derive a yet stronger incentive to recommend this enterprise to the countenance and favor of the House, from considerations peculiar to the United States. These were presented to the last Congress by the report to which your committee have referred; and they deem it unnecessary, therefore, to press them upon the attention of the House. They cannot, however, forbear to remark, that time is unceasingly aggravating all those domestic evils, for which the memorialists propose the only competent remedy, and

that the most auspicious circumstances conspire at present to promote its successful application.

Europe, after passing through a war of unprecedented extent and calamity, enjoys a repose which she has rarely known, and which, for the honor of humanity, it may be hoped she will be disposed to signalize by some act of distinguished generosity. She will not, surely, be content with a mere forbearance of further injustice, but seek to repair the wrongs which she has inflicted upon an unhappy race of men.

The people of the United States have retired from the same conflict, to enjoy a prosperity which has never been surpassed in the history of the world. Respected abroad, they possess abundance, tranquillity, and happiness, at home.

A survey of such blessings naturally inspires a sentiment, the existence of which is illustrated not only by the formation of the society from which this memorial proceeds—a society embracing individuals of every religious and political denomination, and inhabitants of every State in this wide-spread Union—but by the almost unanimous proceedings of the Legislatures of Virginia, Maryland, Tennessee, and Georgia, either recommending or countenancing the same benevolent object.

It cannot be supposed that the liberal and enlightened policy which dictated the resolutions and acts of those particular States is confined to themselves alone. Their neighbors, alike circumstanced, actuated by the same interests and feelings, will be conducted to the same conclusion, in relation to questions not only of vital importance to them, but, in their remote bearing, of scarcely less moment to the stability and prosperity of the Union.

The auxiliary colonization societies, which are daily springing up in other quarters of the United States, evince that, if the feelings which animate them were local in their origin, they required only to be manifested, in order to awaken the sympathy and to secure the co-operation of the rest of America in the attainment of their common object.

Your committee would not thus favorably regard the prayer of the memorialists, if it sought to impair, in the slightest degree, the rights of private property, or the yet more sacred rights of personal liberty, secured to every description of freemen in the United States.

The resolution of the Legislature of Virginia, the subsequent acts and declarations, as well as the high character of the memorialists themselves, added to the most obvious interest of the States who have recently sanctioned the purpose or recognised the existence of the American Colonization Society, exclude the remotest apprehension of such injustice or inhumanity.

The memorialists propose to attain the noblest end which benevolence can conceive, by temperate and practicable means.

As preliminary to their success, and in anticipation of the acts of the Government; they have, at considerable expense, sent out agents to explore the coast of Africa, and to select a seat for their contemplated colony. Those agents were instructed first to visit Europe. Their reception in England, and the intelligence which had been received from them down to the period of their late embarkation for Africa, were as favorable as could have been anticipated to the success of their mission.

This success, however, cannot be complete, until the object of the me-

morialists shall have received the sanction, and their efforts the aid, of the Federal Government.

If their memorial does not furnish sufficient ground for the interposition of the National Legislature in their behalf, it appears to your committee that the resolution of Virginia, subsequently sustained by a similar resolution of Maryland and Tennessee, unquestionably does so.

Whether a treaty for the territory of the proposed colony is to be opened with the native tribes of Africa, or with the European Governments which claim certain portions of the shores of that continent, it is by the authority of the United States alone that such negotiations can be effected.

The several States, having, by their adoption of the Federal Constitution, surrendered the power of negotiation to the General Government, have an undoubted right to claim the exercise of that sovereign authority for their benefit, whenever it can be exerted consistently with the welfare of the United States.

Your committee cannot forbear to add another, to them a very solemn consideration, as an inducement for the exercise of this authority in the manner proposed by the General Assembly of Virginia. The act of Congress which interdicts the African slave trade, and subjects the citizens of the United States who engage in its prosecution to merited punishment, has left the unfortunate beings, whom the violations of this law are daily casting upon the American shore, to the separate provisions of the respective States within whose jurisdiction they may chance to be found.

To say nothing of the abstract propriety of transferring such an authority over the persons and liberty of these foreigners from the National to the State Legislatures, entertaining no apprehension that Congress will be rendered thereby accessory to any act of cruelty or inhumanity, it must be yet apparent that the individual States have a right to require the aid now sought to be obtained from the General Government, in order to enable themselves to discharge the trust reposed in them, without a violation of their local policy, or injustice to those unfortunate Africans placed at their disposal by the laws of the United States.

Your committee were instructed, by two other resolutions of the House, to inquire into the expediency of making more effectual provision by law for preventing the participation of the citizens of the United States in the African slave trade, and of correcting certain abuses which are practised in the internal commerce of the United States. Both these objects have been accomplished by bills which subsequently originated in the other branch of the National Legislature, and which came down to the House of Representatives under circumstances which ensured to them an earlier decision than would have followed a report from your committee. They beg leave, however, to remark, that the beneficial effect to be expected from any improvement of the pre-existing laws, in relation to the former species of traffic, which commences its enterprises against humanity upon a foreign and remote coast, and matures it upon that of America, in such a manner as to elude detection by ordinary vigilance, must depend on the efforts of another branch of the Government.

It does not become your committee to do more, in relation to this branch of the inquiry charged upon them, than to intimate their opinion that no act of legislation whatever would be so likely to put down this iniquitous traffic as the multiplication of the revenue cutters upon the American shores most frequented by the vessels engaged in it, and the employment

of such part of the navy as would be best adapted to such service, in occasional visits to the African coast, at the season when it is frequented by the same description of vessels.

Your committee, therefore, ask to be discharged from the further consideration of the second and third resolutions to which they have referred, and beg leave to recommend to the House, in relation to the first, the adoption of the following resolution :

Resolved, That the President of the United States be, and he is hereby, requested to take such measures as he may deem proper to ascertain whether a suitable territory can be procured, on the coast of Africa, for colonizing such of the free people of color of the United States as may be willing to avail themselves of such an asylum, and to enter into such negotiation with the native tribes of Africa, or with one or more of the Governments of Europe, as may be necessary to obtain such territory, and to secure to the contemplated colony every advantage which he may deem essential to its future independence and prosperity.

FIFTEENTH CONGRESS, SECOND SESSION.

JANUARY 4, 1819.

On motion of Mr. Mercer, it was

1st. *Resolved*, That the Secretary of the Navy be directed to report to this House a copy of such instructions, if any, as may have been issued by his Department, in pursuance of the act of Congress of 1809, prohibiting the importation of slaves, to the commanders of the several armed vessels of the United States, for the purpose of intercepting, on the coast of Africa or elsewhere, such vessels of the United States as may be engaged in the slave trade.

2d. *Resolved*, That the Secretary of the Treasury be directed to report to this House the number and names of the slave ships, if any, the ports from which they sailed, and where and by whom owned, which have been seized and condemned within the United States, for violations of the laws thereof against the importation of slaves; and if any negroes, mulattoes, or persons of color, have been found on board such vessels, their number, and the disposition which has been made of them, by the several State Governments under whose jurisdiction they have fallen.

In obedience to the calls in these resolutions, the following communications were made to the House of Representatives by the Secretaries of the Departments of the Navy and of the Treasury:

NAVY DEPARTMENT, *January 9, 1819.*

SIR: In obedience to a resolution of the House of Representatives, passed on the 4th instant, in relation to the instructions issued by this Department to the commanders of the several armed vessels of the United States, in pursuance of the act of Congress prohibiting the importation of slaves, passed on the 2d day of March, 1807, I have the honor to transmit to you, to be laid before the House, the accompanying papers, numbered *one* to *eight*, inclusively, being copies of letters, and extracts of letters, to com-

manding naval officers, which contain all the instructions that have issued from this Department, having relation to the subject of inquiry of said resolution.

I have the honor to be, with the highest respect, sir, your most obedient servant,

SMITH THOMPSON.

The Hon. the SPEAKER,
House of Representatives.

No. 1.

NAVY DEPARTMENT, *January 22, 1811.*

SIR: I hear, not without great concern, that the law prohibiting the importation of slaves has been violated in frequent instances, near St. Mary's, since the gunboats have been withdrawn from that station.

We are bound by law, by the obligations of humanity, and sound policy, to use our most strenuous efforts to restrain this disgraceful traffic, and to bring those who shall be found engaged in it to those forfeitures and punishments which are by law prescribed for such offences.

Hasten the equipment of the gunboats which, by my letter of the 24th ultimo, you were directed to equip, and, as soon as they shall be ready, despatch them to St. Mary's, with orders to their commanders to use all practicable diligence in enforcing the law prohibiting the importation of slaves, passed March 2, 1807, entitled "An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the 1st day of January, 1808." The whole of this law, but especially the 7th section, requires your particular attention; that section declares that *any* ship or vessel which shall be found in any river, port, bay, or harbor, or on the high seas, within the jurisdictional limits of the United States, or hovering on the coast thereof, having on board any negro, mulatto, or person of color, for the purpose of selling them as slaves, or with intent to land the same in any port or place within the jurisdiction of the United States, contrary to the prohibition of the act, shall, together with her tackle, apparel, and furniture, and the goods and effects which shall be found on board the same, be forfeited, and may be seized, prosecuted, and condemned, in any court of the United States having jurisdiction thereof.

It further authorizes the President of the United States to cause any of the armed vessels of the United States to be manned and employed to cruise on any part of the coast of the United States, or territories thereof, and to instruct and direct the commanders to seize, take, and bring into any port of the United States, all such ships or vessels; and, moreover, to seize, take, and bring into any port of the United States, all ships or vessels *of the United States, wherever found on the high seas*, contravening the provisions of the act, to be proceeded against according to law.

You will therefore consider yourself hereby especially instructed and required, and you will instruct and require all officers placed under your command, to seize, take, and bring into port, *any vessel, of whatever nature*, found in any river, port, bay, or harbor, or on the high seas, within the jurisdictional limits of the United States, or hovering on the coast thereof,

having on board any negro, mulatto, or person of color, for the purpose of selling them as slaves, or with intent to land the same, contrary to law; and, moreover, to seize, take, and bring into port, all ships or vessels of *the United States*, wheresoever found, on the high seas or elsewhere, contravening the provisions of the law. Vessels thus to be seized may be brought into *any* port of the United States; and when brought into port, must, without delay, be reported to the district attorney of the United States residing in the district in which such port may be, who will institute such further proceedings as law and justice require.

Every person found on board of such vessels must be taken especial care of. The negroes, mulattoes, or persons of color, are to be delivered to such persons as the respective States may appoint to receive the same. The commanders and crews of such vessels will be held, under the prosecutions of the district attorneys, to answer the pains and penalties prescribed by law for their respective offences. Whenever negroes, mulattoes, or persons of color, shall be delivered to the persons appointed to receive the same, duplicate receipts must be taken therefor; and if no person shall be appointed by the respective States to receive them, they must be delivered "to the overseers of the poor of the port or place where such ship or vessel may be brought or found;" and an account of your proceedings, together with the number and descriptive list of such negroes, mulattoes, or persons of color, must be immediately transmitted to the Governor or chief magistrate of the State. You will communicate to me minutely all your proceedings.

I am, sir, respectfully, &c.

PAUL HAMILTON.

H. G. CAMPBELL,

Commanding naval officer, Charleston, S. C.

No. 2.

Extract of a letter from the Secretary of the Navy to Captain John H. Elton, commanding the United States brig Saranac, New York, dated

NAVY DEPARTMENT, July 16, 1817.

The recent occupation of Amelia island by an officer in the service of the Spanish revolutionists occasions just apprehensions that, from the vicinity to the coast of Georgia, attempts will be made to introduce slaves into the United States, contrary to the existing laws, and further attempts at illicit trade in smuggling goods in violation of our revenue laws. You are hereby directed to detain and search every vessel, under whatever flag, which may enter the river St. Mary's, or be found hovering upon the coast, under suspicious circumstances, and seize every vessel freighted with slaves, or whose doubtful character and situation shall indicate the intention of smuggling. In the execution of these orders, you will take special care not to interrupt or detain any vessels sailing, with regular papers and a national character, upon lawful voyages to or from a port or ports of the United States. The traffic in slaves is intended to be restrained, and in the performance of this duty you will exercise your sound judgment in regard to all vessels you may visit.

No. 3.

Extract of a letter from the Secretary of the Navy to Captain John H. Elton, commanding the United States brig Saranac, St. Mary's, Georgia, dated

NAVY DEPARTMENT, November 7, 1818.

You are authorized to detain and send in for adjudication all vessels, under whatever flags, which may be found hovering upon our coast, or within the jurisdictional limits of a marine league, of a suspicious character, or that shall have slaves on board, or that you shall ascertain, upon due examination, to be other than regular trading vessels, with papers and documents in perfect order, conformably to the laws of nations and the existing treaties of the United States with foreign Powers. You will send such vessels as you may so detain into the port of Savannah, with all the papers found on board, under your seal, addressed to the district attorney of the United States for the district of Georgia.

No. 4.

Extract of a letter from the Secretary of the Navy to Captain John D. Henley, dated November 14, 1817.

Should you fall in with on your way to St. Mary's, or find in Amelia, any vessels acting as privateers, contrary to the laws of the United States, you will capture such, and send them to Savannah, Georgia, to be dealt with according to law. You will detain all prize or other vessels having slaves on board, as the presumption is strong that they are intended to be smuggled into the United States.

No. 5.

Extract of a letter from the Secretary of the Navy to Captain Daniel T. Patterson, commanding naval officer, New Orleans, dated

NAVY DEPARTMENT, December 17, 1817.

Previously to the loss of the United States brig Boxer, it was determined to increase the naval force in the Gulf of Mexico, for the better protection of our commerce and the revenue, as well as to prevent the introduction of slaves into our territory.

For this purpose, the United States ship John Adams, under the command of Captain John D. Henley, has been ordered to the Gulf, with the brigs Prometheus and Enterprise, and schooner Lynx.

No. 6.

Extract of a letter from the Secretary of the Navy to Commodore John D. Henley, commanding United States naval force off Amelia island, dated

NAVY DEPARTMENT, January 16, 1818.

Maintain a strict discipline among the officers and crews of the several vessels, especially as to their conduct when on shore at St. Mary's or

Amelia; and, when circumstances shall permit, you will send the small vessels upon the neighboring coast, to watch the movement of privateers and vessels with slaves on board, all of which can have no other object than to introduce them into the United States, in violation of existing laws.

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No. 7.

NAVY DEPARTMENT, *May 30, 1818.*

SIR: I enclose to you, herewith, for your information and government, four copies of an act of Congress, passed on the 20th day of April last, entitled "An act in addition to an act to prohibit the introduction of slaves into any port or place within the jurisdiction of the United States, from and after the 1st day of January, 1808, and to repeal certain parts of the same."

By order of the Secretary of the Navy.

I am, very respectfully, &c.

BENJAMIN HOMANS.

Captain D. T. PATTERSON,

Commanding naval officer, New Orleans.

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No. 8.

NAVY DEPARTMENT, *May 30, 1818.*

SIR: Agreeably to a request recently made by Commodore Henley, I transmit herewith, for your information and government, four copies of the act of Congress, passed on the 20th day of April last, entitled "An act in addition to an act to prohibit the introduction of slaves into any port or place within the jurisdiction of the United States, from and after the 1st day of January, 1808, and to repeal certain parts of the same."

By order of the Secretary of the Navy.

I am, very respectfully, &c.

BENJAMIN HOMANS.

Captain A. J. DALLAS,

Commanding U. S. naval force near St. Mary's, Ga.

—
JANUARY 21, 1819.

Letter from the Secretary of the Treasury, transmitting the information called for by the resolution of the House of Representatives, of the 4th instant, in relation to ships engaged in the slave trade, which have been seized and condemned, and the disposition which has been made of the negroes, by the several State Governments under whose jurisdiction they have fallen.

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TREASURY DEPARTMENT, *January 20, 1819.*

SIR: In obedience to a resolution of the House of Representatives of the 4th instant, directing the Secretary of the Treasury "to report to this

House the number and names of the slave ships, if any, the ports from which they sailed, and where, and by whom owned, which have been seized and condemned within the United States, for violations of the laws thereof against the importation of slaves; and if any negroes, mulattoes, or persons of color, have been found on board such vessels, their number, and the disposition which has been made of them by the several State Governments under whose jurisdiction they have fallen," I have the honor to submit the enclosed communication from the Register of the Treasury, the collector of Mobile, and the marshal of the Alabama Territory.

From these documents but little information is derived. Independent of the proceedings now pending in the Alabama Territory, it is understood that proceedings have been instituted under the State authorities, which have terminated in the sale of persons of color illegally imported into the States of Georgia and Louisiana during the years 1817 and 1818.

There is no authentic copy of the acts of the Legislatures of those States, upon this subject, in this Department; but it is understood that, in both States, Africans and other persons of color, illegally imported, are directed to be sold for the benefit of the State. In the former State, however, they are directed to be placed at the disposition of the society for colonizing the free blacks, upon condition of their transportation to some foreign State, and on payment of the expenses incurred by the State in relation to them.

I have the honor to be, very respectfully, sir, your most obedient servant,

W. H. CRAWFORD.

The Hon. the SPEAKER of the House of Representatives.

TREASURY DEPARTMENT,

Register's Office, January 7, 1819.

SIR: The resolution of the House of Representatives of the United States, which you did me the honor to refer, calling for information relative to the slave trade, and if any violations thereof had arisen under the act of July, 1807, I beg leave to state, that it doth not appear, from an examination of the records of this office, and particularly of the accounts (to the date of their last settlement) of the collectors of the customs, and of the several marshals of the United States, that any forfeitures had been incurred under the said act.

Although there are no records at the Treasury of the facts, yet, from a memorial now before Congress, it appears there had been one ship condemned in the port of Charleston, South Carolina, for a violation of the act above mentioned, called the ———; upon the sale of which, the sum of two thousand five hundred dollars, it is alleged, remains in the hands of the clerk of the court of that district.

Another, and the only additional case that can at present be brought into view, in relation to an infraction of the provisions of the aforementioned act, is explained in the certified copies herewith presented, marked A, of the proceedings of the court of Alabama Territory, the originals being filed in the office of the Comptroller of the Treasury.

I have the honor to be, sir, your most obedient humble servant,

JOSEPH NOURSE.

Hon. W. H. CRAWFORD.

ST. STEPHEN'S, ALABAMA TERRITORY, July 22, 1818.

SIR: Enclosed is a copy or transcript of the minutes of our last general court. The proceeding in this case is perhaps unprecedented, but your better judgment can more correctly determine. I believe the law recognises the marshal only as the proper person to have the charge of property seized for a violation of the laws of the United States; but that course would have deprived those particular friends of Judge Toulmin of a grand speculation, of which they boast very much. If it was proper that the court should let out the negroes, as a saving to the Government, or parties interested, they could have been hired out for a very considerable sum, clear of all expenses; but this course would have destroyed a grand individual speculation. And, on the contrary, had the negroes been left, as is usual, in the hands of the marshal, he would have been entitled to a small pittance for keeping, to which the judge could not reconcile his malice. You will also observe that this court has granted a commission to take depositions in the Havana, a foreign Government, and in a Government where there is no difficulty in procuring any testimony. There has been considerable expense on the part of the Government, and I can hazard an opinion that, if this course of proceeding is admitted, the property will not be condemned.

Your obedient humble servant,

JOHN HAYNES,

Marshal Alabama Territory.

Jos. ANDERSON, Esq., *Comptroller U. S.*

P. S. Should you think this proceeding unlawful, you will please to lay the papers before the proper authority, and indulge me with your opinion.

J. HAYNES.

JULY TERM, 1818.

United States vs. vessel Merino and cargo, the schooner Louisiana and cargo, and the Constitution and cargo.

Ordered, That commissions do issue to take depositions in the Havana, to be directed to Messrs. Gray and John Murdock, in Pensacola, to be directed to General Gaines, Colonel King, and Captain Call, or either of them, and that the said depositions be taken as evidence, as well in the case of the United States against the said vessels and cargoes, as in the several libels for restitution for the negroes on board the said vessels. And that the vessels and cargoes, in these cases, be delivered to claimants on bond and security, to be approved by the court, being entered into in the appraised value thereof, conditioned to have the property forthcoming, to abide the judgment of the court.

Ordered, That Samuel H. Garron, Lewis Judson, David Files, John W. Simonton, John Whitehead, and Jotham S. Patton, or any four of them, David Files being one, be accepted as securities to be given under this order; and that Henry D. Merritt, Christopher Strong Stewart, and

Daniel Duval, be appointed appraisers of the vessels and cargoes aforesaid.

Ordered, (on the agreement of the parties,) That the one hundred and seven negroes found on board the vessel Merino, the schooner Louisiana, and the Constitution, and libelled in this court, be placed in the possession of James Caller, Benjamin S. Smoot, and David Files, on their entering into bond in such amount and with such security as may be approved and agreed upon by the parties; conditioned that they have the said negroes forthcoming, to abide the order and decree of the court.

Whereas one hundred and seven African negroes have been brought within the jurisdiction and have been placed in the custody of this court, as being liable to forfeiture under the laws of the United States: And whereas certain persons have claimed the said negroes, and deny their liability to forfeiture as aforesaid: And whereas the said causes, in reference to the liability of said negroes, could not be decided at July term, 1818, of the Alabama general court, sitting in admiralty, it was agreed, by and with the advice and consent of the said court, and all of the persons interested, either in the seizure of said negroes aforesaid, or those claiming restitution of the same, that the said negroes be delivered to some responsible persons, to be admitted by the said court aforesaid, for safe keeping, until the court aforesaid, or their officers, shall demand the same; when the said negroes are to be returned into the custody of the court aforesaid, to abide their decision in the premises; all casualties in reference to the said negroes to be excepted from the liability of the said responsible persons.

Whereupon, James Caller, David Files, and Benjamin S. Smoot, came into court, being the persons agreed upon by the parties interested aforesaid, by consent of the court aforesaid, and stipulated, as well to all the parties interested, as to the court aforesaid, to keep them well, and return them unto this court, when demanded by the said court, free from all expense to any party concerned, under the penalty of one hundred thousand dollars, to be levied of their goods and chattels, lands and tenements, if they should make default in the stipulation herein mentioned.

I, Francis H. Gaines, deputy clerk of the general court of the Alabama Territory, do certify that the foregoing pages, numbered 1, 2, 3, contain true extracts from the minutes of said court, at July term, 1818.

In witness whereof, I have hereunto set my hand, and affixed my private seal, having no seal of office, the 23d day of July, A. D. [SEAL.] 1818, and 43d year of American independence.

F. H. GAINES, *D. C. General Court.*

TREASURY DEPARTMENT,

Register's Office, January 8, 1819.

I certify the foregoing to be true copies of the originals on file in this Department.

JOSEPH NOURSE.

COLLECTOR'S OFFICE,

Port of Mobile, November 15, 1818.

SIR: As Congress are now in session, I beg leave to suggest, for your consideration, the subject of a revenue cutter for the coast of this district. It is evident, from a view of our local situation, that no part of the American coast affords more inviting opportunities to violate the revenue laws, and those prohibiting the importation of slaves, than this. In other parts of the country, revenue cutters and boats have been provided; here, from the Chandelier islands to the Perdido river, including the coast and numerous other islands, we have only a small boat, with four men and an inspector, to oppose to the whole confederacy of smugglers and pirates. Add to this, a view of the situation of the whole coast of West Florida, from the Perdido to Florida point, open to the secure landing of slaves, and the means of their introduction into the United States. Should West Florida be given up to the Spanish authorities, both American and Spanish vessels, it is to be apprehended, will be employed in the importation of slaves, with an ultimate destination to this country; and, even in its present situation, (the Seminole war having terminated,) the greatest facilities are offered for obtaining slaves from Havana and elsewhere, through West Florida. Three vessels, it is true, were taken in the attempt last summer; but this was owing rather to accident than any well-timed arrangement to prevent the trade. To prevent violations of the laws, and the laws prohibiting the importation of slaves into the United States, and to defend our commerce from the depredations of pirates on our coast, a revenue cutter is necessary; and it appears to me evident that such a vessel on this coast would render more important services to the country than any cutter employed on the Atlantic coast.

The capture of Pensacola, and the consequent change of circumstances, prevented me from transmitting an estimate of the cost of a boat of the description mentioned in my letter of the 23d of February last, as I was requested to do; being fully satisfied that sound policy, both in regard to expense and utility, required a much larger vessel—one fitted to cruise on the coast from the Chandeliers, on the Mississippi, to the bay of Tampa. Such a vessel would be able to clear our coast of pirates, and put an end to the importation of slaves. If the revenue of the district is to be the criterion to decide the propriety of the measure, I know the Government will not make an appropriation for this object; but, if the measure be tested by its general utility in support of our laws and protection of our commerce, I should suppose they would not withhold the necessary appropriation.

Seven persons are now in custody for piracy, who were taken in the mouth of the Perdido by the military; and repeated instances have occurred of vessels being plundered on the coast.

The revenue boat now in use has been repaired since my letter of the — February last, without much expense, and may perhaps be serviceable for six or eight months longer. But it appears to be necessary that I should be authorized to purchase another, when the present one should be found unfit for service, otherwise we might be two or three months without even a boat. The sails and rigging are stated to be now very good, and might be applied to another; and with those materials, I should

estimate the cost of a boat of the like size at from two to three hundred dollars.

I have the honor to be, sir, very respectfully, your most obedient servant,
ADDIN LEWIS, *Collector.*

Hon. W. H. CRAWFORD,
Secretary of the Treasury U. S.

JANUARY 13, 1819.

Mr. Middleton, from the committee consisting of Mr. Middleton, Mr. Upham, Mr. Sawyer, Mr. Floyd, Mr. Mumford, Mr. Lincoln, and Mr. Lynn, reported the following bill, with the exception of the 5th section, which was inserted as an amendment by the House of Representatives:

A BILL in addition to the acts prohibiting the slave trade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized, whenever he shall deem it expedient, to cause any of the armed vessels of the United States to be employed to cruise on any of the coasts of the United States or Territories thereof, or of the coasts of Africa or elsewhere, where he may judge attempts may be made to carry on the slave trade by citizens or residents of the United States, in contravention of the acts of Congress prohibiting the same, and to instruct and direct the commanders of all armed vessels of the United States to seize, take, and bring into any port of the United States, all ships or vessels of the United States, wheresoever found, which may have taken on board, or which may be intended for the purpose of taking on board, or of transporting, or may have transported, any negro, mulatto, or person of color, in violation of any of the provisions of the act entitled "An act in addition to an act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, and to repeal certain parts of the same," or of any other act or acts prohibiting the traffic in slaves, to be proceeded against according to law. And the proceeds of all ships and vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which shall be so seized, prosecuted, and condemned, shall be divided equally between the United States and the officers and men who shall seize, take, or bring the same into port for condemnation, whether such seizure be made by an armed vessel of the United States or revenue cutter thereof; and the same shall be distributed in like manner as is provided by law for the distribution of prizes taken from an enemy: *Provided,* That the officers and men, to be entitled to one-half of the proceeds aforesaid, shall safe keep every negro, mulatto, or person of color, found on board of any ship or vessel so seized, taken, or brought into port for condemnation, and shall deliver every such negro, mulatto, or person of color, to the marshal of the district into which they are brought, if into a port of the United States, or, if elsewhere, to such person or persons as shall be lawfully ap-

pointed by the President of the United States, in the manner hereinafter directed; transmitting to the President of the United States, as soon as may be after such delivery, a descriptive list of such negroes, mulattoes, or persons of color, that he may give directions for the disposal of them. *And provided, further,* That the commanders of such commissioned vessels do cause to be apprehended and taken into custody every person found on board of such vessel so seized and taken, being of the officers or crew thereof, and him or them convey, as soon as conveniently may be, to the civil authority of the United States, to be proceeded against in due course of law in some of the districts thereof.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to make such regulations and arrangements as he may deem expedient for the safe keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of color, as may be so delivered and brought within their jurisdiction; and to appoint a proper person or persons, residing upon the coast of Africa, as agent or agents for receiving the negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade by commanders of the United States armed vessels.

SEC. 3. *And be it further enacted,* That a bounty of twenty-five dollars be paid to the officers and crews of the commissioned vessels of the United States or revenue cutters, for each and every negro, mulatto, or person of color, who shall have been, as hereinbefore provided, delivered to the marshal or agent duly appointed to receive them. And the Secretary of the Treasury is hereby authorized and required to pay or cause to be paid to such officers and crews, or their agent, the aforesaid bounty for each person delivered as aforesaid.

SEC. 4. *And be it further enacted,* That when any citizen or other person shall lodge information with the attorney for the district of any State or Territory, as the case may be, that any negro, mulatto, or person of color, has been imported therein, contrary to the provisions of the acts in such case made and provided, it shall be the duty of the said attorney forthwith to commence a prosecution by information; and process shall issue against the person charged with holding such negro, negroes, mulatto, mulattoes, person or persons of color, so alleged to be imported contrary to the provisions of the acts aforesaid; and if, upon the return of the process executed, it shall be ascertained, by the verdict of a jury, that such negro, negroes, mulatto, mulattoes, person or persons of color, have been brought in contrary to the true intent and meaning of the acts in such cases made and provided, then the court shall direct the marshal of the said district to take the said negroes, mulattoes, or persons of color, into his custody for safe keeping, subject to the orders of the President of the United States; and the informer or informers who shall have lodged the information shall be entitled to receive, over and above the portion of the penalties accruing to him or them by the provisions of the acts in such case made and provided, a bounty of fifty dollars for each and every negro, mulatto, or person of color, who shall have been delivered into the custody of the marshal; and the Secretary of the Treasury is hereby authorized and required to pay or cause to be paid the aforesaid bounty, upon the certificate of the clerk of the court for the district where the prosecu-

tion may have been had, with the seal of office thereto annexed, stating the number of negroes, mulattoes, or persons of color, so delivered.

SEC. 5. *And be it further enacted*, That it shall be the duty of the commander of any armed vessel of the United States, whenever he shall make any capture under the provisions of this act, to bring the vessel and her cargo, for adjudication, into some port of the State or Territory to which such vessel so captured shall belong, if he can ascertain the same; if not, then to be sent into any convenient port of the United States.

SEC. 6: *And be it further enacted*, That all such acts or parts of acts as may be repugnant to the provisions of this act shall be, and the same are hereby, repealed.

SEC. 7. *And be it further enacted*, That a sum not exceeding one hundred thousand dollars be, and the same is hereby, appropriated to carry this law into effect.

[This bill finally became a law on the 3d March, 1819.]

MARCH 1, 1819.

NOTE.—In the course of the proceedings in the House of Representatives on the foregoing act, Mr. Strother, a member for the State of Virginia, moved to strike out the 3d and 4th sections; which motion was disagreed to by the House.

JANUARY 19, 1819.

Mr. Middleton, from the committee on the subject of the slave trade, laid before the House sundry documents transmitted to him as chairman of the said committee; which are as follows:

Extracts from documents in the Departments of State, of the Treasury, and of the Navy, in relation to the illicit introduction of slave into the United States.

WASHINGTON, November 28, 1818:

SIR: I am directed by a committee on so much of the President's message as relates to the illicit introduction of slaves into the United States to inquire whether you have in your possession any particular information which will enable you to state the extent to which that violation of our laws has been carried of late, or which may suggest any additional prohibitory enactments tending more effectually to repress it.

I have the honor to be, sir, very respectfully, your obedient servant,

HENRY MIDDLETON,

Chairman of a Committee of the House of Representatives.

HON. JOHN QUINCY ADAMS,

Secretary of State.

DEPARTMENT OF STATE,

January 14, 1819.

SIR: I have the honor of enclosing, herewith, copies of letters received at the several Departments of State, the Treasury, and the Navy, containing the information possessed by the Executive in relation to the subject of your letter of the 28th November last, and requested by the committee.

In answer to the inquiry, whether any additional prohibitory enactment might more effectually repress the illicit introduction of slaves into the United States, it is to be observed, that, by the act of Congress of the last session, the first six sections of the act of 2d March, 1807, "to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight," were repealed; and that the authority given to the President of the United States, by the 7th section of the same act of 1807, "to instruct and direct the commanders of armed vessels of the United States to seize, take, and bring into any port of the United States, all ships or vessels of the United States, wheresoever found on the high seas, *contravening the provisions of this act*," was thereby also virtually repealed, so far as it could operate upon the offences described in the six repealed sections. And as the authority thus given to the President was expressly limited to the capture of ships or vessels of the United States contravening the provisions of that act, it is understood as not including the authority to give similar directions and instructions to capture and bring into port ships or vessels of the United States contravening the provisions of the act of 20th of April, 1818.

Treaties have been concluded by the Government of Great Britain, with Spain, Portugal, and the Netherlands, by virtue of which the commanders of the armed vessels of Great Britain are authorized to capture the slave-trading vessels under the flags of each of the others, and vice versa; and to carry them into certain ports, where they are to be tried by courts, consisting of judges from each of the two parties to the several treaties. Copies of these treaties have been communicated by the British Government to that of the United States, with suggestions that it would be agreeable to Great Britain to enter into arrangements of a similar nature with the United States. The circumstances of the United States would render it impracticable to give to such arrangements the indispensable character of reciprocity; for which reasons they have been declined. But, as a view of the treaties may perhaps suggest to the committee legislative measures in aid of the object which they are intended to accomplish, and as that object is the same to which the efforts of this nation are earnestly directed, they are herewith enclosed, with the request that, when the committee or the House shall have no further use for them, they may be returned.

I have the honor to be, with great respect, sir, your very humble and obedient servant,

JOHN QUINCY ADAMS.

HENRY MIDDLETON, Esq.,

Chairman of a Committee of the Ho. of Reps.

Extract of a letter from Beverly Chew, Esq., collector of New Orleans, to the Secretary of the Treasury, dated 17th April, 1818.

In consequence of information given me some days ago, that some persons, already distinguished in that way, were preparing to make another piratical cruise, and that their boats were concealed in some of the canals from the plantations into the lakes, I despatched an active and enterprising inspector, who discovered and seized a remarkably fine boat, completely equipped, mounting a brass cannon, and every way fitted for a cruise; one man, named Hacket, being left in charge. The owner of the plantation delivered the sails, oars, powder, &c., belonging to the boat, together with a pocket book, containing a commission and roll d'equipage, (in blank,) signed by Amable Humbert, styling himself as commander-in-chief of the province of Texas, in the republic of Mexico, and purporting to be dated at Galveston, to cruise against and capture the property of vessels of Spain. By an account stated in the pocket book, it appears she was built in this city, by a Captain Chambers, who is believed to be a part owner, and a prosecution has been accordingly commenced. In proceeding to the city with the boat and prisoners, the officers met Mitchell and O'Neal, (two of the characters alluded to,) with a party of men, going to take possession of the boat which had been seized; the latter, having been sent in advance, was captured, and is lodged in jail, to await his trial. Mitchell, with the remainder of his party, pulled across the river, drew up his men behind some logs, and declared he would shoot the officer if he attempted to approach. From the weakness of the inspector's party, they effected their escape. The same party, some days afterwards, robbed a vessel, and sallied out of a small bayou just above Fort St. Philip, where there is a small settlement of fishermen, who, I have reason to believe, assume that character the more easily to conceal their real one, of smugglers.

It has been stated to me, on the authority of a letter to a respectable gentleman of this city, that there were three schooners lying in the river Mermentau, belonging to Commodore Aury's squadron, smuggling their cargoes on shore. The audacity of the piratical set, since they find Galveston has not been, and, as they say, will not be suppressed, knows no bounds. In order to keep them somewhat more in check, and to defeat their nefarious schemes as far as in my power, until Government aid us with such force as it may deem best suited to the purpose, I have determined to station an additional revenue boat and crews, with an active, enterprising officer, at and near Fort St. Philip, and to increase the crews of the boats at the Balize and Fort St. John. It will, I think, render their operations a little more difficult, and I confidently rely on your approbation. The additional expense can be no consideration. But no efforts of the officers of the customs alone can be effectual in preventing the introduction of Africans from the westward. To put a stop to that traffic, a naval force suitable to those waters is indispensable, and vessels captured with slaves ought not to be brought into this port, but sent to some other in the United States, for adjudication. Enclosed you will also find an act passed by the Legislature of this State respecting slaves imported in violation of the law of Congress of the 2d March, 1807. The object and policy of this law requires no comment from me. Vast numbers of slaves will be introduced, to an alarming extent, unless prompt and effectual measures are adopted by the General Government.

COLLECTOR'S OFFICE, NOVA IBERIA,

July 9, 1818.

SIR: Since Mr. James Miller, collector of this district, left this place, agreeably to his request I have sent him abstracts of the accounts I have kept in this office to the 1st of January last, which he said would enable him to make out his returns. He afterwards wrote me to make returns to him, and direct them to the care of the Secretary of State. I complied with his advice; but afterwards, concluding that he had made a mistake, directed the last package to the care of the Secretary of the Treasury. In a short time after, I received information that Mr. Miller was insane, which has kept me from making any further returns to him. Mr. Miller requested me to make returns of receipts and expenditures quarterly. I have supposed they were yearly returns, and have not returned abstracts of them with the two last quarterly returns. I herewith enclose the boats that have entered and cleared at this office since I have transacted the business—were all boats running between this and the adjoining district, except a sloop from France, that had entered at New Orleans, and afterwards brought her cargo to this place. As to fines and forfeitures, no decision has taken place in the district court relating to my reports to the district attorney of seizures, and Mr. Dick wrote me a short time past that I might let one of the owners *bail* his boat, as great delay had taken place in bringing the cause to trial. By Mr. Dick's advice, last summer, I got out State warrants, and had negroes seized to the number of eighteen, which were a part of them stolen out of the custody of the coroner, and the balance condemned by the district judge of the State, and the informers received their part of the nett proceeds from the State Treasurer. Five negroes, that were seized about the same time, were tried at Opelousas in May last, by the same judge. He decided that some Spaniards (that were supposed to have set up a sham claim, stating that the negroes had been stolen from them on the high seas) should have the negroes, and that the persons that seized them should pay one-half of the costs, and the State of Louisiana the other. This decision had such an effect as to render it almost impossible for me to obtain any assistance in that part of the country. There has been lately up the bayou Mermentau two schooners from Galveston. They sold a part of their cargoes, and deposited the balance, and I could get no assistance to take them. I made two seizures of wine, a part of one of their cargoes, in the neighborhood of the Vermilion bridge, about twenty miles to the westward of this place. I summoned assistance; a part of which refused to assist, a part deserted while guarding the property, and the balance not being sufficiently strong to protect it, it was taken from them the ensuing night. The smugglers had forcibly prevented our removing the property in the day time. A short time before this, I had authorized a man to seize some smuggled property on the bayou Cureuseare, about one hundred and thirty miles to the westward of this place. He had taken about the amount of \$1,500, and said he could make seizure to a very large amount on that bayou, and that he had force sufficient to do it. On his return home, a party from Galveston and others retook the property, threw his commission in the bayou, and I am told the man will have to leave that part of the country to save his life. Mr. Chew lately informed me that he expected General Ripley would order some troops here. On the 2d instant, a part of a company

arrived at this place from Baton Rouge, commanded by Captain Amelung. An express started from Plaquemine after these troops left that place. The express passed this place, and arrived at bayou Cureuseare about the time the troops arrived here. In consequence, a large number of Africans, that had lately been brought from Galveston to that bayou, were moved off to the westward. I do not think the small force that arrived will be of much use, as the captain does not appear inclined to go to the westward of this place. The Creoles here, having lived under the Spanish Government, are much afraid of regular troops. A few regular troops stationed in Opelousas would have a great effect in breaking up the pirates and smugglers in the western part of that country. During the last year I spent out of my own pocket more than \$300 in trying to detect contraband negroes, &c. Mr. Miller promised to pay me the amount of his salary, and remit it to me quarterly, (which he said Mr. Fromentin had informed would not be less than \$450 per annum,) since which I have not received any thing from him. I drew on him, in favor of Joel K. Mead, for \$87, which, if paid, is all I have received for transacting the business of this office (since the 1st May, 1817. If he has not received his pay, I should be glad if the business could be so adjusted that I could get mine. I have the honor, sir, of being your most obedient servant,

JOSEPH ABORN.

HON. WILLIAM H. CRAWFORD,

Secretary of the Treasury of the United States.

COLLECTOR'S OFFICE, NOVA IBERIA,

September 27, 1818.

SIR: On the 8th day of July last, Captain Amelung, with eighteen of his company, agreed to go with me to the bayou Nementou, to suppress smuggling. On the day and succeeding night after our arrival there, we took thirteen prisoners that came armed to support smugglers, &c. The next day took one of their vessels, set some hands to work in repairing her, and Captain Amelung returned to Nova Iberia for the balance of his company; returned with them, and we proceeded on with twenty-five men to the bayou Cureaseau. On our arrival there we made more prisoners, seized three African negroes, two vessels, and part of their cargoes. Runners had been sent ahead of us, and five or six vessels run out of the bayou a few days prior to our arrival there. A large number of African negroes had been on that bayou, eighty of which left there a short time before our arrival, and about twenty passed us the night before we arrived. We proceeded down the Cureaseau, and came round to the bayou Nementou. Captain Amelung furnished me with a lieutenant and eighteen men, and returned by land to Nova Iberia with the balance of his company. We proceeded with the vessels down the Nementou; met a selucca, commanded by one of Lafitte's captains, off the mouth of the bayou. The captain took us for smugglers. We got him on board one of our vessels; and notwithstanding his directing his men, in French, when he left his own vessel, to cut their cable if he did not return with the boat, run down our boat, and kill every man on board, we boarded her after they cut their cable, and took her without the loss of one man. Her cargo consists of cof-

fee, cocoa, refined wax for candles, oil, dry goods, and about 10,000 pounds of quicksilver. I arrived here yesterday; have suffered very much; during the line storm we lost three anchors, sprung one mast, carried away our yards and sails. I left the vessels in the Vermilion bay; shall start immediately to bring them round to this place. If there was one small cutter on this coast, she would be of great service.

My remaining absent so long, sir, must excuse me for not answering your letter relating to the resolution of the Senate of the United States. There are no persons employed in this office at present except myself, acting as deputy collector, though it is probable to me that, before long, from the emigration to and increase of trade in this part of the country, it will be necessary that there should be appointed a permanent inspector as well as a collector in this office.

I am, sir, your most obedient servant,

JOSEPH ABORN,
Deputy Collector.

HON. WILLIAM H. CRAWFORD,
Secretary of the Treasury of the U. S.

P. S. If Mr. Miller is living, he has in his possession such returns as he requested me to make to him of receipts and expenditures, &c., from 1st of May to the 31st of December, 1817.

J. A.

Extract of a letter from George Graham, Esq., to the Secretary of State, dated Bayou Rapide, 12 miles from Alexandria, September 9, 1818.

Galveston is a position of much more importance than the Government has hitherto supposed. It is the greatest and best part of the province of Texas, and the possession of it is indispensably necessary for the suppression of the most extensive and avowed system of smuggling that has ever been carried on in the United States, and which, from the nature of the adjacent country, can never be checked while Galveston is occupied by any other authority than that of the United States. At this point commences a chain of islands, which runs southwestwardly along the coast, and beyond the mouth of the Rio Bravo, between which and the main land is a continued sound or bay, from three to twenty leagues in width. The only inlets into the sound northeast of the Rio Bravo are those at Matagorda, near the mouth of the Colorado, and at Galveston. The bar at Galveston affords from ten to twelve feet water, according to the state of the tide. The anchorage on the east side of the bar is very good; and, as soon as it is passed, there are from four to six fathoms water, and an easy access into one of the safest harbors in the world.

At Matagorda, the bar is said to afford from eleven to thirteen feet water; but there is no anchorage outside the bar, and that within the harbor is not good. The harbor of Galveston is situated at the east end of Serpent island, which is thirty miles long, and from two to six miles wide—the soil alluvial, very much mixed with shells, and generally dry and fertile. It is but a few feet above the level of high tide. This island forms a part of the southern boundary of the bay of Trinity. It is entirely destitute of wood. The present supply of fuel is derived from drift wood.

The climate is a delicious one; and, notwithstanding the water is as bad as it can be to be drinkable, the site is a very healthy one. The bay of Trinity extends northwestwardly to within a few miles of the Sabine; and southwestwardly, beyond the Brassos, it receives the Trinity, the St. Jacynth's, and the Brassos—all large rivers, affording good navigation, and watering the best parts of the province of Texas. At the mouth of each of these rivers is a bar, which affords only four feet water; and the only pass into the bay for large vessels is that at Galveston. But the point of view in which the possession of Galveston is at this time particularly interesting to the United States, and on which account I would recommend its immediate occupation as a military post, is to put an end to the system of smuggling that is actively carried on through this whole country, and which is not confined to merchants, but is the avowed occupation of many, and extends even to the planters, who, entering into the business in the first instance for the purpose of obtaining negroes for their own use, have been induced, in many instances, from the profits, to continue the trade. If the same spirit of smuggling which prevails here (and it is a contagious one) extended to the same class of people in the Atlantic States, the revenue of the United States could not be collected, and a large portion of the population would become hostile to the Government. Such is the nature of the country lying between the swamps of the Mississippi and the Sabine, and such facilities does it afford to smuggling, that it could not even be checked while Galveston was subject to any other authority than that of the United States, except by the military occupation of the mouths of every river and inlet (for the inlets make into very large lakes, through which the rivers flow) between these points. But if Galveston were occupied by a single company, under the command of an officer of great *integrity* and *prudence*, with a revenue cutter under his control and direction, the whole of the smuggling trade now carried on west of the Mississippi swamp could be effectually broken up in two months. To break up that carried on in the swamp and at New Orleans, will be a work of more time and expense.

NEW ORLEANS, November 18, 1818.

SIR: I have the honor to report to you the capture, by the United States ketch Surprise, Lieutenant Commandant McKeever, of a small schooner in ballast, under Mexican colors, coming from Galveston, and bound to this place, having on board the ex-French General Humbert, who had for many months been exercising the office of Governor of that place and of its dependencies, and, as such, issuing commissions to eleven privateers, a list of which I herein enclose. The above-mentioned vessel was also sailing under his commission. On board of her were a number of French emigrants, from the French settlement of Camp D'Asile, which has been abandoned, and the inhabitants dispersed, in consequence of the orders of our Government, as communicated to them by Mr. Graham. From every thing I can learn, a total abandonment of Galveston, by the piratical association, will immediately take place, if it has not already, in consequence of the frequent captures of their cruisers by United States vessels, the great difficulty and loss they experience in introducing their captured goods into the United States, and the seductive invitation of

Aury, at Old Providence, whither they will repair, and, under his commissions, infest the West Indies.

The Firebrand is on our western coast, and will, I hope, bring in for trial some of the vessels stated in the within list. The schooner captured by her, and reported by my letter of the 10th of August ultimo, is the last-mentioned one on that list.

I have the honor to be, with great respect, your obedient servant,
DANIEL T. PATTERSON.

HON. SECRETARY OF THE NAVY, Washington.

Notes des commissions Mexicaines en course concéder, par le Général Amable Humbert, aux capitaines des corsairs ci-dessous.

Capitaines.	Guns.
W. W. Mitchel	1
Ene. Mouleton	1
Tn. Mitchel	1
Thomas Williams, (ketch Surprise)	1
D. Andrés	2
Franco. Thomasy	2
Frank	2
Andre, (Italian)	2
Ajustin, (plusieurs)	3
Gambi	2
Maison, (captured by the Firebrand)	2

Toutes les commissions données aux dites capitaines, en arrivant dans le port de Galveston, donnerons un quinzième de la valeur de leur prizes qui feront au Général Amable Humbert, pour les avoir concéder les commissions Mexicaines.

SIXTEENTH CONGRESS, FIRST SESSION.

On the 20th of December, 1819, the President of the United States sent the following message to the two Houses of Congress, and, in the House of Representatives, it was referred to the Committee on the Slave Trade.

To the Senate and House of Representatives of the United States :

Some doubt being entertained respecting the true intent and meaning of the act of the last session entitled "An act in addition to the acts prohibiting the slave trade," as to the duties of the agents to be appointed on the coast of Africa, I think it proper to state the interpretation which has been given of the act, and the measures adopted to carry it into effect, that Congress may, should it be deemed advisable, amend the same, before further proceeding is had under it.

The obligation to instruct the commanders of all our armed vessels to seize and bring into port all ships or vessels of the United States, wheresoever found, having on board any negro, mulatto, or person of color, in

violation of former acts for the suppression of the slave trade, being imperative, was executed without delay. No seizures have yet been made, but, as they were contemplated by the law, and might be presumed, it seemed proper to make the necessary regulations, applicable to such seizures, for carrying the several provisions of the act into effect.

It is enjoined on the Executive to cause all negroes, mulattoes, or persons of color, who may be taken under the act, to be removed to Africa. It is the obvious import of the law, that none of the persons thus taken should remain within the United States; and no place other than the coast of Africa being designated, their removal or delivery, whether carried from the United States or landed immediately from the vessels in which they were taken, was supposed to be confined to that coast. No settlement or station being specified, the whole coast was thought to be left open for the selection of a proper place at which the persons thus taken should be delivered. The Executive is authorized to appoint one or more agents, residing there, to receive such persons, and \$100,000 are appropriated for the general purposes of the law.

On due consideration of the several sections of the act, and of its humane policy, it was supposed to be the intention of Congress that all the persons above described, who might be taken under it, and landed in Africa, should be aided in their return to their former homes, or in their establishment at or near the place where landed. Some shelter or food would be necessary for them there as soon as landed, let their subsequent disposition be what it might. Should they be landed without such provision having been previously made, they might perish. It was supposed, by the authority given to the Executive to appoint agents residing on that coast, that they should provide such shelter and food, and perform the other beneficent and charitable offices contemplated by the act. The coast of Africa having been little explored, and no persons residing there, who possessed the requisite qualifications to entitle them to the trust, being known to the Executive, to none such could it be committed. It was believed that citizens only who would go hence, well instructed in the views of their Government, and zealous to give them effect, would be competent to these duties, and that it was not the intention of the law to preclude their appointment. It was obvious that the longer these persons should be detained in the United States in the hands of the marshals, the greater would be the expense, and that for the same term would the main purpose of the law be suspended. It seemed, therefore, to be incumbent on me to make the necessary arrangements for carrying this act into effect in Africa in time to meet the delivery of any persons who might be taken by the public vessels, and landed there under it.

On this view of the policy and sanctions of the law, it has been decided to send a public ship to the coast of Africa, with two such agents, who will take with them tools and other implements necessary for the purposes above mentioned. To each of these agents a small salary has been allowed; \$1,500 to the principal, and \$1,200 to the other. All our public agents on the coast of Africa receive salaries for their services, and it was understood that none of our citizens, possessing the necessary qualifications, would accept these trusts, by which they would be confined to parts the least frequented and civilized, without a reasonable compensation. Such allowance, therefore, seemed to be indispensable to the execution of the act. It is intended also to subject a portion of the sum appropriated to

the order of the principal agent, for the special objects above stated, amounting in the whole, including the salaries of the agents for one year, to rather less than one-third of the appropriation. Special instructions will be given to these agents, defining, in precise terms, their duties in regard to the persons thus delivered to them; the disbursement of the money by the principal agent, and his accountability for the same. They will also have power to select the most suitable place on the coast of Africa, at which all persons who may be taken under this act shall be delivered to them, with an express injunction to exercise no power founded on the principle of colonization, or other power than that of performing the benevolent offices above recited, by the permission and sanction of the existing Government under which they may establish themselves. Orders will be given to the commander of the public ship in which they will sail to cruise along the coast, to give the more complete effect to the principal object of the act.

JAMES MONROE.

WASHINGTON, December 17, 1819.

FRIDAY, DECEMBER 31, 1819.

On motion of Mr. Whitman, it was

Resolved, That the Secretary of the Treasury be directed to lay before this House copies of such communications as he may have received since 1816, and such information as he may possess, in relation to the illicit introduction of slaves into the United States, with a statement of the measures adopted to prevent the same.

On motion of Mr. Whitman, it was

Resolved, That the Secretary of the Navy be directed to lay before this House copies of such communications as he may have received since 1816, and such information as he may possess, in relation to the introduction of slaves into the United States, with a statement of the measures adopted to prevent the same.

In obedience to the foregoing orders of the House of Representatives, the Secretaries of the Departments of the Treasury and of the Navy made the communications which follow.

TREASURY DEPARTMENT, *January 11, 1820.*

SIR: In obedience to a resolution of the House of Representatives, of the 31st ultimo, directing the Secretary of the Treasury to lay before the House "copies of such communications as he may have received since 1816, and such information as he may possess, in relation to the illicit introduction of slaves into the United States, with a statement of the measures adopted to prevent the same," I have the honor to submit the enclosed letters, from different collectors of the customs, to this Department.

It appears, from an examination of the records of this office, that no particular instructions have ever been given by the Secretary of the Treasury, under the original or supplementary acts prohibiting the introduction of slaves into the United States.

The general practice of the Department has been to confine its atten-

tion, and to limit its instructions, to cases arising under the revenue laws, except where, by directions of the President of the United States, the superintendence of the execution of other laws has been specially required of it. No such duty has, in relation to the laws prohibiting the introduction of slaves into the United States, been required of the Secretary of the Treasury.

His letter to the War and Navy Departments, of the 16th July, 1817, a copy of which is also enclosed, was written during the absence of the President, under circumstances which did not admit of the delay necessary to obtain his direction and instruction. An additional reason for writing that letter may be found in the fact that the other heads of Department were absent, and the officers exercising their functions provisionally were unwilling to incur the responsibility of the measures required by the occasion.

I have the honor to be your most obedient servant,

WILLIAM H. CRAWFORD.

Honorable HENRY CLAY,
Speaker of the House of Representatives.

TREASURY DEPARTMENT, July 16, 1817.

SIR: From information recently received by this Department, there is just reason to believe that Sir Gregor McGregor has taken military possession of Amelia island, in the name of the Spanish patriots. Considering that the restless and adventurous of all nations, and especially of the island of St. Domingo, have ranged themselves under the banners of the different leaders, by sea and land, who are engaged in the civil war now raging between Spain and her colonies, and that the port of Fernandina will necessarily become the common rendezvous of all the vessels sailing under the various flags of the Spanish provinces which have declared themselves independent, apprehensions are justly entertained, by the citizens of the southern section of the State of Georgia, that their peace and tranquillity will be disturbed, and their rights infringed, unless protected by the presence of a force sufficient to command respect from the troops thus expected to be congregated in their immediate neighborhood.

In addition to the circumstances already communicated, the disposition which has been manifested by the vessels of Spain, engaged in the African slave trade; to introduce illicitly into that section of the Union the persons who, in the prosecution of their traffic, have been subjected to their control, seems to require the presence of a force sufficient to enforce the due execution of the laws against the introduction of slaves into the United States. From the known character and conduct of the leader of the enterprise against Amelia island, there is just ground to apprehend that this illicit traffic, if continued, will, under his auspices, assume a bolder character; and, if abandoned, that it will be substituted by measures equally derogatory to the laws, and more destructive of the rights and interests of the citizens of the eastern section of the Southern States. To guard against the unlawful introduction of slaves, and to repress any attempt that may be made by the foreign belligerent force collected in that neighborhood to excite domestic insurrection among the blacks, it appears

to me to be absolutely necessary that a land and naval force be stationed at St. Mary's.

As the portion of East Florida immediately bordering on the United States is but sparsely, if at all, inhabited, the entrance of vessels into the river St. Mary's, freighted with slaves, can have no other object than the violation of our laws, by covertly introducing a population which is prohibited. Under such circumstances, and especially when the imbecility or indisposition of the local authorities to preserve the accustomed relations between independent States are considered, and, above all, the odious character of the traffic intended to be restrained, the seizure of every vessel, freighted with slaves, which shall be found in the river St. Mary's, or hovering upon our coast, is respectfully submitted.

I have the honor to be, &c.

W. H. CRAWFORD.

The SECRETARIES of War and the Navy.

Extract of a letter from the deputy collector of Nova Iberia to the Secretary of the Treasury, dated July 9, 1818.

By Mr. Dick's advice, last summer, I got out State warrants, and had negroes seized, to the number of eighteen, which were a part of those stolen out of the custody of the coroner, and the balance condemned by the district judge of the State; and the informers received their part of the nett proceeds from the State treasurer. Five negroes, that were seized about the same time, were tried at Opelousas, in May last, by the same judge: he decided that some Spaniards (that were supposed to have set up a sham claim, stating that the negroes had been stolen from them on the high seas) should have the negroes, and that the persons that seized them should pay one-half the costs, and the State of Louisiana the other. This decision had such an effect as to render it almost impossible for me to obtain any assistance in that part of the country. There has been lately up the bayou Nementou two schooners from Galveston; they sold a part of their cargoes, and deposited the balance, and I could get no assistance to take them. I made two seizures of wine, a part of one of their cargoes, in the neighborhood of the Vermilion bridge, about twenty miles to the westward of this place. I summoned assistance, a part of which refused to assist, a part deserted while guarding the property, and the balance, not being sufficiently strong to protect it, it was taken from them the ensuing night. The smugglers had forcibly prevented our removing the property in the day time.

COLLECTOR'S OFFICE, DISTRICT OF BRUNSWICK, GEORGIA,

Port of Darien, July 5, 1818.

SIR: On the 14th March I did myself the honor to address you on the subject of Africans illicitly introduced into the United States. Not being favored with a reply, it may be proper for me to state, that a demand being subsequently made, by the Executive of this State, for all such

Africans in my possession; in compliance therewith, I delivered over to his agent ninety-one negroes.

I have the honor to be, &c.

W. I. McINTOSH, *Collector.*

HON. WILLIAM H. CRAWFORD,
Secretary of the Treasury.

Extract of a letter from the collector of New Orleans to the Secretary of the Treasury, dated April 17, 1818:

It has been stated to me, on the authority of a letter to a respectable gentleman of this city, that there were three schooners lying in the river Mermentau, belonging to Commodore Aury's squadron, smuggling their cargoes on shore. The audacity of the piratical set, since they find Galveston has not been, and, as they say, will not be, suppressed, knows no bounds. In order to keep them somewhat more in check, and to defeat their nefarious schemes, as far as in my power, until Government aid us with such force as it may deem best suited to the purpose, I have determined to station an additional revenue boat and crews, with an active and enterprising officer, at and near Fort St. Philip, and to increase the crews of the boats at the Balize and Fort St. John. It will, I think, render their operations a little more difficult, and I confidently rely on your approbation. The additional expense can be no consideration. But no efforts of the officers of customs alone can be effectual in preventing the introduction of Africans from the westward: to put a stop to that traffic, a naval force, suitable to those waters, is indispensable; and vessels captured with slaves ought not to be brought into this port, but sent to some other in the United States, for adjudication. Enclosed you will also find an act passed by the Legislature of this State, respecting slaves imported in violation of the law of Congress of the 2d of March, 1807. The object and policy of this law requires no comment from me. Vast numbers of slaves will be introduced to an alarming extent, unless prompt and effectual measures are adopted by the General Government.

The master of an American schooner from Havana reports that he was offered a full freight of Africans for this river, which he refused.

COLLECTOR'S OFFICE, DISTRICT OF BRUNSWICK, GEORGIA,

Port of Darien, March 14, 1818.

SIR: I had the honor to address you per last mail, and to enclose you papers respecting forty-seven African negroes, taken, by the surveyor of Darien, from one Jared E. Groce, on their way to the Alabama Territory, through the Indian nation, and forty-one others at the Creek agency, from the negro houses of the agent for Indian affairs. It is a painful duty, sir, to express to you that I am in possession of undoubted information that African and West India negroes are almost daily illicitly introduced into Georgia, for sale or settlement, or passing through it to the Territories of the United States for similar purposes. These facts are notorious; and it is not unusual to see such negroes in the streets of St. Mary's; and such, too, recently captured by our vessels of war, and ordered to Savannah,

were illegally bartered by hundreds in that city, for this bartering or bonding (as it is called, but in reality selling) actually took place before any decision had passed by the court respecting them. I cannot but again express to you, sir, that these irregularities and mocking of the laws by men who understand them, and who, it was presumed, would have respected them, are such, that it requires the immediate interposition of Congress to effect a suppression of this traffic; for, as things are, should a faithful officer of Government apprehend such negroes, to avoid the penalties imposed by the laws, the proprietors disclaim them, and some agent of the Executive demands a delivery of the same to him, who may employ them as he pleases, or effect a sale by way of a bond for the restoration of the negroes when legally called on so to do; which bond, it is understood, is to be forfeited, as the amount of the bond is so much less than the value of the property. And again, sir, an officer disposed to perform his trust with fidelity is placed at the mercy of the State; for, to carry the intention of the Federal laws into execution, great expenses may be incurred, and for which the State seems not to have made any provision; but has, by its own law of the last session of the Legislature, invested the Executive with the power of becoming a speculator on the exertions and integrity of such Federal officers as feel the weight of their responsibility, and who are willing to perform their duty. For instance, sir: after much fatigue, peril, and expense, eighty-eight Africans are seized and brought by the surveyor to Darien; they are demanded immediately by the Governor's agents, notwithstanding the knowledge which his Excellency had that these very Africans were for some weeks within sixty miles of his Excellency's residence, (*the seat of Government*,) there was no effort, no stir made by him, his agents, or subordinate State officers, to carry the laws into execution; but no sooner than it was understood that a seizure had been effected by an officer of the United States, a demand is made for them; and it is not difficult to perceive, by a compliance, that the very aggressors may, by a forfeiture of the *mock* bond, be again placed in possession of the smuggled property, at but little additional expense to him, but at the entire ruin of the officers who had executed with fidelity the laws they felt bound to observe. There are many negroes (independent of those mentioned as having been bartered in Savannah, &c., before any decision had passed respecting them) recently introduced into this State and the Alabama Territory, and which can be apprehended. The undertaking would be great; but, to be sensible that we shall possess your approbation, and that we are carrying the views and wishes of the Government into execution, is all we wish; and it shall be done, independent of every personal consideration.

I have, &c.

WILLIAM I. McINTOSH, *Collector*.

HON. WILLIAM H. CRAWFORD,
Secretary of the Treasury.

COLLECTOR'S OFFICE,
Savannah, November 25, 1817.

SIR: I have the honor of informing you that the schooner *Tentativa*, reported to be under Spanish colors, with one hundred and twenty-eight

slaves on board, was brought into this port on the 19th instant, by a part of the crew of the United States vessel the Saranac, John H. Elton, commander, having been captured by said vessel, and, at the time, abandoned by her crew. The Tentativa has been libelled by the proctor for the captors; and the slaves, by order of the court, delivered over to the proctor for the captors and the collector of this port, to be taken care of by them until demanded by the competent authority. This order was procured by the proctor for the captors, with a view of preserving the lives of the slaves, they being destitute of provisions and clothing, and must have perished had they been longer at sea. Four of them have already died, but the remaining part of them have been so disposed of as to ensure comfort to them for the present. Under the order of the court and the influence of humanity, it appears to be my duty to interest myself for the sufferers; and, having an estate near the city, I inquired of my agent how many of these people he could accommodate with house-room, and, upon his statement, I have taken possession of forty in number, all of whom I have clothed and shall continue otherwise to succor, until demanded by the competent authority.

I have, &c.

A. S. BULLOCK, *Collector.*

HON. WILLIAM H. CRAWFORD,
Secretary of the Treasury.

Extract of a letter from the deputy collector of Nova Iberia to the Secretary of the Treasury, dated September 27, 1818.

On the 8th day of July last, Captain Amelung, with eighteen of his company, agreed to go with me to the bayou Nementou, to suppress smuggling. On the day and succeeding night after our arrival there, we took thirteen prisoners that came armed to support smugglers, &c. The next day we took one of their vessels, and set some hands to work in repairing her; and Captain Amelung returned to Nova Iberia for the balance of his company, returned with them, and we proceeded on with twenty-five men to the bayou Cureuseau. On our arrival there, we made more prisoners—seized three African negroes, two vessels, and part of their cargoes. Runners had been sent ahead of us, and five or six vessels run out of the bayou a few days prior to our arrival there. A large number of African negroes had been on that bayou, eighty of which left there a short time before our arrival, and about twenty passed us the night before we arrived. We proceeded down the Cureuseau, and came round to the bayou Nementou. Captain Amelung furnished me with a lieutenant and eighteen men, and returned by land to Nova Iberia with the balance of his company. We proceeded with the vessels down the Nementou, and met a felucca, commanded by one of Lafitte's captains, off the mouth of the bayou. The captain took us for smugglers. We got him on board of one of our vessels, and, notwithstanding his directing his men, in French, when he left his own vessel, to cut their cable if he did not return with the boat, and to run down our boat and kill every man on board, we boarded her after they cut their cable, and took her without the loss of one man. Her cargo consists of coffee, cocoa, refined wax for candles, oil, dry goods, and about ten thousand pounds of quicksilver. I arrived

here yesterday, having suffered much. During the line storm, we lost three anchors, sprung one mast, and carried away our yards and sails. I left the vessels in the Vermilion bay—shall start immediately to bring them round to this place. If there was one small cutter on this coast, she would be of great service.

COLLECTOR'S OFFICE,

Savannah, May 22, 1817.

SIR: I have just received information, from a source on which I can implicitly rely, that it has already become the practice to introduce into the State of Georgia, across the St. Mary's river, from Amelia island, East Florida, Africans who have been carried into the port of Fernandina subsequent to the capture of it by the Patriot army now in possession of it.

As this species of traffic may be carried on for an indefinite period of time, without the interposition of Government, I have deemed it my duty to give you the earliest advice of it.

Immediately after the receipt of your letter of the 19th of March last, I instructed Captain Smith to cruise with the cutter to the southward as far as St. Mary's bar, with a view of preventing the landing of such people on the seaboard; but it is not in his power to guard the St. Mary's, which is the route for the introduction of them. It becomes more necessary for a guard to be organized by Government, as this State has never legislated on the subject of the importation of slaves. Were the Legislature to pass an act giving compensation in some manner to informers, it would have a tendency, in a great degree, to prevent the practice. As the thing now is, no citizen will take the trouble of searching for and detecting the slaves. I further understand that the evil will not be confined altogether to Africans, but will be extended to the worst class of West India slaves.

I am, &c.

A. S. BULLOCK, *Collector.*

Hon. WILLIAM H. CRAWFORD,
Secretary of the Treasury.

COLLECTOR'S OFFICE,

Port of Mobile, October 7, 1818.

SIR: It is understood that Judge Webb, one of the judges of the Territory, has resigned. Permit me, sir, to suggest the importance of an early appointment to the vacancy, in order that the person appointed might be present at the next session of the general court, on the first Monday of January next. There are now pending before that court a number of cases of very great importance to the public interest, particularly those of the three vessels, their cargoes, and upwards of one hundred slaves.

I hope the attorney of the United States has informed the Treasury Department of the proceedings of the court in these cases. Not having seen him since, I have not attempted a statement of proceedings to me so

very strange. This, however, appears certain—that the vessels and cargoes and the slaves have been delivered on bonds, the former to the owners, and the slaves to three other persons. The grand jury found true bills against the owners of the vessels, masters, and a supercargo; all of whom are discharged—why or wherefore I cannot say, except that it could not be for want of proof against them.

It is certainly a matter of great importance that these cases be stamped with the full force of the law, to prevent future importations. Two of the vessels were cleared at Havana for New Orleans, and one for this port; and all were American registered vessels—the former at New Orleans, the latter at this port.

Perhaps the magnitude and importance of these cases would render it expedient to employ additional counsel, in aid of the United States attorney, as he will be opposed by able lawyers from New Orleans. Should you deem this proper, be pleased, sir, to direct the sum which may be allowed.

I have the honor to be, &c.

ADDIN LEWIS, *Collector.*

HON. WILLIAM H. CRAWFORD,
Secretary of the Treasury.

NAVY DEPARTMENT, *January 6, 1820.*

SIR: In obedience to a resolution of the House of Representatives of the 31st of December last, requiring the Secretary of the Navy to furnish copies of such communications as he may have received since 1816, and such information as he may possess in relation to the introduction of slaves into the United States, with a statement of the measures adopted to prevent the same, I have the honor to transmit sundry extracts of letters, numbered 1 to 4, inclusively, comprising all the information communicated to this Department since 1816, in relation to the introduction of slaves into the United States.

I have the honor to refer the House of Representatives to my report of the 9th of January, 1819, on this subject; and I transmit, herewith, paper marked A, which contains that part of the instructions from this Department to the commanding naval officers in relation to slave vessels.

The public vessels now cruising have not yet reported their operations, nor is it known that any seizures have been made by them.

I have the honor to be, with the highest respect, sir, your most obedient servant,

SMITH THOMPSON.

HON. SPEAKER of the *House of Representatives.*

No. 1.

Extract of a letter from Captain Charles Morris to the Secretary of the Navy, dated

U. S. FRIGATE CONGRESS,

Off the Balize, June 10, 1817.

Most of the goods carried to Galveston are introduced into the United States; the more bulky and least valuable regularly through the custom-house, and the more valuable and the slaves are smuggled in through the numerous inlets to the westward, where the people are but too much disposed to render them every possible assistance. Several hundred slaves are now at Galveston, and persons have gone from New-Orleans to purchase them. Every exertion will be made to intercept them, but I have little hopes of success.

No. 2.

Extract of a letter from Lieutenant Commandant John Porter to the Secretary of the Navy, dated

U. S. BRIG BOXER,

Off the Balize, June 28, 1817.

I shall leave this on Monday, to cruise off the Sabine river. It is reported that attempts will be made to smuggle slaves into Louisiana from Galveston, and the natural presumption is, that they will attempt the Sabine or the Atchafalaya rivers. The depth of the water of those rivers is very inaccurately represented on the charts, and it will not be in my power to approach nearer the shore than within ten miles of the Sabine, and not nearer than thirty off the Atchafalaya. Whatever can be done to prevent their being brought clandestinely into the country will have to be performed by the boats, which, sir, shall be actively employed the moment we arrive on the ground.

No. 3.

Extract of a letter from Captain John D. Henley to the Secretary of the Navy, dated

U. S. SHIP JOHN ADAMS,

Amelia Sound, January 24, 1818.

I yesterday detained the English brig Neptune, of London, for a violation of the slave act. By her papers it appears that she cleared from Jamaica for this port, with a small quantity of rum, and eight convict slaves, sentenced to transportation for various offences. It is evident that their object was to smuggle them into the State of Georgia, thus making a Botany Bay of the United States. I shall send her to Savannah for trial.

No. 4.

Extract of a letter from Captain John D. Henley to the Secretary of the Navy, dated

U. S. SHIP JOHN ADAMS,
Cumberland Sound, March, 17, 1818.

It would be gratifying to me to know how far the commissions granted by Aury or McGregor, to vessels evidently commanded and manned by citizens of the United States, are to be respected. I have not the smallest doubt, from the situation those pirates have fixed upon for their rendezvous, that the goods found in their prizes will be disposed of principally in the United States, and that the part which may consist of slaves will be smuggled into Georgia, as many of the inhabitants are too much inclined to afford every facility to this species of illicit trade.

A.

Extract from the instructions of the Navy Department to the commanders of all United States vessels cruising in the Atlantic ocean, Gulf of Mexico, &c.

You have also enclosed such parts of several acts of Congress, prohibiting the importation of slaves into any ports or places within the jurisdiction of the United States, as are necessary to point out to you your duty and authority under these laws; and it is expected and required of you by the President, that a strict and vigilant attention be paid to the direction therein contained, that, if possible, this inhuman and disgraceful traffic may be suppressed.

By the act of the 20th of April, 1808, you will perceive that it is made unlawful to import or bring, in any manner whatsoever, into the United States, or Territories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of color, with intent to hold, sell, or dispose of such person as a slave, or to be held to service.

By this act it is also made unlawful for any citizen of the United States, or other person, to build, equip, load, fit, or otherwise prepare, any ship or vessel, in any port or place within the jurisdiction of the United States, or to cause any such ship or vessel to sail from any port or place whatsoever, within the jurisdiction of the United States, for the purpose of procuring and transporting any such slaves to any port or place whatever. And any ship or vessel employed in such importation of slaves, or so built, fitted out, or prepared, is liable to be seized or forfeited. And by the act of the 3d of March, 1819, the President is authorized to employ any of the armed vessels of the United States to cruise in such places as he may think proper, where he may judge attempts may be made to carry on the slave trade by citizens or residents of the United States, in contravention of the acts of Congress prohibiting the same; and to instruct such armed vessels to seize, take, and bring into any port of the United States, to be proceeded against according to law, all ships or vessels of the United States, wheresoever found, which may have taken on board,

or which may be intended for the purpose of taking on board, or of transporting, or may have transported, any negro, mulatto, or person of color, in violation of any of the provisions of the act of the 20th April, 1818, above referred to, or in violation of any other act or acts prohibiting the traffic in slaves.

You will perceive, from the generality of the provisions in these laws, you are authorized to take and bring in all ships or vessels of the United States which may have been in any manner employed or intended to be employed, in the slave trade, or any other vessel offending against the provisions of any of the laws you have enclosed. You will particularly notice the two provisions to the first section of the act of 1819; the first of which directs in what manner you are to keep and dispose of the slaves which may be found on board of any ship or vessel seized by you. If brought within the United States, they are to be delivered to the marshal of the district where brought in, and transmit the evidence of such delivery to this Department. Upon the capture, therefore, of any vessel having slaves on board, you will immediately proceed to the island of Sherbro, on the coast of Africa, and deliver such slaves to the agent appointed by the President to receive them, pursuant to the provisions of the act, or to any other agent so appointed, at any other place on the coast of Africa. The second proviso relates to the disposition of the officers and crews of such vessels so captured by you. Great vigilance will be expected from you in the safe keeping of all such officers and crews, until they shall be handed over to the civil authority, to be proceeded against according to law.

P. S. No provision having as yet been made for the reception of slaves upon the coast of Africa, you will for the present, and until ordered otherwise, consider the foregoing orders, relative to the disposition of such slaves as you may capture, so far modified, that you will deliver them on Smith's island, at the mouth of the Chesapeake bay, to such agent as may be appointed by the President to receive them there.

MAY 8, 1820.

Mr. Mercer, from the committee, consisting of Mr. Hemphill, Mr. Mercer, Mr. Strong of New York, Mr. Edwards of Pennsylvania, Mr. Rogers, Mr. Lathrop, and Mr. Abbott, to whom was referred, at the commencement of the present session of Congress, so much of the President's message as relates to the slave trade, made the following report:

The Committee on the Slave Trade, to whom was referred the memorial of the president and board of managers of the American Society for colonizing the Free People of Color of the United States, have, according to order, had under consideration the several subjects therein embraced, and report:

That the American Society was instituted in the city of Washington on the 28th of December, 1816, for the benevolent purpose of affording to the

free people of color of the United States the means of establishing one or more independent colonies on the western coast of Africa. After ascertaining, by a mission to that continent and other preliminary inquiries, that their object is practicable, the society requests of the Congress of the United States a charter of incorporation, and such other legislative aid as their enterprise may be thought to merit and require.

The memorialists anticipate from its success consequences the most beneficial to the free people of color themselves, to the several States in which they at present reside, and to that continent which is to be the seat of their future establishment. Passing by the foundation of these anticipations, which will be seen in the annual reports of the society and their former memorials, the attention of the committee has been particularly drawn to the connexion which the memorialists have traced between their purpose and the policy of the recent act of Congress for the more effectual abolition of the African slave trade.

Experience has demonstrated that this detestable traffic can be nowhere so successfully assailed as on the coast upon which it originates. Not only does the collection and embarkation of its unnatural cargoes consume more time than their subsequent distribution and sale in the market for which they are destined, but the African coast frequented by the slave ships is indented with so few commodious or accessible harbors, that, notwithstanding its great extent, it could be guarded by the vigilance of a few active cruisers. If to these be added colonies of civilized blacks, planted in commanding situations along that coast, no slave ship could possibly escape detection; and thus the security, as well as the enhanced profit, which now cherishes this illicit trade, would be effectually counteracted. Such colonies, by diffusing a taste for legitimate commerce among the native tribes of that fruitful continent, would gradually destroy among them, also, the only incentive of a traffic which has hitherto rendered all African labor insecure, and spread desolation over one of the most beautiful regions of the globe. The colonies and the armed vessels employed in watching the African coast, while they co-operated alike in the cause of humanity, would afford to each other mutual succor.

There is a single consideration, however, added to the preceding view of this subject, which appears to your committee, of itself, conclusive of the tendency of the views of the memorialists to further the operation of the act of the 3d of March, 1819. That act not only revokes the authority antecedently given to the several State and Territorial Governments to dispose as they pleased of those Africans who might be liberated by the tribunals of the United States, but authorizes and requires the President to restore them to their native country. The unavoidable consequence of this just and humane provision is to require some preparation to be made for their temporary succor, on being landed upon the African shore; and no preparation can prove so congenial to its own object, or so economical as regards the Government charged with this charitable duty, as that which would be found in a colony of the free people of color of the United States. Sustained by the recommendations of numerous societies in every part of the United States, and the approving voice of the Legislative Assemblies of several States, without inquiring into any other tendency of the object of the memorialists, your committee do not hesitate to pronounce it deserving of the countenance and support of the General Government. The

extent to which these shall be carried is a question not so easily determined.

The memorialists do not ask the Government to assume the jurisdiction of the territory, or to become in any degree whatever responsible for the future safety or tranquillity of the contemplated colony. They have prudently thought that its external peace and security would be most effectually guarded by an appeal, in its behalf, to the philanthropy of the civilized world, and to that sentiment of retributive justice with which all Christendom is at present animated towards a much-injured continent.

Of the constitutional power of the General Government to grant the limited aid contemplated by the accompanying bills and resolutions, your committee presume there can exist no shadow of doubt; and they leave it to a period of greater national prosperity to determine how far the authority of Congress, the resources of the National Government, and the welfare and happiness of the United States, will warrant or require its extension.

Your committee are solemnly enjoined by the peculiar object of their trust, and invited by the suggestions of the memorialists, to inquire into the defects of the existing laws against the African slave trade. So long as it is in the power of the United States to provide additional restraints upon this odious traffic, they cannot be withheld, consistently with the justice and honor of the nation.

Congress has heretofore marked with decided reprobation the authors and abettors of this iniquitous commerce, in every form which it assumes; from the inception of its unrighteous purpose in America, through all the subsequent stages of its progress, to its final consummation; the outward voyage, the cruel seizure, and forcible abduction of the unfortunate African from his native home, and the fraudulent transfer of the property thus acquired. It may, however, be questioned if a proper discrimination of their relative guilt has entered into the measure of punishment annexed to these criminal acts.

Your committee cannot perceive wherein the offence of kidnapping an unoffending inhabitant of a foreign country; of chaining him down for a series of days, weeks, and months, amidst the dying and the dead, to the pestilential hold of a slave ship; of consigning him, if he chance to live out the voyage, to perpetual slavery in a remote and unknown land, differs in malignity from piracy, or why a milder punishment should follow the one than the other crime.

On the other hand, the purchase of the unfortunate African, after his enlargement from the floating dungeon which wafts him to the foreign market, however criminal in itself, and yet more in its tendency to encourage this abominable traffic, yields in atrocity to the violent seizure of his person, his sudden and unprepared separation from his family, his kindred, his friends, and his country, followed by all the horrors of the middle passage. Are there are not united in this offence all that is most iniquitous in theft, most daring in robbery, and cruel in murder? Its consequences to the victim, if he survive, to the country which receives him, and to that from which he is torn, are alike disastrous. If the internal wars of Africa, and their desolating effect, may be imputed to the slave trade, (and that the greater part of them must, cannot now be questioned,) this crime, considered in its remote as well as its proximate consequences,

is the very darkest in the whole catalogue of human iniquities; and its authors should be considered as *hostes humani generis*.

In proposing to the House of Representatives to make such part of this offence as occurs upon the ocean piracy, your committee are animated, not by the desire of manifesting to the world the horror with which it is viewed by the American people, but by the confident expectation of promoting, by this example, its more certain punishment by all nations, and its absolute and final extinction.

May it not be believed, that, when the whole civilized world shall have denounced the slave trade as piracy, it will become as unfrequent as any other species of that offence against the law of nations? Is it unreasonable to suppose that negotiation will, with greater facility, introduce into that law such a provision as is here proposed, when it shall have been already incorporated in the separate code of each State?

The maritime Powers of the Christian world have at length concurred in pronouncing sentence of condemnation against the traffic. The United States, having led the way in forming this decree, owe it to themselves not to follow the rest of mankind in promoting its vigorous execution.

If it should be objected that the legislation of Congress would be partial, and its benefit, for a time at least, local, it may be replied, that the constitutional power of the Government has already been exercised in defining the crime of piracy, in accordance with similar analogies to that which the committee have sought to trace between this general offence against the peace of nations and the slave trade.

In many of the foreign treaties, as well as in the laws of the United States, examples are to be found of piracies, which are not cognizable as such by the tribunals of all nations. Such is the unavoidable consequence of any exercise of the authority of Congress to define and punish this crime. The definition and the punishment can bind the United States alone.

MAY 8, 1820.

Mr. Mercer reported the following bill to incorporate the American Society for colonizing the Free People of Color of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Bushrod Washington, William H. Crawford, Henry Clay, John Mason, Henry Foxall, Stephen B. Balch, James Laurie, Obadiah B. Brown, William Wilmer, William Hawley, Walter Jones, Thomas Dougherty, Jacob Hoffman, Francis S. Key, Henry Ashton, William Thornton, Elias B. Caldwell, Richard Smith, and John Underwood, and others, composing the society in the District of Columbia denominated the American Society for colonizing the Free People of Color of the United States, and their successors, duly elected in the manner hereinafter mentioned, be, and they are hereby, constituted and declared to be a body politic and corporate, by the name and title of the American Society for colonizing the Free People of Color of the United States.

SEC. 2. *And be it further enacted,* That said corporation be authorized and empowered to take and receive any sum or sums of money, or other property, real and personal, of any kind or nature, which shall or may hereafter be given, granted, or bequeathed to the said corporation, by any person or persons, bodies politic or corporate, capable of making such gift or bequest: *Provided,* That money or other property be laid out or disposed of for the use and benefit of said corporation, according to the intention of the donors.

SEC. 3. *And be it further enacted,* That the said corporation hereby created shall have full power and authority to fill all vacancies which may happen in their number; to make, ordain, establish, and execute, such by-laws and ordinances as may be deemed useful to the society, and the same to alter, amend, and abrogate, at pleasure; to make, have, and use a common seal, and the same to break, alter, and renew, at pleasure; to appoint such officers and agents as may be required for the management of the concerns of the said society, and to assign them their duties; and, generally, to provide for the transaction of all business appertaining to said society: *Provided,* That no by-law, rule, or ordinance, of the said corporation, shall be made, repugnant to the laws of the District of Columbia.

SEC. 4. *And be it further enacted,* That there shall be an annual meeting of the members of said corporation, at such time and place as the proper officers of said corporation may appoint, of which due notice shall be given in one or more of the newspapers published in the District of Columbia; at which time and place the members present shall elect or choose the officers of the society, to serve for one year ensuing their election, and until others shall be elected, and consent to serve in their places; but the present officers of the society may serve till the next annual meeting, and until others be appointed or chosen.

SEC. 5. *And be it further enacted,* That the said corporation shall not engage in any banking operations; and that the charter hereby granted shall be liable to be amended, altered, or repealed, at all times hereafter, by the Congress of the United States.

MAY 12, 1820.—The Committee of the Whole was discharged, and this bill was postponed until the first day of the next session of Congress; at which session it was not taken up.

MAY 8, 1820.

Mr. Mercer reported the following amendments, proposed by the Committee on the Slave Trade to the bill from the Senate entitled "An act to continue in force an act to protect the commerce of the United States, and punish the crime of piracy, and also to make further provision for punishing the crime of piracy."

After the third section of the bill, insert the following sections:

And be it further enacted, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's

company of any ship or vessel owned in whole or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall land from any such ship or vessel, and, on any foreign shore, seize any negro or mulatto, not held to service or labor by the laws of either of the States or Territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy, or forcibly bring or carry, or shall receive such negro or mulatto on board any such ship or vessel, with intent as aforesaid, such citizen or person shall be adjudged a pirate, and, on conviction thereof, before the circuit court of the United States for the district wherein he may be brought or found, shall suffer death.

And be it further enacted, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel owned wholly or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall forcibly confine or detain, or aid and abet in forcibly confining or detaining, on board such ship or vessel, any negro or mulatto, not held to service by the laws of either of the States or Territories of the United States, with intent to make such negro or mulatto a slave, or shall, on board any such ship or vessel, offer or attempt to sell, as a slave, any negro or mulatto not held to service as aforesaid, or shall, on the high seas, or any where on tide water, transfer, or deliver over, to any other ship or vessel, any negro or mulatto not held to service as aforesaid, with intent to make such negro or mulatto a slave, or shall land, or deliver on shore, from on board any such ship or vessel, any such negro or mulatto, with intent to make sale of, or, having previously sold, such negro or mulatto as a slave, such citizen or person shall be adjudged a pirate, and, on conviction thereof before the circuit court of the United States for the district wherein he shall be brought or found, shall suffer death.

NOTE.—These amendments were agreed to by the House, and became a part of the bill which passed both Houses of Congress, and was approved by the President of the United States, May 15, 1820. When the bill was read the third time in the House of Representatives, and was on its passage,

Mr. Rich moved its recommitment to a select committee, with instructions to strike out the last section of the amendments; which motion was rejected by the House.

MAY 9, 1820.

Mr. Mercer, from the committee consisting of Mr. Hemphill, Mr. Mercer, Mr. Strong of New York, Mr. Edwards of Pennsylvania, Mr. Rogers, Mr. Lathrop, and Mr. Abbott, reported the following resolutions:

1. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be requested to negotiate with all the Governments where ministers of the United States are or shall be accredited, on the means of effecting an entire and immediate abolition of the slave trade.

2. *Resolved, further,* That the President of the United States be re-

quested to enter into a stipulation or formal declaration with the several maritime Powers, recognising the independence and permanent neutrality of any colony of the free people of color of the United States, which shall be established on the western coast of Africa.

3. *Resolved, further*, That the President of the United States be requested, in such use as he may deem it expedient to make of the public ships of the United States, to afford every aid, not inconsistent with the public welfare, to the efforts of the American Society for colonizing the Free People of Color of the United States upon the western coast of Africa.

These resolutions were committed to a Committee of the Whole House.

MAY 12, 1820.

Mr. Edwards, of North Carolina, moved that the Committee of the Whole to which is committed the bill to continue in force the act entitled "An act to protect the commerce of the United States, and to punish the crime of piracy," the bill to incorporate the president and managers of the American Colonization Society, and the resolution authorizing the President of the United States to negotiate with foreign Governments on the means of effecting an entire abolition of the African slave trade, be discharged from the further consideration thereof;

And the question being taken thereon,

It passed in the affirmative.

Mr. Edwards then moved that the said resolutions do lie on the table.

A division of the question on that motion was called for;

And on the question, Shall the first of the said resolutions lie on the table?

It was determined in the negative, { Yeas, 35,
Nays, 78.

The question was then put, Shall the second resolution lie on the table?

And decided in the negative.

And the question was then put, Shall the third resolution lie on the table?

And passed in the affirmative.

Mr. Brush then moved that the first and second resolutions be postponed until the next session of Congress.

And on the question, Shall the first resolution be postponed as aforesaid?

It was decided in the negative.

The question was then put, Shall the second resolution be postponed?

And passed in the affirmative.

The first resolution was then ordered to be engrossed, and read a third time to-day.

The said first resolution being engrossed, was read a third time, passed, and sent to the Senate for concurrence.

SIXTEENTH CONGRESS, SECOND SESSION.

MONDAY, DECEMBER 4, 1820.

On motion of Mr. Mercer,

Resolved, That the President of the United States be requested to lay before this House any correspondence, that he does not deem inexpedient to disclose, which may have existed between the Executive of the United States and the Government of any of the maritime Powers of Europe, in relation to the African slave trade.

In pursuance of the call contained in the foregoing resolution, the President of the United States transmitted to the House of Representatives two messages, which, with their accompanying documents, are as follows:

I communicate to the House of Representatives a report from the Secretary of State, which, with the papers accompanying it, contain all the information in possession of the Executive, requested by a resolution of the House of the 4th of December, on the subject of the African slave trade.

JAMES MONROE.

WASHINGTON, *January 4, 1821.*

DEPARTMENT OF STATE, *January 4, 1821.*

The Secretary of State, to whom has been referred the resolution of the House of Representatives of the 4th ult., requesting the communication to the House of any correspondence, that the President does not deem it inexpedient to disclose, which may have existed between the Executive of the United States and the Government of any of the maritime Powers of Europe, in relation to the African slave trade, has the honor of submitting copies of the papers requested by the resolution. With the exception of a note from the late Spanish minister, Onis, communicating a copy of the treaty between Spain and Great Britain on this subject, the only Government of Europe with whom there has been such correspondence is that of Great Britain; and these papers contain all that has passed between them on the subject, in writing. Since the arrival of Mr. Canning, various informal conferences between him and the Secretary of State have been held, in which the proposals on the part of Great Britain have been fully discussed, without effecting a removal of the objections upon which the President had, in the first instance, found himself under the necessity of declining them. They have not yet terminated, nor have any written communications passed on the subject, with the exception of the note from Mr. Canning; and the answer to it, herewith submitted, both of a date subsequent to that of the resolution of the House.

JOHN QUINCY ADAMS.

LIST OF PAPERS.

Mr. Onis to the Secretary of State,	May 14, 1818,	Translation.
Mr. Rush to the same,	Feb. 18, do	Extract.
Same to the same,	April 15, do	do.
Same to the same,	June 24, do	do.
Lord Castlereagh to Mr. Rush,	June 20, do	Copy.
Mr. Rush to Lord Castlereagh,	June 23, do	do.
Secretary of State to Messrs. Gallatin and Rush,	Nov. 2, do	Extract.
Mr. Rush to Lord Castlereagh,	Dec. 21, do	Copy.
Same to the Secretary of State,	March 5, 1819,	Extract.
Same to same,	Nov. 10, do	do.
Mr. Canning to the Secretary of State,	Dec. 20, 1820.	Copy.
The Secretary of State to Mr. Canning,	Dec. 30, do	do.

[TRANSLATION.]

Don Luis de Onis to the Secretary of State.

SIR: The introduction of negro slaves into America was one of the earliest measures adopted by the august ancestors of the King, my master, for the improvement and prosperity of those vast dominions, very shortly after their discovery. The total inaptitude of the Indians to various useful but painful labors, the result of their ignorance of all the conveniences of life, and the imperfect progress in civil society, made it necessary to have recourse to strong and active laborers for breaking up and cultivating the earth. With the double view of stimulating them to active exertion, and of promoting the population of those countries, a measure was resorted to by Spain; which, although repugnant to her feelings, is not to be considered as having originated the system of slavery, but as having materially alleviated the evils of that which already existed, in consequence of a barbarous practice of the Africans, upon saving the lives of a considerable portion of the captives in war, whom they formerly put to death. By the introduction of this system, the negroes, far from suffering additional evils, or being subjected, while in a state of slavery, to a more painful life than when possessed of freedom in their own country, obtained the inestimable advantage of a knowledge of the true God, and of all the benefits attendant on civilization.

The benevolent feelings of the sovereigns of Spain did not, however, at any time permit their subjects to carry on this trade but by special license; and in the years 1789 and 1798, and on the 22d of April, 1804, certain limited periods were fixed for the importation of slaves. Although the last term had not expired when His Majesty our Lord Don Ferdinand the Seventh was restored to the throne, of which a perfidious usurper had attempted to deprive him, His Majesty, on resuming the reins of Government, soon perceived that those remote countries had become a prey to civil feuds; and, in reflecting on the most effectual means of restoring or-

der, and affording them all the encouragement of which they are susceptible, His Majesty discovered that the numbers of the natives and free negroes had prodigiously increased under the mild regimen of the Government, and the humane treatment of the Spanish slave owners; that the white population had also greatly increased; that the climate is not so noxious to them as it was before the lands were cleared; and, finally, that the advantages resulting to the inhabitants of Africa, in being transported to cultivated countries, are no longer so decided and exclusive, since England and the United States have engaged in the noble undertaking of civilizing them in their native country.

All these considerations combining with the desire entertained by His Majesty of co-operating with the Powers of Europe in putting an end to this traffic, which, if indefinitely continued, might involve them all in the most serious evils, have determined His Majesty to conclude a treaty with the King of the United Kingdom of Great Britain and Ireland, by which the abolition of the slave trade is stipulated and agreed on, under certain regulations; and I have received his commands to deliver to the President a copy of the same, His Majesty feeling confident that a measure so completely in harmony with the sentiments of this Government, and of all the inhabitants of this republic, cannot fail to be agreeable to him.

In the discharge of this satisfactory duty, I now transmit you the aforesaid copy of the treaty, which I request you will be pleased to lay before the President; and I have the honor to renew the assurances of my distinguished respect.

God preserve you many years!

LUIS DE ONIS.

WASHINGTON, *May* 14, 1818.

Extract of a letter from Mr. Rush to the Secretary of State, dated February 18, 1818.

You will probably have perceived, by the proceedings in the House of Commons, that treaties have been formed between this Government and both Spain and Portugal, securing, as far as may be done by treaty, the final abolition, after a specified time, not very remote, of the slave trade. Thus is a last hand to be put to the work of America, whose legislators led the way, with Europe against them, in this transcendent moral reform. But it is a triumph, which as little the courts as the public of Europe seem willing, in any shape, to acknowledge. The palm is claimed by others. America is even placed in fault. In his speech on the Spanish treaty, delivered in the House of Commons on the 8th instant, Lord Castlereagh observed that it was in vain for Britain alone to shut the door of her colonies against the slave trade; for that, unless there was a concert of exclusion, the other islands of the West Indies, "and the Southern provinces of the United States, would become the asylum and depot of it." I gladly caught the opportunity of this accidental meeting* to say what could not have been otherwise than acceptable to the zeal for abolition. I stated the nature of our laws. I said I felt sure that he would hear from

* With Lord Castlereagh.

me with pleasure that it was upwards of nine years since the traffic had been abolished throughout the Union; and that so far had our acts of Congress carried the prohibition, that to import even a single slave into any of the States had, during the same period, been denounced as an offence, and subjected to unusually rigorous penalties of fine and imprisonment. His lordship admitted the prohibitions, but intimated fears lest we could not enforce them, alluding to the recent state of things at Amelia. In the end, he invited me to look into all their conventions with other Powers upon this subject, with a view to future conversation, adding that he was well disposed himself to a proper concert of action between our two Governments, for the more effectual extirpation of the traffic.

I shall look into the conventions accordingly, and wait the renewal of the topic. Whether policy would dictate any concert, is a point upon which, not being instructed, I will not presume to give any opinion. But I hope, I do not misjudge in thinking that, for the present, I am merely bound to listen to, without seeking, any further conversation. I will take care punctually to communicate, for the President's information, whatever may be said to me, in like manner as my duty devolves it upon me to transmit this first sentiment, so cursorily thrown out by Lord Castlereagh. It will be understood that, in adverting to our municipal prohibitions, I intended no advance to the point of national co-operation. It was barely for the sake of an incidental and gratuitous vindication, after a public remark, which, to say no more, was susceptible of unjust interpretations. On his allusion to Amelia island, I reminded him that it was the very anxiety to prevent the illicit introduction of slaves that had formed a ruling motive with the President for breaking up, with the public force itself, the establishment at that place.

Extract of a letter from Mr. Rush to the Secretary of State, dated April 15, 1818.

He (Lord Castlereagh) next spoke of the slave trade. The Government of Great Britain felt, he said, an increasing desire that the Government of the United States should lend itself to the measures of regulation going forward in Europe for its complete extirpation. These measures mean, in effect, a reciprocal submission to the right of search. He explained, by saying that only to a limited number of the armed vessels of each of the maritime States would a power to search be deputed, while the exercise of it would be strictly forbidden to all others. It was contemplated, he continued, to form, out of an association of these armed vessels, a species of naval police, to be stationed chiefly in the African seas, and from whose harmonious and co-operating efforts the best results were anticipated. He added, that no peculiar structure or previous appearances in the vessel searched, no presence of irons, or other presumptions of criminal intention, nothing but the actual finding of slaves on board, was ever to authorize a seizure or detention. He said that they had lately pressed France upon the subject, and that there was no doubt of her eventual agreement. The recent vote in both her Chambers, on the broad principle of abolition, he regarded as a full pledge of her ulterior steps.

I replied, that I was sure that the President would listen with an ear

the most liberal to whatever distinct proposals were made, more especially as the United States had been long awake, as well to the moral guilt as to the political and social evils of the traffic, and had, as was known, aimed against it the denunciations of their own laws. The distinct propositions, his lordship gave me reason to think, would be made known, before long, through Mr. Bagot.

Extract of a letter from Mr. Rush to Mr. Adams, dated London, June 24, 1818.

In two former despatches, I have mentioned what Lord Castlereagh has said to me relative to the slave trade. In my interview with him on the eleventh of this month, he spoke of it in a manner more formal and definitive.

He first alluded to the late treaties concluded between Great Britain and several of the Powers of Europe upon this subject. Entering into conversation upon their particular nature and provisions, he said that the period had arrived when it was the wish of the British Government to invite the Government of the United States to join in the measures which Europe was so generally adopting for the more perfect abolition of this traffic, and that it was now his design to submit through me proposals to this effect. It will be perceived, by my despatch No. 14,* that at that period it had been contemplated to make them through the channel of the English mission at Washington. What may have led to a change in this respect his lordship did not state, nor did I deem it material to inquire.

It had occurred to him, he said, to make the proposals by sending me, accompanied by an official note, entire copies of all the treaties in question. They would best unfold the grounds and principles upon which a concert of action had already been settled by the States that were parties to them, and it was his intention to ask the accession of the United States upon grounds and principles that were similar. He added, that he would willingly receive my suggestions as to any other course that might strike me as better adapted to the object. I replied, that none appeared to me more eligible, and that, whenever he would enclose me the treaties, I would lose no time in transmitting them for the consideration of the President.

It naturally occurred to me, during our conversation, that the detached and distant situation of the United States, if not other causes, might call for a modification in some parts of these instruments, admitting that the broad principle of concert met approbation. His lordship upon this point was full in assurances that the British Government would be happy to listen to whatever modifications the Government of the United States might think fit to propose. Its anxious and only desire, he said, was to see a convention formed that would prove free from all objection, and be conducive to the single and grand object to which both sides looked. He ended by expressing the belief which was felt, that the maritime co-operation of the United States would usefully contribute to the advancement of this great work of humanity.

Nothing further passed necessary to the full understanding of the overture, beyond what the documents themselves and his lordship's note are

calculated to afford. To these I have therefore the honor to refer, as disclosing, in the most authentic and detailed manner, the whole views of the British Government upon this interesting subject.

—
Lord Castlereagh to Mr. Rush.

FOREIGN OFFICE, June 20, 1818.

SIR: The distinguished share which the Government of the United States has, from the earliest period, borne in advancing the cause of abolition, makes the British Government desirous of submitting to their favorable consideration whatever may appear to them calculated to bring about the final accomplishment of this great work of humanity.

The laudable anxiety with which you personally interest yourself in whatever is passing upon this important subject will have led you to perceive, that, with the exception of the crown of Portugal, all European States have now either actually prohibited the traffic in slaves to their subjects, or fixed an early period for its cessation, whilst Portugal has also renounced it to the north of the equator. From May, 1820, there will not be a flag, which *can legally* cover this detested traffic to the north of the line; and there is reason to hope that the Portuguese may also ere long be prepared to abandon it to the south of the equator; but so long as some effectual concert is not established amongst the principal maritime Powers for preventing their respective flags from being made a cover for an illicit trade, there is too much reason to fear (whatever be the state of the law upon this subject) that the evil will continue to exist, and, in proportion as it assumes a contraband form, that it will be carried on under the most aggravating circumstances of cruelty and desolation.

It is from a deep conviction of this truth, founded upon experience, that the British Government, in all its negotiations upon this subject, has endeavored to combine a system of alliance for the suppression of this most abusive practice, with the engagements which it has succeeded in lately contracting with the Governments of Spain and Portugal for the total or partial abolition of the slave trade. I have now the honor to enclose to you copies of the treaties which have been happily concluded with those Powers, together with the acts which have recently passed the Legislature for carrying the same into execution.

I have also the satisfaction to transmit to you a copy of a treaty which has been recently concluded with the King of the Netherlands, for the like purpose, though at too late a period in the session to admit of its provisions receiving the sanction of Parliament. I am induced the more particularly to call your attention to this convention, as it contains certain provisions which are calculated to limit, in some respects, the powers mutually conceded by the former treaties, in a manner which, without essentially weakening their force, may render them more acceptable to the contracting parties.

The intimate knowledge which you possess of this whole subject renders it unnecessary for me, in requesting you to bring these documents to the observation of your Government, to accompany them with any more detailed explanation. What I have *earnestly* to beg of you is, to bring them under the serious consideration of the President, intimating to him

the strong wish of the British Government that the exertions of the two States may be combined upon a somewhat similar principle, in order to put down this great moral disobedience, wherever it may be committed, to the laws of both countries. I am confident this cannot effectually be done, except by mutually conceding to each other's ships of war a qualified right of search, with a power of detaining the vessels of either State with slaves *actually on board*.

You will perceive in these conventions a studious, and, I trust, a successful attempt to narrow and limit this power within due bounds, and to guard it against perversion. If the American Government is disposed to enter into a similar concert, and can suggest any further regulations, the better to obviate abuse, this Government will be most ready to listen to any suggestion of this nature—their only object being to contribute, by every effort in their power, to put an end to this disgraceful traffic.

I have the honor to be, with great truth, sir, your most obedient humble servant,

CASTLEREAGH.

Mr. Rush to Lord Castlereagh.

LONDON, June 23, 1818.

MY LORD: I have been honored with your lordship's note of the twentieth of this month, enclosing copies of treaties recently concluded between this Government and the Governments of Portugal, Spain, and the Netherlands, respectively, in relation to the slave trade, and designed to draw the attention of the Government of the United States to this subject, with a view to its co-operation upon principles similar to those held out in these treaties, in measures that may tend to the more complete and universal abolition of the traffic.

The United States, from an early day of their history, have regarded with deep and uniform abhorrence the existence of a traffic attended by such complications of misery and guilt. Its transcendent evils roused throughout all ranks a corresponding zeal for their extirpation. One step followed another, until humanity triumphed; and against its continuance, under any shape, by its own citizens, the most absolute prohibitions of their code have, for a period of more than ten years, been rigorously, and, it is hoped, beneficially levelled. Your lordship will pardon me this allusion to the earnest efforts of the United States to put down the traffic within their own limits, falling in, as it merely does, with the tribute which you have been pleased to pay to their early exertions, in helping to dry up this prolific source of human woe.

Whether any causes may throw obstacles in the way of their uniting in that concert of external measures in which Europe generally, and this nation in particular, are now so happily engaged, the more effectually to banish from the world this great enormity, I dare not, in the total absence of all instructions, presume to intimate; much less have I any opinion of my own to offer upon a subject so full of delicacy and interest. But it is still left to me to say, that I shall perform a duty peculiarly gratifying in transmitting, by the earliest opportunities, copies of your lordship's note, with the documents which accompanied it, to my Government; and I sufficiently know the permanent sensibility which pervades all its councils

upon this subject to promise that the overture which the former embraces will receive from the President the full and anxious consideration due to its importance, and, above all, to the enlarged philanthropy on the part of this Government by which it has been dictated.

I have the honor to be, with the highest consideration, your lordship's obedient faithful servant,

RICHARD RUSH.

Extract of a letter from the Secretary of State to Messrs. Gallatin and Rush, dated Department of State, November 2, 1818.

The President desires that you would make known to the British Government his sensibility to the friendly spirit of confidence with which the treaties lately contracted by Great Britain, with Spain, Portugal, and the Netherlands, and the legislative measures of Parliament founded upon them, have been communicated to this Government, and the invitation to the United States to join in the same or similar arrangements has been given. He wishes you also to give the strongest assurances that the solicitude of the United States for the accomplishment of the common object, the total and final abolition of that odious traffic, continues with all the earnestness which has so long and so steadily distinguished the course of their policy in relation to it. As an evidence of this earnestness, he requests you to communicate to them a copy of the act of Congress of the last session, in addition to the act of 1807, to prohibit the importation of slaves into the United States—(acts of the last session, chapter 86, p. 81;) and to declare the readiness of this Government, within their constitutional powers, to adopt any further measures which experience may prove to be necessary for the purpose of attaining so desirable an end.

But you will observe that, in examining the provisions of the treaties communicated by Lord Castlereagh, all their essential articles appear to be of a character not adapted to the institutions or to the circumstances of the United States.

The power agreed to be reciprocally given to the officers of the ships of war of either party, to enter, search, capture, and carry into port for adjudication, the merchant vessels of the other, however qualified and restricted, is most essentially connected with the institution, by each treaty, of two mixed courts, one of which to reside in the external or colonial possessions of each of the two parties, respectively. This part of the system is indispensable to give it that character of reciprocity, without which the right granted to the armed ships of one nation to search the merchant vessels of another would be rather a mark of vassalage than of independence. But to this part of the system, the United States, having no colonies either on the coast of Africa or in the West Indies, cannot give effect.

You will add, that, by the Constitution of the United States, it is provided, the judicial power of the United States shall be vested in a Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish. It provides that the judges of these courts shall hold their offices during good behavior; and that they shall be removable by impeachment and conviction of crimes or misdemeanors. There may be some doubt whether the power of the Government of the United States

is competent to institute a court for carrying into execution their penal statutes beyond the territories of the United States—a court consisting partly of foreign judges, not amenable to impeachment for corruption, and deciding upon the statutes of the United States without appeal.

That the disposal of the negroes found on board the slave-trading vessels which might be condemned by the sentence of these mixed courts cannot be carried into effect by the United States; for, if the slaves of a vessel condemned by the mixed court should be delivered over to the Government of the United States as freemen, they could not, but by their own consent, be employed as servants or free laborers. The condition of the blacks being in this Union regulated by the municipal laws of the separate States, the Government of the United States can neither guaranty their liberty in the States where they could only be received as slaves, nor control them in the States where they would be recognised as free.

That the admission of a right, in the officers of foreign ships of war, to enter and search the vessels of the United States, in time of peace, under any circumstances whatever, would meet with universal repugnance in the public opinion of this country; that there would be no prospect of a ratification, by advice and consent of the Senate, to any stipulation of that nature; that the search, by foreign officers, even in time of war, is so obnoxious to the feelings and recollections of this country, that nothing could reconcile them to the extension of it, however qualified or restricted, to a time of peace; and that it would be viewed in a still more aggravated light, if, as in the treaty with the Netherlands, connected with a formal admission that even vessels under convoy of ships of war of their own nation should be liable to search by the ships of war of another.

You will therefore express the regret of the President that the stipulations communicated by Lord Castlereagh are of a character to which the peculiar situation and institutions of the United States do not permit them to accede. The constitutional objection may be the more readily understood by the British cabinet, if they are reminded that it was an obstacle proceeding from the same principle which prevented Great Britain from becoming, formally, a party to the holy alliance. Neither can they be at a loss to perceive the embarrassment under which we should be placed by receiving cargoes of African negroes, and be bound at once to guaranty their liberty, and to employ them as servants. Whether they will be as ready to enter into our feelings with regard to the search, by foreign navy lieutenants, of vessels under convoy of our own navy commanders, is perhaps of no material importance. The other reasons are presumed to be amply sufficient to convince them that the motives for declining this overture are compatible with an earnest wish that the measures concerted by these treaties may prove successful in extirpating that root of numberless evils, the traffic in human blood, and with the determination to co-operate, to the utmost extent of our powers, in this great vindication of the sacred rights of humanity.

Copy of a letter from Mr. Rush to Lord Castlereagh.

LONDON, December 21, 1818.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to present his compliments to Lord Castlereagh.

In the note of the 23d of June, which the undersigned had the honor to address to his Lordship, in answer to his lordship's communication of the 20th of the same month, relative to the slave trade, the undersigned had great pleasure in giving the assurance that he would transmit a copy of that communication to his Government, together with the documents which accompanied it, being copies of treaties entered into on the part of Great Britain, with Spain, Portugal, and the Netherlands, for the more complete abolition of the odious traffic in slaves. He accordingly lost no time in fulfilling that duty, and has now the honor to inform his lordship of the instructions with which he has been furnished by his Government in reply.

He has been distinctly commanded, in the first place, to make known the sensibility of the President to the friendly spirit of confidence in which these treaties, and the legislative measures of Parliament founded upon them, have been communicated to the United States; and to the invitation which has been given, that they would join in the same or similar arrangements, the more effectually to accomplish the beneficent object to which they look. He is further commanded to give the strongest assurances that the solicitude of the United States for the universal extirpation of this traffic continues with all the earnestness which has so long and steadily distinguished the course of their policy in relation to it. Of their general prohibitory law of 1807, it is unnecessary that the undersigned should speak, his lordship being already apprized of its provisions; amongst which the authority to employ the national force, as auxiliary to its execution, will not have escaped attention. But he has it in charge to make known, as a new pledge of their unremitting and active desire in the cause of abolition, that, so lately as the month of April last, another act of Congress was passed, by which not only are the citizens and vessels of the United States interdicted from carrying on, or being in any way engaged in the trade, but in which also the best precautions that legislative enactments can devise, or their penalties enforce, are raised up against the introduction into their territories of slaves from abroad, under whatever pretext attempted, and especially from dominions which lie more immediately in their neighborhood. A copy of this act is herewith enclosed, for the more particular information of his lordship. That peculiarity in the eighth section, which throws upon a defendant the labor of proof, as the condition of acquittal, the undersigned persuades himself will be regarded as signally manifesting an anxiety to suppress the hateful offence—departing, as it does, from the analogy of criminal jurisprudence, which so generally requires the independent and positive establishment of guilt as the first step in every public prosecution. To measures of such a character, thus early adopted, and sedulously pursued, the undersigned is further commanded to say, that the Government of the United States, acting within the pale of its constitutional powers, will always be ready to superadd any others that experience may prove to be necessary for attaining the desirable end in view.

But, on examining the provisions of the treaties which your lordship honored the undersigned by communicating, it has appeared to the President that their essential articles are of a character not adapted to the circumstances or to the institutions of the United States.

The powers agreed to be given to the ships of war, of either party, to search, capture, and carry into port for adjudication, the merchant vessels of the other, however qualified, is connected with the establishment, by each treaty, of two mixed courts, one of which is to have its seat in the colonial possessions of the parties, respectively. The institution of such tribunals is necessarily regarded as fundamental to the whole arrangement, whilst their peculiar structure is doubtless intended, and would seem to be indispensable, towards imparting to it a just reciprocity. But to this part of the system, the United States, having no colonies upon the coast of Africa, in the West Indies, or elsewhere, cannot give effect.

Moreover, the powers of government in the United States, whilst they can only be exercised within the grants, are also subject to the restrictions of the Federal Constitution. By the latter instrument, all judicial power is to be vested in a Supreme Court, and in such other inferior courts as Congress may, from time to time, ordain and establish. It further provides, that the judges of these courts shall hold their offices during good behavior, and be removable on impeachment and conviction of crimes and misdemeanors. There are serious doubts whether, obeying the spirit of these injunctions, the Government of the United States would be competent to appear as party to the institution of a court for carrying into execution their penal statutes in places out of their own territory—a court consisting partly of foreign judges, not liable to impeachment under the authority of the United States, and deciding upon their statutes without appeal.

Again: Obstacles would exist towards giving validity to the disposal of the negroes found on board the slave-trading vessels, condemned by the sentence of the mixed courts. If they should be delivered over to the Government of the United States as freemen, they could not, but by their own consent, be employed as servants or free laborers. The condition of negroes and other people of color in the United States being regulated by the municipal laws of the separate States, the Government of the former could neither guaranty their liberty in the States, where they could only be received as slaves, nor control them in the States where they would be recognised as free. The provisions of the fifth section of the act of Congress, which the undersigned has the honor to enclose, will be seen to point to this obstacle, and may be taken as still further explanatory of its nature.

These are some of the principal reasons which arrest the assent of the President to the very frank and friendly overture contained in your lordship's communication. Having their foundation in constitutional impediments, the Government of His Britannic Majesty will know how to appreciate their force. It will be seen how compatible they are with the most earnest wishes, on the part of the United States, that the measures concerted by these treaties may bring about the total downfall of the traffic in human blood; and with their determination to co-operate, to the utmost extent of their constitutional power, towards this great consummation, so

imperiously due at the hands of all nations to the past wrongs and sufferings of Africa.

The undersigned prays Lord Castlereagh to accept the assurances of his distinguished consideration.

RICHARD RUSH.

Extract of a letter from Mr. Rush to the Secretary of State, dated London, March 5, 1819.

Lord Castlereagh sent me a few days ago the enclosed printed Parliamentary document. It will be found to comprise a variety of interesting papers relating to the slave trade, exhibiting all that has lately been done by the Powers of Europe upon the subject, and the actual and precise footing upon which it now stands. Its receipt was the first notice that I had in any shape of the fact of the publication, or of there being any intention to publish my notes to this Government of the twenty-third of June and twenty-first of December. It will be seen, from one of the papers, how unequivocal and animated has been the refusal of France to allow her vessels to be boarded and searched at sea for slaves. Now, there is nothing more evident, as may be collected from my despatch of the fifteenth of last April, than that this is a result which, at that period, Lord Castlereagh did not anticipate. Nevertheless, it would seem, from a passage in his lordship's letter to Lord Bathurst, from Paris, dated the 10th of December, the last paper in the collection, and written subsequently to all the conferences and declarations at Aix-la-Chapelle, that he still indulges a sanguine expectation that "the French Government may be brought, at no distant period, to unite their naval exertions with those of the other allied Powers, for the suppression of the trade." Some of the evidence furnished by the African Society in London and from Sierra Leone, as to the extent in which the trade continues to be unlawfully carried on, may probably command attention in the United States.

What communications may, at any former periods, have been made to the Government of the United States, by the Government of France, Russia, or Prussia, through any channel, either in Europe or at Washington, of their intentions in regard to this naval combination for putting down the traffic, I am not informed. It is impossible to refrain from remarking, that to me they remained utterly unknown until I saw them recorded in these pages of a document given to the world by England.

Extract of a letter from Mr. Rush to the Secretary of State, dated London, November 10, 1819.

On the seventh of this month I received a note from Lord Castlereagh, requesting that I would call upon him at his house on the ninth. I waited upon him at the hour appointed.

His object, he stated, was to say to me that the Government of Great Britain had lost none of its anxiety to see produced among nations a more universal and effective co-operation than had yet been witnessed, for the

total abolition of the slave trade. It was still carried on, he observed, to an extent that was afflicting. In some respects, as the evidence collected by the African Institution and from other sources would show, the voyages were marked by more than all their original outrages upon humanity. It was the intention of the Prince Regent again to invite the United States to negotiate upon the subject, in the hope, notwithstanding what had heretofore passed, that some practicable mode might still be adopted, by which they could consent to become a party to the association for finally extirpating the traffic. That I was aware of the addresses which had been presented to his Royal Highness by both Houses of Parliament, at the close of the last session, for the renewal of negotiations with the Governments both of the United States and France to effectuate this most desirable end; that it was his lordship's design to enclose to me, at an early day, copies of these addresses, as a foundation upon which to build in the new endeavor which this Government was now prepared to make. In doing so, his object, however, merely would be, that of bespeaking my interposition towards making known to the President the measure contemplated, since it was intended that all further negotiation should be carried on at Washington. This he thought indispensable, after the past failure, as it could not be supposed that I was prepared with any new authority or instructions to resume it upon this side of the water. That the new minister, Mr. Canning, who, his lordship now informed me, was to sail as early in the spring as practicable, would accordingly have the whole subject in charge, and be prepared to enter upon it on his arrival, under ardent hopes for an auspicious termination to his labors.

I replied, that I would, in the same spirit as before, make known the communication to my Government. I adverted again to the obstacles which the Constitution of the United States interposed to the project, and also to the peculiar and extreme caution with which the momentous question of search mingled with it would be looked at throughout every part of the country. I said that these reasons superadded themselves to that derived from the failure of the attempt already made here, to give great propriety, as it struck me, to a change of the scene of negotiation; that, if any thing could be done, it could be done only, or at all events be done best, at Washington; that the President, I was sure, continued to possess all his original sensibility to the importance of the subject, and would entertain any proposals, differently modified, that were submitted, with the same anxious dispositions as ever for a favorable result to their objects.

The conversation went off by a reference on my part to the Holy League. I remarked that, as the Government of Great Britain had declared that the principles of that league had its entire approbation, although it had not formally become a party to it, so the United States, acting within their constitutional limits, had long and earnestly striven, and would, it might be confidently affirmed, though restrained from going hand in hand with Europe, always continue their efforts in the same beneficent spirit for putting down totally the slave trade. It is well known that the Earl of Liverpool, not longer ago than last February, described, in the House of Peers, the character of this league, as well as the insurmountable impediment which held back this country from signing it. He distinctly declared that, as the signatures were all in the autograph of the respective sovereigns, England, in point of form, could never accede to it; for it was not consistent with her Constitution that the Prince Regent should himself

sign such an instrument without the intervention of a responsible minister. Upon my reminding Lord Castlereagh of this declaration, which I was the more ready to do, since it was your wish that the illustration should be brought into view, he candidly admitted that we, too, doubtless had our constitutional embarrassments; but he nevertheless hoped that such, and all others, might, by proper modifications of the plan, be overcome.

Mr. Canning to the Secretary of State.

WASHINGTON, December 20, 1820.

The undersigned, His Britannic Majesty's envoy extraordinary and minister plenipotentiary, took an early opportunity, after his arrival in the city of Washington, to inform Mr. Adams that, in pursuance of Lord Castlereagh's note, dated the 11th November, 1819, communicating to Mr. Rush an address of both Houses of Parliament, relating to the African slave trade, he was instructed to bring that important question again under the consideration of the American Government, in the hope of being found practicable so to combine the preventive measures of the two countries as materially to accelerate the total extinction of an evil which both have long united in condemning and opposing.

Mr. Adams will find no difficulty in recollecting the several conversations which have passed between him and the undersigned on this subject. He will remember that the last of those conversations, which took place towards the close of October, was terminated with an assurance on his part that the proposals of the English Government would be taken into full deliberation as soon after the meeting of Congress as the state of public business would allow, with a sincere disposition to remove any impediments which appeared at first sight to stand in the way of their acceptance.

An interval of considerable length having elapsed since that period, the undersigned is persuaded that Mr. Adams will shortly be at liberty to communicate the definitive sentiments of his Government on a subject which is of too deep and too general an importance not to engage the attention and benevolent feelings of the United States.

In this persuasion, the undersigned conceives it unnecessary, on the present occasion, to go over the various grounds which formed the matter of his late conversations with Mr. Adams.

Notwithstanding all that has been done, on both sides of the Atlantic, for the suppression of the African slave trade, it is notorious that an illicit commerce, attended with aggravated sufferings to its unhappy victims, is still carried on; and it is generally acknowledged that a combined system of maritime police can alone afford the means of putting it down with effect.

That concurrence of principle in the condemnation and prohibition of the slave trade, which has so honorably distinguished the Parliament of Great Britain and the Congress of the United States, seems naturally and unavoidably to lead to a concert of measures between the two Governments the moment that such co-operation is recognised as necessary for the accomplishment of their mutual purpose. It cannot be anticipated that either of the parties, discouraged by such difficulties as are inseparable from all human transactions of any magnitude, will be contented to acquiesce in the continuance of a practice so flagrantly immoral, especially at

the present favorable period, when the slave trade is completely abolished to the north of the equator, and countenanced by Portugal alone to the south of that line.

Mr. Adams is fully acquainted with the particular measures recommended by His Majesty's ministers as best calculated, in their opinion, to attain the object which both parties have in view; but he need not be reminded that the English Government is too sincere in the pursuit of that common object to press the adoption of its own proposals, however satisfactory in themselves, to the exclusion of any suggestions equally conducive to the same end, and more agreeable to the institutions or prevailing opinion of other nations.

The undersigned embraces this opportunity to offer Mr. Adams the assurance of his high consideration.

STRATFORD CANNING.

The Secretary of State to Mr. Canning.

DEPARTMENT OF STATE,

Washington, December 30, 1820.

SIR: I have had the honor of receiving your note of the 20th instant, in reply to which I am directed by the President of the United States to inform you, that, conformably to the assurances given you in the conversation to which you refer, the proposals made by your Government to the United States, inviting their accession to the arrangements contained in certain treaties with Spain, Portugal, and the Netherlands, to which Great Britain is the reciprocal contracting party, have again been taken into the most serious deliberation of the President, with an anxious desire of contributing, to the utmost extent of the powers within the competency of this Government, and by means compatible with its duties to the rights of its own citizens, and with the principles of its national independence, to the effectual and final suppression of the African slave trade.

At an earlier period of the communications between the two Governments upon this subject, the President, in manifesting his sensibility to the amicable spirit of confidence with which the measures concerted between Great Britain and some of her European allies, had been made known to the United States, and to the free and candid offer of admitting the United States to a participation in these measures, had instructed the minister of the United States residing near your Government to represent the difficulties resulting as well from certain principles of international law, of the deepest and most painful interest to these United States, as from limitations of authority prescribed by the people of the United States to the Legislative and Executive depositaries of the national power, which placed him under the necessity of declining the proposal. It had been stated that a compact, giving the power to the naval officers of one nation to search the merchant vessels of another for offenders and offences against the laws of the latter, backed by a further power to seize and carry into a foreign port, and there subject to the decision of a tribunal composed of at least one-half foreigners, irresponsible to the supreme corrective tribunal of this Union, and not amenable to the control of impeachment for

official misdemeanor, was an investment of power over the persons, property, and reputation, of the citizens of this country, not only unwarranted by any delegation of sovereign power to the National Government, but so adverse to the elementary principles and indispensable securities of individual rights, interwoven in all the political institutions of this country, that not even the most unqualified approbation of the ends to which this organization of authority was adapted, nor the most sincere and earnest wish to concur in every suitable expedient for their accomplishment, could reconcile it to the sentiments or the principles of which, in the estimation of the people and Government of the United States, no consideration whatsoever could justify the transgression.

In the several conferences which, since your arrival here, I have had the honor of holding with you, and in which this subject has been fully and freely discussed between us, the incompetency of the power of this Government to become a party to the institution of tribunals, organized like those stipulated in the conventions above noticed, and the incompatibility of such tribunals with the essential character of the constitutional rights guaranteed to every citizen of the Union, has been shown by direct references to the fundamental principles of our Government, in which the supreme unlimited sovereign power is considered as inherent in the whole body of its people, while its delegations are limited and restricted by the terms of the instruments sanctioned by them, under which the powers of legislation, judgment, and execution, are administered; and by special indications of the articles in the Constitution of the United States, which expressly prohibit the constituted authorities from erecting any judicial courts, by the forms of process belonging to which American citizens should be called to answer for any penal offence, without the intervention of a grand jury to accuse, and of a jury of trial to decide upon the charge. But, while regretting that the character of the organized means of co-operation for the suppression of the African slave trade, proposed by Great Britain, did not admit of our concurrence in the adoption of them, the President has been far from the disposition to reject or discountenance the general proposition of concerted co-operation with Great Britain, to the accomplishment of the common end, the suppression of the trade. For this purpose, armed cruisers of the United States have been for some time kept stationed on the coast which is the scene of this odious traffic; a measure which it is in the contemplation of this Government to continue without intermission. As there are armed British vessels charged with the same duty constantly kept cruising on the same coast, I am directed by the President to propose that instructions, to be concerted between the two Governments, with a view to mutual assistance, should be given to the commanders of the vessels respectively assigned to that service; that they may be ordered, whenever the occasion may render it convenient, to cruise in company together, to communicate mutually to each other all information obtained by the one, and which may be useful to the execution of the duties of the other, and to give each other every assistance which may be compatible with the performance of their own service, and adapted to the end which is the common aim of both parties.

These measures, congenial to the spirit which has so long and so steadily marked the policy of the United States, in the vindication of the rights of humanity, will, it is hoped, prove effectual to the purposes for

which this co-operation is desired by your Government, and to which this Union will continue to direct its most strenuous and persevering exertions, I pray you, sir, to accept the assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

The Right Hon. STRATFORD CANNING,
*Envoy Extraordinary and Minister Plenipotentiary
from Great Britain.*

To the House of Representatives :

I transmit to the House of Representatives a report from the Secretary of State, with the enclosed documents, relating to the negotiation for the suppression of the slave trade, which should have accompanied a message on that subject, communicated to the House some time since, but which were accidentally omitted.

JAMES MONROE.

WASHINGTON, *January 12, 1821.*

DEPARTMENT OF STATE,
January 11, 1821.

The Secretary of State has the honor of submitting to the President a copy of a despatch from the minister of the United States at London, enclosing documents relating to the negotiation for the suppression of the slave trade, which should have been transmitted with those accompanying the message of the President, to the House of Representatives, of the 4th instant, but which were accidentally omitted.

JOHN QUINCY ADAMS.

LIST OF PAPERS.

Extracts of a letter from Mr. Rush to the Secretary of State, dated 19th November, 1819.

Lord Castlereagh to Mr. Rush, 11th November, 1819—copy.

Address from House of Commons, 7th July, 1819, to the Prince Regent—copy.

Address from House of Lords, 9th July, 1819, to the Prince Regent—
copy.

Mr. Rush to Lord Castlereagh, 16th November, 1819—copy.

Extracts of a letter from Mr. Rush to the Secretary of State, dated

LONDON, *November 19, 1819.*

I received, on the 14th instant, a note from Lord Castlereagh, dated the 11th, on the subject of the slave trade. The addresses from the House

of Commons and House of Lords to the Prince Regent came with it. As the whole purport of this communication has been detailed, beforehand, in my last despatch, I am not aware that any further explanations from me are now requisite.

The distinct testimony which is borne, in both these addresses, to the United States having been first in point of time among the nations of the world to abolish the trade, will be perceived with satisfaction. It is, so far as I know, the first occasion upon which the acknowledgment has been made in any official or authentic manner by any State in Europe.

It appeared to me prudent to frame an answer of entire conciliation to Lord Castlereagh's note; and I hope that the spirit which it breathes may meet the President's approbation. It bears date on the 16th, and is among the enclosures transmitted herewith.

Lord Castlereagh to Mr. Rush.

FOREIGN OFFICE, *November 11, 1819.*

The undersigned, His Majesty's principal Secretary of State for Foreign Affairs, has the honor to transmit to Mr. Rush, by command of the Prince Regent, copy of addresses which were presented by both Houses of Parliament at the close of the last session to his Royal Highness, which his Royal Highness has to request Mr. Rush will lay before the President, with an intimation that it is the Prince Regent's earnest desire to enter without delay into discussion with the Government of the United States upon the important subject to which those addresses refer, and in the successful accomplishment of which the common feelings and reputation of both States are equally and deeply involved.

It has occurred to the Prince Regent's Government, that the difficulties which have hitherto operated to prevent a common system of concert and prevention, as directed against the illicit slave trade, between the two Governments, could be most satisfactorily examined by selecting Washington for the seat of deliberation. Under this impression, the undersigned has delayed to transmit to Mr. Rush the addresses in question till he could accompany them with some proposition to be conveyed to the Government of the United States for giving practical effect to the views of Parliament.

The undersigned having lately had the honor of acquainting Mr. Rush that Mr. Stratford Canning had been selected by the Prince Regent to replace Mr. Bagot as his envoy and minister plenipotentiary in America, and as that gentleman will proceed to his mission early in the spring, and will carry with him full instructions on this subject, the undersigned has to request Mr. Rush will invite his Government, on the part of the Prince Regent, to enter, as soon as may be after Mr. Canning's arrival, upon the proposed discussions.

Upon a subject so deeply interesting to humanity, the Government of the United States can never require any other impulse than that of its moral principles to awaken it to exertion; but, whatever of aid good offices can contribute to smooth the way for an amicable and advantageous proceeding on such a matter, the undersigned is convinced will be supplied by Mr. Rush's zeal and enlightened attachment to the success of the great

cause, which this inquiry involves; and in this view the communication is specially recommended to his personal support and protection.

The undersigned avails himself of this opportunity to renew to Mr. Rush the assurances of his distinguished consideration.

CASTLEREAGH.

Mercurie, 7 die Julie, 1819.

Resolved, That an humble address be presented to his Royal Highness the Prince Regent, to assure his Royal Highness that we acknowledge with becoming thankfulness the zealous and persevering efforts which, in conformity with former addresses of this House, his Royal Highness has made for accomplishing the total annihilation of the African slave trade by all the foreign Powers whose subjects have hitherto been engaged it.

That we also congratulate his Royal Highness on the success with which his efforts have been already attended—that guilty traffic having been declared by the concurrent voice of all the great Powers of Europe, assembled in Congress, to be repugnant to the principles of humanity and of universal morality.

That, consequently on this declaration, all the States whose subjects were formerly concerned in this criminal traffic have since prohibited it, the greater part absolutely and entirely; some for a time, particularly on that part of the coast of Africa only which is to the north of the line; of the two States which still tolerate the traffic, one will soon cease to be thus distinguished, the period which Spain has solemnly fixed for the total abolition of the trade being near at hand: one Power alone has hitherto forborne to specify any period when the traffic shall be absolutely abandoned.

That the United States of America were honorably distinguished as the first which pronounced the condemnation of this guilty traffic; and that they have since successively passed various laws for carrying their prohibition into effect; that, nevertheless, we cannot but hear with feelings of deep regret, that, notwithstanding the strong condemnation of the crime by all the great Powers of Europe, and by the United States of America, there is reason to fear that the measures which have been hitherto adopted for actually suppressing these crimes are not yet adequate to their purpose.

That we never, however, can admit the persuasion that so great and generous a people as that of France, which has condemned this guilty commerce in the strongest terms, will be less earnest than ourselves to wipe away so foul a blot on the character of a Christian people.

That we are, if possible, still less willing to admit such a supposition in the instance of the United States—a people derived originally from the same common stock with ourselves, and favored, like ourselves, in a degree hitherto perhaps unequalled in the history of the world, with the enjoyment of religious and civil liberty, and all their attendant blessings.

That the consciousness that the Government of this country was originally instrumental in leading the Americans into this criminal course must naturally prompt us to call on them the more importunately to join us in endeavoring to put an end to the evils of which it is productive.

That we also conceive that the establishment of some concert and co-operation in the measures to be taken by the different Powers for the ex-

execution of their common purpose may, in various respects, be of great practical utility; and that, under the impression of this persuasion, several of the European States have already entered into conventional arrangements for seizing vessels engaged in the criminal traffic, and for bringing to punishment those who shall still be guilty of these nefarious practices.

That we therefore supplicate his Royal Highness to renew his beneficent endeavors, more especially with the Governments of France and of the United States of America, for the effectual attainment of an object which we all profess equally to have in view; and we cannot but indulge the confident hope that these efforts may yet, ere long, produce their desired effect; may ensure the practical enforcement of principles universally acknowledged to be undeniably just and true; and may obtain for the long afflicted people of Africa the actual termination of their wrongs and miseries; and may destroy forever that fatal barrier which, by obstructing the ordinary course of civilization and social improvement, has so long kept a large portion of the globe in darkness and barbarism, and rendered its connexion with the civilized and Christian nations of the earth a fruitful source only of wretchedness and desolation.

Ordered, That the said address be presented to his Royal Highness the Prince Regent by such members of the House as are of His Majesty's most honorable Privy Council.

G. DYSON.

U. D. Dom. Com.

An address precisely similar was voted about the same time, and presented in due course, by the House of Lords.

Die Veneris, 9 Julie, 1819.

Ordered, nemine dissentiente, by the Lords spiritual and temporal in Parliament assembled, That an humble address, &c.

Resolved, That an humble address be presented to his Royal Highness the Prince Regent, to assure his Royal Highness that we acknowledge with becoming thankfulness the zealous and persevering efforts which, in conformity with former addresses of this House, his Royal Highness has made for accomplishing the total annihilation of the African slave trade by all the foreign Powers whose subjects had hitherto been engaged in it.

That we also congratulate his Royal Highness on the success with which his efforts have been already attended—that guilty traffic having been declared, by the concurrent voice of all the great Powers of Europe, assembled in Congress, to be repugnant to the principles of humanity and of universal morality.

That, consequently on this declaration, all the States whose subjects were formerly concerned in this criminal traffic have since prohibited it, the greater part absolutely and entirely; some for a time, partially, on that part of the coast of Africa only which is to the north of the line. Of the two States which still tolerate the traffic, one will soon cease to be thus distinguished, the period which Spain has solemnly fixed for the total abolition of the trade being near at hand. One Power alone has hitherto forborne to specify any period when the traffic shall be absolutely abandoned.

That the United States of America were honorably distinguished as the first which pronounced the condemnation of this guilty traffic, and that they have since successively passed various laws for carrying their prohibition into effect. That, nevertheless, we cannot but hear, with feelings of deep regret, that, notwithstanding the strong condemnation of the crime by all the great Powers of Europe, and by the United States of America, there is reason to fear that the measures which have been hitherto adopted for actually suppressing these crimes are not adequate to their purpose.

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That we are, if possible, still less willing to admit such a supposition in the instance of the United States—a people derived originally from the same common stock with ourselves, and favored, like ourselves, in a degree hitherto perhaps unequalled in the history of the world, with the enjoyment of civil and religious liberty, and all their attendant blessings.

That the consciousness that the Government of this country was originally instrumental in leading the Americans into this criminal course, must naturally prompt us to call on them the more importunately to join us in endeavoring to put an entire end to the evils of which it is productive.

That we also conceive that the establishment of some concert of co-operation in the measures to be taken by the different Powers for the execution of their common purpose may, in various respects, be of great practical utility; and that, under the impression of this persuasion, several of the European States have already entered into conventional arrangements for seizing vessels engaged in the criminal traffic, and for bringing to punishment those who shall still be guilty of these nefarious practices.

That we therefore supplicate his Royal Highness to renew his beneficent endeavors, more especially with the Governments of France and of the United States of America, for the effectual attainment of an object which we all profess equally to have in view; and we cannot but indulge the confident hope that these efforts may yet, ere long, produce the desired effect, may ensure the practical enforcement of principles universally acknowledged to be undeniably just and true, and may destroy forever that fatal barrier which, by obstructing the ordinary course of civilization and social improvement, has so long kept a large portion of the globe in darkness and barbarism, and rendered its connexion with the civilized and Christian nations of the earth a fruitful source only of wretchedness and desolation.

Ordered, That the said address be presented to his Royal Highness the Prince Regent, by the Lords with white staves.

Mr. Rush to Lord Castlereagh.

LONDON, November 16, 1819.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to present his compliments to Lord Castlereagh, and to acknowledge the receipt of his note of the 11th of this month.

The copies of the addresses to his Royal Highness the Prince Regent, from both Houses of Parliament, at the close of the last session, respecting the slave trade, which, by command of his Royal Highness, came enclosed in his lordship's note, with a request that they may be laid before the President, the undersigned will lose no time in transmitting to the Secretary of State with that view. The intimation of its being the earnest desire of the Prince Regent to enter, without delay, into discussions with the United States upon the important subject to which these addresses refer, and in the successful accomplishment of which the two nations have a common interest, will, the undersigned is persuaded, be met by his Government in the same spirit of elevated benevolence which has given birth to the desire in the mind of his Royal Highness.

The undersigned cannot avoid expressing his acquiescence in the opinion, that the difficulties which have hitherto operated to prevent a system of concert against the illicit slave trade between the two Governments, are most likely to be satisfactorily examined by selecting Washington as the seat of deliberation. If, happily, they are of a nature to be removed, it is by such a transfer of the scene of a new endeavor that the best hopes may be formed; and it is hence, with a peculiar satisfaction, that the undersigned learns that Mr. Canning, when proceeding on his mission to the United States, will carry with him such full instructions upon the whole subject as may prepare him for entering upon the interesting duty of giving effect to the views of Parliament. The undersigned will not fail to make known this intension to his Government, by the earliest opportunity that he can command.

Upon a subject so universally interesting to humanity, Lord Castlereagh has justly inferred that the Government of the United States can never require any other incentive than that of its own moral impulse to awaken it to exertion. But if, upon the present occasion, it needed any other, the undersigned must be permitted to say that it would be abundantly found in the friendly and enlarged spirit of this renewed overture from the Government of the Prince Regent, and in the liberal justice rendered to the early and steadfast efforts of the United States in the cause of abolition by the addresses in question, from both Houses of the Parliament of this realm. Following up their uniform policy in this great cause, never tired of adopting new expedients of prohibition, where new evasions have pointed to their necessity, the undersigned feels happy in being able to state, feeling sure that the information cannot be otherwise than acceptable to the unwearied and useful zeal of his lordship in the same cause, that, besides the law of April, 1818, of which the undersigned had the honor to speak in his note of the twenty-first of December of that year, a subsequent act of Congress, of date so recent as last March, has raised up additional means for the extirpation of the baleful traffic. By this act, the President is specially authorized to employ armed vessels of the United States to cruise upon the coasts of Africa; and other new provisions are introduced for intercepting and punishing such delinquent citizens as may be found forgetful of the denunciations of their Government, no less than of their own moral duties, abandoning themselves to the enormity of this transgression. It is well known that the sentiments of the President are in full and active harmony with those of Congress, in the beneficent desire of putting a stop to this deep-rooted and afflicting evil. With such pledges before the world, the undersigned cannot err in confidently anticipating

that the fresh proposals of the Government of his Royal Highness will be promptly taken up at Washington, under the deepest convictions of their importance, and with every anxious desire for a favorable result that can be made, compatible with the Constitution and other essential interests of the republic.

The undersigned is happy to embrace this occasion of renewing to Lord Castlereagh the assurance of his distinguished consideration.

RICHARD RUSH.

FEBRUARY 9, 1821.

Report of the committee, consisting of Mr. Hemphill, Mr. Mercer, Mr. Strong of New York, Mr. Edwards of Pennsylvania, Mr. Rogers, Mr. McCreary, and Mr. Folger, to which was referred so much of the President's message as relates to the slave trade.

The committee to which is referred so much of the President's message as relates to the slave trade, and to which are referred the two messages of the President, transmitting, in pursuance of the resolution of the House of Representatives of the 4th of December, a report of the Secretary of State, and enclosed documents, relating to the negotiation for the suppression of the slave trade, report:

That the committee have deemed it advisable, previous to entering into a consideration of the proposed co-operation to exterminate the slave trade, to make a summary review of the Constitution and laws of the United States relating to this subject. It will disclose the earnestness and zeal with which this nation has been actuated, and the laudable ambition that has animated their councils to take a lead in the reformation of a disgraceful practice, and one which is productive of so much human misery; it will, by displaying the constant anxiety of this nation to suppress the African slave trade, afford ample testimony that she will be the last to persevere in measures wisely digested to effectuate this great and most desirable object, whenever such measures can be adopted in consistence with the leading principles of her local institutions.

In consequence of the existence of slavery in many of the States, when British colonies, the habits, and means of carrying on industry, could not be suddenly changed; and the Constitution of the United States yielded to the provision, that the migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year 1808.

But, long antecedent to this period, Congress legislated on the subject wherever its power extended, and endeavored, by a system of rigorous penalties, to suppress this unnatural trade.

The act of Congress of the 22d of March, 1794, contains provisions that no citizen or citizens of the United States, or foreigner, or any other person, coming into or residing within the same, shall, for himself or any other person whatsoever, either as master, factor, or owner, build, fit, equip, load, or otherwise prepare, any ship or vessel, within any port or

place of the United States, nor shall cause any ship or vessel to sail from any port or place within the same, for the purpose of carrying on any trade or traffic in slaves to any foreign country; or for the purpose of procuring from any foreign kingdom, place, or country, the inhabitants of such kingdom, place, or country, to be transported to any foreign country, port, or place, whatever, to be sold or disposed of as slaves, under the penalty of the forfeiture of any such vessel, and of the payment of large sums of money by the persons offending against the directions of the act.

By an act of the 3d of April, 1798, in relation to the Mississippi Territory, to which the constitutional provision did not extend, the introduction of slaves, under severe penalties, was forbidden, and every slave imported contrary to the act was to be entitled to freedom.

By an act of the 10th of May, 1800, the citizens or residents of this country were prohibited from holding any right or property in vessels employed in transporting slaves from one foreign country to another, on pain of forfeiting their right of property, and also double the value of that right in money, and double the value of their interest in the slaves; nor were they allowed to serve on board of vessels of the United States employed in the transportation of slaves from one country to another, under the punishment of fines and imprisonment; nor were they permitted to serve on board of foreign ships employed in the slave trade. By this act, also, the commissioned vessels of the United States were authorized to seize vessels and crews employed contrary to the act.

By an act of the 28th of February, 1803, masters of vessels were not allowed to bring into any port (where the laws of the State prohibited the importation) any negro, mulatto, or other person of color, not being a native, a citizen, or registered seaman of the United States, under the pain of heavy penalties; and no vessel, having on board persons of the above description, was to be admitted to an entry; and if any such person should be landed from on board of any vessel, the same was to be forfeited.

By an act of the 2d March, 1807, the importation of slaves into any port of the United States was to be prohibited after the 1st of January, 1808, the time prescribed by the constitutional provision. This act contains many severe provisions against any interference or participation in the slave trade, such as heavy fines, long imprisonments, and the forfeitures of vessels; the President was also authorized to employ armed vessels to cruise on any part of the coast where he might judge attempts would be made to violate the act, and to instruct the commanders of armed vessels to seize and bring in vessels found on the high seas contravening the provisions of the law.

By an act of the 20th of April, 1818, the laws in prohibition of the slave trade were further improved; this act is characterized with a peculiarity of legislative precaution, especially in the eighth section, which throws the labor of proof upon the defendant, that the colored persons brought into the United States by him had not been brought in contrary to the laws.

By an act of the 3d of March, 1819, the power is continued in the President to employ the armed ships of the United States, to seize and bring into port any vessel engaged in the slave trade by citizens or residents of the United States; and such vessels, together with the goods and effects on board, are to be forfeited and sold, and the proceeds to be distributed in like manner as provided by law for the distribution of prizes taken from

an enemy; and the officers and crew are to undergo the punishments inflicted by previous acts. The President, by this act, is authorized to make such regulations and arrangements as he may deem expedient, for the safe keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of color, as may have been brought within its jurisdiction, and to appoint a proper person or persons residing on the coast of Africa, as agent or agents for receiving the negroes, mulattoes, or persons of color, delivered from on board of vessels seized in the prosecution of the slave trade.

And, in addition to all the aforesaid laws, the present Congress, on the 15th of May, 1820, believing that the then existing provisions would not be sufficiently available, enacted, that if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel, engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned in the whole or in part, or navigated for or in behalf of any citizen or citizens of the United States, shall land from any such ship or vessel, and on any foreign shore seize any negro or mulatto, not held to service or labor by the laws of either of the States or Territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy or forcibly bring, or carry, or shall receive, such negro or mulatto on board any such ship or vessel, with intent as aforesaid, such citizen or person shall be adjudged a pirate, and on conviction *shall suffer death*.

The immoral and pernicious practice of the slave trade has attracted much public attention in Europe within the last few years; and in a Congress at Vienna, on the 8th of February, 1815, five of the principal Powers made a solemn engagement, in the face of mankind, that this traffic should be made to cease; in pursuance of which, these Powers have enacted municipal laws to suppress the trade. Spain, although not a party to the original engagement, did, soon after, in her treaty with England, stipulate for the immediate abolition of the Spanish slave trade to the north of the equator, and for its final and universal abolition on the 30th of May, 1820.

Portugal likewise, in her treaty in 1817, stipulated that the Portuguese slave trade on the coast of Africa should entirely cease to the northward of the equator, and engaged that it should be unlawful for her subjects to purchase or trade in slaves except to the southward of the line. The precise period at which the entire abolition is to take place in Portugal does not appear to be finally fixed; but the Portuguese ambassador, in the presence of the Congress of Vienna, declared that Portugal, faithful to her principles, would not refuse to adopt the term of eight years, which term will expire in the year 1823.

At this time, among the European States, there is not a flag which can legally cover this inhuman traffic to the north of the line; nevertheless, experience has proved the inefficacy of the various and rigorous laws which have been made in Europe and in this country; it being a lamentable fact that the disgraceful practice is even now carried on to a surprising extent. During the last year, Captain Trenchard, the commander of the United States sloop of war the *Cyane*, found that part of the coast of Africa which he visited lined with vessels, engaged, as it is presumed, in this forbidden traffic; of these he examined many; and five, which appeared to be fitted out on American account, he sent into the jurisdiction

of the United States, for adjudication. Each of them, it is believed, has been condemned, and the commanders of two of them have been sentenced to the punishment prescribed by the laws of the United States.

The testimony recently published, with the opinion of the presiding judge of the United States court of the southern district of the State of New York, in the case of the schooner *Plattsburg*, lays open a scene of the grossest fraud that could be practised to deceive the officers of Government, and conceal the unlawful transaction.

The extension of the trade for the last twenty-five or thirty years must, in a degree, be conjectural, but the best information that can be obtained on the subject furnishes good foundation to believe, that during that period the number of slaves withdrawn from western Africa amounts to upwards of a million and a half; the annual average would be a mean somewhere between fifty and eighty thousand.

The trade appears to be lucrative in proportion to its heinousness; and, as it is generally inhibited, the unfeeling slave dealers, in order to elude the laws, increase its horrors; the innocent Africans, who are mercilessly forced from their native homes in irons, are crowded in vessels and situations which are not adapted for the transportation of human beings; and this cruelty is frequently succeeded, during the voyage of their destination, with dreadful mortality. Further information on this subject will appear in a letter from the Secretary of the Navy, enclosing two other letters, marked 1 and 2, and also by the extract of a letter from an officer of the *Cyane*, dated April 10, 1820, which are annexed to this report. While the slave trade exists, there can be no prospect of civilization in Africa.

However well disposed the European Powers may be to effect a practical abolition of the trade, it seems generally acknowledged that, for the attainment of this object, it is necessary to agree upon some concerted plan of co-operation; but, unhappily, no arrangement has as yet obtained universal consent.

England has recently engaged in treaties with Spain, Portugal, and the Netherlands, in which the mutual right of visitation and search is exchanged. This right is of a special and limited character, as well in relation to the number and description of vessels, as to space; and, to avoid possible inconveniences, no suspicious circumstances are to warrant the detention of a vessel; this right is restricted to the simple fact of slaves being on board.

These treaties contemplate the establishment of mixed courts, formed of an equal number of individuals of the two contracting nations, the one to reside in a possession belonging to His Britannic Majesty, the other within the territory of the other respective Power. When a vessel is visited and detained, it is to be taken to the nearest court, and, if condemned, the vessel is to be declared a lawful prize, as well as the cargo, and are to be sold for the profit of the two nations; the slaves are to receive a certificate of emancipation, and to be delivered over to the Government on whose territory the court is which passes sentence, to be employed as servants or free laborers. Each of the Governments binds itself to guaranty the liberty of such portion of these individuals as may be respectively assigned to it. Particular provisions are made for remuneration, in case vessels are not condemned after trial, and special instructions are stipulated to be furnished to commanders of vessels possessing the qualified right of visitation and search.

These Powers entertain the opinion, that nothing short of the concession of a qualified right of visitation and search can practically suppress the slave trade. An association of armed ships is contemplated, to form a species of naval police, to be stationed principally in the African seas, where the commanders of the ships will be enabled to co-operate in harmony and concert.

The United States have been earnestly invited by the principal Secretary of State for Foreign Affairs of the British Government to join in the same or similar arrangements; and this invitation has been sanctioned and enforced by an unanimous vote of the House of Lords and Commons, in a manner that precludes all doubts as to the sincerity and benevolence of their designs.

In answer to this invitation, the President of the United States has expressed his regret that the stipulations in the treaties communicated are of a character to which the peculiar situation and institutions of the United States do not permit them to accede.

The objections made are contained in an extract of a letter from the Secretary of State, under date of the 2d of November, 1818; in which it is observed that, "in examining the provisions of the treaties communicated by Lord Castlereagh, all the essential articles appear to be of a character not adaptable to the institutions or to the circumstances of the United States. The powers agreed to be reciprocally given to the officers of the ships of war of either party, to enter, search, capture, and carry into port for adjudication, the merchant vessels of the other, however qualified and restricted, is most essentially connected with the institution, by each treaty, of two mixed courts, one of which to reside in the external or colonial possession of each of the two parties, respectively. This part of the system is indispensable to give it that character of reciprocity, without which the right granted to the armed ships of one nation, to search the merchant vessels of another, would be rather a mark of vassalage than of independence. But to this part of the system, the United States, having no colonies, either on the coast of Africa or in the West Indies, cannot give effect. That, by the Constitution of the United States, it is provided that the judicial power of the United States shall be vested in a Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish. It provides that the judges of these courts shall hold their offices during good behavior; and that they shall be removable by impeachment, on conviction of crimes and misdemeanors. There may be doubts whether the power of the Government of the United States is competent to institute a court for carrying into execution their penal statutes beyond the territories of the United States—a court consisting partly of foreign judges, not amenable to impeachment for corruption, and deciding upon statutes of the United States without appeal.

"That the disposal of the negroes found on board of the slave-trading vessels, which might be condemned by the sentence of these mixed courts, cannot be carried into effect by the United States; for, if the slaves of vessels condemned by the mixed courts should be delivered over to the Government of the United States as free men, they could not, but by their own consent, be employed as servants or free laborers. The condition of the blacks being, in this Union, regulated by the municipal laws of the separate States, the Government of the United States can neither guaranty

their liberty in the States where they could only be received as slaves, nor control them in the States where they would be recognised as free. That the admission of a right, in the officers of foreign ships of war, to enter and search the vessels of the United States in time of peace, under any circumstances whatever, would meet with universal repugnance in the public opinion of this country ; that there would be no prospect of a ratification, by advice and consent of the Senate, to any stipulation of that nature ; that the search by foreign officers, even in time of war, is so obnoxious to the feelings and recollections of this country, that nothing could reconcile them to the extension of it, however qualified or restricted, to a time of peace ; and that it would be viewed in a still more aggravated light, if, as in the treaty with the Netherlands, connected with a formal admission that even vessels under convoy of ships of war of their own nation should be liable to search by the ships of war of another."

The committee will observe, in the first instance, that a mutual right of search appears to be indispensable to the great object of abolition ; for, while flags remain as a cover for this traffic, against the right of search by any vessels except of the same nation, the chance of detection will be much less than it would be if the right of search was extended to vessels of other Powers ; and as soon as any one nation should cease to be vigilant in the discovery of infractions practised on its own code, the slave dealers would avail themselves of a system of obtaining fraudulent papers, and concealing the real ownership under the cover of such flags, which would be carried on with such address as to render it easy for the citizens or subjects of one State to evade their own municipal laws ; but, if a concerted system existed, and a qualified right of mutual search was granted, the apprehension of these piratical offenders would be reduced to a much greater certainty ; and the very knowledge of the existence of an active and vigorous system of co-operation would divert many from this traffic, as the unlawful trade would become too hazardous for profitable speculation.

In relation to any inconveniences that might result from such an arrangement, the commerce of the United States is so limited on the African coast that it could not be much affected by it ; and, as it regards economy, the expense of stationing a few vessels on that coast would not be much greater than to maintain them at any other place.

The committee have briefly noticed the practical results of a reciprocal right of search, as it bears on the slave trade ; but the objection as to the propriety of ceding this right remains. It is with deference that the committee undertake to make any remarks upon it. They bear in recollection the opinions entertained in this country, on the practice of searching neutral vessels in time of war ; but they cannot perceive that the right under discussion is, in principle, allied, in any degree, to the general question of search ; it can involve no commitment, nor is it susceptible of any unfavorable inference on that subject ; and, even if there were any affinity between the cases, the necessity of a special agreement would be inconsistent with the idea of existing rights. The proposal itself, in the manner made, is a total abandonment, on the part of England, of any claim to visit and search vessels in a time of peace, and this question has been unequivocally decided in the negative in her admiralty courts.

Although it is not among the objections that the desired arrangement would give color to a claim or right of search in time of peace, yet, lest

the case in this respect may be prejudiced in the minds of any, the committee will observe, that the right of search, in time of peace, is one that is not claimed by any Power as a part of the law of nations; no nation pretends that it can exercise the right of visitation and search upon the common and unappropriated parts of the sea, except upon the belligerent claim. A recent decision in the British admiralty court, in the case of the French slave ship *Le Louis*, is clear and decisive on this point. The case is annexed to this report.

In regard, then, to the reciprocal right wished to be ceded, it is reduced to the simple inquiry, whether, in practice, it will be beneficial to the two contracting nations. Its exercise, so far as it relates to the detention of vessels, as it is confined to the fact of slaves being actually on board, precludes almost the possibility of accident or much inconvenience.

In relation also to the disposal of the vessels and slaves detained, an arrangement perhaps could be effected, so as to deliver them up to the vessels of the nation to which the detained vessel should belong. Under such an understanding, the vessels and slaves delivered to the jurisdiction of the United States might be disposed of in conformity with the provisions of our own act of the 3d of March, 1819; and an arrangement of this kind would be free from any of the other objections.

An exchange of the right of search, limited in duration, or to continue at pleasure, for the sake of experiment, might, it is anxiously hoped, be so restricted to vessels and seas, and with such civil and harmonious stipulations, as not to be unacceptable.

The feelings of this country on the general question of search have often been roused to a degree of excitement that evince their unchangeable character; but the American people will readily see the distinction between the cases; the one, on its exercise to the extent claimed, will ever produce irritation, and excite a patriotic spirit of resistance; the other is amicable and charitable; the justness and nobleness of the undertaking are worthy of the combined concern of Christian nations.

The detestable crime of kidnapping the unoffending inhabitants of one country, and chaining them to slavery in another, is marked with all the atrociousness of piracy; and, as such, it is stigmatized, and punishable by our own laws.

To efface this reproachful stain from the character of civilized mankind, would be the proudest triumph that could be achieved in the cause of humanity. On this subject, the United States, having led the way, owe it to themselves to give their influence and cordial co-operation to any measure that will accomplish the great and good purpose; but this happy result, experience has demonstrated, cannot be realized by any system, except a concession by the maritime Powers, to each other's ships of war, of a qualified right of search. If this object was generally attained, it is confidently believed that the active exertions of even a few nations would be sufficient entirely to suppress the slave trade.

The slave dealers could be successfully assailed on the coast upon which the trade originates, as they must necessarily consume more time in the collection and embarkation of their cargoes than in the subsequent distribution in the markets for which they are destined. This renders that coast the most advantageous position for their apprehension; and, besides, the African coast frequented by the slave ships is indented with so few commodious or accessible harbors, that, notwithstanding its great extent,

it could be guarded by the vigilance of a small number of cruisers. But, if the slave ships are permitted to escape from the African coast, and to be dispersed to different parts of the world, their capture would be rendered uncertain and hopeless.

The committee, after much reflection, offer the following resolution :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be requested to enter into such arrangements as he may deem suitable and proper, with one or more of the maritime Powers of Europe, for the effectual abolition of the African slave trade.

NAVY DEPARTMENT, *February 9, 1821.*

SIR : I have the honor to transmit to you such information as this Department affords upon the subject of the slave trade, in answer to your letter of the 30th of January last.

The enclosed copy (No. 1) of a circular to the United States district attorneys and marshals has been answered, generally, that no slaves have been brought into their respective districts, with the exception of Maryland, South Carolina, and Georgia ; answers have not been received from Louisiana.

There appears to have been partial captures made upon the coast, and in the neighborhood of Georgia, by the public vessels of the United States ; the slaves, in some cases, have been bonded out to individuals until adjudication.

The slave trade has been checked by our cruisers upon the southern coasts of the United States, and no great attempts appear to have been made to introduce slaves through illicit channels.

There are now in charge of the marshal of Georgia two hundred and forty-eight Africans, taken out of a South American privateer, the General Ramirez, whose crew mutinied, and brought the vessel into St. Mary's, Georgia ; sixty more are in custody of the marshal, detained and maintained in the vicinity of Savannah ; forty or fifty more have been sent out of the State—under what orders it is not known :

The ships cruising on the coast of Africa, during the last year, captured the following vessels engaged in the slave trade, but having no slaves on board at the time, viz :

Schooners Endymion, Plattsburg, Science, Esperanza, and brig Alexander.

These vessels have been condemned in the district courts of New York and Massachusetts, and their commanders sentenced to fine and imprisonment, under the acts of Congress.*

The most detailed information that has been communicated to this Department, in relation to the slave trade, will be found in the enclosed copy (No. 2) from the late United States agent, then resident in Africa, but since deceased :

I have the honor to be, with great respect, sir, your most obedient servant,

SMITH THOMPSON.

Hon. JOSEPH HENPHILL,
Chairman of the Committee on Slave Trade, H. R.

*The information contained in this paragraph is not derived from any official source ; it is nevertheless believed to be correct.

No. 1.

NAVY DEPARTMENT, *January 13, 1821.*

SIR: I duly received your letter of the 25th November last, an answer to which has been delayed by the urgency of public business.

I request you will be pleased to inform me what disposition has been made of the two hundred and fifty-eight Africans mentioned in your letter, and what expense, if any, has been incurred for their safe keeping. It is very desirable to save further expenses by an early decision of their case.

I wish also to be informed upon the cases of all others within your jurisdiction, and coming within the execution of the laws for prohibiting and suppressing the slave trade.

I am, very respectfully, your obedient servant,

SMITH THOMPSON.

JOHN H. MOREL, Esq.,
Marshal of the district of Georgia, Savannah.

No. 2.

Extract of a letter from the Rev. Samuel Bacon to the Secretary of the Navy, dated

CAMPELAR, (SHERBRO ISLAND,) *March 21, 1820.*

The slave trade is carried on briskly in this neighborhood. Had I authority so to do, I could take a vessel lying within the floating of one tide, say 25 miles from us, in the Sherbro, under American colors, taking in a cargo of slaves. Their policy is to come with a cargo of goods suited to the market, deliver it to a slave factor on shore, and contract for slaves. They then lie at anchor in the river, or stand out to sea for a specified number of days, till the slaves are all procured and brought to the beach, and placed under a hovel or shed prepared for the purpose, all chained two and two. At the appointed time, or on a concerted signal, the vessel comes in and takes her slaves on board, and is off in an hour. This is rendered necessary, as they cannot be seized unless they have slaves on board; and they are watched by the cruisers, so as to be taken when they have slaves with them. The *Augusta* (the schooner I purchased) is a vessel of 104 tons, a swift sailer, and was intended to take a cargo of 100; she has a camboose fitted to boil rice in large quantities. Slaves receive one pint each per day.

UNITED STATES SHIP *CYANE*,

Off Sierra Leone, April 10, 1820.

During our stay at Sierra Leone, the European gentlemen who were residents at the place treated us with the utmost respect, striving who should be most forward in attention and hospitality. A party was formed by those gentlemen, to show our officers the interior settlements; and, from their report on their return, I learned the extent of the colony, and the

benevolent philanthropy of the British nation, in alleviating the miseries of the oppressed and ignorant Africans. Not less than six thousand captured Africans have been landed at this settlement by the British ships of war. On their arrival, those of a proper age are named and sent to the adjacent villages. A house and lot is appointed to each family, and they are supported one year by Government, at the expiration of which they are obliged to look out for themselves. The captured children are also sent to the villages, where they are kept at school till married, which is always at an early age. At the head of each village is a missionary, who receives his annual support from the Government, and who acts in the double capacity of minister and schoolmaster.

Lieutenant Cooper and myself walked through the villages situated to the westward of Sierra Leone. We landed at King Town, the former residence of King Tom. The house in which the king resided is in ruins, and almost hidden from view by shrubbery. From thence we proceeded to Kroo Town, a small village, inhabited by about five hundred Kroomen. The British ships of war on this station have each from twenty-five to seventy of these men on their books.

The trade of this place is considerable. Several vessels entered and sailed during our short stay; many of them were loaded with ship timber, which is somewhat like our white oak. The other articles of trade are ivory, camwood, wax, and palm oil. We sent a boat from Sierra Leone for Mr. Bacon, who came up, and remained with us two days. He has already settled himself, with his followers, (until after the rain,) on Sherbro island. I fear this island will not answer his wishes; it is low, unhealthy, difficult of access for ships, and is not very fertile. There are many places to leeward possessing greater advantages, one of which I hope he will select for a permanent settlement.

After remaining nine days at Sierra Leone, we sailed for the Gallinas, a place of resort for slave vessels; since which, we have made ten captures; some by fair sailing, others by boats and stratagem. Although they are evidently owned by Americans, they are so completely covered by Spanish papers that it is impossible to condemn them. Two schooners, the *Endymion* and *Esperanza*, were sent home. We shall leave the coast in the course of three or four days, for Port Praya, from whence we shall proceed to Teneriffe for provisions.

The slave trade is carried on to a very great extent. There are probably not less than three hundred vessels on the coast, engaged in that traffic, each having two or three sets of papers. I sincerely hope Government have revised the law, giving us more authority. You have no idea how cruelly these poor creatures are treated by the monsters engaged in taking them from the coast.

Case of the French slave ship Le Louis, extracted from the 12th annual report of the African Institution, printed in 1818.

This vessel sailed from Martinique on the 30th of January, 1816, on a slave-trading voyage to the coast of Africa, and was captured near Cape Mesurado, by the Sierra Leone colonial vessel of war, the *Queen Charlotte*, after a severe engagement, which followed an attempt to escape, in

which eight men were killed and twelve wounded of the British ; and proceedings having been instituted against *Le Louis* in the vice admiralty court of Sierra Leone, as belonging to French subjects, and as fitted out, manned, and navigated, for the purpose of carrying on the slave trade, after the trade had been abolished both by the internal laws of France, and by the treaty between that country and Great Britain, the ship and cargo were condemned as forfeited to His Majesty.

From this sentence, an appeal having been made to the high court of admiralty, the case came on for hearing, when the court reversed the judgment of the inferior court, and ordered the restitution of the property to the claimants.

The judgment of Sir William Scott was given at great length. The directors will advert to such points of it as are immediately connected with their present subject. "No doubt," he said, "could exist that this was a French ship intentionally engaged in the slave trade." But, as there were facts which were ascertained in consequence of its seizure, before the seizor could avail himself of this discovery, it was necessary to inquire whether he possessed any right of visitation and search ; because, if the discovery was unlawfully produced, he could not be allowed to take advantage of the consequences of his own wrong.

The learned judge then discussed, at considerable length, the question, whether the right of search exists in time of peace ; and he decided it without hesitation in the negative. "I can find," he says, "no authority that gives the right of interruption to the navigation of States in amity, upon the high seas, excepting that which the rights of war give to both belligerents against neutrals. No nation can exercise a right of visitation and search upon the common and unappropriated parts of the sea, save only on the belligerent claim." He admits, indeed, and with just concern, that if this right be not conceded in time of peace, it will be extremely difficult to suppress the traffic in slaves.

"The great object, therefore, ought to be to obtain the concurrence of other nations, by application, by remonstrance, by example, by every peaceable instrument which men can employ to attract the consent of men. But a nation is not justified in assuming rights that do not belong to her, merely because she means to apply them to a laudable purpose."

"If this right," he adds, "is exercised in a state of peace, it must be done by convention ; and it will then be for the prudence of States to regulate, by such convention, the exercise of the right, with all the softening of which it is susceptible."

The judgment of Sir William Scott would have been equally conclusive against the legality of this seizure, even it could have been established in evidence that France had previously prohibited the slave trade by her municipal laws. For the sake of argument, however, he assumes that the view he has taken of the subject might, in such a case, be controverted. He proceeds, therefore, to inquire how far the French law had actually abolished the slave trade at the time of this adventure. The actual state of the matter, as collected from the documents before the court, he observes, is this :

"On the 27th of July, 1815, the British minister at Paris writes a note to Prince Talleyrand, then minister to the King of France, expressing a desire on the part of his court to be informed whether, under the law of France as it then stood, it was prohibited to French subjects to carry on

the slave trade. The French minister informs him, in answer, on the 30th of July, that the law of the Usurper on that subject was null and void, (as were all his decrees,) but that His Most Christian Majesty had issued directions that, on the part of France, 'the traffic should cease from the present time, every where and forever.'

"In what form these directions were issued, or to whom addressed, does not appear; but, upon such authority, it must be presumed that they were actually issued. It is, however, no violation of the respect due to that authority to inquire what was the result or effect of those directions so given? what followed in obedience to them, in any public and binding form? and I fear I am compelled to say that nothing of the kind followed; and that the directions must have slept in the portfolio of the office to which they were addressed; for it is, I think, impossible that, if any public and authoritative ordinance had followed, it could have escaped the sleepless attention of many persons in our own country to all public foreign proceedings upon this interesting subject. Still less would it have escaped the notice of the British resident minister, who, at the distance of a year and a half, is compelled, on the part of his own court, to express a curiosity to know what laws, ordinances, instructions, and other public and ostensible acts, had passed for the abolition of the slave trade.

"On the 30th of November, in the same year, (1815,) the additional article of the definitive treaty, a very solemn instrument, most undoubtedly, is formally and publicly executed, and it is in these terms: 'The high contracting parties, sincerely desiring to give effect to the measures on which they deliberated at the Congress of Vienna, for the complete and universal abolition of the slave trade; and having, each in their respective dominions, prohibited, without restriction, their colonies and subjects from taking any part whatever in this traffic; engage to renew conjointly their efforts, with a view to ensure final success to the principle which they proclaimed in the declaration of the 8th of February, 1815, and to concert, without loss of time, by their ministers at the court of London, the most effectual measures for the entire and definitive abolition of the traffic, so odious, and so highly reprov'd by the laws of religion and nature.'

"Now, what are the effects of this treaty? According to the view I take of it, they are two, and two only: one declaratory of a fact, the other promissory of future measures. It is to be observed, that the treaty itself does not abolish the slave trade; it does not inform the subjects that the trade is *hereby* abolished, and that, by virtue of the prohibitions therein contained, its subjects shall not in future carry on the trade; but the contracting parties mutually inform each other of the fact, that they have, in their respective dominions, abolished the slave trade, without stating at all the mode in which that abolition had taken place.

"It next engages to take future measures for the universal abolition.

"That, with respect to both the declaratory and promissory parts, Great Britain has acted with the *optima fides*, is known to the whole world, which has witnessed its domestic laws as well as its foreign negotiations.

"I am very far from intimating that the Government of this country did not act with perfect propriety, in accepting the assurance that the French Government had actually abolished the slave trade as a sufficient proof of the fact; but the fact is now denied by a person who has a right to deny it; for, though a French subject, he is not bound to acknowledge the existence of any law which has not publicly appeared; and the other party

having taken upon himself the burden of proving it in the course of a legal inquiry, the court is compelled to demand and expect the ordinary evidence of such a disputed fact. It was not till the 15th of January, in the present year, (1817,) that the British resident minister applies for the communication I have described, of all laws, instructions, ordinances, and so on; he receives in return what is delivered by the French minister, as *the ordinance*, bearing date only one week before the requested communication—namely, the 8th of January. It has been asserted, in argument, that no such ordinance has yet, up to this very hour, even appeared in any printed or public form, however much it might import both to French subjects and the subjects of foreign States so to receive it.

“How the fact may be, I cannot say; but I observe it appears before me in a manuscript form; and, by inquiry at the Secretary of State’s office, I find it exists there in no other plight or condition.

“In transmitting this to the British Government, the British minister observes, it is not the document he had reason to expect; and, certainly, with much propriety; for, how does the document answer his requisition? His requisition is for all laws, ordinances, instructions, and so forth. How does this, a simple ordinance, professing to have passed only a week before, realize the assurance given on the 30th of July, 1815, that the traffic ‘should cease, from the present time, every where and forever?’ or how does this realize the promise made in November, that measures should be taken, without loss of time, to prohibit not only French colonists, but French subjects likewise, from taking any part whatever in this traffic? What is this regulation in, substance? Why, it is a mere prospective colonial regulation, prohibiting the importation of slaves into the French colonies from the 8th of January, 1817.

“Consistently with this declaration, even if it does exist in the form and with the force of a law, French subjects may be yet the common carriers of slaves to any foreign settlement that will admit them, and may devote their capital and their industry, unmolested by law, to the supply of any such markets.

“Supposing, however, the regulations to contain the fullest and most entire fulfilment of the engagement of France, both in time and in substance, what possible application can a prospective regulation of January, 1817, have to a transaction of March, 1816?

“Nobody is now to be told that a modern edict, which does not appear, cannot be presumed; and that no penal law of any State can bind the conduct of its subjects, unless it is conveyed to their attention in a way which excludes the possibility of honest ignorance. The very production of a law professing to be enacted in the beginning of 1817 is a satisfactory proof that no such law existed in 1816, the year of this transaction. In short, the seizer has entirely failed in the task he has undertaken, in proving the existence of a prohibitory law, enacted by the legal Government of France, which can be applied to the present transaction.”

[Presented to both Houses of Parliament, by command of the Prince Regent, February, 1819.]

PAPERS RELATING TO THE SLAVE TRADE.

No. 1.

Extract of the protocol of the conference between the plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, held at London on the 14th December, 1817.

Present: Lord Castlereagh, plenipotentiary of Great Britain.
 Count Lieven, plenipotentiary of Russia.
 Baron Humboldt, plenipotentiary of Prussia.
 Prince Esterhazy, plenipotentiary of Austria.
 Count Caraman, chargé d'affaires of France.

The plenipotentiaries of Great Britain, Russia, Prussia, and Austria, and the chargé d'affaires of France, having agreed to meet together for the purpose of resuming the conferences relative to the abolition of the slave trade, Lord Castlereagh presents two conventions which his Government has concluded during the present year, the one with Portugal, and the other with Spain, on the subject of the abolition of the slave trade. His excellency requests to defer to another day the consideration of these two transactions, with reference to the further measures which may, under the present circumstances, be to be taken respecting this question. The two said documents are annexed to this protocol, sub lit. A and B.

A note, dated the 19th February, 1817, addressed by the Portuguese minister to the plenipotentiaries, on the question of the abolition of the slave trade, is read; their excellencies agree to take into consideration the contents thereof, as soon as the subject shall again be proceeded in by them, and they order that it may, in the mean time, be inserted in the protocol, to which it is annexed, sub lit. C.

After which, the sitting was adjourned.

HUMBOLDT.
 LIEVEN.
 CASTLEREAGH.
 ESTERHAZY.
 G. DE CARAMAN.

NOTE.—The annexes A and B to the protocol of the conference of the 4th December, 1817, (viz: the additional conventions between Great Britain, Portugal, and Spain, signed at London on the 28th July, 1817, and at Madrid on the 23d September, 1817, respectively,) have been already printed and laid before Parliament.

[Annex C to the protocol of the conference of the 4th December, 1817. Enclosed in No. 1.]

Note of the Count de Palmella to the plenipotentiaries of the five Powers.

LONDON, February 19, 1817.

The undersigned, envoy extraordinary and minister plenipotentiary of His Most Faithful Majesty, having received from his court the instructions

requested by his predecessor, M. de Freire, upon the subject of the invitation addressed to him by the plenipotentiaries of the Powers who signed the additional article of the treaty of Paris on the 20th of November, 1815, considers it his duty to make their excellencies acquainted with the tenor thereof, being persuaded that they will find therein satisfactory proof of the plain and candid line of conduct which the King, his master, has adopted, from the beginning of this negotiation.

His Majesty the King of Portugal, not having signed the additional article of the treaty of Paris of the 20th November, 1815, does not consider himself bound to take a part in the conferences established in London by virtue of that article; and the less so, as, at the time when the said conferences were proposed at the Congress at Vienna, the Portuguese plenipotentiaries positively refused to concur therein.

His Majesty being, nevertheless, desirous of giving this further proof of his wish to co-operate with the high Powers who signed the additional article, in the accomplishment of the object proclaimed in the declaration of the Congress of Vienna of the 8th February, 1815, has authorized the undersigned, notwithstanding the efforts and the sacrifices which it has already, and must still, cost the Brazils to accomplish it, to accept the invitation of the plenipotentiaries of those Powers who signed the above-mentioned additional article, and to take part in their conferences, whenever their excellencies shall have given him the assurance that the negotiation in question will be grounded upon the following principles:

1st. That, in conformity to the solemn declaration of the Congress of Vienna, due regard shall be had, in proceeding to the abolition of the slave trade, to the interests, the customs, and even the prejudices, of the subjects of those Powers which still permit this traffic.

2dly. That each of the said Powers having the right to enact the final abolition at the period which it may judge most expedient, that period shall be fixed upon between the Powers by means of negotiation.

3dly. That the general negotiation which may ensue shall in no way prejudice the stipulation of the 4th article of the treaty of the 22d January, 1815, between His Most Faithful Majesty and His Britannic Majesty, wherein it is stated, that the period when the said traffic is universally to cease and be prohibited in the Portuguese dominions shall be fixed by a separate treaty between the two high contracting parties.

The principles thus laid down appear to the undersigned to be so clear, and so conformable to every thing which the plenipotentiaries to whom he has the honor of addressing himself have themselves communicated to him, that he doubts not they will explicitly acknowledge them in the answer which he has been desired by the King his master to request they will favor him with, and in consequence of which he will consider himself duly authorized to accept the invitation addressed by their excellencies to his predecessor, and to take part in the negotiation proposed at the sitting of the Congress at Vienna, held on the 20th January, 1815.

The undersigned most readily avails himself of this opportunity to request their excellencies to accept the assurance of his highest consideration.

LE COMTE DE PALMELLA.

To their Excellencies the PLENIPOTENTIARIES of the Powers who signed the additional article of the treaty of Paris, of the 20th November, 1815.

No. 2.

*Protocol of the conference between the plenipotentiaries of the five Powers,
of the 4th of February, 1815.*

Present : Prince Esterhazy, Marquis D'Osmond, Baron de Humboldt, Count Lieven, and Lord Castlereagh.

Lord Castlereagh reads a note verbally, containing a proposition on the part of the Government, the object of which is to make a convention between the Powers represented by the plenipotentiaries assembled, for the purpose of abolishing illicit slave trade; and he accordingly invites his colleagues to request forthwith instructions on this subject from their respective courts, in the event of their not being provided with sufficient authority to negotiate such a convention.

Lord Castlereagh then reads several reports derived from different societies occupied in the abolition of the slave trade, relative to the extent and nature of this traffic on the coast of Africa, and requests the insertion in the protocol of the proposition above stated, together with the said reports, as annexes thereunto. All these documents are inserted, sub lit. A, B, C, D.

The plenipotentiaries agree to invite verbally Count Palmella, minister of Portugal, to assist at the ensuing conference on the abolition of the slave trade, and adjourn for the present the further consideration of the subject.

CASTLEREAGH.

LIEVEN.

ESTERHAZY.

OSMOND.

HUMBOLDT.

[Annex A to the protocol of the conference of the 4th of February, 1815. First enclosure in No. 2.]

Memorandum of Viscount Castlereagh.

In laying before the conference the reports received from the African societies in London, in answer to the queries addressed to them by His Majesty's Government, upon the present state of the slave trade, as connected with the improvement and civilization of Africa, Lord Castlereagh (the reports being read) called the attention of his colleagues to the following prominent facts :

That a considerable revival of the slave trade had taken place, especially on the coast of Africa north of the line, since the restoration of peace ; and that the principal part of this traffic being now of an illicit description, the parties engaged in it had adopted the practice of carrying it on in armed and fast-sailing vessels :

That the ships engaged in this armed traffic not only threatened resistance to all legal attempts to repress the same, but, by their piratical practices, menaced the legitimate commerce of all nations on the coast with destruction :

That the traffic thus carried on was marked with increased horrors, from the inhuman manner in which these desperate adventurers were in the habit of crowding the slaves on board vessels better adapted to escape

from the interruption of cruisers than to serve for the transport of human beings :

That as the improvement of Africa, especially in a commercial point of view, has advanced in proportion as the slave trade had been suppressed, so, with its revival, every prospect of industry and of amendment appears to decline :

That the British Government has made considerable exertions to check the growing evil ; that during the war, and whilst in possession of the French and Dutch settlements on that coast, their endeavors had been attended with very considerable success ; but that since the restoration of those possessions, and more especially since the return of peace had rendered it illegal for British cruisers to visit vessels sailing under foreign flags, the trade in slaves had greatly increased :

That the British Government, in the performance of this act of moral duty, had invariably wished, as far as possible, to avoid giving umbrage to the rights of any friendly Power ; that, with this view, as early as July, 1816, the accompanying circular order had been issued to all British cruisers, requiring them to advert to the fact, that the right of search (being a belligerent right) had ceased with the war, and directing them to abstain from exercising the same :

That the difficulty of distinguishing, in all cases, the fraudulent from the licit slave traders, of the former of whom a large proportion were notoriously British subjects, feloniously carrying on this traffic in defiance of the laws of their own country, had given occasion for the detention of a number of vessels upon grounds which the Prince Regent's Government could not sanction ; and in reparation for which seizures, due compensation had been assigned in the late convention with Spain and Portugal :

That it was, however, proved, beyond the possibility of a doubt, that, unless the right to visit vessels engaged in this illicit traffic should be established by the same being mutually conceded between the maritime States, the illicit slave trade must, in time of peace, not only continue to subsist, but to increase :

That the system of obtaining fraudulent papers, and concealing the real ownership, was now carried on with such address as to render it easy for the subjects of all States to carry on the traffic, whilst the trade in slaves remained legal for the subjects of any one State.

That even were the traffic abolished by all States, whilst the flag of one State shall preclude the visit of all other States, the illicit slave trader will always have the means of concealing himself under the disguise of the nation whose cruiser there is the least chance of his meeting on the coast. Thus the Portuguese slave trader, since the abolition north of the line took effect, has been found to conceal himself under the Spanish flag. The American, and even the British dealer, has in like manner assumed a foreign disguise. Many instances have occurred of British subjects evading the laws of their country, either by establishing houses at Havana or obtaining false papers. If such has been the case in time of war, when neutral flags were legally subjected to the visit of the belligerent cruiser, the evil must tenfold increase when peace has extinguished this right, and when even British ships, by fraudulently assuming a foreign flag, may, with every prospect of impunity, carry on the traffic.

The obvious necessity of combining the repression of the illicit slave trade with the measure of abolition, in order to render the latter in any degree effectual, has been admitted both by the Spanish and Portuguese

Governments; and, in furtherance of this principle, the late conventions have been negotiated. But whilst the system therein established is confined to the three Powers, and whilst the flags of other maritime States, and more especially those of France, Holland, and the United States, are not included therein, the effect must be to vary the ostensible character of the fraud, rather than in any material degree to suppress the mischief.

The great Powers of Europe, assembled in Congress at Vienna, having taken a solemn engagement, in the face of mankind, that this traffic should be made to cease, and it clearly appearing that the law of abolition is nothing in itself, unless the contraband slave trade shall be suppressed by a combined system, it is submitted that they owe it to themselves to unite their endeavors, without delay, for that purpose; and, as the best means, it is proposed that the five Powers now assembled in conference under the third additional article of the treaty of Paris should conclude a treaty with each other, upon such enlarged, and at the same time simple principles, as might become a conventional regulation, to which all other maritime States should be invited to give their accession. This convention might embrace the following general provisions:

1st. An engagement, by effectual enactments, to render not only the import of slaves into their respective dominions illegal, but to constitute the trafficking in slaves, on the part of any of their subjects, a criminal act, to be punished in such suitable manner as their respective codes of law may ordain.

2d. That the right of visit be mutually conceded to their respective ships of war, furnished with the proper instructions *ad hoc*; that the visit be made under the inspection of a commissioned officer, and no vessel be detained unless slaves shall be found actually on board.

3d. The minor regulations to be such as are established in the conventions with Spain and Portugal, under such further modifications as may appear calculated to obviate abuse, and to render the system, if possible, more unobjectionable as a general law, amongst the high contracting parties, applicable to this particular evil.

After the abolition shall have become general, in a course of years, the laws of each particular State may perhaps be made in a great measure effectual to exclude import. The measure to be taken on the coast of Africa will then become comparatively unimportant; but so long as the partial nature of the abolition, and the facility to contraband import throughout the extensive possessions to which slaves are carried from the coast of Africa, shall afford to the illicit slave trader irresistible temptation to pursue this abominable but lucrative traffic, so long nothing but the vigilant superintendence of an armed and international police on the coast of Africa can be expected successfully to cope with such practices.

To render such a police either legal or effectual to its object, it must be established under the sanction and by the authority of all civilized States concurring in the humane policy of abolition. The force necessary to repress the same may be supplied, as circumstances or convenience may suggest, by the Powers having possessions on the coast of Africa, or local interests which may induce them to station ships of war in that quarter of the globe; but the endeavors of these Powers must be ineffectual, unless backed by a general alliance framed for this especial purpose. The rights of all nations must be brought to co-operate to the end in view,

by at least ceasing to be the cover under which the object, which all aim at accomplishing, is to be defeated.

At the outset, some difficulty may occur in the execution of a common system, and especially whilst the trade remains legal, within certain limits, to the subjects both of the crowns of Spain and Portugal; but if the principal Powers frequenting the coast of Africa evince a determination to combine their means against the illicit slave trader as a common enemy, and if they are supported in doing so by other States denying to such illicit slave traders the cover of their flag, the traffic will soon be rendered too hazardous for profitable speculation. The evil must thus cease, and the efforts of Africa be directed to those habits of peaceful commerce and industry, in which all nations will find their best reward for the exertions they shall have devoted to the suppression of this great moral evil.

Lord Castlereagh, upon these grounds, invited his colleagues, in the name of the Prince Regent, should the powers under which they at present act not enable them to proceed to negotiate a convention upon the grounds above stated, to solicit without delay, from their respective sovereigns, the authority necessary to this effect; his Royal Highness confidently trusting that the enlarged and enlightened principles which guided the councils of these illustrious persons at Vienna, and which have now happily advanced the cause of abolition so nearly to its completion, will determine them perseveringly to conduct the measure to that successful close, which nothing but their combined wisdom and continued exertions can effectuate.

Lord Castlereagh concluded by calling the attention of his colleagues to the indisputable proofs afforded, both by the present state of the colony of Sierra Leone, and by the increase of African commerce in latter years, of the faculties of that continent, both in its soil and population, for becoming civilized and industrious, the only impediment to which undoubtedly was the pernicious practice of slave trading, which, wherever it prevailed, at once turned aside the attention of the natives from the more slow and laborious means of barter which industry presented, to that of seizing upon and selling each other.

It was therefore through the total extinction of this traffic that Africa could alone be expected to make its natural advances in civilization—a result which it was the declared object of these conferences, by all possible means, to accelerate and to promote.

NOTE.—The proposition made by Viscount Castlereagh, in the preceding memorandum, was immediately transmitted by the several plenipotentiaries for the consideration of their courts; but no answer was received from the respective Governments previous to the meeting of the conferences at Aix-la-Chapelle, in September, 1818.

[Annex B to the protocol of the conference of the 4th of February, 1818. Second enclosure in No. 2.]

Queries proposed by Viscount Castlereagh to, and answers of, the African Society, in London, December, 1816.

Query 1. What number of slaves are supposed at present to be annually carried from the western coast of Africa across the Atlantic?

Answer 1. It would be impossible to give any other than a conjectural answer to this question. It has been calculated, but certainly on loose and uncertain data, that the number of slaves at present carried from the western coast of Africa across the Atlantic amounts to upwards of 60,000.

Query 2. State, as far as you can, the comparative numbers annually withdrawn for the last twenty-five years, either by giving the probable number withdrawn in each year, or upon an average of years.

Answer 2. The number of slaves withdrawn from western Africa during the last twenty-five years is also necessarily involved in considerable uncertainty. It has probably amounted to upwards of a million and a half. During many of the early years of that period, the number annually withdrawn is stated, on credible authority, to have amounted to near 80,000.

This agrees with the result of the evidence taken before the Privy Council in 1787 and 1788. Even this enormous amount, however, is more likely to fall below the real export than to exceed it; for, in the specification contained in the Privy Council report, the Portuguese are supposed to have carried off only 15,000 annually, whereas there is reason to believe that their export was much more considerable. The number carried off by ships of the United States is also, it is apprehended, rated too low.

The abolition of the British slave trade in 1808 must of course have materially lessened the extent of the slave trade.

The diminution in the price of slaves on the coast, however, which followed that measure, appears in no long time to have had the effect of tempting other nations to enlarge their purchases and to crowd their ships; and British capital also gradually found its way into this branch of trade through the medium of foreign houses. On the whole, it is supposed that the average export of the last eight years may have somewhat exceeded the rate of 50,000 annually.

Query 3. From what parts of the coast have these supplies been drawn? State, as far as may be, the approximated distribution of these numbers with respect to different parts of the coast of Africa.

Answer 3. Previously to the year 1810, these supplies were drawn from all parts of the African coast, without distinction.

About a fourth part of the whole, it is supposed, was drawn from that part of the coast extending from the river Senegal to the eastern extremity of the Gold coast. Of the remaining three-fourths, one-half is supposed to have been drawn from Whydau, the bight of Benin, the rivers Bonny, Calabar, Gaboon, and the intermediate districts north of the equator; and the other half from Congo, Angola, Benguela, and other parts south of the equator.

Subsequently to the year 1793, the slave trade between the Senegal and the eastern extremity of the Gold coast was divided almost exclusively between the English and the Americans, probably more than three-fourths of it being engrossed by the former. The contemporaneous abolition of the slave trade, therefore, by these two nations, tended greatly to diminish the export of slaves from that line of coast. The Portuguese had previously confined their slave trade almost entirely to the bight of Benin and the coast to the southward of it; but, in consequence of the reduction in the price of slaves on the Windward and Gold coasts, which followed the abolition of the British and American slave trade, they were

gradually drawn thither. Before, however, their expeditions to this part of the coast had become very frequent, they were checked by the promulgation of the treaty of amity between Great Britain and Portugal, of February, 1810, confining the Portuguese slave trade to places under the dominion of the crown of Portugal. The Windward and also the Gold coast were thus preserved for some years from suffering so severely, by the ravages of the slave trade, as would otherwise probably be the case. Considerable cargoes, it is true, were occasionally carried away from these districts during the years in question, especially when it could be ascertained that there were no British cruisers in the way to obstruct their progress.

But still, from the year 1808 to the year 1815, the slaves carried from western Africa were principally taken from Whydaw, the bight of Benin, and the coast southward of it; and the coast north of that line was comparatively exempt from the ravages of this traffic.

Query 4. By what nations, and in what proportions, is it understood that the gross annual supply has been purchased and carried away?

Answer 4. Previous to the revolutionary war, the number carried away in British ships was estimated at 38,000 annually. About 40,000 or 42,000 more were supposed to be carried away by the Portuguese, French, Dutch, Danes, and Americans.

This estimate, however, probably falls below the truth, as there is reason to believe that the annual export of the Portuguese alone usually amounted to 25,000; and the number of slaves introduced into St. Domingo by the French, for some time before the revolution in that island, is known to have been very large.

For about two years after the breaking out of the maritime war of 1793 the slave trade on the west coast of Africa suffered a considerable interruption. The French and Dutch were entirely driven from it, and the captures made from the English greatly discouraged their trade on that open and unprotected coast. Our maritime successes and the capture of Dutch Guiana combined to revive it, and the English share of the slave trade rose to the enormous amount of 55,000 slaves in a single year. The only other nations that, during this period and down to the year 1810, were engaged in the slave trade of western Africa, were the Portuguese and Americans. The number carried off by the Portuguese has been estimated at from 20,000 to 25,000 annually, and by the Americans about 15,000. Notwithstanding the prohibitory act of America, which was passed in 1807, ships bearing the American flag continued to trade for slaves until 1809, when, in consequence of a decision in the English prize appeal courts, which rendered the American slave ships liable to capture and condemnation, that flag suddenly disappeared from the coast. Its place was almost instantaneously supplied by the Spanish flag, which, with one or two exceptions, was now seen for the first time on the African coast, engaged in covering the slave trade.

This sudden substitution of the Spanish for the American flag seemed to confirm what was established in a variety of instances by more direct testimony, that the slave trade, which now for the first time assumed a Spanish dress, was in reality only the trade of other nations in disguise.

Query 5. To what parts of the continent of North or South America, or the islands in the West Indies, have these slaves been carried?

Answer 5. The slaves formerly taken from the coast by the French

Dutch, and Danes, were almost exclusively for the supply of their own colonies.

Until the abolition of the British and American slave trade the Portuguese carried the slaves taken by them from the coast, with scarcely any exceptions, to the Brazils.

Subsequently to that event the Portuguese flag was for some years employed in carrying cargoes of slaves to the Spanish colonies.

This practice, however, was greatly checked at least, if not wholly suppressed, in consequence of instructions issued to British cruisers, authorizing them to bring in for adjudication such Portuguese ships as might be found carrying slaves to places not subject to the crown of Portugal.

For the last two or three years, therefore, the Portuguese flag has been almost exclusively used in carrying slaves to the Brazils.

Before the abolition of the American slave trade a considerable number of slaves were constantly introduced into South Carolina and Louisiana. The chief part, however, of the American slave trade before that event, and nearly the whole of it afterwards, was carried on for the supply of the Spanish colonies.

From the year 1810, as has been already noticed, whatever slave trade may have been carried on by American capital has been under the guise of either the Portuguese or Spanish flag, but chiefly of the latter.

The English for many years were in the habit of supplying the colonies of Spain with a considerable number of slaves. The remainder of the slaves they carried from the coast was distributed throughout their own colonies. Between the years 1795 and 1805 the largest share of their slave trade was carried on for the supply of Dutch Guiana, then in the possession of Great Britain, Trinidad, and the conquered colonies. Cuba also continued to receive a considerable supply of slaves from the English.

In 1805 Great Britain prohibited the slave trade for the supply of the colonies she had captured during the war, and in the following year prohibited that for the supply of the colonies of any foreign Power whatever.

The whole of the slaves, therefore, taken from Africa by the English, in the years 1806 and 1807, excepting what may have been smuggled, must have been distributed among her old colonies, and in the prospect of the approaching abolition of the British slave trade that number was very considerable.

Query 6. What is the present extent and nature of the contraband trade in slaves?

Query 7. By what description of persons, under what flag, upon what part of the coast, and for the supply of what market, is this illicit trade carried on?

Answers 6, 7. It would be impossible, by any probable estimate, to distinguish at the present moment the contraband slave trade from that which may be considered as legal. The whole of the slave trade, whether legal or contraband, which is now carried on from western Africa, passes, with a very few exceptions, under the Spanish and Portuguese flags; the former being seen chiefly to the north of the equator, and the latter to the south of it. The flag, however, affords but a very slight presumption of the real national character of the adventure. In the case of a very great majority of the vessels detained by our cruisers, it has proved a disguise assumed by the contraband trader, in order to escape detention. Of the slaves exported from the western coast of Africa, at the present time, esti-

mated, as has been already said, at upwards of 50,000, probably a half is carried off under the Spanish, and the other half under the Portuguese flag. During the last months of 1814 and the first months of 1815, several ships bearing the French flag appeared on the African coast, and carried off cargoes of slaves. Within the last twelve months, also, several vessels bearing the American flag have come upon the coast, professedly for the purpose of carrying on its innocent and legitimate commerce; meeting, however, as they conceived, with a convenient opportunity of carrying off a cargo of slaves for the Havana market, they have not scrupled to take them on board. Two vessels under these circumstances sailed from the Rio Nunez full of slaves, in January, 1816, and it is supposed reached the place of their destination in safety. Another vessel of the same description was captured in the Rio Pongas, in April, 1816, while employed in taking the slaves on board.

With these exceptions, the whole slave trade of western Africa, for the last six or seven years, has been carried on, it is believed, under the flags of Spain and Portugal.

The Spanish flag, however, is probably, in almost every case, a mere disguise, and covers not *bona fide* Spanish property, but the property of unlawful traders, whether English, American, or others.

It is a well-known fact, that, until the year 1809 or 1810, the Spanish flag had not for a long time been engaged in the African slave trade, except in one or two instances. Its sudden and extensive appearance subsequently to that period furnishes, as has already been remarked, a very strong presumption of the fraudulent character of the adventurers which it is employed to protect.

The ordinary course of proceeding is this: the ship belonging to the unlawful trader calls at the Havana or Teneriffe; for the most part at the former port. A nominal sale of ship and cargo is there effected to some Spanish house; and regular Spanish papers, and a nominal Spanish captain, having been obtained, and her real captain having taken the character either of supercargo or passenger, she sails on her slave-trading expedition as a Spanish ship.

Since the Portuguese have been restricted by treaty from trading for slaves on certain parts of the African coast, they have resorted to similar expedients for protecting their slave-trading expeditions to places within the prohibited district; and at the present moment there is little doubt that a considerable part of the apparently Spanish slave trade which is carrying on to the north of the equator, where the Portuguese are forbidden to buy slaves, is really a Portuguese trade.

A further use is now found for the Spanish flag, in protecting the French slave traders; and it is affirmed that the French ships fitted out in France for the slave trade call at Corunna for the purpose of effecting a nominal transfer of the property engaged in the illegal voyage to some Spanish house, and thus obtaining the requisite evidence of Spanish ownership.

In consequence of these uses to which the Spanish flag has been applied, a great increase of the apparently Spanish slave trade has taken place of late; and as the flag of that nation is permitted to range over the whole extent of the African coast, it seems to keep alive the slave trade in places from which it would otherwise have been shut out; and it has of late revived that trade in situations where it had been previously almost wholly extinguished.

The Portuguese flag is now chiefly seen to the south of the equator, although sometimes the Portuguese traders do not hesitate still to resort to the rivers between Whydow and the equator, even without a Spanish disguise. The only two cruisers which have recently visited that part of the coast found several ships under the Portuguese flag, openly trading for slaves in Lago and the bight of Benin.

In a great variety of cases the Portuguese flag has been found to cover the property of British or American slave traders. It will doubtless be now employed to protect also the slave traders of other nations by which the trade is prohibited. The limitation of that flag to parts south of the line renders it less desirable for a general voyage to the unlawful trader than the Spanish flag, which is under no local restriction.

The extraordinary facility with which a change may be effected in the national character of a ship and cargo, intended to be employed in the slave trade, has been judicially established in a great variety of instances. The Brazils and the island of Cuba form the great marts of the sale of the slaves carried from the western coast of Africa, exclusive of those smuggled into the British and restored French and Dutch colonies.

Query 8. Has this trade been lately carried on to a considerable extent on the coasts north of the equator?

Answer 8. The slave trade, under the circumstances stated in the answer to the last question, has certainly been carried on, during the last two years, to a great extent, on the African coast north of the equator.

Query 9. By what description of persons, and under what flag?

Answer 9. This question has been already answered.

Query 10. Have those fraudulent slave traders come in armed vessels, and have they employed force in order to effectuate their purposes?

Answer 10. During the last two years many slave ships have come to the coast armed, and have employed force to effectuate their purposes.

Query 11. When interrupted, have they threatened to return with armed ships of a larger class?

Answer 11. They have, and in some instances have executed their threats.

Query 12. From whence are these armed contrabandists chiefly fitted out?

Answer 12. A few of these armed ships have come from the Brazils, and one or two from Martinique; but for the most part they have come from the United States, having first obtained a Spanish disguise at Havana. They have consisted chiefly of vessels which had been employed as American privateers during the war, and which sail uncommonly fast. In more than one instance they have come in small squadrons of two or three vessels, for the purpose of attacking and carrying any armed vessel which might obstruct their proceedings.

Query 13. What has been the effect produced by their depredations on the coast north of the line?

Answer 13. The effects of these proceedings have been highly detrimental. Exclusive of all the evils which are inseparable from a slave trade under any circumstances, they have discouraged, and in some cases crushed, the first efforts to extend agriculture and legitimate commerce, which had been produced in this quarter by the cessation for a time of the slave trade. Even the innocent commerce of Sierra Leone with the surrounding districts, which had tended more than any thing else to give a

steady impulse to the industry of the neighboring natives, has been subjected to outrage and spoliation, attended in some cases with the loss of life. They operate most fatally in another point of view. The native chiefs and traders, who began at length to be convinced, by the evidence of facts, that the abolition was likely to be permanently maintained, and that it was therefore absolutely necessary to engage heartily in schemes of cultivation, if they would preserve their influence, have learnt from recent events to distrust all such assurances. Notwithstanding all that had been said and done, they now see the slave traders again sweeping the whole range of coast without molestation, nay, with the air of triumph and defiance. It will be long, therefore, before they are likely to yield to the same conviction respecting the purposes of the European Powers to abolish the slave trade, which they had been led to admit. Even if effectual means should now be adopted for totally and finally abolishing this traffic, years will probably elapse before they will be induced to forego the expectation of its revival. It would be difficult fully to appreciate the deep and lasting injury inflicted on northern Africa by the transactions of the last two or three years; and this injury will be the greater on this account—that in the interior of that country, at least, they do not discriminate with any accuracy between the different nations of Europe. They only know, in general, that the white men who had ceased to trade in slaves, and who they understood were to trade no more in that commodity, except as smugglers, liable to be seized and punished, have now resumed the open, avowed, and uncontrolled practice of that traffic.

Query 14. What system do you conceive best calculated to repress this evil?

Answer 14. I do not apprehend that the evil can be repressed, or even very materially alleviated, unless the abolition be made total and universal; and, even then, unless the slave trade be pronounced to be felonious, and punished as such. At present, no check whatever exists, not even that very inadequate one, which, in time of war, arises from the right of search, exercised by belligerents. It may be expected, therefore, that the slave trade, instead of being diminished, will increase from day to day. Mere prohibitory acts, even should they be adopted by all the Powers of Europe, would be eluded, unless regulations adapted to the very peculiar circumstances of the case were devised for confirming them.

Query 15. What progress had there been made, during the war, to exclude the trade in slaves from the coast of Africa north of the line?

Answer 15. The progress had been very considerable, as has been shown above, and was shown more largely by authentic documents communicated to Lord Castlereagh and the Duke of Wellington in 1814. The restoration of peace in Europe has been attended with very disastrous effects to this part of Africa.

Query 16. What effects can be traced to have arisen from such exclusion upon the interior civilization, on industry, or upon the external commerce of this part of the coast, compared with what existed twenty years before?

Answer 16. In some remarks, drawn up in August, 1814, on the subject of the legitimate commerce of Africa, it was very clearly shown that, at that period, a very considerable effect had been produced by the exclusion of the slave trade from northern Africa, imperfect as that exclusion was, on the external commerce, and consequently on the industry of

that part of the coast, as compared with what existed twenty years before. Since 1814, the slave trade in northern Africa has unhappily experienced a very considerable revival, and it is to be apprehended that a corresponding check may have been given to the progress of industry and legitimate commerce.

It is obviously only when the slave trade has been eradicated, that any marked progress in civilization can be expected. The existence of that trade is necessarily a bar to improvement. Supposing, however, that it should be effectually abolished, we are already in possession of very satisfactory evidence to show that there is nothing in the local circumstances of Africa, and as little in the character of her inhabitants, which would prevent, in their case at least, as rapid an advance in the arts of civilized life, and in the acquisition of moral and religious habits, as the world has witnessed in any other similar instance. A part of this evidence is derived from the colony of Sierra Leone. The population of that colony, in 1809, did not exceed 1,500 souls, chiefly Africans. Since that time, it has swelled to upwards of 10,000. This large increase consists almost entirely of persons who, having been rescued at different periods during the last seven years from the holds of slave ships, may be supposed, at the time of their introduction, to have stood at the lowest point of mental and moral depression.

The population of Sierra Leone, therefore, at this time, exhibits all the varying shades of civilization, (varying partly according to the time that has elapsed since their introduction into the colony, and partly according to the character and opportunities of each individual,) from the enterprising trader, skilful mechanic, or industrious farmer, supporting himself and his family in comfort, and performing respectably his social, and even religious duties, to the almost brutish state of the recently-liberated captive.

Of these 10,000 Africans, all, excepting those who may yet be too young to labor, or who may have been too recently introduced into the colony to be able as yet to reap the fruits of their labors, maintain themselves by their own industry, chiefly in the cultivation of farms of their own. Making due allowance for previous habits, and the difficulties arising from difference of language, they are found to be as susceptible of moral and intellectual culture as any people whatever.

In the month of October last, the schools in the colony contained 1,237 scholars, whose advancement in knowledge was satisfactory to their instructors and to the Government; and it is said that a great eagerness existed among them to avail themselves of the means of instruction within their reach. The general conduct of the liberated captives has been such as to merit the approbation and confidence of their governors; and not a few have already so far improved their advantages as to be capable of discharging such subordinate judicial functions as jurors, constables, &c.

From the foundation of the colony, indeed, these functions have been almost exclusively discharged by Africans; and Sierra Leone exhibits the important example of a community of black men, living as freemen, enjoying the benefits of the British constitution, maintaining themselves by the ordinary pursuits of commerce, agriculture, or some mechanical art, fulfilling their various social and civil relations by the means only of such sanctions as the administration of British law and the precepts of charity impose upon them, and gradually improving, by means of schools and other institutions, in knowledge and civilization.

"A population of 10,000 freemen," observes Dr. Hogan, the chief judge of the colony, in a letter dated in October, 1816, "collected upon one spot, so favorably situated, and guided and governed with a view to such noble and ennobling objects, forms too grand a stride in the moral march of human affairs not to fix the attention of an enlightened observer. I take this colony, then, as it is; and, looking steadily to the great objects which it was, from its first settlement, intended to promote, am well content." He afterwards adds, that, with so much to deplore as there necessarily must be in a population such as has been described, he distinctly perceives "all the principal elements of social order and effectual civilization in existence and vigor, requiring only the care of a skilful hand to mould them into form, and to collect from them the early fruits of a successful and rapid cultivation."

The case of Sierra Leone has been adduced chiefly for the purpose of showing that the African character is susceptible of improvement and civilization, in a degree perhaps not inferior to any other. It was in that part of the coast adjoining to Sierra Leone that the slave trade was, for a time, most effectually extinguished; and the consequence of that suspension of the slave trade was a very considerable increase of innocent commerce, and particularly of the export of rice. Of that article, considerable quantities were carried, during the peninsular war, to Portugal and Spain; and many cargoes have also been carried to Madeira, Teneriffe, and the West Indies. The trade in rice was one which might have been indefinitely extended, provided the slave trade had not revived. There is reason to fear that its revival may destroy in the bud this promising branch of commerce.

Query 17. State what measures are now in progress for the improvement of Africa, and how they are likely to be affected by the continuance or discontinuance of this trade, partially or generally.

Answer 17. This question has received a partial answer above.

Sierra Leone and its immediate neighborhood may be considered as the only part of the African coast where plans of improvement can be pursued without immediately encountering the malignant influence of the slave trade. It is almost necessary, therefore, to confine within that sphere, at least for the present, the direct efforts made for the civilization and improvement of Africa. Even the establishment formed in the Rio Pongas, for the instruction of the natives, it is feared, must be withdrawn, in consequence of the revival of the slave trade.

At Sierra Leone, between 1,200 and 1,300 African youths of both sexes, most of them rescued from the holds of slave ships, are now under instruction. These have been brought to Sierra Leone from all parts of Africa, from Senegal to Benguela, so that there is scarcely a language spoken in that extensive range of coast which is not spoken by some of the Sierra Leone colonists.

In instructing these liberated captives, the views of their benefactors are by no means confined to the benefits which they themselves may derive from the instruction afforded them, but extend to the possibility that individuals may hereafter arise from among them who may convey to their own native regions that light which they have acquired at Sierra Leone.

Query 18. Is there any reason to apprehend that the contraband trade may become extensive in time of peace, even on the coast north of the line, where so considerable a progress had been made to suppress the slave

trade generally, if some decisive measures are not adopted by the Powers conjointly to repress the same?

Answer 18. There is the strongest reason to apprehend this consequence. Indeed, the event here only supposed possible, is actually at this moment matter of history.

Query 19, 20. Has it not been found that the trade is conducted with peculiar inhumanity and waste of life by these illicit traders? State the instances that have latterly occurred to illustrate the fact.

Answer 19, 20. Undoubtedly. The slave ships are now crowded to excess, and the mortality is dreadful. The following are some of the instances which have come to our knowledge:

1. The *Venus Havannera*, under Spanish colors, of the burden of about 180 tons, carried off from the river Bonny 550 slaves. When captured, on her passage to the Havana, and carried into Tortola, the mortality was found to have amounted to 120.

2. *La Manella*, a ship of the burden of 272 tons, sailed under the Spanish flag, and took on board in the river Bonny 642 slaves. The deaths on the passage to the West Indies, previous to her capture, amounted to 140.

3. The *Gertrudes*, a ship sailing under the Spanish flag, took on board upwards of 600 slaves. This ship was taken while yet on the African coast, and brought to Sierra Leone for adjudication. But, notwithstanding the short time that had elapsed since the slaves were taken on board, such was the dreadful state of crowding, that about 200 died before the ship was brought in, or within a short time after her arrival; many, even of those who survived, were so much debilitated by their sufferings as never to be likely to enjoy sound health.

4. *Nueva Constitucion*, a vessel under the Spanish flag, of only 30 tons burden, had on board 81 slaves; but, having been brought in within a few days after the slaves had been taken on board, the bad effects which must have followed such a state of crowding on a very long passage were prevented.

5. The *Maria Primeira*, a ship under Portuguese colors, took on board upwards of 500 slaves. This number was reduced to 403, in consequence of extreme crowding, before she was brought into Sierra Leone; and nearly 100 more died soon after, in consequence of the diseases contracted on board.

6. Portuguese brig *San Antonio*, of 120 tons, took on board 600 slaves; when captured, although she had only sailed 80 leagues, 30 slaves had already died, and many more were found to be in a dying state, and died soon after. The capturing officer took 150 of the slaves on board his own ship, to prevent the almost universal mortality he apprehended. When he first went on board the slave ship, he found a dead body, in a state of absolute putridity, lying among the sick.

7. The Spanish ship *Carlos*, under 200 tons burden, took on board 512 negroes, in addition to a crew consisting of 84. About 80 slaves had died previous to her capture, and the rest were in a most deplorable state. Many more instances might be added; but these may be considered as exhibiting the ordinary rate of mortality on board the ships engaged in the illicit slave trade.

Query 21. What has been the general influence observable on the interior of Africa, by the successive acts of abolition on the part of different States?

Answer 21. Very little is known of the interior of Africa, or of the moral or political changes which take place there. Our knowledge is almost entirely confined to the banks of navigable rivers, and to the line of the sea coast. There, indeed, the influence has been very observable, of all the variations in the policy of European nations in respect to the slave trade; and perhaps some corresponding effect may be assumed to be produced in the interior regions, which are removed from observation. Many proofs might be given of the evil effects produced on the coast of Africa by the vacillation and uncertainty which has attended the measure of abolition. And, if any truth be more than another fully demonstrated by experience, with respect to Africa, it is this: that, without an effective abolition of the slave trade by all the Powers of Europe, it will be in vain to expect the development of the immense agricultural and commercial faculties of that continent; or that, except in very partial instances, the many millions of men by whom it is peopled should rise a single step in the scale of civilization above their present degraded level.

Query 22. What do you conceive would be the particular effect of an abolition of the slave trade on the part of Spain?

Answer 22. An abolition on the part of Spain would at once deliver the whole of northern Africa from the slave trade, provided effectual measures were taken to seize and punish illicit traders. The Spanish flag being now the only flag that can show itself in northern Africa, engaged in the slave trade, the beneficial effects of such an arrangement may be inferred from what has been already said.

Another effect would be this: No slave trade would be lawful but what was found moving in the line between southern Africa and the Brazils; and no slave trader, therefore, could navigate any part of the Atlantic north of the equator; so that the risk of smuggling into the West India islands would be greatly increased.

By the prolongation of the Spanish slave trade, on the contrary, not only is the whole of northern Africa, which would otherwise be exempt, given up to the ravages of that traffic, and the progress already made in improvement sacrificed, but facilities are afforded of smuggling into every island of the West Indies, which could not otherwise exist, and which, while slave ships may lawfully pass from Africa to Cuba and Porto Rico, it would perhaps be impossible to prevent.

Query 23. What amount of slaves do the Portuguese import annually into the kingdom of Brazil?

Answer 23. The number has been estimated at from 20,000 to 30,000 annually.

DECEMBER, 1816.

[Annex C to the protocol of the conference of the 4th of February, 1818. Third enclosure in No. 2.]

Answers from Sierra Leone to the queries of Viscount Castlereagh, dated April, 1817.

Query 6. What is the present extent and nature of the contraband trade in slaves?

Answer 6. For some time past, especially after the settlement was

formed in the Gambia, and previous to the recent transfer of Senegal and Goree to France, the contraband slave trade was confined to the part of the coast southward of the river Sherbro, in latitude seven degrees north, with the exception of a few vessels which now and then took off slaves from Bissao, and the trade carried on in the Rio Pongas.

The expedition in 1814 crushed the trade in the Rio Pongas for two years; but as many of the Rio Pongas traders have settled in the Havana, they have, since their recovery from that shock, returned to it with more eagerness and rapacity than ever.

From Sherbro and the Gallinas to Cape Apollonia, a most extensive, and by far the most abominable slave trade is carried on. In this district the practice of kidnapping the natives who go off in canoes is chiefly pursued. The vessels employed for this part of the coast are generally under the Spanish flag, but connected with former and present slave factors on that part of the coast.

It is supposed that very little, if any, slave trade is carried on between Cape Apollonia and Popo, where the Portuguese factories commence; and from which place to their most southern settlements a very extensive trade is carried on.

It is generally carried on in large schooners and brigs, well armed and manned; and from the circumstance of slaves being cheaper on the coast than whilst the slave trade was permitted by Great Britain and America, and from the risks run in each voyage, they crowd their vessels to an inhuman and destructive degree.

The vessels are chosen for their force and swiftness, without the least regard to the accommodation or the comforts of the slaves; and the persons chosen to man and command these vessels are certainly far more celebrated for their ferocity and daring spirit than for their humanity.

There can be no doubt but that a very great proportion of the slaves carried from the coast are fairly purchased from the factories by the slave captains, however unjustly they may have come into the possession of the factors; still it is equally notorious that the Havana traders do, whenever there is an opportunity, kidnap and carry off the free natives.

Query 7. By what description of persons, under what flags, upon what part of the coast, and for the supply of what market, is this illicit trade carried on?

Answer 7. The greatest part of, indeed nearly the entire slave trade on the windward coast is carried on by vessels fitted out from the Havana and other ports in the island of Cuba, though many vessels come for slaves from old Spain and Teneriffe, but their ulterior destination is ostensibly for the Havana.

Several vessels have been fitted out from France, as the "Rodeur," from Nantes; and from the French West India islands, as the "Louis."

Though the settlements of Senegal and Goree have been delivered up so very lately to France, yet there is a very active and extensive slave trade already carrying on from those places and the adjacent countries. Some of the vessels are from France, some from Teneriffe; and there can be no doubt but that this last-mentioned place, from its vicinity to these settlements, will in a very short time become the depot for vessels intended to be employed in this trade on the windward coast.

From experience in the trade, it has now become the practice to have their vessels manned, &c., as much as possible with Spanish subjects, and

the voyage under the control of a Spaniard. But this is far from being universally the case. It has been clearly proved, in many instances, that the property was not Spanish: for instance, the *Dolores* proved to be English; the *Paz*, English and American; the *Theresa*, English and French; the *Triomphante*, Portuguese, &c., with many others; besides the vessels sent out by several English subjects resident in the Havana.

The *Alexander* and *Triumverata* were both under the command of American subjects, and came directly from North America to the coast, though documented with Spanish papers from the Spanish consuls residing in ports from whence they sailed.

The exertions of Captain Irby and Captain Scobell induced the Portuguese traders to confine themselves to their own factories in the bight of Benin, or rather to those parts of the bight which are considered as Portuguese.

With the exception of those places, where I fancy little but Portuguese slave trading is carried on, the greatest part of that trade, from Sherbro to Cape Apollonia, and among the rivers on the coast, as well as at Cape Formosa and Gaboon, is under the Spanish flag; and there is every reason to believe that three-fourths of the slaves carried from the coast north of the line (except by the Portuguese in the bight of Benin) are procured in the extensive rivers of Calabar, Cameroons, Bonny, Gaboon, &c.

A very extensive Portuguese slave trade is carried on in the bight of Benin and Biafra, especially about Popo, Whydaw, and the Cameroon; and those vessels wishing to trade in slaves from the Gaboons and the places adjoining, lie at Cape Lopez, in about one degree south, and send their large launches to those places to trade; and small craft are also constantly employed in carrying slaves from those places to St. Thomas, from which they are shipped across the Atlantic. These facts have been repeatedly proved in the court of vice admiralty here; for instance, in the case of the *Ceres*, *Joanna*, *Carolina*, *Dos Amigos*, &c.

The islands of Cuba and Porto Rico are held out by the vessels under the Spanish flag as their ports of destination, though there can be very little doubt but that many are intended for, and actually do unload at, the French West India islands. What becomes of the slaves after their arrival at the island of Cuba is no part of this question.

The Portuguese carry the greatest part of their slaves to Brazil, though many vessels, as the *General Silvera* and the *Temerario*, were intended for the Havana. It clearly appears, from the cases of the *Intrepida* and others, that a very considerable trade in slaves is carried on between the Brazils and that place. It may also be proper to remark, that, from the open confessions of all the masters and supercargoes of slave vessels brought in here, a most extensive slave trade is carried on at every part of the coast distant from a British settlement. So eager are the slave traders to carry on this trade, that after the cession of Goree and Senegal to France, but before the British troops had all left the former place, two hundred slaves were actually exported from it. The Moorish princes are already ravaging the negro towns within their reach.

Query 8. Has this trade been lately carried on to a considerable extent on the coast north of the equator?

Answer 8. The preceding observations apply chiefly to the trade carried on north of the line; few of our cruisers go to the south of it, consequently very few vessels from that part of the coast are detained or sent in here.

On this account, it is difficult to form any opinion at this place on the trade carried on there, although no doubt can be entertained that it is still more extensive than that carried on to the north. Nearly all these observations are therefore intended for the trade north of the line, the extent and misery of which, though dreadful, are not one-half of what is entailed on the western coast of this continent.

Query 9. By what description of persons, and under what flag?

Answer 9. It is impossible, from the art with which experience has taught them to cover their vessels, to say how much of the slave trade carried on is, *bona fide*, the property of the nation whose flag it bears; but, from the proportion of vessels amongst those sent to this port for adjudication, which have been clearly proved to be fraudulently disguised, there is no doubt but that much English, but more American property is engaged in it. The captain and supercargo are generally, also, Spanish subjects, though many instances have occurred to the contrary; and, during the war, the sailors were often of that nation. Since the war, however, this practice is altered. The large American privateers have been completely fitted out in America, with the exception, perhaps, of the gratings, and have come to the Havana fully manned, where a sale, or pretended sale, having taken place, a Spanish subject or two are put on board, whilst the American mate and sailors remain, engage for a new voyage, and come upon the coasts; and there is too much reason to believe, at present, that many English sailors are also engaged in these vessels. With the exception of the Portuguese flag in the bight of Benin and Biafra, and the rivers near the line, the trade carried on to the north is chiefly under the Spanish flag; though a few vessels, like the *Louis*, (French,) *Rebecca*, (American,) and two schooners (French) now said to be trading in slaves in the Gaboon, do now and then appear under their own flags. Some vessels, as the *Catilina*, have been also fitted out from Jamaica.

Query 10. Have these fraudulent slave traders come in armed vessels, and have they employed force to effectuate their purposes?

Answer 10. The fact is so notorious, that the best answer to this query may be an enumeration of some cases concerning which we have certain information.

1st. The schooner, name unknown, which destroyed the brig *Kitty*, of Liverpool, murdered the master, (Roach,) and carried the black people, two of whom were captured negroes of Sierra Leone, as slaves, to the Havana.

2d. The *Camperdown*, a brig of 16 guns, and a large complement of men, commanded by the same person as the preceding. She destroyed the sloops *Rambler* and *Trial*, belonging to this port, and carried the blacks off as slaves. It is supposed that she carried off at least two hundred free blacks in her different voyages, as she made slaves of all the people going off in canoes. She had several skirmishes with the *Princess Charlotte*, and was once chased by the *Creole* and *Astrea*.

3d. The *Laura Anna*, taken in the Rio Nunez, where they were obliged to promise the sailors their wages to prevent an action.

4th. The *Venganza*, which fought the party sent to the Gambia after her, and at last blew up whilst engaging.

5th. The *Moulatto*, a large black schooner from the Havana, which made two or three voyages to the coast, carried off a great number of free negroes, and beat the *Princess Charlotte* off.

6th. A large black schooner, her companion, which also beat the Princess Charlotte off.

7th. The Paz, which, under the American flag, beat off the Princess Charlotte, and killed several of her men.

8th. The Leal, Portuguese, a large brig under Portuguese colors, with 12 or 14 guns, fought the Princess Charlotte off Lagos, for a long time, but was taken.

9th. The Rosa, formerly the American privateer Commodore Perry, fitted out in America, and manned with Americans, but supposed to be the property of an Englishman who was an old slave trader, and partner of Boostock at Mesurado, fought the boats of His Majesty's ship Bann and the commissioned sloop Mary, for some time, but was at length captured.

10th. The schooner Guadaloupe, taken by the Young Princess Charlotte; besides their regular charge of two round shot, ten guns were each of them loaded with bags of 500 musket balls. She was taken by boarding.

11th. Brig Temerario, from Brazil. She was built on purpose for this forced trade, has 18 guns, which were cast on purpose, with her name on them. She made one voyage to the coast, when she was chased by the Princess Charlotte, but escaped. On her second voyage she was taken, after an action of two hours, by His Majesty's ship Bann. She had a complement of 80 men.

12th. Schooner Dolores, formerly American schooner Commodore McDonough, said to belong to an English house in the Havana, taken, after a severe action, by His Majesty's ship Forrest.

13th. Brig Neuva Paz, formerly the American privateer Argus, fitted from America, though supposed in part to be British property, and manned with Americans and English. She took and plundered the schooner Apollo, of this port, and made an attack on the Prince Regent, but was captured by boarding, after a short but severe action.

14th. Schooner Carmen, from Brazils, taken for slave trading to the north of the line.

15th. Schooner Triumphante, from Havana, late the American privateer Criterion, of sixteen guns, commanded by a Portuguese subject, taken by the boats of the Prince Regent, after a severe action, in the river Cameroons.

16th. American schooner Dorset, from Baltimore direct, called the Spanish schooner Triumvirate, with an American supercargo, a Spanish captain, and American, French, English, and Spanish crew, taken after a smart action in the Rio Pongas, last January, by a vessel from this place.

17th. A large schooner, name unknown, supposed from the Havana, took and plundered the brig Industry, of this port, last November, and carried the greatest part of the crew off as slaves.

18th. Saucy Jack, an American privateer, which carried off a cargo of slaves in 1814, and I believe convoyed several vessels to and from the coast; he boarded, but did not molest, a sloop from this place to Goree, with rice.

These are specified instances, which have all been proved before some court of justice; and it is notorious that these are not one-eighth part of the vessels of this description which come on the coast for the purpose of carrying on this trade.

It has also lately become the practice of these vessels to sail in company. Captain Lawson, of the ship Diana, wished last year to seize one in the river Bonny, (or Calabar,) but durst not; and Captain Hogan, during his

last cruise in the Prince Regent, looked into their rivers, but durst not go in, though he had a crew of 120 men.

Query 11. When interrupted, have they threatened to return with armed ships of a larger class ?

Answer 11. Yes, almost uniformly ; although, from the universality of the trade, it is difficult to remember every particular instance.

The Neuva Paz was one where the threat was put in execution ; and one of the most violent of the slave traders has very lately returned to the Gallinas, and sent up a message, by an American, that he was waiting for the Prince Regent. Unfortunately, she was unrigged and repairing at Bance island, which gave an opportunity to the trader of carrying off a cargo of slaves. The Dolores and Temerario were avowedly fitted up for the destruction of the colonial brig ; and there can be no doubt but that very violent and powerful attempts will be made for that purpose, as, from the great annoyance she has been to the slave traders, the constant terror which has existed of her being found between Cape Verd and Cape Palmas, a circumstance which has prevented many vessels from carrying on the slave trade in these limits, and from the number of vessels she has captured, she is the greatest object of hatred and detestation to the slave merchants.

Query 12. From whence are these armed contrabandists chiefly fitted out ?

Answer 12. The Havana is the port from which the majority of these vessels are fitted out, though many of them, as the old American privateers, are fitted out in America, and only go to the Havana for papers ; and whilst some, like the Triumvirata, also Dorset, have the papers carried from the Havana to America, a few, like the Louis, are fitted out from the French islands ; and the Portuguese come from the Brazils.

Query 13. What has been the effect produced by their depredations on the coast north of the line ?

Answer 13. The worst consequence of this contraband trade, as far as respects the civilization of the coast, and the turning of the natives from this inhuman and destructive trade to the arts of social life and the pursuits of an innocent commerce, is, that the natives will never believe that the abolition is really to take place ; and as long as one slave ship is allowed to visit the coast, the natives will always be looking forward to more, and will never believe it to be for their interest to change their present pursuits.

There can be no doubt but that the natives, immediately after the English abolition act took place, were more inclined to believe in the probability of an universal abolition of the trade than they are now. A stop was put to the trade for some time, and it was nearly two years before the slave traders took to other flags ; and in this interim the natives began to look forward to some other means of procuring the luxuries and necessaries of life. A few vessels, with American and English men and papers, and a foreign flag, began at last to appear, and the hopes of the slave factors for a renewal of this trade to revive ; and it is now increased to such an extent that the slave traders who frequent the part of the coast near Sierra Leone destroy every vessel they meet, unless of very considerable force, and these they drive away. This at first had merely the effect of injuring the owners of these vessels ; but the practice being continued, and the slave traders having declared their determination to persist in it,

whatever might be the consequence, no English vessel, especially if connected with this place, dare show itself on the neighboring coasts. The result of which is clear: the innocent coasting trade is completely destroyed; nothing but a large English vessel dare go; these go but seldom; and the natives, thus deprived of every other means of acquiring what to them have by habit become necessaries of life, must engage in the slave trade.

Query 14. What system do you conceive best calculated to repair this evil?

Answer 14. This certainly is a question which requires the greatest consideration, and which will be very difficult to solve; as, however, we have the advantage of some experience to guide us, we may be more able to decide it now, with a prospect of success, than any person could have done in 1807.

The following points must be firmly established before any adequate success can be expected to follow the greatest efforts:

1st. That the prohibition be positive and universal, and that all persons agree in the same regulations for its extinction.

2d. That the penalties inflicted on persons and property engaged in it be severe and certain.

3d. That power be given to all the contracting parties to enforce these regulations; that the force employed for this purpose be adequate to the object for which it is intended; and that the remuneration offered to the persons employed in this service be certain, and easily obtained.

It must be clear and evident, that, whilst any one Power is allowed to carry on the trade, the subjects of the other Powers wishing to be engaged in it will cover themselves with the flag of the permitting Power; and, from the experience these men have had in the art of fraudulent disguise, will cover themselves beyond the possibility of detection. We need look no further for a proof of this than to the difference between the Spanish slave trade before the war, in the years 1808, 1809, and now.

It is also clear, that, to make this a common cause, and not the cause of each State entering into the agreement, the regulations, provisions, and penalties, attached to it should be the same in all; and that it should not only be agreed upon between the States, but that every individual State should make a positive internal law upon the subject, embracing all the regulations, &c. And this is the more necessary to prevent any future collisions or jealousies in enforcing the penalties; for if the parties are honest in the cause, and the penalties to be inflicted by all the parties are equal, no difficulties can arise; but if they are unequal, a very great ground is laid for complaints, reproaches, and disputes, which would at once destroy every thing which had previously been done.

As this may be a matter of much dispute, the following plan is proposed, as less liable to objection:

That all property found engaged in the trade, either in the inception, the prosecution, or the conclusion, be confiscated to the seizor's use, either by the courts of his own country or by a tribunal to be specially appointed for that purpose.

That the sentence of inferior courts be final and conclusive, whenever slaves are found on board.

That an appeal be allowed if no slaves are on board. That some further punishment should be inflicted on the parties engaged, which, in

case of resistance, should be much severer than when none was made; and that this punishment should be inflicted as agreed on between the contracting parties.

That death should be inflicted, by the courts of the party's own country, on the officers of any ship where the free natives had been kidnapped, or any persons killed by their piratical resistance.

Neither agreements, regulations, nor penalties, will be of any use, unless the contracting parties are determined, one and all, to enforce them upon every person found engaged in the trade, and also to use every means of detecting them. This is an object which cannot be obtained with a small force. A large one must at first be employed; but there is every reason to believe that this force, if actively and properly employed, would soon render it safe to reduce it.

The whole coast of Africa will be frequented by the smugglers—and smugglers there will be, unless some very energetic measures are adopted to prevent the importation of slaves into the transatlantic world; and it is not to be supposed for a moment that the coast of Africa can be guarded by one ship.

Query 15. What progress had there been made during the war to exclude the trade in slaves from the coast of Africa north of the line?

Answer 15. Whatever exclusion has taken place during the last war must be attributed chiefly to the war itself, and the activity of the officers employed. Generally one, sometimes two, and now and then three ships of war were on the coast. After the settlement was formed in the Gambia, the slave trade was completely excluded to the northward of Bissao. The trade between that place and Popo was reduced, from a most extensive and open trade to a comparatively small and smuggling one. It was entirely suppressed for a considerable distance round the British settlements.

Query 16. What effect can be traced to have arisen from such exclusion upon the interior civilization and industry, or upon the external commerce of this part of the coast, compared with what existed twenty years before?

Answer 16. The civilization, to a certain degree, of the natives, for some distance around the British settlements, and in those places where the trade was entirely excluded, is the effect of the partial abolition. The natives have also become more peaceable and quiet, and have turned their attention to the arts of a civilized life, and have left off those practices whose only object was to procure slaves. In places where the exclusion of the trade has only been partial, these advantages have not arisen. Wars, kidnappings, and false trials, have not been so frequent, because the demand for slaves was small. Still they existed, and the natives, with minds unchanged, continued to have recourse to them when slaves were wanted. No doubt can exist but that these circumstances have affected the very interior of the continent, and that, though not more civilized, yet they have been more peaceable and quiet since the abolition than before; for the slaves procured are not more in number than answer the present comparatively small demand. The effects upon the external commerce of the coast have been astonishing. Compare the imports into England at present with what they were twenty years ago. Let it also be considered that not one-third, perhaps not one-quarter, of the trade goes to England; and then some ideas may be formed of the capabilities of the

coast of Africa to carry on an immense traffic in innocent articles. A complete exclusion would do more to promote this object in five years than a partial one in fifty.

Query 17. State what measures are now in progress for the improvement of Africa, and how they are likely to be affected by the continuance of the trade, partially or generally.

Answer 17. Little can be here said upon the measures in progress for the civilization of Africa, which is not known already. Since Senegal and Goree have been transferred, those measures are nearly confined to Sierra Leone. Here the greatest improvements have been and are still making, and hence must the civilization of Africa proceed. With common attention, a large number of persons may be educated, anxious and capable of spreading the blessings they have received throughout their native continent. But where the slave trade is allowed no improvements can come; its pestiferous breath blasts at once the hopes of the philanthropist and the missionary, and a train of desolation, barbarity, and misery, follows close on the steps of the slave trader.

Query 18. Is there any reason to apprehend that the contraband trade may become extensive in time of peace, even on the coast north of the line, where so considerable progress had been made to suppress the slave trade generally, if some decisive measures are not adopted by the Powers conjointly to repress the same?

Answer 18. Of this not a doubt can exist. It will be carried on more extensively and more ferociously than ever. It is since the conclusion of the war that the large armed vessels have increased so very considerably. Whilst the war existed, and condemnation followed resistance, those persons who thought their property secure if taken before courts of justice, sent unarmed and heavy sailing vessels; now, that there is no penalty attached to it, every person engaging in the trade will send to the coast vessels well armed and manned, with orders to fight their way through every obstacle. The wages they give are enormous, from seven to ten pounds per month; and, in consequence, their vessels will be soon manned with entire crews of American and English sailors, the greatest enormities will be perpetrated, and, unless not only the right of search, with condemnation for resistance, be allowed, but also very vigorous measures be adopted to enforce it, these crimes must all pass unpunished.

SIERRA LEONE, *April*, 1817.

[Annex D to the protocol of the conference of the 4th of February, 1818. Fourth enclosure in No. 2.]

Letter of Z. Macauley, Esq., to Viscount Castlereagh, dated

LONDON, *December 20*, 1810.

MY LORD: I have been honored with your lordship's note of the 13th instant, acknowledging the receipt of the answers made on the 26th December, 1816, to the queries which your lordship had proposed relative to the then state of the African slave trade, and requesting the communication of such further intelligence as I might have since obtained. The answers to the same queries which I delivered last week to Mr. Planta were writ-

ten on the coast of Africa, in the month of April last, and therefore apply to a period six months later than that to which my answers refer. Since that time I have not received from Africa any detailed communications on this subject. Such as I have received, I will now lay before your lordship.

Colonel McCarthy, the Governor of Sierra Leone, in a letter dated April 20, 1817, observes: "I am grieved to say that there is nothing favorable to state with respect to the slave trade, which has not only been renewed in those places from which it had been driven, but actually extended three times as far as at any period during the late war." This representation has been fully confirmed to me, and it is added, "that the slave trade is now openly and undisguisedly carried on both at Senegal and Goree."

Governor McCarthy, in a subsequent letter, dated June 10, 1817, says: "The slave trade is carried on most vigorously by the Spaniards, Portuguese, Americans, and French. I have had it affirmed from several quarters, and do believe it to be a fact, that there is a greater number of vessels employed in that traffic than at any former period." To the same effect are the letters I have received from Sierra Leone, which, under date of June 28, 1817, state as follows: "The coast is crowded with slave ships, and no trade can be done where they are. We could get rice to leeward, but dare not go there, as we are certain of being plundered by them. I saw it mentioned in a London newspaper, that a Carthaginian pirate had been plundering our vessels. It was an Havana slave ship, and all the Spaniards who come on the coast swear to do the same whenever they have it in their power. If this should be suffered, we must give up all the trade, and leave the African coast to the slave dealers."

On the 20th of July, 1817, it is further stated as follows: "The slave trade is raging dreadfully on the coast. Goree has become quite an emporium of this traffic. Our merchants are losing the whole trade of the coast. The whole benefit of it accrues to the slave dealers. No other trade can be carried on where the slave trade prevails."

This view of the subject is confirmed in a report recently published by the Church Missionary Society in Africa and the East. The committee of that society, in communicating to its subscribers the substance of the information recently received from their missionaries on the Windward coast of Africa, observe as follows: "The natives saw the missionaries sit down in the midst of them, while the slave trade was yet a traffic sanctioned by the laws of this country and of the civilized world. They utterly disbelieved, at first, the professions of the missionaries; and when at length brought, by their patient and consistent conduct, to believe them, yet so debased were their minds by that traffic, which our nation in particular had so long maintained among them, that they had no other value for the education offered to their children, than as they conceived it would make them more cunning than their neighbors. But the missionaries gladly became the teachers of their children, in the hope that they should outlive the difficulties which then opposed their mission. The act of abolition seemed to open a bright prospect to the friends of Africa. The numerous slave factories which crowded the Rio Pongas vanished, and Christian churches began to spring up in their room. The country was gradually opening itself to the instructions of the missionaries, when the revival of the slave trade, by some of the European Powers, proved a temptation too great to be resisted. At the moment when the natives began to assemble to hear the missionaries preach, and even to erect houses for the worship of God,

at this moment their ancient enemy comes in like a flood, and, it is to be feared, will drive away our missionaries for a time. So great is the demoralizing effect of the slave trade, and so inveterate the evil habits which it generates, that it is not improbable it may be necessary to withdraw wholly, for the present, the society's settlements formed beyond the precincts of the colony of Sierra Leone." Subsequent accounts render it probable that this anticipation has been actually realized.

In addition to the facts already adduced to show the prevalence of the French slave trade, a letter from Dominica, dated 7th January, 1817, states, "that in the month of November, 1816, a Portuguese brig, the *Eleanora*, of Lisbon, with 265 Africans from Gaboon, arrived off St. Pierre's, in Martinique, and on the 25th of the same month landed them at Carlet, between St. Pierre's and Fort Royal, the brig afterwards returning to the former port." It was also known that two vessels had been fitted out and despatched from St. Pierre's to the coast of Africa, for slaves; and that, at the same time, a fast-sailing schooner was about to depart for a similar purpose. "The impunity," it is added, "which these infractions of treaties meet with in the French colonies will no doubt increase the repetition of them to an unbounded degree." In a subsequent letter, dated Dominica, September 4, 1817, it is observed: "A few weeks ago, a large ship arrived from the coast of Africa, and landed at Martinique more than five hundred slaves; they were disembarked some little distance from St. Pierre's, and marched in by twenties."

In addition to these instances of slave trading, I have to state, that a gentleman who returned about a fortnight since from a voyage to the coast of Africa, informed me that, while he was lying (about three or four months ago) in the river Gambia, two French vessels, navigating under the white flag, carried off openly from that river about 350 slaves.

The following extract of a letter from Cape Coast Castle, 5th of March, 1817, shows that the Dutch functionaries in that quarter, notwithstanding the decrees of their Government, are actively engaged in the slave trade: "We deem it our duty to inform you of the conduct of the Governor of Elmina; we are well aware that a particular feature in the Dutch Government at this time is the desire of preventing the slave trade, which their representative in this country takes every opportunity of aiding and abetting. Portuguese vessels are furnished with canoes, and Spaniards supplied with water. The beginning of last month a Spanish ship was four days at anchor in Elmina, receiving water, and bartering dollars for such goods as were suited for the purchase of slaves. This vessel proceeded a short distance to leeward, and came to anchor off Opam, a place about eight miles to the eastward of Tantum, where the master purchased to the number of 400 slaves, and carried them off to the coast; a Spanish schooner also took slaves off from the same neighborhood about three months ago."

I have the honor to be, &c.

Z. MACAULEY.

Viscount CASTLEREAGH, *K. G.*, &c.

No. 3.

Protocol of the conference between the plenipotentiaries of the five Powers, of the 7th of February, 1818.

Present: Baron De Humboldt, Lord Castlereagh, Count Lieven, Marquis D'Osmond, and Prince Esterhazy.

The protocol of the last conference being read, the plenipotentiaries approved and signed it.

Count Palmella having accepted the verbal invitation which, in conformity to what had been agreed upon at the conference of the 4th of February last, was made to him by the plenipotentiaries, Lord Castlereagh communicates to him the convention concluded between his Government and that of Spain, on the 23d September, 1817, relative to the abolition of the slave trade, and invites him, in concert with the plenipotentiaries, his colleagues, to add his efforts to theirs, for the attainment of an object so interesting to humanity, and which can only be completed when His Most Faithful Majesty shall have adopted similar measures.

Count Palmella replied, that, in accepting, by his note of the 17th February, 1817, the invitation which had been addressed to his predecessor, to take part in the conferences held in pursuance of the additional article of the treaty of Paris of the 20th of November, 1815, he had, by order of his court, declared the conditions upon which he was authorized to assist at these conferences; and that he did not doubt, from the renewed invitation he had just received from the plenipotentiaries, but that those "bases" had been accepted; the more so, as they were entirely grounded upon the most just principles.

Count Palmella added, that he would lose no time in transmitting to his court the communication of the treaty just concluded between the British and Spanish Governments for the abolition of the slave trade on the part of the subjects of His Catholic Majesty; and that His Most Faithful Majesty, according to the known principles professed by him individually, would doubtless behold, with the most perfect satisfaction, the advantages which would thereby result to the cause of humanity; which principles his plenipotentiaries had solemnly declared at the Congress of Vienna, and to which Count Palmella entirely referred himself, as also to the explanations given at the same period respecting the circumstances particularly affecting the Brazils.

Upon which, the sitting was adjourned.

HUMBOLDT.
ESTERHAZY.
D'OSMOND.
LIEVEN.
CASTLEREAGH.

No. 4.

Protocol of the conference between the plenipotentiaries of the five Powers, of the 11th of February, 1818.

Present: Lord Castlereagh, Count Lieven, Baron De Humboldt, Marquis D'Osmond, Prince Esterhazy.

The protocol of the last conference of the 7th of February, being read, was approved and signed.

Count Palmella having declared himself, at the conference of the 7th of February, ready to receive and transmit to his court the communication of the convention concluded between Great Britain and Spain, under date of the 23d of September, 1817, the plenipotentiaries agree to enclose the same to him, in a note, which is annexed to this protocol, *sub litt.* A.

The plenipotentiaries do not consider themselves called upon to enter at present into discussion on the subject of the conditions stated in Count Palmella's official note of the 17th of February, 1817, and to which he alluded at the last conference, thinking it sufficient to refer, as to the principal object of their present proceeding, entirely to what is to be found in the protocols of the conferences held on this subject at the Congress of Vienna, as also to the solemn declaration of the Powers, dated on the 8th of February, 1815, made at the said Congress.

Upon which, the sitting was adjourned.

HUMBOLDT.
ESTERHAZY.
D'OSMOND.
LIEVEN.
CASTLEREAGH.

[Annex A to the protocol of the conference of the 11th of February, 1818. Enclosure in No. 4.]

Note of the plenipotentiaries of the five Powers to Count Palmella.

LONDON, *December 11, 1817.*

The undersigned, in reference to the communication made to Count Palmella, at the conference of the 7th instant, lose no time in having the honor of transmitting herewith, enclosed to his excellency, the treaty concluded between His Britannic Majesty and His Catholic Majesty, which stipulates on the part of Spain the final abolition of the slave trade, and thus offers a very satisfactory result to the solicitude which their respective courts evince for the fulfilment of the engagements they have contracted by the additional article of the treaty of Paris of the 20th November, 1815. The complete attainment of this interesting object, now solely depending on the abandonment, by the court of Portugal, of that part of the slave trade which she has still reserved to herself south of the line, the undersigned have the honor to invite Count Palmella to solicit from his court full powers to enable him to act in concert with them towards the accomplishment of so desirable an object.

They have, at the same time, the honor to add, herewith, extracts from the protocols of the last two conferences on this subject, for his excellency's information; and they avail themselves of this opportunity to offer him the assurance of their distinguished consideration.

LIEVEN.
HUMBOLDT.
CASTLEREAGH.
D'OSMOND.
ESTERHAZY.

No. 5.

Extract of the protocol of the sitting of the 14th of February, 1818.

Present: The Marquis D'Osmond, Lord Castlereagh, Baron De Humboldt, Prince Esterhazy, and Count De Lieven.

The plenipotentiaries having approved the protocol of the last conference of the 11th February, it is signed.

The answer of the Count de Palmella to the note which the plenipotentiaries addressed to him on the 11th February, is read, and placed upon the present protocol, sub litt. A.

[Annex A to the protocol of the 14th of February, 1818. Enclosed in No. 6.]

LONDON, *February 12, 1818.*

The undersigned has received the note which the plenipotentiaries of those courts who signed the additional article of the treaty of Paris, of the 20th November, 1815, have done him the honor to address him, under date of yesterday.

He will take the earliest opportunity of conveying to the knowledge of his court the treaty concluded between His Britannic Majesty and His Catholic Majesty, which their excellencies have been pleased to communicate to him officially, together with the extracts of the protocols of their two last conferences on this subject.

The undersigned, being already furnished with the full powers and instructions necessary to enable him to assist at the conferences held by their excellencies, and to discuss, in concert with them, the means of attaining the desirable objects in question, does not think himself entitled to ask for new full powers, unless the question should positively change its nature, by a refusal (which the undersigned cannot possibly expect from the plenipotentiaries) to admit, on their part, the principles put forth in the first note which he had the honor to address to them. Whenever their excellencies shall think themselves called upon to enter into the discussion of those principles, they will see that they all evidently and immediately spring from the declaration of the Congress of Vienna, of the 8th February, 1815, and from the treaty concluded at the period of the said Congress, between His Most Faithful Majesty and His Britannic Majesty, for the extinction of the slave trade to the north of the line.

The undersigned takes this opportunity of offering to their excellencies the assurance of his high consideration.

THE COUNT DE PALMELLA.

MEMORANDUM.—The plenipotentiaries having reason to understand that the instructions under which Count Palmella acted were not of a nature which would enable him to conclude any convention, assigning any fixed period for the abolition on the part of Portugal, without reference to his Government, did not think it expedient to enter, under such circumstances, into further discussions with Count Palmella, inasmuch as they conceived that such discussions could not have led to any satisfactory result.

CONFERENCES AT AIX-LA-CHAPELLE.

No. 9.

Despatch from Viscount Castlereagh to Earl Bathurst, dated Aix-la-Chapelle, November 2, 1818.

MY LORD: In the conference of the 24th October I opened to the plenipotentiaries the existing state of the trade in slaves, and the progress made by the plenipotentiaries in London in proposing further measures for accomplishing its final abolition.

As the further examination of this question required that the ministers should have time to peruse the voluminous documents connected with it, I gave notice that I should, on a future day, submit to them two propositions:

The first, for addressing a direct appeal, on the part of the five courts, to the King of Portugal, founded upon the declaration made in His Majesty's name, by his plenipotentiary at Vienna, and urging His Majesty to give effect to that declaration at the period fixed by Spain for final abolition, viz: on the 20th May, 1820.

The second would be, that the Powers there represented should accept the principle of a qualified right of mutual visit, as adopted by the courts of Great Britain, Spain, Portugal, and the Netherlands, and should apply the same to the case of their respective flags, as circumstances should point out.

It was impossible not to perceive, in the short discussion which ensued, that there was considerable hesitation, especially in the French plenipotentiary, with regard to the principle of the latter measure. Under these circumstances, I thought it better to avoid a prolongation of the conversation. I had an interview with the Duke de Richelieu on the following day, for the purpose of urging his excellency to a more favorable view of this important question. This led to a very full examination of the measure, in all its bearings; and, though I cannot say that I succeeded in shaking his Grace's opinion, I flatter myself I reduced the weight and number of his objections, and that I brought his mind to feel the extreme inconvenience, as well as moral objection, to leaving the question where it is.

It is due to the Duke de Richelieu that I should state that I have found his excellency uniformly anxious to render the measures of his own Government effectual to its object; and that he has been cordially disposed to receive and follow up every information which I have laid before him concerning the malpractices of the subjects of France in this traffic; but he seems, as yet, under great apprehension of the effect in France of any concession of the nature above suggested.

The Duke, however, gave me every assurance of its being fully considered; and, as a means of doing so, his excellency desired me to furnish him with a memorandum, stating the substance of those explanations which I had given him of the question. I now have to transmit to your lordship a copy of this paper, and to assure you that I shall lose no opportunity, in conjunction with the Duke of Wellington, of following up, with zeal and perseverance, this important part of my instructions.

I have the honor, &c.

CASTLEREAGH.

Earl BATHURST, &c.

[First enclosure in No. 9.]

Protocol of the conference between the five Powers, held at Aix-la-Chapelle, the 24th October, 1818.

Lord Castlereagh makes known to the conference the result hitherto obtained by the measures adopted for the general abolition of the trade in slaves, and the actual state of things in regard to this interesting question, distinguishing between the legal and the illegal trade. His excellency observed that, since the convention of the 23d of September, 1817, by which Spain fixed the year 1820 for the final termination of this traffic, Portugal was the only Power which had not explained itself as to the period of abolition. Lord Castlereagh added, that, while there was a State whose laws authorized the trade, if it were but partially, and a flag which could protect it, it would scarcely be possible to prevent the continuation of this commerce by contraband means, the increase of which had been very considerable of late years; and that, even when the slave trade should be prohibited by the laws of all civilized countries, an active and permanent *surveillance* could alone guaranty the execution of those laws.

After this representation, Lord Castlereagh communicated several papers relative to the question, referring to the details already submitted to the ministers assembled in London. He at the same time explained his ideas:

1st. Upon the means of prosecuting the application of the principle of the legal abolition of the trade.

2d. Upon the means of ensuring the execution of the laws and conventions relating to it.

Relative to the first object, Lord Castlereagh proposed that a measure should be agreed upon to be taken with respect to the court of Rio de Janeiro, in order to induce it to explain itself as to the period it intended to fix for the final abolition of the trade.

Relative to the second object, his excellency proposed to adopt generally, and in an obligatory form, the measures decreed by the last treaties between Great Britain, Spain, Portugal, and the Kingdom of the Netherlands.

These propositions were taken *ad referendum*, and it was agreed to resume the deliberation in a subsequent sitting.

METTERNICH.
RICHELIEU.
CASTLEREAGH.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

[Second enclosure in No. 9.]

Note from Viscount Castlereagh to the Duke de Richelieu, dated Aix-la-Chapelle, the 27th of October, 1818.

Lord Castlereagh has the honor to enclose to the Duke de Richelieu the memorandum which he yesterday promised to submit to his excellency's consideration.

Lord Castlereagh will be most happy to reply, without loss of time, to any queries which the Duke de Richelieu will have the goodness to put to him on this subject, or to procure for his excellency any information which may appear to him material, and which Lord Castlereagh may not have the means of immediately himself supplying.

Lord Castlereagh requests the Duke de Richelieu to accept the assurances of his distinguished consideration.

[Third enclosure in No. 9.—Memorandum A.]

First.—As to right of visit.

None of the three conventions signed by Great Britain with Spain, Portugal, and Holland, gives this right to King's ships indiscriminately. In all it is confined to King's ships having the *express instructions and authority*, as specified in the treaty.

The provision is, in all cases, reciprocal; but the treaty with the Netherlands restricts the exercise of this right to a specified number of ships of each Power, not exceeding twelve in the whole. Each Power, as soon as it grants these instructions to any of its ships of war, is bound to notify to the other the name of the vessel so authorized to visit.

Second.—Right of detention.

No visit or detention can take place, except by a commissioned officer having the instructions above referred to as his special authority for the same; nor can he detain and carry into port any vessel so visited, except on the single and simple fact of *slaves found on board*. There is a saving clause to distinguish domestic slaves, acting as servants or sailors, from those strictly appertaining to the traffic. The Powers mutually engage to make the officer personally responsible for any abusive exercise of authority, independent of the pecuniary indemnity to be paid, as hereafter stated, to the owner, for the improper detention of his vessel.

Third.—Adjudication.

The visiting officer finding slaves on board, as he conceives contrary to law, may carry the vessel into whichever of the two ports is the nearest where the mixed commission belonging to the capturing and captured vessels shall reside; but by doing so he not only renders himself personally responsible to his own Government for the discretion of the act, but he also makes his Government answerable to the Government of the State to whom the vessel so detained belongs, for the full compensation, in pecuniary

damage, which the mixed commission may award to the owners for the detention, if unjustifiably made.

The mixed commission has no jurisdiction of a criminal character, and consequently can neither detain nor punish the persons found on board ships so detained for any offences they may, by such slave trading, have committed against the laws of their particular State. The mixed commission has no other authority than summarily to decide whether the ship has been properly detained or not for having slaves illicitly on board. If this is decided in the affirmative, the ship and cargo (if any on board) are forfeited, the proceeds to be equally divided between the *two States*; the slaves to be provided for by the State in whose territory the condemnation takes place.

If the mixed commission orders the vessel to be released, it is required at the same moment to award such pecuniary compensation to the owners, for the detention, as appears to them reasonable.

A table of demurrage is given in the treaties, and the Government of the detaining officer is bound to discharge the sum so awarded, without appeal, within twelve months.

The mixed commission is composed of a commissary judge and a commissary arbiter, of each nation, as was provided in the convention signed between Great Britain and France in 1815, for adjudicating the private claims.

Fourth.—The sphere of operation.

In the Spanish and Portuguese conventions there is no other restriction as to the limits within which detention, as above, may take place; than what arose naturally out of the state of the laws, viz: that so long as either Power might lawfully trade in slaves to the south of the equator, no detention should take place within those limits.

In the convention with Holland, a line is drawn from the straits of Gibraltar to a point in the United States, so as to except out of the operation what may be called the European seas.

In all these conventions, the whole range of voyage, from the coast of Africa to the opposite shores of both Americas, including the West Indies, is subjected to the regulated *surveillance* thus established.

Observations.

Upon the first head it does not occur that any further restrictions than those provided in the Netherlands convention can be required. But this is always open to negotiation.

The same observation appears applicable to the second head.

The same observation applies also to the third head, with this distinction: that a State, such as Austria for example, agreeing to the measure, but having little or no trade on that coast, instead of immediately going to the expense of constituting commissions, might reserve the power of doing so whenever she thought fit; or might be enabled, if she prefer it, to authorize the commissioners of any other State to take cognizance in her name of any cases in which the property of Austrian subjects might be concerned.

The fourth head seems most susceptible of comment, as it admits the possibility of search over the whole surface of the Atlantic, and in the

West Indian seas, where the trading vessels of commercial States are more numerous than on the coast of Africa.

Great Britain was herself so fully satisfied that under the checks established abuse is so little to be presumed, that she did not hesitate to expose her own commerce in those seas, however extended, to this, as she conceives, imaginary inconvenience; considering that so urgent a claim upon her humanity would not only justify, but impose upon her as a moral duty even a greater sacrifice.

But notwithstanding what Great Britain has already done in her treaties with the three Powers with whom she has contracted, and is ready to do with all other civilized States, namely, to run some risk of inconvenience for so noble a purpose, there is a distinction which may reasonably be taken between giving effect to this system upon the coast of Africa, and for a certain distance—say two hundred leagues from that particular coast, and the extending the same over the entire of the Atlantic and West Indian seas. The latter, as the most effectual measure, Great Britain has preferred, with whatever of inconvenience it may be connected in its operation; but she would not be the less disposed to attach value to the more limited application of the principle.

It may be stated, that so long as the laws of any one State shall permit a trade in slaves, or that any flag shall exist in the world which is not comprehended in this system of maritime police against the contraband slave trader, the evil will continue to exist. This reasoning, although plausible, should not discourage a common effort against the abuse committed, and upon close examination it will be found fallacious.

1st. The whole of the African coast north of the line is at this moment emancipated from the traffic by the laws of all States having colonies.

2dly. By the 20th May, 1820, no flag of any such State will be enabled legally to carry on the traffic any where to the north of the line on either side of the Atlantic, nor any flag other than the Portuguese be authorized to trade south of the line.

Supposing, for a moment, that Portugal should not abolish to the south of the line till the expiration of the eight years complete from the declaration of Vienna, (viz: 1823,) what an immense sphere, nevertheless, of salutary operation would not this conservative alliance have in the interval?

The other branch of the objection is not more solid. It is true that the ship and flag of the smallest Power might, in legal theory, cover these transactions; but where the property is not belonging to a subject of that Power, but of a State that has abolished, the flag of that Power, so used in fraud, would be no cover, and the property thus masked would be condemned, whilst the sovereign whose flag was thus prostituted neither could nor would complain.

But so long as any of the great Powers, such as France, having a considerable extent of commerce on those coasts, shall refuse to adopt the system, not only their example will discourage other States, whose interest is merely nominal, from taking a part, but it will furnish the illicit slave trader with a flag, not only so much to be respected in itself, but so presumable to be found on the coast for purposes of innocent commerce, that no commissioned officer will run the risk of looking into such a vessel, at the hazard of involving himself and his Government in a question with a foreign Power. The practical as well as the moral effects of the principal maritime States making common cause upon this subject is incalculable.

In fact, it must be decisive; without it, their flags must be made the instrument of reciprocally withdrawing the subject from the authority of the sovereign, when committing this offence.

This latter point will appear clear, when we consider the working of the system under the two alternatives. If all the great maritime States adopt the principle, their cruisers form but one squadron against the illicit slave traders, and none of their flags can be made to cover the fraudulent transaction; the immediate effect of which would be considerably to multiply the number of the cruisers, consequently the chance of captures, whilst it would reduce the number of the flags which the illicit slave traders could assume. Whereas, if France acts alone, the danger to the French illicit trade is reduced to the chance of what her own cruisers may be enabled to effect along the immensity of that coast; and even where a French armed ship falls in with a French slave trader, by hoisting English, Spanish, Portuguese, or Dutch colors, the French officer, supposing him anxious to do his duty, will be very cautious in hazarding a visit where there is so reasonable a presumption that the vessel may be what the flag announces.

But take the other supposition, that all the principal maritime Powers shall act in concert, and that the vessel suspected of having slaves on board hoists the flag of any other State, suppose the Hanseatic flag, the presumption is so conclusive against a Hamburg vessel trading in slaves on her own account, that no officer would hesitate to search the vessel in order to detect the fraud.

It may be further confidently asserted, that, if the Powers having a real and local interest come to an understanding, and act together, the other States will cheerfully come into the measure, so far as not to suffer their flags to be so monstrously perverted and abused. The omission of France is above all others important, from its station in Europe, and from its possessions in Africa; its separation from the common effort, more especially if imitated by Russia, Austria, and Prussia, will not only disappoint all the hopes which the world has been taught to form, with respect to the labors of the conference established in London under the third additional article of the treaty of November, 1815, but will introduce schism and murmur into the ranks of the friends of abolition. The States having abolished will no longer form one compact and unanimous body, laboring to affiliate the State which has yet to abolish, to a common system, and to render their own acts efficacious; but they will compose two sects—one of States that have made the possible inconvenience of a restricted visit to their merchant ships bend to the greater claims of humanity; the other, of States considering their former objection, as so far paramount, as not to admit of any qualification, even for the indisputable advantage of a cause, to the importance of which they have at Vienna given a not less solemn sanction. This must materially retard the ultimate success of the measure, and it may in the interval keep alive an inconvenient degree of controversy and agitation upon a subject which has contributed, above all others, seriously to excite the moral and religious sentiments of all nations, but especially of the British people, by whom the question has long been regarded as one of the deepest interest.

No. 10:

Despatch from Viscount Castlereagh to Earl Bathurst, dated

AIX-LA-CHAPELLE, November 12, 1818.

MY LORD: I have the honor to enclose to your lordship the protocol of the conferences of the allied ministers of the 4th instant.

This protocol details the further proceedings upon the slave trade, and has annexed to it the memorandum drawn up by me on the same subject, which was communicated to your lordship in my despatch of the 2d instant.

I have, &c.

CASTLEREAGH.

Earl BATHURST, &c.

[Enclosure in No. 10.]

Protocol of the conferences between the plenipotentiaries of the five Powers, held at Aix-la-Chapelle, the 4th of November, 1818.

In reference to the communications made to the conference on the 24th of October, Lord Castlereagh this day developed his propositions relative to the abolition of the slave trade—propositions the object of which is, on the one hand, to complete and extend the measures already adopted for the attainment of the definite extinction of this traffic, and, on the other hand, to ensure the execution and the efficacy of those measures. As to the first object, Lord Castlereagh proposed that some measures should be adopted towards His Majesty the King of Portugal and Brazil, and that a letter should be written in the name of the sovereign, in the most pressing, and at the same time the most affectionate terms, in order to engage His Most Faithful Majesty, reminding him of the part he had taken in the declaration of Vienna, of the 8th of February, 1815, to fix without further delay the period for the definitive abolition of the slave trade throughout his possessions—a period which, after the engagements entered into by the plenipotentiaries of His said Majesty at Vienna, and inserted in the protocol of the 20th November, 1815, should not extend beyond the year 1823, but which the allied sovereigns desire, from the interest they take in this great cause, to see coincide with that which His Majesty the King of Spain has adopted in fixing the 30th of May, 1820, as the final term of that traffic. This proposition was unanimously received.

Lord Castlereagh, in calling the attention of the conference to the declaration of the plenipotentiaries of His Most Faithful Majesty, made at Vienna, on the 6th of February, 1815, "that they were forced to require, as an indispensable condition for the final abolition, that His Britannic Majesty should on his side consent to the changes which they had proposed to the commercial system between Portugal and Great Britain," renewed the assurance that His Majesty the King of Great Britain was ready to accede to all the reasonable modifications which should be proposed in the existing treaties of commerce with Portugal; which assurance he had repeatedly

given to the Portuguese minister in London. Lord Castlereagh, above all, desired to call the attention of the conference to the expression *reasonable modifications*, which he made use of, because he could not suppose that the Portuguese ministers intended to demand, on the part of a single Power, sacrifices which one State could not well expect of another, as indispensable conditions of a general measure, having for its object the good of humanity alone.

As to the second object, Lord Castlereagh communicated a memorandum (A) containing explanations of the treaties concluded in 1817, between Great Britain, Spain, and Portugal, and the kingdom of the Netherlands, establishing the right of visit against the vessels evidently suspected of being engaged in the trade, in direct contravention of the laws already existing, or hereafter to be made by the different States. Persuaded that, after the explanations given, and the modifications proposed in the said memorandum, such a measure might be adopted without any serious inconvenience, Lord Castlereagh invited the plenipotentiaries to take it into their consideration in the sense the most favorable to the success of the abolition, and to agree to it; or if not, at least to substitute some counter project effectually to prevent the abuse which the illicit trader will not fail to make of the flag of the Powers who should refuse to concur in the above-mentioned general measure. The memorandum of Lord Castlereagh was annexed to the protocol, *sub litt. A.*

Lord Castlereagh added to these propositions, that, according to the opinion of several persons, whose authority was of great weight on this question, it would be useful, and perhaps necessary, to consider the trade in slaves as a crime against the law of nations, and to this effect to assimilate it to piracy, as soon as, by the accession of Portugal, the abolition of the traffic shall have become a universal measure. He requested the plenipotentiaries to take this opinion into consideration, without making at present a formal proposition upon it.

METTERNICH.
RICHELIEU.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

No. 11.

Despatch from Viscount Castlereagh to Earl Bathurst, dated

AIX-LA-CHAPELLE, November 23, 1818.

MY LORD: I have the honor to transmit to your lordship the notes of the Russian, French, Austrian, and Prussian plenipotentiaries, upon the two propositions which were brought forward by the British plenipotentiaries, and earnestly pressed upon their attention, as stated in the protocol of the 24th ultimo.

The result of these notes being extremely discouraging to our hopes, it was determined to review the objections brought forward to the measure

of mutually conceding the right of visit, especially by the plenipotentiary of France.

After presenting this review to the consideration of the conference, in the memorandum B, (of which a copy is enclosed,) and in an audience with which I was honored by the Emperor of Russia, I took occasion to represent to His Imperial Majesty, in the strongest terms, the necessity of taking some effective measure of this nature, without delay, and without waiting for the decree of final abolition on the part of Portugal.

His Imperial Majesty listened with his accustomed interest to my representations on this subject, and promised me to give directions to his ministers, to propose that the consideration of the question should be reopened in London, under fresh instructions.

The modification which I have finally urged of this measure, and I trust, with considerable hope of success, is, that, in addition to the limitation of the right of visit to the coast of Africa, and to a specific number of ships of each Power, the duration of the convention should be for a limited number of years—say seven; at the end of which period, the several Powers would again have it in their power to review their decision, after some experience of its convenience or inconvenience, of its efficacy to the object, and of the necessity of its being renewed, regard being had to the then state of the illicit slave trade. This arrangement would sufficiently meet our most pressing wants, whilst it would go less permanently to disturb the acknowledged principles of maritime law, as regulating the right of visit. By the aid of this latter expedient, I flatter myself that I have made a considerable impression in removing the strong repugnance which was at first felt to the measure.

A projet of the letters to be addressed by the sovereigns to the King of Portugal on this subject is also forwarded in this despatch; and I have to request that your lordship will receive the Prince Regent's pleasure as to making a similar appeal to His Most Faithful Majesty, on his Royal Highness's part, taking measures for forwarding the whole to the Brazils in the first packet.

I have, &c.

CASTLEREAGH.

Earl BATHURST, &c.

[First enclosure in No. 11.]

Opinion of the Russian cabinet upon the slave trade.

AIX-LA-CHAPELLE, November 7, 1818.

The Russian cabinet has laid before the Emperor, and taken, in pursuance of his orders, into mature consideration, the different communications made to the conferences of Aix-la-Chapelle, by the plenipotentiaries of His Britannic Majesty, on the subject of the slave trade.

There is no object in which His Imperial Majesty takes a more lively interest, and which he has more at heart, than that the decision upon this question may be conformable to the precepts of the Christian religion, to the wishes of humanity, and to the rights and real interests of all the Powers invited to assist therein.

Although it cannot be dissembled that the measures in which these

indispensable conditions are to be united are attended with difficulty, His Imperial Majesty hopes, nevertheless, that the obstacles will not be insurmountable.

His Imperial Majesty entirely concurs in the proposition of the British cabinet, to make an amicable representation to the court of Brazil, for the purpose of engaging it to fix a final and early termination to the power which it has reserved to itself to exercise the trade. The force of the motives upon which the wishes of the allied sovereigns rest, and that of the example which they have already given, will doubtless be sufficient to influence the free determination which Portugal is invited to make. The cabinet of Russia has hastened to draw out, upon the invitation of the British plenipotentiaries, the projet of a letter which may be addressed, with this view, to the King of Portugal. This projet is hereunto annexed. The Emperor views with satisfaction the probable success of a measure which will complete the accession of all the Christian States to the entire and perpetual abolition of the trade.

It is only when this abolition shall have been thus solemnly declared in all countries, and without reserve, that the Powers will be able to pronounce, without being checked by distressing and contradictory exceptions, the general principle which shall characterize the trade, and place it in the rank of the deepest crimes.

Then, and taking this principle for a basis, may be put in practice the measures which shall serve for its application.

The cabinet of His Britannic Majesty has communicated those by which it has already begun to give effect to the principle of abolition; that is to say, the conventions with Portugal, Spain, and the Netherlands.

It is proposed to adopt generally, among the maritime Powers, the rules laid down in these three conventions; and more particularly to establish, as a general principle, the reciprocal right of visit to be exercised by the respective cruisers.

The cabinet of Russia, in doing homage to the intentions which have dictated these dispositions, stipulated between the British Government and the three courts above mentioned, and in appreciating their real efficacy on the supposition that they were universally adopted, has only to express its hopes that the special and most urgent interests which each of the maritime States must consult will not oppose the attainment of a general coalition. For, inasmuch as it is true that the universal establishment of the reciprocal right of visit would contribute to this end, so it is equally incontestable that the measures in question must necessarily become illusory, if a single maritime State only, of whatever rank it may be, finds it impossible to adhere to them. It is therefore with a view to produce this universal consent, that the allied Powers should use their efforts, having once agreed among themselves upon the principle of the right of visit, to obtain the free adherence of all the others to the same basis.

The ministers of His Majesty the Emperor of Russia regret not to be able to contemplate an accession so unanimous. It appears to them beyond a doubt, that there are some States whom no consideration would induce to submit their navigation to a principle of such high importance. It cannot, then, be disguised, that it is not in this principle that the solution of the difficulty is to be sought.

It has been asked if some other mode, equally sure in its effects, could

not be proposed, and of which the general admission on the part of all the States might be more easily foreseen.

Without prejudging the result of the overture of the British cabinet, a mode is here submitted, which, in the event of that not being adopted, is without exception in respect to the right of visit, and which will, perhaps, obtain the suffrage of all States, equally desirous of accomplishing a sacred duty, in putting an end to the horrors of the slave trade.

This expedient would consist in a special association between all the States, having for its end the destruction of the traffic in slaves.

It would pronounce, as a fundamental principle, a law characterizing this odious traffic as a description of piracy, and rendering it punishable as such.

It appears evident that the general promulgation of such a law could not take place until the abolition was universally pronounced; that is to say, until Portugal had totally and every where renounced the trade.

The execution of the law should be confided to an institution, the seat of which should be in a central point on the coast of Africa, and in the formation of which, all the Christian States should take a part.

Declared forever neutral, to be estranged from all political and local interests, like the fraternal and Christian alliance, of which it would be a practical manifestation, this institution would follow the single object of strictly maintaining the execution of the law. It would consist of a maritime force, composed of a sufficient number of ships of war, appropriated to the service assigned to them:

Of a judicial power, which should judge all crimes relating to the trade, according to a legislation established upon the subject by the common law:

Of a supreme council, in which would reside the authority of the institution; which would regulate the operations of the maritime force, would revise the sentences of the tribunals, would put them in execution, would inspect all the details, and would render an account of its administration to the future European conferences.

The right of visit and of detention would be granted to this institution, as the means of fulfilling its end; and, perhaps, no maritime nation would refuse to submit its flag to this police, exercised in a limited and clearly defined manner, and by a power too feeble to allow of vexations, too disinterested on all maritime and commercial questions, and, above all, too widely combined in its elements not to observe a severe but impartial justice towards all.

Would it not be possible to compose this institution of such different elements as to give it no other tendency, as long as it remained united, but that of doing its duty?

The expense which it would occasion, divided amongst all the Christian States, could not be very burdensome, and its duration would be regulated according to the time required for the development of African civilization, which it would protect; and it might also bring about a happy change in the system of cultivation in the colonies.

In submitting these views to the wisdom of the allied cabinets, that of Russia reserves to itself the power, in case they desire to search into and examine them, of entering into more ample explanations upon the subject.

[Second enclosure in No. 11.]

Memoir of the French Government on the slave trade.

France has proved, in the most evident manner, that she desires to concur effectually in the complete abolition of the slave trade. Engaged by the declaration to which she has subscribed, of the 8th of February, 1815, at Vienna, with the Powers who signed the treaty of the 30th of May, to employ for this purpose "all the means at her disposal, and to act in the employment of these means with all the zeal and perseverance due to such a great and noble cause," she flatters herself that she has complied with this engagement; and in a few months after the declaration of Vienna she renounced the stipulation of 1814, which had given her a delay of five years for effecting the cessation of the trade. She declared, the 30th of July, 1815, that from that day the trade should cease on her part, every where and forever. The acts of her administration have been conformable to this declaration. The instructions given in the ports of France, and in the colonies, have preceded a special ordinance of the King, prohibiting the trade.

This ordinance has since been confirmed by a law, enacted in March, 1818, which pronounces against the violators of the dispositions agreed upon the most severe punishments which the laws of France can inflict.

Measures of *surveillance* have also been prescribed, with a view to secure the execution of the law; and the King has ordered a naval force to cruise on the western coast of Africa, and visit all vessels which should be suspected of continuing a trade which has been prohibited.

Such are the acts of the French Government; they clearly prove that they have used "the means which they had at their disposal" to repress the trade.

They have displayed their zeal, in creating the means which were wanting, and in the adoption of a formal law.

Nevertheless, the Government of His Britannic Majesty, who, to secure the actual abolition of the trade, evince an ardor which cannot but add to the glory which the English nation have acquired in fostering whatever has for its object the good of humanity, have been informed that the end of their efforts, and of those of the other Powers, is not yet attained; and that, in despite of the measures taken to prevent it, many slaves are still carried away from the coast of Africa by a contraband trade. And they have conceived that these violations of the laws evince the insufficiency of the dispositions to ensure the execution of them. They believe that a system of measures combined between the principal Powers already engaged, by a clause in the treaty of the 20th of November, 1815, to concert means for this object, might finally eradicate the evil. They have proposed, among other measures, to visit rigorously the vessels which shall navigate upon the western coast of Africa; and, in order that this visit should have due effect, they have judged that it would be proper that each of the Powers should grant to the others the right of exercising it upon all the ships carrying its flag. The creation of mixed commissions, charged to pronounce upon the legitimacy of the expeditions suspected of fraud, forms the second part of the English project.

It would be impossible not to acknowledge that, in proposing such a

measure, the Government of His Britannic Majesty have done all that depended on them to accompany it with precautions to prevent its abuse.

With this view, the limitation of the number of ships of war authorized to visit, and of the places where the visit may be exercised, the rank of the officers who alone can perform this service, give assurance of their respect for the rights of each of the contracting parties.

Three Powers (Spain, Portugal, and the kingdom of the Netherlands) have subscribed to these propositions.

The Government of His Most Christian Majesty would eagerly follow such an example, if, carrying their views exclusively to the object, they did not perceive, in the means indicated for its attainment, dangers which attach perhaps to their particular position, but which it is their duty to prevent.

It would be useless to discuss here, in regard to right, the question of visit at sea in profound peace.

The English Government has done homage to the principle which ensures, in this respect, the independence of all flags; and it is only in limitation of the principle, not in denial of its existence, that they propose to grant to each Power, respectively, the faculty of detaining ships carrying the flag of others, and of ascertaining the legality of the trade in which they are engaged.

But upon this first point the Government of His Most Christian Majesty feel an invincible obstacle to the proposition of England.

France, by the reverses and misfortunes which she has lately experienced, and which, if they have not effaced, have at least obscured the glory which she had acquired, is bound to evince more jealousy of her own dignity than if fortune had not betrayed her. The nation, happy to be again under the rule of its legitimate sovereign, does not regret vain conquests, but she is more than ever alive to the feeling of national honor.

Without doubt, a concession, accompanied by the necessary precautions, and with that clause of reciprocity which would save the dignity of each party, might be proposed without fear of wounding the vanity of any one. But it would still be a concession; and the opinion of a nation habituated to judge of the acts of her Government under the influence of a lively imagination, would be alarmed to see abandoned, even with every possible modification, what she regards as one of her most precious rights. She would conceive that the honor of her flag was thereby endangered—a point of the utmost delicacy, and on which she has ever shown a quick susceptibility. She would see, in the abandonment of this right, a new sacrifice, attached, as it were, as an indispensable condition to the evacuation of her territory, and as a monument of the state of dependence in which she was for a moment placed. There is no doubt that, in giving a generous example, in submitting to the reciprocal right of visit, which she regards as proper to attain the end proposed, England proves to the world that the visit is not incompatible with the honor of her flag. But, placed in different circumstances, supported by the opinion of the English nation, which for twenty-five years has called for the abolition of the trade, Great Britain secures all her advantages, even in appearing to abandon the absolute exercise of them, and she cannot fear that the idea of a compulsory sacrifice might attach to the concession.

But even should the Government of His Most Christian Majesty feel themselves authorized to overlook such powerful considerations, and to adopt,

notwithstanding the dangers which they perceive in theory, the projet relative to the visit, they would still see in its application serious cause of uneasiness.

It cannot be denied that there exists between the subjects of Great Britain and France, and, as it were, blended with the esteem which they mutually inspire, a sentiment of rivalry, which, heightened by numerous and unfortunate circumstances, has often assumed the character of animosity. It is unfortunately too probable that the mutual exercise of the right of visit at sea would furnish it with new excitements. Whatever precautions may be taken, however mildly it be exercised, the visit must necessarily be a source of disquiet and vexation. Can it be thought that the vessel which believes she can elude it will not seek to do so by every means? It will then be necessary that the visiting vessel exert force. This force may produce resistance. On the high seas, far from all control, the subjects of the two Powers might be tempted to believe themselves no longer bound by the orders of their own sovereigns; and, listening to the voice of a false point of honor, might take up arms in their defence. The most prudent enactments will be illusory. Will the captain of a ship of war charged with the visit consent to show his commission to the inconsiderable trader? If not, how is he to be constrained to do so, and what guarantee shall the detained vessel have, that the visit is not an arbitrary act? How prevent, also, the possible infractions of the regulations agreed upon for rendering the visit less vexatious? The trader may indeed complain, and demand punishment; but it is known by experience how difficult is the decision of these abuses. Will not the oppressed be often without the means of knowing what officer shall have abused, in his case, the right reserved to the cruisers, or shall have unduly arrogated it to himself? What proof do the incidents bring which pass far from all witnesses, and which each of the parties may represent under a different light? The English Government know, that when they have themselves wished to punish abuses committed by their ships upon the coast of France, or within the limits of her territorial jurisdiction, they have been prevented by the impossibility of procuring documents sufficiently positive to ascertain the guilty.

These inconveniences, which it would be imprudent to lose sight of, receive an additional importance from the probability that they would lead to mutual exasperation; and it is too well known that such sentiments among the people have often disturbed the peace of nations.

If such a misfortune were to follow, would not Europe have a right to demand of the Powers a strict account of those measures which, concerted for the good of humanity, should have compromised the public tranquillity?

There is another consideration which would have induced the Government of His Most Christian Majesty to pause, even if they did not see the impossibility of admitting the proposition of the visit. This is in reference to the mixed commissions which would be empowered to adjudge the questions of prize, in the spirit of the regulations for restricting the trade.

The immediate consequence of such an institution would be to withdraw the subjects of His Majesty from their natural judges; and his conscience will not permit him to believe that he has the right to do so. Jurisdiction is, of all the rights of sovereignty, that which is the most essentially destined to the defence of the subject; and it may be said that it is the only one exclusively for the interest of the latter. There are circumstances in which the common law of Europe admits that the jurisdiction of the sovereign

ceases of right, because he cannot in fact exercise it. It is when a subject commits upon a foreign territory a crime against the laws of the country upon which this territory depends; he is then liable to the application of those laws, and his sovereign, who cannot oppose, tolerates it.

But, except in these circumstances, the sovereign could not consent that his subject should pass under a foreign jurisdiction. In vain would it be alleged that the mixed commission does not exercise its jurisdiction in a criminal manner, and that it only pronounces "upon the legality of the seizure of the vessels having slaves illicitly on board."

To pronounce upon the legality of the seizure is to judge the question as much as it is possible to do it; it is to decide that the captured has or has not incurred the penalties attached to the crime which he has committed. His fate is thenceforward fixed.

It matters little that the penalties which he has or has not incurred be determined by the code of his country, or by that of another. When he has undergone the examination of the commission, it only remains to apply this code, or to set him at liberty; he is then in reality judged, and that not by his natural judges. His Most Christian Majesty, it is repeated, does not believe himself, in conscience, to have the right to sanction such a change in the legislation of his kingdom; and, should he think that this right might belong to him, it is out of all probability that the Powers whose co-operation would be necessary to him, in order to admit of this change, would acknowledge it.

It results from the preceding observations, that France has done all that depended upon her to bring about the complete abolition of the slave trade; that she perceives in the project proposed by England, for suppressing all possible continuation of this odious commerce, dangers which will not permit her to admit it; that, in a word, it appears to her that, to attain one desirable end for the interests of a portion of mankind, the risk is run of compromising interests still more precious, since they relate to the maintenance of the peace and the repose of Europe.

She has given her opinion upon this subject with the more freedom, in proportion to her anxiety to attain the objects to which her acts of legislation and administration have been directed. She has no separate views, inconsistent with her declarations. The reports, indeed, which announce that the trade is still actively continued on the French territory, are anterior to the establishment of a naval force upon the coast, and to the new instructions sent to Senegal for putting an end to all fraudulent trade. This is perhaps the place to remark that implicit faith should not be given to the reports brought forward against the authorities of Senegal. The reports which implicate them so seriously, that the accusers ought to be called upon for their proofs, are in part prepared by persons who conceived themselves to have other grounds of complaint against these authorities.

France, moreover, would not feel that she had sufficiently proved her desire to co-operate in the measures of repression against the trade, if she did not indicate, in her turn, new means of effecting it. Hitherto, the dispositions made in this respect have been directed against the transport of slaves, since it is principally upon the manner of detaining at sea the vessels employed in this commerce that they have been concerted. The principle is good, since the length of the passage offers great probability that the illicit traffic may be intercepted. But, on the other hand, the uncertainty of the sea, and consequently the hope of escaping observation, as well as the enor-

mous benefits it holds out, offer chances, and an attraction sufficiently powerful for the slave merchants not to be totally discouraged. The measures which would tend to check the commerce of slaves, not in its middle passage, but at its birth and at its termination, that is to say, upon the points where the purchase and sale of the negroes are effected, might effectually contribute, when combined with the other arrangements, to accomplish the salutary work which is intended.

It is proposed, then, to establish in the comptoirs, where the purchase of slaves is habitually made, commissioners, charged to notify the same to the Government, and empowered to prosecute the offending parties in the public tribunals. There might also be introduced into all colonies where the proprietors are interested in recruiting slaves, regulations like those of the registry bill, to fix the number of blacks existing in each plantation, and to ascertain by periodical computations that the law has not been eluded. The confiscation of the negroes upon each plantation, beyond the number previously declared, (saving those born on the spot,) and a heavy fine for each slave clandestinely introduced, might be the punishment inflicted upon the delinquents. These measures, which enter into the interior administration of each Government, might, however, be concerted between all; and, instead of mixed commissions, charged with pronouncing upon the culpability of the individuals who import the negroes, committees might be established, charged with the duty of watching the individuals who purchase them, and to make known to the superior authorities of the country the infractions which the inferior agents might show reluctance in prosecuting. These arrangements are in the nature of those which the Government of His Most Christian Majesty might take, without fear to wound the rights of his subjects; and he is ready to come to an understanding in this respect with the Powers who unite their efforts for bringing about the entire abolition of a trade odious in itself, and which has been stigmatized with general condemnation.

[Third enclosure in No. 11.]

Opinion of the Austrian cabinet upon the question of the slave trade.

Since the abolition of the slave trade has been the object of the common deliberations of the Powers of Europe, the cabinet of Austria has not ceased to devote to this question all the interest which it merits in its great relation with the good of humanity, as well as with the precepts of sound morality and religion. Faithful to the principles solemnly proclaimed in this respect at the period of the Congress of Vienna, and to the successive engagements founded upon those bases, Austria, although not able from her geographical position to co-operate directly for the success of so meritorious and noble an enterprise, has not less eagerly concurred in all which might advance and perfect it; and it has been with these unalterable sentiments that the minister of Austria has examined with the most serious attention the propositions made by the plenipotentiaries of His Britannic Majesty to the present conferences, for completing and extending the system hitherto pursued for attaining the final extinction of the trade, and for ensuring the execution and the efficacy of this system.

His Majesty the Emperor is ready to take part in the measures which the allied sovereigns are about to adopt with the cabinet of Rio de Janeiro, to engage it to fix as soon as possible the period of definitive abolition.

His Majesty cannot but feel that the sovereign of Brazil may meet in this transaction difficulties more real, perhaps, and stronger, than any other Power has had to surmount who has consented to this salutary measure. But he reckons too much upon the loyalty of this sovereign to admit that any obstacles whatever would prevent him from fulfilling a sacred engagement, such as that which he has contracted in the face of the world by the declaration of the 8th of February, 1815.

With respect to the measures proposed by the British plenipotentiaries to put an end to the illicit trade, as it appears admitted on all parts that a system of permanent *surveillance* cannot be effectually established until the abolition of the trade shall have been generally and definitively pronounced by all the Powers, the Austrian cabinet is of opinion, that, in adjourning to that period the ulterior discussion of the measures to be adopted for this purpose, the intermediate time might be usefully employed in reconciling and conciliating all opinions, persuaded as it is that, provided the fundamental principle—that of arriving at the universal and effectual abolition of the trade be never lost sight of, and that each Power continues to second with its utmost efforts those which the British Government have hitherto used in so honorable a cause—they will ultimately agree upon the most effectual means for securing its full and complete accomplishment.

The Austrian cabinet also desire that the ministerial conference established in London for the consideration of this question may continue its work in the sense most conformable to the principles by which it has hitherto been guided.

[Fourth enclosure in No. 11.]

Opinion of the Prussian cabinet on the slave trade question.

Invariably attached to the principles of morality and humanity which for a long time have demanded the abolition of the slave trade, and faithful to the engagements which they have made to this effect, the Prussian Government is constantly ready to concur in every thing that may contribute to the definitive accomplishment of this noble end.

In consequence, they do not hesitate to accede to the proposition of a combined representation to the court of Brazil, in order to engage it to accelerate, as much as the circumstances and the necessities of its situation may admit, the entire abolition of the trade.

As to the measures of general police that may be adopted to prevent or put a stop to the illicit trade, the Prussian Government cannot dissemble the inseparable inconveniences of the concession of a right of visit, exercised on the high seas; a concession which will become but too easily a source of abuse and misunderstanding, and which would subject peaceable and innocent traders to molestations, of which the idea alone will indispose them perhaps still more than the real mischief.

The Prussian Government, in consequence, believe it to be their duty to give the preference to every measure of precaution and of *surveillance*,

which, being confined to the point of departure and to the point of arrival—that is, to the coast of Africa and the colonies interested in favoring these illicit enterprises—will admit of an execution more rigorous and more decisive.

[Fifth enclosure in No. 11.]

Memorandum B.

The plenipotentiaries of Great Britain, after attentively perusing the notes given by the several cabinets on the measures brought forward, on the part of the Prince Regent, for effectuating the abolition of the slave trade, cannot dissemble their deep regret that the deliberations of the august assembly which is now about to terminate are not destined to be marked in the page of history by some more decisive interposition than is likely to take place, in relief of the sufferings of Africa.

They had persuaded themselves that it was reserved for the plenipotentiaries assembled at Aix-la-Chapelle to have completed at once the work of peace in Europe, and to have laid a broad and lasting foundation, on which the deliverance of another great quarter of the globe from a scourge far more severe than European warfare, in its most aggravated forms, might have been effectuated, by establishing an alliance which should forever deny to the fraudulent slave trader, of whatever nation, the cover of their respective flags for the purposes of his iniquitous traffic. Although disappointed in this hope, they will not despair of ultimately arriving at their object, whilst they have so powerful a cause to advocate, and whilst they can address themselves, not less to the understandings than to the hearts of those sovereigns, who, when assembled in Congress at Vienna, solemnly pronounced upon this question, and devoted their future exertions to the consummation of this work of peace.

They derive additional consolation from the perusal of the documents above referred to; for although they fail them for the present in their conclusion, they nevertheless bear in all their reasonings such homage to the principle, and in some of their details so fully evince the strong sense of duty which animates the august sovereigns in the prosecution of this measure, as to be regarded rather as the precursors of some decided effort for putting an end to this great moral evil, than as indicating on their part any abandonment of a cause which, in the face of mankind, they have taken under their especial protection. It has been the fate of this question, in every stage of its progress, to have difficulties represented as insurmountable, which, in a little time, have yielded to the perseverance and to the more matured impulses of humanity.

The language in every country has been at times discouraging, and yet the principles of truth and of justice have ultimately triumphed, so as to have left only one great blot in the civilized world at this day unremoved. Every nation, one only excepted, has secured itself from this pollution, and His Most Faithful Majesty has taken steps sufficiently decisive in the same direction, to afford the most encouraging prospect of his determination to deliver his people, without loss of time, from a practice which must degrade them in the scale of enlightened policy, so long as it shall con-

time to be tolerated amongst them. It is against the fraudulent slave trader, for the welfare of Africa, that more decisive measures are urgently called for. Were it not for his pestilential influence, more than half of that great continent would at this day have been consigned to peaceful habits, and to the pursuits of industry and of innocent commerce. But they are his piratical practices on the coast of Africa, in breach of the laws of every civilized Government, which not only vex that extended portion of the globe, but which have undone the work of many years of slow but successful improvement.

It was the fraudulent slave trader who introduced anew on those coasts the traffic, with all its desolating influence on the interior of the country, and which, if not soon checked by measures of a decisive character, will banish, not only every trace of improvement, but all commerce other than that of slaves.

On the eve of the departure of the illustrious sovereigns from this place, and after the ample deliberations which have already taken place on this subject, the British plenipotentiaries cannot flatter themselves with the hope of obtaining at this time a more favorable decision; but they could not satisfy their own sense of duty, were they not to record their observations upon the objections which have been brought forward to the measures which they were directed to propose, humbly but confidently submitting them on the part of their court to the more matured consideration of the different cabinets. And as it is the species of measure best calculated to suppress this evil, upon which they are alone divided in sentiments, as all are agreed in the enormity of the offence, and all equally animated with a determination effectually to suppress it, they indulge the confident expectation that the subject may be resumed at no distant period in the conferences in London, and prosecuted, under more favorable auspices, to some decisive result.

And first, with respect to the memoir presented by the plenipotentiaries of Russia. The plenipotentiaries of Great Britain do homage to the sentiments of enlightened benevolence which on this, as on every other occasion, distinguish the elevated views of the august sovereign of Russia.

They only lament that the Russian cabinet, in the contemplation of other measures to be hereafter taken, should have been discouraged with respect to the great good which lay within their reach; and that His Imperial Majesty should thus have abstained for the present to throw into the scale of the proposed measure his illustrious and powerful example.

It appears that the Russian Government looks forward to the moment when Portugal shall have finally abolished the trade, for founding a system upon the coast of Africa, which shall be authorized not merely to pronounce upon the property of the slave trader, but which shall be competent to proceed criminally against him as a pirate, and which, in addition to those high functions, shall have a naval force at its disposition, and be invested with a general right of visit of all flags, at least upon those coasts; that this institution should be composed of elements drawn from all civilized States; that it should have a directing council and a judicial system; in short, that it should form a body politic, neutral in its character, but exercising these high authorities over all States. The British Government will, no doubt, be most anxious to receive from the Russian cabinet the further development of this plan which is promised; but as the prospect of some institution of this nature may form a serious

obstacle to the adoption of what appears to them the more pressing measure, the British plenipotentiaries cannot delay to express their doubts as to the practicability of founding, or preserving in activity, so novel and so complicated a system.

If the moment should have arrived when the traffic in slaves shall have been universally prohibited, and if, under those circumstances, the mode shall have been devised by which this offence shall be raised in the criminal code of all civilized nations to the standard of piracy, they conceive that this species of piracy, like any other act falling within the same legal principle, will, by the law of nations, be amenable to the ordinary tribunals of any or every particular State.

That the individuals charged with the piracy can plead no national character in bar of such jurisdiction, whether taken on the high seas or on the African coast.

If they be pirates, they are "*hostes humani generis*"—they are under the protection of no flag; and the verification of the fact of piracy by sufficient evidence brings them at once within the reach of the first criminal tribunal of competent authority before whom they may be brought.

It seems equally unnecessary to have recourse to so new a system for arriving at a qualified and guarded right of visit.

In this, as in the former instance, the simplest means will be found the best; and the simplest will generally be found to consist in some modification of what the established practice of nations has for ages sanctioned.

Right of visit is known and submitted to by all nations in time of war.

The belligerent is authorized to visit the neutral, and even to detain upon adequate cause.

If the right of visit be to exist at all, (and that it must exist, at least upon the coast of Africa, in some shape or to some extent, seems to be fully admitted by the Russian memoir,) it is infinitely better it should exist in the form of a conventional but mitigated regulation of the established practice of nations, for the due administration of which every Government is responsible, than that it should be confided to a new institution, which to be neutral must be irresponsible, and whose very composition would place it wholly beyond the reach of control.

These observations apply to the period when all nations shall have abolished the trade; but why should the Russian, Austrian, and Prussian Governments unnecessarily postpone the taking some measure of this nature for an indefinite period, and until Portugal shall have universally abolished?

Have they not more than two-thirds of the whole coast of Africa, upon which it might at once operate, and as beneficially as if that much wished for era was arrived?

Has not Portugal herself given unanswerable proofs upon this point, by conceding the right of visit north of the equator, where the abolition has been completed, as well by her as now by Spain and all other Powers?

Perhaps it is because no instance can be quoted that any slave trader, under either the Russian, Austrian, or Prussian flags, has yet appeared on the coast of Africa, that these Powers, from a sentiment of delicacy towards States more directly interested both in the local and maritime question, have felt some reluctance to take a lead in giving their sanction to this principle.

The Russian memoir seems expressly to withhold, or rather to delay, its

adherence, until there is reason to presume that a general concurrence is attainable; but surely, in all such cases, the most certain mode of obtaining a general concurrence is to augment the ranks of the concurring parties.

The United States and France are probably alluded to as the dissenting Powers; but, even in those States, how much might not the chances of success have been improved, had the three Powers in question followed the example of those that have already adopted this system, and how narrowed would have been the chance of fraud, had the sphere of the alliance been thus extended by their accession! It is still to be hoped that their present doubts will yield to more mature reflection upon the nature of the proposition. The first instance in which any of their flags should be made the cover of abuse, the British plenipotentiaries are satisfied, would be the signal for their vindicating its character, by taking an immediate and decisive step on this subject; but, without waiting for such a stimulus, they trust that the minds of those illustrious sovereigns remain still open to every suggestion on this subject which can improve the chances of general success, and that the opinion hitherto given, on the part of their respective cabinets, will form no obstacle to the adoption, on their part, of that measure, whatever it may be, which, under all the circumstances of the case, shall appear to them most effectual to the suppression of the mischief.

In adverting to the memoir which has been presented to the conference by the plenipotentiaries of France, the British plenipotentiaries are ready to bear their testimony to the spirit of fairness with which the subject has been met, and to the auspicious protection which the cause of abolition has progressively received from His Most Christian Majesty.

The French plenipotentiary has candidly conceded:

1st. That the proposed measure cannot be considered as any infraction of the law of nations; that it confirms, on the contrary, that law, inasmuch as it seeks to obtain a new power as a conventional exception from the admitted principles of the general law.

2dly. That it can be regarded as no exclusive surrender of the maritime rights of any particular State, as its provisions are strictly reciprocal, and for an object in which all feel and avow that they have a common interest.

3dly. That the principle of reciprocity may be still further guarded, by confining the right of visit, as in the treaty with Holland, to an equal and limited number of the ships of war of each State.

4thly. That every endeavor has been made strictly to limit the exercise of the power to the immediate purpose for which it is granted, and by suitable regulations to guard it against abuse.

5thly. That, in order still further to distinguish this system from the ordinary right of visit, which every belligerent is entitled to exercise in time of war, it has been proposed to confine its operations, if desired, to the coasts of Africa, and to a limited distance from those coasts.

The objections on the part of France are of a more general description, and such as, it is hoped, time will in itself serve to remove; and first, as to the objection which seems to weigh so strongly, viz: that the measure, if now taken, might be falsely regarded by the French nation as a concession imposed upon their Government by the Powers of Europe, as the price of the evacuation of their territory. It is impossible to contend in argument against such a delusion; but it may be observed, that, had the

other Powers been pressed to adopt the arrangement in concert with France, it does not seem possible that such an invidious interpretation could have been given to so general and so benevolent a measure. But this, happily, is one of those objections which a short time must serve to remove.

The second objection is, that there is, as it were, some moral incompetency in the French nation to conform themselves to this measure; that what is felt by the Crowns of Spain and Portugal, and of the Netherlands, to be no disparagement of the honor of their flag, nor any inconvenient surrender of the commercial rights and interests of their people, would in France work nothing but a sense of humiliation and discontent.

With great deference to the authority upon which this conclusion is stated, the plenipotentiaries of Great Britain cannot refrain from indulging the hope, that, although in France there may at first sight exist prejudices against this measure, when received in an exaggerated shape and without the necessary explanations—that although there may be also a feeling with respect to possible inconveniences, which, notwithstanding every exertion on the part of the respective Governments, might occasionally attend it in the execution; yet they confidently persuade themselves that a people so enlightened would not fail cordially to answer to an appeal made by their Government to the generosity of their feelings upon such a point; and that the French nation would never shrink from a competition with the British, or any other nation, in promoting whatever might conduce to an end in which the great interests of humanity are involved. It is true that Great Britain and France have been regarded as rivals, as well as neighboring nations; but, if they have had occasionally the misfortune to contend against each other in arms, nothing has arisen in the result of those contests which should create a sense of inferiority on either side. Both nations have well sustained their national honor, and both have learned to respect each other. Why, then, should the French people feel that as derogatory to their dignity—which is viewed by the British nation in so different a light? Let us rather hope that, after their long and common sufferings in war, both nations will feel the strong interest they have in drawing closer those ties of friendship which now happily unite them, and in cultivating those relations in peace which may render their intercourse useful to each other and to the world. What object more worthy of their common councils and efforts than to give peace to Africa; and could their rivalry take a more ennobling and auspicious character?

Should a doubt or murmur, at the first aspect, arise among the people of France, they may be told that four of the most considerable of the maritime Powers of the world have cheerfully united their exertions in this system for the deliverance of Africa; they will learn that the British people, so sensitively alive as they are known to be to every circumstance that might impede their commercial pursuits, or expose the national flag to an unusual interference, have betrayed no apprehension in the instance before us. Not a single remonstrance has been heard, either in Parliament or from any commercial body in the empire, not even from any individual merchant or navigator. If the doubt should turn upon the prejudice which such a measure might occasion to the French commercial interests on the coast of Africa, they will, on inquiry, find that, if France wishes to preserve and to improve her legitimate commerce on that coast, she cannot pursue a more effectual course than by uniting her efforts to those of other

Powers for putting down the illicit slave trader, who is now become an armed freebooter, combining the plunder of merchant vessels, of whatever nation, with his illegal speculations in slaves.

If the idea should occur, that French merchant ships frequenting that coast may experience interruption and delays by such visits, that officers may possibly abuse their trust, and that disputes may occur between their subjects and those of foreign Powers, let them reduce this objection calmly to its true value—let them estimate it according to the extent of trade on that coast, and the chances of such accidents occurring. Notwithstanding every precaution taken by the respective Governments, let them set this evil, taken at the highest computation, in competition with the great moral question, whether a whole continent, in order to avoid these minor inconveniences, shall be suffered to groan under all the aggravated horrors of an illicit slave trade; and let the Government of His Most Christian Majesty judge whether it is possible that the French Government would hesitate in the decision to which it would wish to come, upon such an alternative.

If any instance of abuse should occur for a moment to occasion regret, it will be remembered that this is the price, and how inconsiderable a price, which an humane and enlightened people are deliberately willing to pay for the attainment of such an object; it will be looked at in contrast with the African villages that would have been plundered; with the wars that would have been waged in the interior of that unhappy continent; with the number of human victims that would have been sacrificed to the cupidity of the slave trader, if civilized nations had not combined their exertions for their protection.

The French memoir argues against the principle of subjecting the property of French subjects to any other jurisdiction than that of their own tribunals; but it will appear that this practice is by no means unusual. In time of war, and for the security of the belligerent, this is constantly the case.

The neutral is, in all cases, amenable for the alleged infractions of the rights of the belligerent in matters of blockade, contraband of war, &c., to the tribunals of the belligerent, not to his own or to any mixed tribunal.

If it is said that this is not a case of war, but a regulation introduced in peace, and for the first time, the obvious answer is, does the case warrant the innovation?

If it does, the novelty of the practice ought to form no decisive objection to its adoption; but it is by no means true that this is the first instance, in time of peace, where the property of the subject has been brought under a jurisdiction other than the ordinary tribunals of his own State. Claims, both of a private and public nature, have frequently, by conventional laws, been made the object of such a proceeding, which is made to operate as a species of arbitration. Can we quote a more decisive example than the two conventions which, in November, 1815, referred the private claims upon the French Government, immense as they were in amount, to the decision of a *mixed* commission similarly constituted?

It is also to be observed, that the subject gains a singular advantage by having his case disposed of before such a commission, which he would not obtain were he to have to proceed either in his own courts, or in those of the capturing Power, for the restitution of his property, namely: that the commission, in deciding upon his cause, not only has the power of pronouncing upon his wrongs, but can give him, by its decision, ample dam-

ages, for the discharge of which the State of the capturing ship is made answerable; whereas, in an ordinary case of capture, he would have a dilatory and expensive suit to carry on, against, perhaps, an insolvent captor.

Having noticed the principal objections brought forward in the French memoir, which they venture to persuade themselves are not insurmountable, the British plenipotentiaries have observed, with satisfaction, the exertions which the French Government have made, and are still prepared to make, for combating this evil, at least as far as it can be alleged to subsist within their own limits, and to be carried on by French subjects; but they feel persuaded that the Government of His Most Christian Majesty will take a more enlarged view of their power of doing good, and that they will be disposed to extend the sphere of their activity to the suppression of the mischief, wherever it can be reached by their exertions.

The British Government also does full justice to the manner in which the French Government has, on all occasions, sought from them such information as might enable them the better to enforce the law of abolition. They bear testimony, with pleasure, not only to the sincerity of their exertions, but to the arrangements lately made, by stationing a naval force on the coast of Africa, for the more effectual suppression of the slave trade, so far as it is carried on by French ships and subjects. They also view, with the highest satisfaction, the determination now announced of introducing into all the French colonies a registry of slaves. All these beneficent arrangements may be expected to operate powerfully, so far as the mischief has decidedly a French character; but until all the principal Powers can agree to have, as against the illicit slave trader, *at least on the coast of Africa*, but one common flag and co-operating force, they will not have gone to the full extent of their means to effectuate their purpose, in conformity to their declarations at Vienna. With these observations, the British plenipotentiaries will conclude their statement, submitting it to the candid examination of the several cabinets.

It would be a great satisfaction to them to be assured that the representations which they have felt it their duty to make were likely to receive their earliest consideration, and that the ministers of the several Powers in London might expect to receive such further instructions as might enable them, without loss of time, to resume their labors with effect; it being humbly submitted that the final act, which the sovereigns are about to solicit from His Majesty the King of Portugal, is not an indispensable preliminary towards establishing, by common consent, on the coast of Africa, at least north of the equator, some efficient system for the suppression of the illicit traffic in slaves, which is at this moment carried on to the most alarming extent, and under the most aggravating circumstances, such as loudly to call for the special and authoritative interference of the illustrious sovereigns to whom these remarks are respectfully submitted.

[Sixth enclosure in No. 11.]

Projet of a letter to His Most Faithful Majesty.

SIR, MY BROTHER: At the period of the Congress of Vienna, the voice of religion, and the groans of suffering humanity, obtained the most con-

soling triumph. The world contemplated the near prospect of the termination of a scourge which has long desolated Africa; and your Majesty has justly acquired the right to the eternal gratitude of nations, in proclaiming, in concert with your allies, the principle of universal abolition of the trade in slaves. Since then, the acts concluded at Paris in 1815, and the happy issue of the several negotiations devoted to the progressive execution of this measure, have strengthened the generous hopes of the age, and have predicted the full accomplishment of the transaction which they have solemnly sanctioned.

If the results of the conference of Aix-la-Chapelle, which consummate the pacification and guaranty the prosperity of Europe, still leave a wish, it is that of seeing ensured the final triumph of the declaration of the 8th of February, 1815, by the means of an act decreeing the abolition of the slave trade in all parts, and forever; that my allies and myself be not permitted to separate without turning our confident regards towards the Powers to whom the Supreme Arbitrator of the destinies of the earth has reserved the glory of putting an end to the afflictions of an unfortunate population.

This definitive success will be, without doubt, the fruit of your Majesty's intimate relations with the Government of Great Britain, because a concurrence of conciliating intentions and of reciprocal sacrifices is alone of a nature to prosper a work equally meritorious before God and in the eyes of men.

It is only at the close of this negotiation that the measures of mutual inspection, decreed for the strict execution of a law become general, will crown the noble efforts of all the Powers called to govern the different parts of the globe, by the same sentiments of fraternity, of justice, and of religion; &c.

No. 12.

Despatch from Viscount Castlereagh to Earl Bathurst.

AIX-LA-CHAPELLE, November 24, 1818.

MY LORD: I have the honor to transmit to your lordship the enclosed protocol of the conferences of the allied ministers, of the 11th and 19th instant, containing the votes of the different Powers on the subjects of the slave trade, which I have already forwarded to your lordship.

I have the honor, &c.

CASTLEREAGH.

Earl BATHURST, &c.

[First enclosure in No. 12.]

Protocol of the conference between the plenipotentiaries of the five Powers, held at Aix-la-Chapelle, the 11th of November, 1818.

The Duke de Richelieu read his observations upon the means proposed by the plenipotentiaries of Great Britain for inspecting and repressing the illicit slave trade. The observations of the Duke de Richelieu, as well as

the opinion of the Austrian cabinet, and that which the Prussian cabinet made known in a preceding sitting, are annexed to the protocol:

METTERNICH.
RICHELIEU.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

[Second enclosure in No. 12.]

Protocol of the conference between the plenipotentiaries of the five Powers, held at Aix-la-Chapelle, the 19th of November, 1818.

To resume the discussion of the ulterior measures to be adopted against the slave trade, Lord Castlereagh read a memorandum, in which he observed, upon the different propositions which have occupied the preceding conferences, and expressed his sincere regret that the present reunion had not brought about a more decisive result for the final success of the abolition, nor, above all, some resolution directly applicable to the repression of the cruel abuses by which the fraudulent commerce has hitherto eluded and frustrated the measures already agreed upon, and the laws and regulations already in force in various States.

After having analyzed and discussed, in detail, the objections brought forward to combat the system of reciprocal visit of ships suspected of being engaged in the illicit trade, and especially those which were developed in the note of the plenipotentiaries of France, as well as the means of execution proposed by the plenipotentiaries of Russia, Lord Castlereagh, in again calling the most serious attention of the Powers to a cause so deserving of their interest, desired that the ministers of the courts taking part in the conferences in London should be enjoined to continue their deliberations upon this question, without waiting the effect which the formal measure adopted towards His Majesty the King of Portugal and the Brazils might produce; particularly as the result of this step was not an indispensable preliminary to the resolutions to be adopted, with common consent, for effectually suppressing the illicit traffic on the coast to the north of the line.

The memorandum of Lord Castlereagh was annexed to the protocol, and the plenipotentiaries agreed to instruct the ministers of the courts in London in the sense of this last proposition.

On the reading of this protocol, the plenipotentiaries of Russia added, that, independent of the instruction agreed upon between the courts, the ambassador of His Majesty the Emperor, in London, would be informed of the desire of His Imperial Majesty to see the ministerial conference in London occupied, not only with the general question relative to the basis of the system to be adopted against the illicit trade, but, at the same time, the practical question of the amount of force necessary to be provided for the execution of the general measures; His Majesty the Emperor of Rus-

sia being ready to furnish his contingent as soon as the regulations to be established for this purpose shall be agreed upon.

METTERNICH.
 RICHELIEU.
 CASTLEREAGH.
 WELLINGTON.
 HARDENBERG.
 BERNSTORFF.
 NESSELRODE.
 CAPO D'ISTRIA.

No. 13.

Despatch from Viscount Castlereagh to Earl Bathurst.

PARIS, December 10, 1818.

MY LORD: Since I arrived here, I have deemed it my duty to renew, with the Duke de Richelieu, the subject of the abolition, in order that I might be better enabled to judge as to the course it would be most advisable to pursue for resuming, in London, under the protocol signed at Aix-la-Chapelle, on the 19th of November, the deliberations on this question.

In conference with his excellency, it was agreed that I should have an interview with the Minister of the Marine and Colonies, the Count de Molé, and with the Count de Laisné, the Minister of the Interior, as the two departments in the Government the most competent to advise the King upon the propriety, as well as upon the effect, which those regulations might be expected to produce upon the public mind in France, which I had been directed, in conjunction with the Duke of Wellington, to press at Aix-la-Chapelle.

I had, accordingly, a conference with these ministers, of nearly three hours, in which I was enabled to go through with them, in the utmost detail, the whole of this important subject; to all the bearings of which they appeared to me to give their utmost attention, and with a desire that the difficulties which they conceived, at least for the present, to stand in the way of their adopting the measure, might be found in the end not to be insurmountable.

It is unnecessary that I should attempt to report to your lordship the particulars of this extended conversation, as they would not vary, in any essential point, from the arguments brought forward by the Duke de Richelieu, and which are already so fully before the Prince Regent's Government; I have no reason to draw any more unfavorable inference from the manner in which these ministers treated the subject, and they assured me of their disposition to render public in France every information which might tend to throw light on this interesting question, and to strengthen it in the public favor.

Upon the whole, my lord, whilst I cannot give you hopes of any immediate progress, I venture, nevertheless, to indulge a sanguine expectation that, if the object be pursued with the same persevering and conciliating temper, on the part of Great Britain, which has already achieved so much for the cause of abolition, the French Government may be brought, at no

distant period, to unite their naval exertions with those of the other allied Powers for the suppression of the illicit slave trade, under the modified regulations submitted for this purpose to the plenipotentiaries assembled at Aix-la-Chapelle.

I have the honor to be, &c.

CASTLEREAGH.

Earl BATHURST, &c.

SEVENTEENTH CONGRESS, FIRST SESSION.

MONDAY, DECEMBER 10, 1821.

On motion of Mr. Sawyer,

Resolved, That the committee on so much of the President's message as relates to the suppression of the slave trade be instructed to inquire into the expediency of continuing in force for a further term an act, passed 3d March, 1819, which, by the act of the 15th May, 1820, was extended to two years, and entitled "An act to protect the commerce of the United States, and punish the crime of piracy."

TUESDAY, JANUARY 15, 1822.

On motion of Mr. Mercer,

Resolved, That the committee on the suppression of the slave trade be instructed to inquire whether the laws of the United States prohibiting that traffic have been duly executed; and, if so, into the general effect produced thereby on the trade itself; also, to inquire into and report the defects, if any exist, in the operation of those laws, and to suggest adequate remedies therefor.

Mr. Gorham, from the committee, consisting of Mr. Gorham, Mr. Hemphill, Mr. Poinsett, Mr. Phillips, Mr. John T. Johnson, Mr. Borland, and Mr. Van Swearingen, reported the following bill, in addition to "An act to continue in force an act to protect the commerce of the United States, and punish the crime of piracy," "and also to make further provision for punishing the crime of piracy."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first, second, third, and fourth sections of an act entitled "An act to protect the commerce of the United States, and punish the crime of piracy," passed on the 3d day of March, 1819, be, and the same are hereby, continued in force, in all respects, as fully as if the said sections had been enacted without limitation in the said act, or in the act to which this is an addition, and which was passed on the fifteenth day of May, 1820.

NOTE.—This bill was not acted upon during the session which it was reported. It was taken up at the succeeding session of Congress, and

passed both Houses without amendment, and received the approbation of the President of the United States on the 30th of January, 1823.

APRIL 12, 1822.

Report of the Committee on the Suppression of the Slave Trade, consisting of Mr. Gorham, Mr. Hemphill, Mr. Poinsett, Mr. Phillips, Mr. John T. Johnson, Mr. Borland, and Mr. Van Swearingen.

The Committee on the Suppression of the Slave Trade, to whom was referred a resolution of the House of Representatives, of the 15th of January last, instructing them to inquire whether the laws of the United States prohibiting that traffic have been duly executed; also, into the general operation thereof; and, if any defects exist in those laws, to suggest adequate remedies therefor, and to whom many memorials have been referred, touching the same subject, have, according to order, had the said resolution and memorial under consideration, and beg leave to report:

That, under the just and liberal construction put by the Executive on the act of Congress of March 3, 1819, and that of the 15th May, 1820, inflicting the punishment of piracy on the African slave trade, a foundation has been laid for the most systematic and vigorous application of the power of the United States to the suppression of that iniquitous traffic. Its unhappy subjects, when captured, are restored to their country, agents are there appointed to receive them, and a colony, the offspring of private charity, is rising on its shores, in which such as cannot reach their native tribes will find the means of alleviating the calamities they may have endured before their liberation.

When these humane provisions are contrasted with the system which they superseded, there can be but one sentiment in favor of a steady adherence to its support. The document accompanying this report, and marked A, states the number of Africans seized or taken within or without the limits of the United States and brought there, and their present condition.

It does not appear to your committee that such of the naval force of the country as has been hitherto employed in the execution of the laws against this traffic could have been more effectually used for the interest and honor of the nation. The document marked B is a statement of the names of the vessels, and their commanders, ordered upon this service, with the dates of their departure, &c. The first vessel destined for this service arrived upon the coast of Africa in March, 1820, and, in the few weeks she remained there, sent in for adjudication four American vessels, all of which were condemned. The four which have been since employed in this service have made five visits, (the Alligator having made two cruises in the past summer,) the whole of which have amounted to a service of about ten months by a single vessel, within a period of near two years; and since the middle of last November, the commencement of the healthy season on that coast, no vessel has been, or, as your committee is informed, is under order for that service.

The committee are thus particular on this branch of their inquiry, be-

cause unfounded rumors have been in circulation, that other branches of the public service have suffered from the destination given to the inconsiderable force above stated, which, small as it has been, has in every instance been directed, both in its outward and homeward voyage, to cruise in the West India seas.

Before they quit this part of their inquiry, your committee feel it their duty to state that the loss of several of the prizes made in this service is imputable to the size of the ships engaged in it. The efficacy of this force, as well as the health and discipline of the officers and crews, conspire to recommend the employment of no smaller vessel than a corvette or sloop of war, to which it would be expedient to allow the largest possible complement of men, and, if possible, she should be accompanied by a tender, or vessel drawing less water. The vessels engaged in this service should be frequently relieved, but the coast should at no time be left without a vessel to watch and protect its shores.

Your committee find it impossible to measure with precision the effect produced upon the American branch of the slave trade by the laws above mentioned, and the seizures under them. They are unable to state whether those American merchants, the American capital and seamen, which heretofore aided in this traffic, have abandoned it altogether, or have sought shelter under the flags of other nations. It is ascertained, however, that the American flag, which heretofore covered so large a portion of the slave trade, has wholly disappeared from the coasts of Africa. The trade, notwithstanding, increases annually, under the flags of other nations. France has incurred the reproach of being the greatest adventurer in this traffic, prohibited by her laws; but it is to be presumed that this results, not so much from the avidity of her subjects for this iniquitous gain, as from the safety which, in the absence of all hazard of capture, her flag affords to the greedy and unprincipled adventurers of all nations. It is neither candid nor just to impute to a gallant and high-minded people the exclusive commission of crimes, which the abandoned of all nations are alike capable of perpetrating, with the additional wrong to France herself of using her flag to cover and protect them. If the vigor of the American navy has saved its banner from like reproach, it has done much to preserve unsullied its high reputation, and amply repaid the expense charged upon the public revenue by a system of laws to which it has given such honorable effect.

But the conclusion to which your committee has arrived, after consulting all the evidence within their reach, is, that the African slave trade now prevails to a great extent, and that its total suppression can never be effected by the separate and disunited efforts of one or more States; and as the resolution to which this report refers requires the suggestion of some remedy for the defects, if any exist, in the system of laws for the suppression of this traffic, your committee beg leave to call the attention of the House to the report and accompanying documents submitted to the last Congress by the Committee on the Slave Trade, and to make the same a part of this report. That report proposes, as a remedy for the existing evils of the system, the concurrence of the United States with one or all the maritime Powers of Europe, in a modified and reciprocal right of search on the African coast, with a view to the total suppression of the slave trade.

It is with great delicacy that the committee have approached this subject, because they are aware that the remedy which they have presumed to recommend to the consideration of the House requires the exercise of the

power of another department of this Government, and that objections to the exercise of this power, in the mode here proposed, have hitherto existed in that department.

Your committee are confident, however, that these objections apply rather to a *particular proposition* for the exchange of the right of search, than to that modification of it which presents itself to your committee. They contemplate the trial and condemnation of such American citizens as may be found engaged in this forbidden trade, not by mixed tribunals sitting in a foreign country, but by existing courts, of competent jurisdiction, in the United States; they propose the same disposition of the captured Africans now authorized by law; and least of all, their detention in America.

They contemplate an exchange of this right, which shall be in all respects reciprocal; an exchange which, deriving its sole authority from treaty, would exclude the pretension, which no nation, however, has presumed to set up, that this right can be derived from the law of nations; and, further, they have limited it, in their conception of its application, not only to certain latitudes, and to a certain distance from the coast of Africa, but to a small number of vessels, to be employed by each Power, and to be previously designated. The visit and search thus restricted, it is believed, would ensure the co-operation of one great maritime Power in the proposed exchange, and guard it from the danger of abuse.

Your committee cannot doubt that the people of America have the intelligence to distinguish between the right of searching a neutral on the high seas, in time of war, claimed by some belligerents, and that mutual, restricted, and peaceful concession by treaty, suggested by your committee, and which is demanded in the name of suffering humanity.

In closing the report, they recommend to the House the adoption of the following resolution, viz:

Resolved, That the President of the United States be requested to enter into such arrangements as he may deem suitable and proper, with one or more of the maritime Powers of Europe, for the effectual abolition of the slave trade.

A.

Statement of the number of Africans seized or taken within and without the limits of the United States, and their present situation.

No.	Date of seizure.	Present situation, &c.
202	Captured by the revenue cutter Dallas, in the General Ramirez.	184 in the hands of the marshal of Georgia; 18 liberated by a decree of court, and ready to be sent to Africa.
37	- - - - -	In the hands of the Governor of Georgia. A warrant issued from court, against these Africans, 21st February, 1821; the marshal has been instructed not to proceed on this warrant to take the Africans, because they are in the hands of the Governor.
100	Captured in May and June, 1818	In the hands of the marshal of Alabama.
10	Seized in March, 1819, at Baltimore.	In the custody of the marshal of Maryland, subject to the orders of the President of the United States.
4	Seized in Charleston, South Carolina, April 9, 1819.	Sent to Norfolk, Virginia, and conveyed to Africa on board brig Nautilus, under the charge of J. B. Winn, Esq., United States agent to Africa, in January, 1821.
220	Captured in the brig La Pensee, by the sloop of war Hornet, November 12, 1821.	Sent into New Orleans, and delivered to the marshal.

B.

Statement showing the names and rates of the several vessels ordered to cruise on the coast of Africa for the suppression of the slave trade ; the names of their several commanders ; the time of their respective departures from the United States ; arrivals on the coast of Africa, and departures therefrom ; and the number of their captures.

Vessels' names.	No. of guns.	Commanders' names.	Date of departure from the United States.	Date of arrival on the coast of Africa.	Date of departure from the coast of Africa.	Number of captures.
Ship Cyane -	24	Edw. Trenchard	Jan., 1820	March, 1820	-	Four schooners, viz : Endymion, Esperanza, Plattsburg, and Science, sent into New York.
Ship Hornet -	18	George C. Reed	June, 1820	-	-	Brig Alexander, sent into Boston.
Ship John Adams	24	A. S. Wadsworth	July 18, 1820			
Schooner Alligator	12	R. F. Stockton -	April 3, 1821 Oct. 4, 1821	May 6, 1821 Nov. 1821	July, 1821 Dec. 17, 1821	Four schooners, viz : Jeune Eugene, Mathilde, Daphne, and Eliza ; the Jeune Eugene sent into Boston, the rest recaptured.
Schooner Shark -	12	M. C. Perry -	Aug. 7, 1821	Sept., 1821	Nov., 1821	None.

All the above vessels were ordered to pass through the West Indies, on their return to the United States, for the protection of commerce against the depredations of pirates, as well as the suppression of the slave trade.

SEVENTEENTH CONGRESS, SECOND SESSION.

FRIDAY, FEBRUARY 10, 1823.

Mr. Mercer submitted the following resolution, which was read and laid on the table:

Resolved, That the President of the United States be requested to enter upon and prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy under the law of nations, by consent of the civilized world.

FEBRUARY 28, 1823.

The House proceeded to the consideration of the above resolution.

The said resolution being read, and debate arising thereon, Mr. Hooks moved that the said resolution be again laid on the table;

And the question being taken,

It was determined in the negative,	{ Yeas,	25,
	{ Nays,	104.

Mr. Wright then moved an amendment to the said resolution; and further debate having arisen thereon,

The previous question being called for, and being demanded by a majority of the members present,

The said previous question was put in the form prescribed by the rules and orders of the House, viz: Shall the main question be now put?

And passed in the affirmative.

The said main question was then put; to wit: Shall the said resolution pass?

And passed in the affirmative,	{ Yeas,	131,
	{ Nays,	9.

EIGHTEENTH CONGRESS, FIRST SESSION.

JANUARY 26, 1824.

Mr. Mercer laid the following resolution on the table:

Resolved, That the President of the United States be requested to communicate to this House such part as he may not deem inexpedient to divulge, of any correspondence or negotiation, which he may have instituted with any foreign Government since the 28th of February last, in compliance with a request contained in a resolution of the House of Representatives of that date, relative to the denunciation of the African slave trade as piracy.

JANUARY 27, 1824.

The above resolution was adopted by the House, and, in compliance with it, the President, on the 19th March, 1824, transmitted to the House the following message, with the accompanying documents:

To the House of Representatives:

I transmit herewith, to the House of Representatives, a report from the Secretary of State, with the papers therein referred to, in compliance with a resolution of that House of the 27th January last.

JAMES MONROE.

WASHINGTON, March 19, 1824.

DEPARTMENT OF STATE,

Washington, March 18, 1824.

The Secretary of State, to whom has been referred a resolution of the House of Representatives of the 27th of January last, requesting the President to communicate to that House such part as he may not deem inexpedient to divulge, of any correspondence or negotiation, which he may have instituted with any foreign Government since the 28th of February, 1823, in compliance with a request contained in a resolution of the same House of that date, relative to the denunciation of the African slave trade as piracy, has the honor to submit to the President copies of the correspondence requested.

JOHN QUINCY ADAMS.

LIST OF PAPERS SENT.

1. Mr. Canning to Mr. Adams, January 29, 1823.
2. Mr. Adams to Mr. Canning, March 31, 1823.
3. Mr. Canning to Mr. Adams, April 8, 1823.
4. Mr. Adams to Mr. Canning, June 24, 1823.
5. Mr. Adams to Mr. Nelson, (extract,) April 28, 1823.
6. Mr. Adams to Mr. Rodney, (extract,) May 17, 1823.
7. Mr. Adams to Mr. Anderson, (extract,) May 27, 1823.
8. Mr. Adams to Mr. Rush, with one enclosure, convention slave trade, (extract,) June 24, 1823.
9. Mr. Adams to Mr. Middleton, (copy,) July 28, 1823.
10. Mr. Adams to Mr. Everett, (copy,) August 8, 1823.
11. Mr. Adams to General Dearborn, (extract,) August 14, 1823.
12. Mr. Rush to Mr. Adams, (extracts,) October 9, 1823.
13. Mr. Sheldon to Mr. Adams, (extracts,) October 16, 1823.
14. Mr. Sheldon to Mr. Adams, with two enclosures, correspondence with Viscount Chateaubriand (extracts,) November 5, 1823.
15. Mr. Everett to Mr. Adams, with two enclosures, correspondence with Baron Nagell, (extracts,) November 20, 1823.

Mr. Canning to Mr. Adams,

WASHINGTON, January 29, 1823.

SIR: To the complete abolition of the African slave trade, Great Britain, as you are well aware, has long devoted her anxious and unremitting ex-

ertions. She availed herself, during war, of her belligerent rights and extended dominion in the colonies, to put down the inhuman traffic; in peace, she has spared no labor, and shrunk from no sacrifice, to supply, by a general co-operation of the maritime Powers, whatever has been withdrawn from her peculiar control by the cessation of hostilities, and the colonial arrangements consequent on that event. It is matter of deep regret to His Majesty's Government, that the result of their exertions is far from corresponding either to the cause which demands or to the zeal which sustains them. The pest, which they have pledged themselves to destroy, if it be in human power to destroy it, not only survives, to the disgrace and affliction of the age, but seems to acquire a fresh capacity for existence with every endeavor for its destruction.

To whatever fatality it may be owing, that, while the obligation of adopting and enforcing measures for the extermination of the slave trade is solemnly acknowledged by the civilized world, this great object seems rather to elude the grasp than to approach its consummation, Great Britain perceives in the postponement of her hopes, however mortifying for the moment, no reason either to relax from her efforts or to abandon the expectation of final success. Impelled by the noblest motives to persevere in the cause of abolition, and mindful by what slow laborious steps the present point has been attained, she looks forward, through surrounding obstacles, to that triumphant accomplishment of her purpose, the benefit and glory of which will only be rendered more signal by the difficulties attendant on its progress.

In calling on Europe and America to join with them in the discharge of this sacred duty, His Majesty and his ministers have appealed, sir, with the more confidence, to your Government, as the United States have long proclaimed their decided hostility to the slave trade, and are surpassed by no country in the vigor of their legislative enactments for its repression. The identity of principle existing on this subject between the two Governments is distinctly recorded in the treaty of peace; and, in answer to every proposal which has since, by His Majesty's command, been addressed to your cabinet, for redeeming that pledge, by a broad and effectual application of the principle, a fresh assurance has been given of the unceasing interest with which the United States continue to promote the cause of abolition. When to this accord in principle and sentiment is added the conviction, avowed by both parties, that, in spite of laws and treaties, the accursed traffic still thrives, under the eyes of an indignant world, it would seem impossible that the two Powers should be long prevented from concerting a joint system of measures against the common object of their abhorrence and just proscription. Whatever circumstances, views, or impressions, may have hitherto defeated this expectation, His Majesty's ministers are still unwilling to despair of finding the United States at length prepared either to close with the system of concert already offered to their acceptance, or to suggest a plan of equal efficiency in its place. The alternative embraces a duty, for the performance of which both countries are responsible before God and man.

A deep sense of this duty, and a reliance, by no means relinquished, on the general disposition of the United States, have prompted the several communications on this question which have been addressed to you at successive periods, either through me or by means of the American envoy in London. You will readily call to mind, sir, that, in the course of last

summer, I apprized you of the intention of His Majesty's ministers to press for an early reconsideration of the subject, submitting whether it might not prove agreeable to the American cabinet to anticipate that intended recurrence to it on the part of Great Britain, by some efficient proposal, originating with itself. I took occasion, in repeated conversations, to urge anew those various arguments which support and justify the opinion of His Majesty's Government; and I also placed in your hands the official papers, then recently printed by order of Parliament, in further evidence of the extent to which the traffic in human beings was still carried on from Africa, under circumstances of aggravated cruelty. In declaring, as on former occasions, the readiness of His Majesty's ministers to examine, with respect and candor, whatever scheme of concert, if any, the American cabinet might think proper to bring forward, as a substitute for theirs, you will remember how strongly I expressed my belief that the only effectual measure devised, or likely to be devised, was a mutual concession of the right of search. In the exercise of that right, under such guards and with such limitations as may serve to tranquillize the most apprehensive and scrupulous minds, it is still conceived that the best and only cure for this intolerable mischief is to be found. You assured me, at a subsequent conference, that my representations had been duly submitted to the President. I wish it were in my power to add, that the cause which I pleaded had prevailed.

From the printed documents which I had the honor of communicating to you, it appears that the French flag is more particularly employed to cover the illicit trade on the coast of Africa. It would, perhaps, be unfair to conclude that French property and French subjects are concerned to the full proportion in which the colors of that nation are used; but it is manifest that both are engaged in this commerce of blood, to an extent which reflects discredit, if not on the motives of the French administration, at least on the efficiency of its measures, and makes it imperative on those Governments which are pledged to each other for the suppression of the slave trade to declare their reprobation of what is at best a culpable remissness, and to omit nothing that may rouse the French cabinet to a more active exercise of its authority.

It was a part of my instructions to bring this point under your immediate consideration, and to intimate that the remonstrances of His Majesty's ambassador at Paris might be attended with more effect, if the American envoy at that court were directed to concur with his excellency in a joint representation on the subject. It would be idle at present to repeat the arguments adduced in executing this instruction. The answer which you returned, in the name of the President, was unfavorable to the step I had suggested; and such was the result which it became my duty to announce to His Majesty's Secretary of State. But no doubt was started with respect to the grounds on which my application rested; and of those notorious facts to which I referred, as calling for a joint and impressive appeal to the good faith and good feelings of the French Government, you seemed to be equally convinced with myself.

The reasons, indeed, which you allege for declining at that time to comply with a proposal, no less simple in its nature than useful in its object, I understood to be rather of a temporary character; and, under this impression, I cannot but hope that the period is now arrived when they will no longer be found to stand in opposition to the great considerations involved in this question.

In repeating, therefore, the invitation which I have already had the honor to convey to you, on the part of His Majesty's Government, it only remains for me to request an early communication of the intentions at present entertained on this head by the Government of the United States.

I beg, sir, that you will accept the assurance of my distinguished consideration.

STRATFORD CANNING.

HON. JOHN QUINCY ADAMS,
Secretary of State, &c.

Mr. Adams to Mr. Canning.

DEPARTMENT OF STATE,

Washington, March 31, 1823.

SIR: Your letter of the 29th of January was, immediately after being received, submitted to the consideration of the President of the United States. The delay which has hitherto procrastinated a reply to it has been occasioned, not by any abatement of the interest, on the part of the Government of the United States, with which it regards every effort and proposal for the full and final suppression of the African slave trade, nor by any hesitation with regard to the decision which had already been formed and declared respecting the proposal of submitting the vessels and citizens of the United States to the search of foreign officers upon the high seas; but by an expectation that measures contemplated by the national House of Representatives might, before the close of the session of Congress, indicate to the Executive Government of this country views upon which it would be enabled to substitute a proposal for accomplishing the total abolition of the traffic, more effectual to its purpose, and less liable to objections on other accounts, than that to which the United States cannot be reconciled, of granting the right of search. These measures were matured in the branch of the Legislature where they originated, only at the very termination of the session; and the Senate had not the opportunity of pronouncing its opinion upon them. There is, however, no doubt on the mind of the President that they would have obtained their sanction; and he has, therefore, no hesitation in acting so far upon the expressed and almost unanimous sense of the House, as to declare the willingness of this Union to join with other nations in the common engagement to pursue and to punish those who shall continue to practise this crime, so reprobated by the just and humane of every country as enemies to the human race, and to fix them, irrevocably, in the class and under the denomination of pirates.

I have the honor of enclosing, herewith, a copy of the 4th and 5th sections of a law of the United States, passed on the 15th of May, 1820; by which it will be seen, that any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel owned in the whole or part, or navigated for or in behalf of any citizen or citizens of the United States participating in the slave trade, is declared to have incurred the penalties of piracy, and made liable to atone for the crime with his life. The legislation of a single nation can

go no further to mark its abhorrence of this traffic, or to deter the people subject to its laws from contamination by the practice of others.

If the inference in your letter of the 29th of January, from the documents to which it refers, be correct, that the French flag is more particularly employed to cover the illicit trade on the coast of Africa; and the conjecture likewise suggested in it, that this flag is used to cover the property and the persons of individuals bound to other allegiances, be well founded, this statute makes every citizen of the United States concerned in such covert traffic liable, if detected in it, to suffer an ignominious death. The code of Great Britain herself has, hitherto, no provision of equal severity in the pursuit of her subjects, even under the shelter of foreign banners, and to the covert of simulated papers and property.

I am directed by the President of the United States to propose on their part the adoption by Great Britain of the *principle* of this act; and to offer a mutual stipulation to annex the penalties of *piracy* to the offence of participating in the slave trade by the citizens or subjects of the respective parties. This proposal is made as a substitute for that of conceding a mutual right of search, and of a trial by mixed commissions, which would be rendered useless by it. Should it meet the approbation of your Government, it may be separately urged upon the adoption of France, and upon the other maritime Powers of Europe, in the manner most conducive to its ultimate success.

I have the honor of tendering to you the renewed assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

Right Hon. STRATFORD CANNING,
*Envoy Extraordinary and Minister Plenipotentiary
from Great Britain.*

Mr. Canning to Mr. Adams.

WASHINGTON, *April 8, 1823.*

SIR: I have received your official letter, dated the 31st ultimo, in answer to that which I had the honor of addressing to you on the 29th of January; and, together with it, a transcript of the 4th and 5th sections of an act of Congress, approved the 15th of May, 1820.

From this communication I learn that the Government of the United States is willing to join with other Powers in declaring the slave trade piracy under the law of nations, and treating the perpetrators of this crime as enemies of the human race; that the American Government is further prepared to enter into a formal engagement with Great Britain, to the effect of carrying the principle just specified into immediate operation; reciprocally, as to their respective subjects or citizens; and, finally, that as soon as this proposal shall be accepted by the British Government, the United States will be ready to concur in pressing its adoption on the court of France and other maritime Powers, in such manner as may afford the fairest prospect of success.

In whatever degree His Majesty's Government may be disposed to receive this offer as an acknowledgment that measures more efficient than any now generally in force are indispensable for the suppression of the

slave trade; it is not difficult to foresee that fresh sentiments of regret will be excited by the unfavorable view which the American administration continues to take of the principal measure suggested on the part of His Majesty. That measure, you are well aware, sir, is a mutual limited concession of the right of search; and though, as I have frequently stated, His Majesty's Government, in adopting it by treaty with several of the maritime Powers, and in recommending it with earnestness to the acceptance of others, particularly of the United States, have never opposed the consideration of any other plan brought forward as equally effective; yet, having from the first regarded it in conscience as the only true and practical cure for the evil in question, they are naturally anxious, from a deep sense of duty, to place it in its proper light, and to guard it, as far as possible, from prejudice or misconception. I therefore deem it of importance on this occasion to bring into one point of view the several limitations under which it is conceived that the right of search might be so exercised as to clear it of every imaginable difficulty. To give the intended limitations their just value, it is requisite to bear in mind the particular objections which have been urged against the interchange of a right of search; and for these, in their full extent, I can hardly be wrong in referring to your previous correspondence, since the last communication which I have received from you on this subject, though it describes the impressions of the American Government as remaining unaltered, does not exhibit any argument in support of their opinion.

In answer to that class of objections which relate to the mixed commissions, established by treaty between His Majesty and the courts of Lisbon, Brussels, and Madrid, it may suffice to remind you of the intimation, conveyed through Mr. Rush in the early part of last year, which I had subsequently the honor of confirming at the Department of State. It might be expected that any arrangement for the adjudication of vessels engaged in the slave trade, independent of those tribunals, would either leave the detained vessels to be disposed of in the ordinary way, by the sentence of a court of admiralty in the country of the captor, or place them under the jurisdiction of a similar court in the country to which they belonged. On the former supposition, it is not to be anticipated that the United States could hesitate to admit the jurisdiction of a foreign court of admiralty, when sanctioned by mutual agreement, over the persons and property of citizens abandoned to a pursuit so flagrantly iniquitous as to be classed by the Legislature of their country with crimes of the most heinous description, and which the American Government has declared its willingness to treat as piracy under the law of nations. Great Britain, for her part, desires no other than that any of her subjects, who so far defy the laws, and dishonor the character of their country, as to engage in a trade of blood, proscribed not more by the acts of the Legislature than by the national feeling, should be detected and brought to justice, even by foreign hands, and from under the protection of her flag. In either of the supposed cases, it is clear that all impediments connected with the forms of proceeding, and peculiar construction of the mixed commissions would be completely avoided; and, with respect to any embarrassments attending the disposal of condemned vessels and liberated slaves, it has already been suggested by a committee of the House of Representatives that the provisions of the act of Congress, passed the 3d of March, 1819, might be applied to them without difficulty or inconvenience.

The question being thus relieved from all connexion with the mixed commissions, every constitutional objection, arising out of their alleged incompatibility with the institutions of the United States, is at once removed from consideration. The remaining obstacles may be reduced under the following heads: the unpopularity of the right of search in this country; its tendency, if mutually employed, to produce an unfriendly collision between the two nations; and a certain supposed inequality which would attend its exercise.

With respect to any doubt of its utility, created by a persuasion that very few vessels under American colors have been discovered, for some time past, on the coast of Africa, it requires but little reflection to prove that no conclusive inference can be drawn from that circumstance. Not to dwell upon the extent and nature of the slave coast, peculiarly favorable to the concealment of trading vessels, it must be remembered that the United States have maintained, at no time, a greater number of cruisers than two, rarely more than one, and latterly, during several months together, no ship of war whatever, on the African station. As late as the 14th of January, 1822, it was stated officially by the Governor of Sierra Leone, "that the fine rivers Nunez and Pongas were entirely under the control of renegado European and American slave dealers."

But if it were even manifest that the active and judicious exertions of your naval officers in that quarter had really effected a total disuse of the American flag in slave trading, the right of search would still be most highly desirable, in order to secure and extend so important an advantage. As an example, indeed, to other Powers, particularly to France, whose subjects, encouraged by the loose and equivocal measures of their Government, are convicted, by a mass of evidence too strong to be resisted, of being concerned, to a deplorable degree, in this atrocious commerce, the concurrence of the United States in a system of which the very first result is to augment considerably the means of bringing offenders to justice, can hardly be rated at too high a value. The example which they are called upon to give, is not merely due to the claims of humanity: Great Britain and the United States are not only pledged to put down the slave trade within the limits of their immediate jurisdiction; they are also bound, by solemn obligations, to employ their utmost endeavors for its complete and universal extermination. They have both succeeded in their great and benevolent object, so far as the rigor of legislative enactments is capable of counteracting the temptation of enormous profit, which stimulates the unprincipled avarice of the slave merchant. It is the facility of escaping detection, and not any want of severity in the punishment attached to a violation of their laws, which, as far as they are concerned, requires a more decisive remedy; and a remedy adequate to the evil can only be found in such measures as will strip the illicit trader of every disguise, and throw the chances entirely on the side of failure in his inhuman speculations. In the case of a search at sea, the means unavoidably employed in the commission of this crime are fortunately, it may be said providentially, of such a nature as in general to furnish a plain substantial body of proof for the conviction of the criminal.

For the satisfaction of those who seriously apprehend that the friendly relations subsisting between the two countries would be endangered by the admission of a practice which, in their opinion, must necessarily produce a vexatious exercise of authority on the part of the searching officer, and fre-

quent complaints on that of the merchant whose vessel is subjected to search, with the supposed aggravation of an unequal pressure on one of the contracting parties, His Majesty's Government would doubtless agree to confine the right of visit to a fixed number of cruisers on each side, restricted in the performance of this duty to certain specified parts of the ocean, and acting under regulations prepared by mutual consent, for the purpose of preventing abuses. To these important limitations, if not deemed sufficient, others might easily be added; the arrangement, for example, might be temporarily adopted, in the first instance, for a short period, and only to be continued in the event of its being found, on trial, to operate in a satisfactory manner. With this understanding, a speedy termination would at least be ensured to any objectionable result attending its operation; and, for the sake of interests so dear to humanity, an experiment, of which the advantage, as to its main object, is certain and complete, the inconvenience contingent and momentary, might surely be reconciled with a due regard to considerations exclusively national.

Supposing that inconvenience should be found, in practice, to press unequally on either of the two parties, Great Britain, and not the United States, is most likely to have cause of complaint, inasmuch as the greater extent of her trade, especially on the coast of Africa, must naturally expose her, in a greater degree, to any injurious consequences of the agreement. Great Britain, however, is less disposed to shrink from any sacrifice, by which she can materially advance the sacred cause of abolition, than to lament, and, if possible, to dispel those mistaken notions and unfounded jealousies which deprive her exertions of their full effect, and serve but too successfully to protract the existence of a mischief which all unite in deploring. In point of principle, the honor of neither flag would be tarnished by having its protection withdrawn for a season from those who perpetrate the atrocities of the slave trade; and permit me, sir, to add, that what Great Britain is ready to allow, in a matter so vital to her pride and to her power, may surely be allowed reciprocally, by any other nation; however scrupulous in the maintenance of its maritime independence.

That an agreement between our respective cabinets, founded on a mutual right of search, thus guarded and explained, would fail to obtain the consent of the American Senate, or that a nation so inquiring and enlightened as the United States would confound the proposed measure with that practice which afforded matter of painful contention during the last wars in Europe, is what I am extremely unwilling to anticipate. The two objects are, in fact, so totally distinct from each other, in principle, purpose, and mode of execution, that the proposal of the British Government need only be presented to the examination, I will not say of a select and experienced assembly, but of the people at large, in order to be seen in its true bearings.

So far is the British proposal from tending to commit the American Government on the long-disputed question of the belligerent right of search, that, if it may be supposed to touch that question at all, it appears rather to operate in the sense of the United States than unfavorably for their view of the subject.

The officers intrusted on either side with the duty of examining suspected vessels would necessarily act under instructions calculated to ensure a perfect harmony between the principle and the application of this conceded right; nor is it to be feared that they would presume, in any case, to ex-

attend the visit thus authorized at sea beyond the particular and specified object to which it is meant to be confined.

I have the honor to request, sir, that you will again accept the assurance of my highest consideration.

STRATFORD CANNING.

Hon. JOHN QUINCY ADAMS,
Secretary of State, &c.

Mr. Adams to Mr. Canning.

DEPARTMENT OF STATE,

Washington, June 24, 1823.

SIR: In the letter which I had the honor of addressing you on the 31st of March last, a proposal was made, to be submitted to the consideration of your Government, that the *principle* assumed in an act of the Congress of the United States, of 15th of May, 1820, of considering and punishing the African slave trade as *piracy*, should be adopted as the basis of a stipulation by treaty between the United States and Great Britain, and to be urged separately upon the adoption of France, and upon the other maritime nations of Europe, in the manner most conducive to its ultimate success. It was observed that this offer was presented as a substitute for that of conceding a mutual right of search, and a trial by mixed commissions, to which the United States could not be reconciled, and which would be rendered useless by it.

Your letter of the 8th of April, to which I have now the honor to reply, intimates that His Majesty's Government will be disposed to receive this offer only as an acknowledgment that measures more efficient than any now generally in force are indispensable for the suppression of the slave trade; and that, although they have never opposed the consideration of any other plan, brought forward as equally effective, yet, having from the first regarded a mutual limited concession of the right of search as the *only* true and practical cure for the evil, their prevailing sentiment will be of regret at the unfavorable view still taken of it by the Government of the United States. Your letter, therefore, urges a reconsideration of the proposal for this mutual concession of the right of search, and, by presenting important modifications of the proposal heretofore made, removes some of the objections which had been taken to it, as insuperable, while it offers argumentative answers to the others which had been disclosed in my previous communications on the subject to you.

In the treaties of Great Britain, with Spain, Portugal, and the Netherlands, for the suppression of the slave trade, heretofore communicated, with the invitation to the United States to enter into similar engagements, three principles were involved, to neither of which the Government of the United States felt itself at liberty to accede. The first was the mutual concession of the right of search and capture, in time of peace, over merchant vessels, on the coast of Africa. The second was, the exercise of that right even over vessels under *convoy* of the public officers of their own nation; and the third was the trial of the captured vessels by mixed commissions in colonial settlements, under no subordination to the ordinary judicial tribunals of the country to which the party brought before them

for trial should belong. In the course of the correspondence relating to these proposals, it has been suggested that a substitute for the trial by mixed commissions might be agreed to; and in your letter of the 8th of April, an *expectation* is authorized; that an arrangement for the adjudication of the vessels detained might leave them to be disposed of in the ordinary way, by the sentence of a court of admiralty in the country of the captor, or place them under the jurisdiction of a similar court in the country to which they belonged; to the former alternative of which you anticipate the unhesitating admission of the United States, in consideration of the aggravated nature of the crime, as acknowledged by their laws, which would be thus submitted to a *foreign* jurisdiction. But it was precisely because the jurisdiction was *foreign* that the objection was taken to the trial by mixed commissions; and if it transcended the constitutional authority of the Government of the United States to subject the persons, property, and reputation of their citizens, to the decisions of a court partly composed of their own countrymen, it might seem needless to remark, that the constitutional objection could not diminish in proportion as its cause should increase, or that the power incompetent to make American citizens amenable to a court consisting one-half of foreigners should be adequate to place their liberty, their fortune, and their fame, at the disposal of tribunals entirely *foreign*. I would further remark, that the sentence of a court of admiralty in the country of the captor is not the *ordinary way* by which the merchant vessels of one nation, taken on the high seas by the officers of another, are tried in time of peace. There is, in the ordinary way, no right whatever existing, to take, to search, or even to board them; and I take this occasion to express the great satisfaction with which we have seen this principle solemnly recognised by the recent decision of a British court of admiralty. Nor is the aggravation of the crime for the trial of which a tribunal may be instituted a cogent motive for assenting to the principle of subjecting American citizens, their rights and interests, to the decision of foreign courts; for although Great Britain, as you remark, may be willing to abandon those of her subjects who defy the laws and tarnish the character of their country, by participating in this trade, to the dispensation of justice even by foreign hands, the United States are bound to remember that the power which enables a court to try the guilty authorizes them also to pronounce upon the fate of the innocent; and that the very question of *guilt* or innocence is that which the protecting care of their Constitution has reserved, for the citizens of this Union, to the exclusive decision of their own countrymen. This principle has not been departed from by the statute which has branded the slave trader with the name, and doomed him to the punishment, of a pirate. The distinction between piracy by the law of nations, and piracy by statute, is well known and understood in Great Britain; and while the former subjects the transgressor guilty of it to the jurisdiction of any and every country into which he may be brought, or wherein he may be taken, the latter forms a part of the municipal criminal code of the country where it is enacted, and can be tried only by its own courts.

There remains the suggestion, that the slave trader, captured under the mutual concession of the power to make the capture, might be delivered over to the jurisdiction of his own country. This arrangement would not be liable to the constitutional objection which must ever apply to the jurisdiction of the mixed commission, or of the admiralty courts of the

captor; and if your note is to be understood as presenting it in the character of an alternative, to which your Government is disposed to accede, I am authorized to say that the President considers it as sufficient to remove the insuperable obstacle which had precluded the assent of the United States to the former proposals of your Government, resulting from the character and composition of the tribunals to whom the question of guilt or innocence was to be committed.

The objections to the right of search, as incident to the right of detention and capture, are also in a very considerable degree removed, by the introduction of the principle that neither of them should be exercised, but under the responsibility of the captor to the tribunals of the captured party, in damages and costs. This guard against the abuses of a power so liable to abuse would be indispensable; but if the provisions necessary for securing effectually its practical operation would reduce the right itself to a power merely nominal, the stipulation of it in a treaty would serve rather to mark the sacrifice of a great and precious principle than to attain the end for which it would be given up.

In the objections heretofore disclosed to the concession desired, of the mutual and qualified right of search, the principal stress was laid upon the repugnance which such a concession would meet in the public feeling of this country, and of those to whom its interests are intrusted in the department of its Government the sanction of which is required for the ratification of treaties. The irritating tendency of the practice of search and the inequalities of its probable operation were slightly noticed, and have been contested in argument, or met by propositions of possible palliatives or remedies for anticipated abuses, in your letter. But the source and foundation of all these objections was, in our former correspondence, scarcely mentioned, and never discussed. They consist in the nature of the right of search at sea, which, as recognised or tolerated by the usage of nations, is a right exclusively of *war*, never exercised but by an outrage upon the rights of *peace*. It is an act analogous to that of searching the dwellings, houses of individuals on the land. The vessel of the navigator is his dwelling-house, and, like that, in the sentiment of every people that cherishes the blessings of personal liberty and security, ought to be a sanctuary, inviolable to the hand of power, unless upon the most unequivocal public necessity, and under the most rigorous personal responsibility of the intruder. Search at sea, as recognised by all maritime nations, is confined to the single object of finding and taking contraband of war. By the laws of nature, when two nations conflict together in war, a third, remaining neutral, retains all its rights of peace and friendly intercourse with both. Each belligerent, indeed, acquires, by war, the right of preventing a third party from administering to his enemy the direct and immediate materials of war; and, as incidental to this right, that of searching the merchant vessels of the neutral on the high seas to find them. Even thus limited, it is an act of power which nothing but necessity can justify; inasmuch as it cannot be exercised but by carrying the evils of war into the abodes of peace, and by visiting the innocent with some of the penalties of guilt. Among the modern maritime nations, a *usage* has crept in, not founded upon the law of nature, never universally admitted, often successfully resisted, and against which all have occasionally borne testimony, by renouncing it in treaties, of extending this practice of search and seizure to *all* the property of the enemy in the vessel of the friend.

This practice was, in its origin, evidently an abusive and wrongful extension of the search for contraband; effected by the belligerent because he was armed, submitted to by the neutral because he was defenceless, and acquiesced in by his sovereign for the sake of preserving a remnant of peace rather than become himself a party to the war. Having thus occasionally been practised by all as belligerents, and submitted to by all as neutrals, it has acquired the force of a usage, which, at the occurrence of every war, the belligerent may enforce or relinquish, and which the neutral may suffer or resist, at their respective options.

This search for and seizure of the property of an enemy in the vessel of a friend is a relic of the barbarous warfare of barbarous ages—the cruel, and for the most part now exploded, system of *private* war. As it concerns the enemy himself, it is inconsistent with that mitigated usage of modern wars, which respects the private property of individuals on the land. As relates to the neutral, it is a violation of his natural right to pursue, unmolested, his peaceful commercial intercourse with his friend. Invidious as is its character in both these aspects, it has other essential characteristics, equally obnoxious. It is an uncontrolled exercise of authority, by a man in arms, over a man without defence; by an officer of one nation over the citizen of another; by a man intent upon the annoyance of his enemy, responsible for the act of search to no tribunal, and always prompted to balance the disappointment of a fruitless search by the abusive exercise of his power, and to punish the neutral for the very clearness of his neutrality. It has, in short, all the features of unbridled power, stimulated by hostile and unsocial passions.

I forbear to enlarge upon the further extension of this practice, by referring to injuries which the United States experienced, when neutral, in a case of vital importance; because, in digesting a plan for the attainment of an object which both nations have equally at heart, it is desirable to avoid every topic which may excite painful sensations on either side. I have adverted to the interest in question from necessity, it being one which could not be lost sight of in the present discussion.

Such being the view taken of the right of search, as recognised by the law of nations and exercised by belligerent Powers, it is due to candor to state, that my Government has an insuperable objection to its extension by treaty, in any manner whatever, lest it might lead to consequences still more injurious to the United States, and especially in the circumstance alluded to. That the proposed extension will operate in time of peace, and derive its sanction from compact, present no inducements to its adoption; on the contrary, they form strong objections to it. Every extension of the right of search, on the principles of that right, is disapproved. If the freedom of the sea is abridged by compact for any new purpose, the example may lead to other changes; and if its operation is extended to a time of peace as well as of war, a new system will be commenced for the dominion of the sea; which may eventually, especially by the abuses into which it may lead, confound all distinction of time and circumstances, of peace and of war, and of rights applicable to each State.

The United States have, on great consideration, thought it most advisable to consider this trade as piracy, and to treat it as such. They have thought that the trade itself might, with great propriety, be placed in that class of offences, and that by placing it there we should more effectually accomplish the great object of suppressing the trade than by any other measure which we could adopt.

To this measure, none of the objections which have been urged against the extension of the right of search appear to be applicable. Piracy, being an offence against the human race; has its well-known incidents of capture and punishment by death, by the people and tribunals of every country. By making this trade piratical, it is the nature of the crime which draws after it the necessary consequences of capture and punishment. The United States have done this, by an act of Congress, in relation to themselves. They have also evinced their willingness, and expressed their desire, that the change should become general, by the consent of every other Power, whereby it would be made the law of nations. Till then, they are bound, by the injunctions of their Constitution, to execute it, so far as respects the punishment of their own citizens, by their own tribunals. They consider themselves, however, at liberty, until that consent is obtained, to co-operate to a certain extent with other Powers, to ensure a more complete effect to their respective acts; they placing themselves, severally, on the same ground by legislative provisions. It is in this spirit, and for this purpose, that I have made to you the proposition under consideration.

By making the slave trade piratical, and attaching to it the punishment, as well as the odium, incident to that crime, it is believed that much has been done by the United States to suppress it, in their vessels, and by their citizens. If your Government would unite in this policy, it is not doubted that the happiest consequences would result from it. The example of Great Britain, in a manner so decisive, could not fail to attract the attention and command the respect of all her European neighbors. It is the opinion of the United States that no measure short of that proposed will accomplish the object so much desired; and it is the earnest desire of my Government that the Government of His Britannic Majesty may co-operate in carrying it into effect.

I pray you, sir, to accept the renewed assurances of my distinguished consideration.

JOHN QUINCY ADAMS.

Right Hon. STRATFORD CANNING,
*Envoy Extraordinary and Minister Plenipotentiary
from Great Britain.*

*Extract of a letter from Mr. Adams to Mr. Nelson, dated Department
of State, Washington, April 28, 1823.*

A resolution of the House of Representatives, at the last session of Congress, requests the President to enter upon and to prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient, for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy under the law of nations, by the consent of the civilized world. You will take an early opportunity to make known this disposition to the Spanish Government; communicating to them copies of the fourth and fifth sections of the act of 3d March, 1819, which declares this traffic piratical when pursued by citizens of the United States; and you will express the willingness of the American Government to enter into negotiations for the purpose of declaring it so by the common consent of nations.

Extract of a letter from Mr. Adams to Mr. Rodney, dated Department of State, Washington, May 17, 1823.

A resolution of the House of Representatives, at the late session of Congress, requests the President of the United States to enter upon, and prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as *piracy*, under the law of nations, by the consent of the civilized world.

In pursuance of the object proposed by this resolution, you will communicate to the Government of Buenos Ayres copies of the several acts of Congress for the suppression of the slave trade, of the 20th of April 1818, (U. S. Laws, vol. 6, page 325;) 3d March, 1819, (page 435;) and of 15th May, 1820, (page 529;) pointing their attention, particularly, to the fourth and fifth sections of the last, which subject to the penalties of piracy every citizen of the United States guilty of active participation in the African slave trade. The adoption of this principle in the legislative code of all the maritime nations would of itself probably suffice for the suppression of the trade; but, as it would yet not authorize the armed vessels of any one nation to capture those of another engaged in the trade, a stipulation to that effect might be agreed to, by treaty, conditioned that the captor shall deliver over the captured party to the tribunals of his own country for trial; to which should be added, some guard of responsibility upon the capturing officer, to prevent the abusive exercise of his power.

Extract from the general instructions to Richard C. Anderson, appointed minister plenipotentiary to the Republic of Colombia, dated Department of State, Washington, May 27, 1824.

A resolution of the House of Representatives, at the late session of Congress, requests the President of the United States to enter upon, and to prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as *piracy*, under the law of nations, by the consent of the civilized world.

In pursuance of this object, you will communicate to the Colombian Government copies of the several acts of our Congress for the suppression of the slave trade, of the 20th of April, 1818, (U. S. Laws, vol. 6, p. 325;) of 3d, March, 1819, (p. 435;) and of 15th May, 1820, (p. 529;) pointing their attention particularly to the fourth and fifth sections of the last, which subject to the penalties of piracy every citizen of the United States guilty of active participation in the African slave trade. The adoption of this principle in the legislative code of all the maritime nations would of itself probably suffice for the suppression of the trade; but, as it would yet not authorize the armed vessels of any one nation to capture those of another engaged in the trade, a stipulation to that effect may be agreed to by the treaty, conditioned that the captor shall deliver over the captured party to the tribunals of his own country for trial; to which should be added, some guard of responsibility upon the capturing officer, to prevent the abusive exercise of his powers.

Extract of a letter from Mr. Adams to Mr. Rush.

DEPARTMENT OF STATE,

Washington, June 24, 1823.

A resolution of the House of Representatives, almost unanimously adopted at the close of the last session of Congress, requested the President of the United States to enter upon, and to prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world.

At the two preceding sessions of Congress, committees of the House had proposed a resolution, expressed in more general terms, that "the President of the United States be requested to enter into such arrangements as he may deem suitable and proper, with one or more of the maritime Powers of Europe, for the effectual abolition of the African slave trade;" and this resolution had, in each case, been the conclusion of a report, recommending that the United States should accede to the proposal of a mutual and qualified concession of the right of search. The sentiments of the committee were, in this respect, different from those which had been expressed by the Executive department of the Government, in its previous correspondence with that of Great Britain. No decision, by the House of Representatives, was made upon these resolutions, proposed at the preceding sessions; but, upon the adoption of that which did pass, at the last session, it was well ascertained that the sentiments of the House, in regard to the right of search, coincided with those of the Executive; for they explicitly rejected an amendment which was moved to the resolution, and which would have expressed an opinion of the House favorable to the mutual concession of that right.

You have been fully informed of the correspondence between the Governments of the United States and of Great Britain, concerning the suppression of the slave trade heretofore, and have been from time to time effectually instrumental to it yourself. You are aware of the grounds upon which the proposals, on the part of Great Britain, that the United States should accede to the stipulations similar to those which she had succeeded in obtaining from Spain, Portugal, and the Netherlands, were, on our part, declined.

The subject was resumed by the British minister residing here, Mr. S. Canning, a short time before the decease of the Marquis of Londonderry. It was suggested that, since the total disappearance of the British and American flags, as well as of those of the nations which had consented to put the execution of their laws against the trade under the superintendence of British naval officers, it continued to flourish under that of France; that her laws, though in word and appearance equally severe in proscribing the traffic, were so remiss in the essential point of execution, that their effect was rather to encourage than to suppress it; and the American Government was urged to join in friendly representations to that of France, by instructing the minister of the United States at Paris to concur in those which the British ambassador at that court had been charged with making, to ensure a more vigilant fulfilment of the prohibitory laws. This invitation, at that time given only in oral conference, was also declined, from an

impression that such a concurrence might give umbrage to the French Government, and tend rather to irritation than to the accomplishment of the object for which it was desired. Mr. Gallatin was, nevertheless, instructed separately to bring the subject to the notice of the French Government; and did so, by a note communicating to them copies of the recent laws of the United States for the suppression of the trade, and particularly of that by which it has subjected every citizen of the United States who, after the passage of the law, should be polluted with it, to the penalties of piracy.

On the 29th of January last, Mr. Canning, in a letter to this Department, repeated the invitation of a joint and concurrent remonstrance, to be made by the British ambassador and our minister in France; and at the same time called, with great earnestness, upon the Government of the United States, either to accede to the principle of the mutual and qualified right of search, emphatically pronounced, in his belief, to be the *only* effectual measure devised, or likely to be devised, "for the accomplishment of the end, or to bring forward some *other* scheme of concert," which he again declared the readiness of His Majesty's minister to examine with respect and candor, as a substitute for that of the British cabinet.

However discouraging this call for an alternative might be, thus coupled as it was with so decisive a declaration of belief that no effective alternative had been, or was likely to be, devised, an opportunity was offered in pursuance of the resolution of the House of Representatives, adopted at the close of the last session of Congress, for proposing a substitute, in our belief more effectual than the right of search could be, for the total and final suppression of this nefarious trade, and less liable either to objections of principle or to abuses of practice.

This proposition was accordingly made, in my letter to Mr. Canning of the 31st of March last, to which his letter of the 5th of April was the answer. In this answer Mr. Canning barely notices our proposition, to express an opinion that his Government will see in it nothing but an acknowledgment of the necessity of further and more effectual measures, and then proceeds with an elaborate review of all the objections which, in the previous correspondence between the two Governments, had been taken on our part to the British connected proposal of a mutual right of search and a trial by mixed commissions. Our objection had been of two kinds: first, to the mixed commissions, as inconsistent with our Constitution; and, secondly, to the right of search, as a dangerous precedent, liable to abuse, and odious to the feelings and recollections of our country.

In this letter of Mr. Canning, the proposal of trial by mixed commissions is formally withdrawn, and an alternative presented as practicable, one side of which only, and that the inadmissible side, is distinctly offered, namely: of trial by the courts of the *captor*. The other side of the alternative would, indeed, remove our constitutional objection, and with it might furnish the means of removing the principal *inherent* objection to the concession of the right of search, that by which the searching officer is under no responsible control for that act.

But, in our previous correspondence, our strong repugnance to the right of search had been adverted to merely as a matter of fact, without tracing it to its source or referring to its causes. The object of this forbearance had been to avoid all unnecessary collision with feelings and opinions which were not the same on the part of Great Britain and upon ours. They had

been willingly left undiscussed. This letter of Mr. Canning, however, professedly reviewing all the previous correspondence, for the removal or avoidance of our objections, and contesting the analogy between the right of search, as it had been found obnoxious to us, and as now proposed for our adoption by formal compact, I have been under the absolute necessity of pointing out the analogies really existing between them, and of showing that, as a right of search, independent of the right of *capture*, and irresponsible, or responsible only to the tribunals of the captor, it is, as proposed, essentially liable to the same objections as it had been when exercised as a belligerent right. Its *encroaching* character, founded in its nature as an irresponsible exercise of force, and exemplified in its extension from search for contraband of war, to search for enemies' property, and thence to search for *men* of the searcher's own nation, was thus necessarily brought into view, and connected the exhibition of the evils inherent in the practice with that of the abuses which have been found inseparable from it.

We have declared the slave trade, so far as it may be pursued by citizens of the United States, piracy; and, as such, made it punishable with death. The resolution of the House of Representatives recommends negotiation to obtain the consent of the civilized world to recognise it as piracy under the law of nations. One of the properties of that description of piracies is, that those who are guilty of it may be taken upon the high seas, and tried by the courts of every nation. But, by the prevailing *customary* law, they are tried only by the tribunals of the nation to which the vessel belongs, in which the piracy was committed. The crime itself has been, however, in modern times, of so rare occurrence, that there is no uniformity in the laws of the European nations with regard to this point, of which we have had remarkable and decisive proof within these five years, in the case of piracy and murder committed on board the schooner *Plattsburg*, a merchant vessel of the United States. Nearly the whole of the crew were implicated in the crime, which was committed on the high seas. They carried the vessel into Christiansand, Norway, there abandoned her, and dispersed; three of them were taken up in Denmark, one in Sweden, one at Dantzig, in Prussia, and one in France. Those taken up in Denmark and in Sweden were delivered up to officers of the United States, brought to this country, tried, convicted, and executed. The man taken at Dantzig was, by consent of the Prussian Government, sent to *Elseneur*, and there confronted with those taken in Denmark. The evidence against him on the examination was decisive; but, as he persisted in the refusal to *confess* his guilt, the Prussian Government, bound by an established maxim of their municipal law, declined either to deliver him up, or to try him themselves, but sent him back to Dantzig, there to remain imprisoned for life. The French Government, upon advisement of the highest judicial authority of the kingdom, declined, also, either to try the man taken up there, or deliver him up, unless upon proof of his guilt being produced against him at the place where he was confined; with which condition it not having been in our power to comply, the man remained there, also in prison, presumable for life. From these incidents, it is apparent that there is no uniformity in the modes of trial, to which piracy, by the law of nations, is subjected in different European countries; but that the trial itself is considered as the right and the duty only of the nation to which the vessel belongs, on board of which the piracy was committed. This was, however, a piracy committed on board of a vessel by its own crew. External piracies, or piracies committed by and from one vessel against another, may be tried by the

courts of any country, but are more usually tried by those of the country whose vessels have been the sufferers of the piracy, as many of the Cuba pirates have been tried in the British West India islands, and some of them in our courts.

This principle we should wish to introduce into the system, by which the slave trade should be recognised as piracy under the law of nations, namely: that, although seizable by the officers and authorities of every nation, they should be triable only by the tribunals of the country of the slave-trading vessel. This provision is indispensable to guard the innocent navigator against vexatious detentions and all the evils of arbitrary search. In committing to foreign officers the power, even in a case of conventional piracy, of arresting, confining, and delivering over for trial, a citizen of the United States, we feel the necessity of guarding his rights from all abuses, and from the application of any laws of a country other than his own.

The draught of a convention is herewith enclosed, which, if the British Government should agree to treat upon this subject on the basis of a legislative prohibition of the slave trade by both parties, under the penalties of piracy, you are authorized to propose and to conclude. These articles, however, are not offered, to the exclusion of others which may be proposed on the part of the British Government; nor is any one of them, excepting the first, to be insisted on as indispensable, if others equally adapted to answer their purposes should be proposed. It is only from the consideration of the crime in the character of piracy that we can admit the visitation of our merchant vessels by foreign officers for any purpose whatever, and in that case only under the most effective responsibility of the officer for the act of visitation itself, and for every thing done under it.

If the sentiments of the British Government should be averse to the principle of declaring the trade itself, by a legislative act, piratical, you will not propose or communicate to them the enclosed project of convention. Its objects, you will distinctly understand, are two-fold—to carry into effect the resolution of the House of Representatives, and to meet explicitly and fully the call so earnestly urged by the British Government, that, in declining the proposals pressed by them upon us, of conceding a mutual and qualified right of search, we should offer a substitute for their consideration. The substitute, by declaring the crime piracy, carries with it the right of search for the pirates, existing in the very nature of the crime. But, to the concession of the right of search, distinct from the denomination of the crime, our objections remain in all their original force.

It has been intimated by Mr. S. Canning, that the suggestion itself, to the British Government, of the propriety of their passing a legislative act, might excite in them some repugnancy to it. We should regret the excitement of this feeling, which the very nature of the negotiation seems to foreclose. Besides the legislative enactments which have virtually been pressed upon us, by all the invitations to concede the right of search, and to subject our citizens to trial, for violations of our own laws, by foreign tribunals, Great Britain, in almost all her slave-trade treaties, has required and obtained express stipulations for the enactment of prohibitory laws, by France, Spain, Portugal, and the Netherlands.

It was not expected that she would receive with reluctance herself, a mere invitation to that which she had freely and expressly required from others. Still, if the sentiment should exist, we would forbear pressing it to the point of irritation, by importunity. You will, in the first instance, sim-

ply state, that if the British Government is prepared to proclaim the slave trade piracy by statute, you are authorized to propose and to conclude a convention, by which the mutual co-operation of the naval force of Great Britain and of the United States may be secured, for carrying into effect the law which, on that contingency, will be common to both. Should the obstacle to the preliminary prove insuperable, you will refer the objections, on the part of the British cabinet, to this Government, for consideration.

By the loose information hitherto communicated in the public journals, it would seem that the proposition for recognising the slave trade as piracy, by the law of nations, was discussed at the Congress of Verona. We are expecting the communication of the papers relating to this subject, promised by Lord Liverpool to be laid before Parliament. Heretofore, although the United States have been much solicited and urged to concur in the measures of Great Britain and her allies, for the suppression of the trade, they have been always communicated to us as purposes consummated, to which the *accession* of the United States was desired. From the general policy of avoiding to intermeddle in European affairs, we have acquiesced in this course of proceeding; but, to carry fully into effect the late resolution of the House of Representatives, and to pursue the discussions hereafter with Great Britain herself, whether upon her proposals or upon ours, it is obviously proper that communication should be made to us of the progress of European negotiation, for accomplishing the common purpose, while it is in deliberation. If we are to co-operate in the result, it is just that we should be consulted, at least, with regard to the means which we are invited to adopt.

SUPPRESSION OF THE SLAVE TRADE.

A convention for the suppression of piracy committed by the African slave trade.

ARTICLE I.

The two high contracting Powers, having each separately, by its own laws, subjected their subjects and citizens, who may be convicted of carrying on the illicit traffic in slaves on the coast of Africa, to the penalties of piracy, do hereby agree to use their influence, respectively, with the other maritime and civilized nations of the world, to the end that the said African slave trade may be recognised and declared to be piracy, under the law of nations.

ARTICLE II.

It is agreed by the two high contracting parties, that the commanders and commissioned officers of either nation, duly authorized, under the regulations and instructions of their respective Governments, to cruise on the coasts of Africa, of America, or of the West Indies, for the suppression of the slave trade, shall be authorized, under the conditions, limitations, and restrictions, hereinafter mentioned, to capture, and deliver over to the duly authorized and commissioned officers of the other, *any ship or vessel carrying on such illicit traffic in slaves, under the flag of the said other na-*

tion, or for the account of their subjects or citizens, to be sent in for trial and adjudication by the tribunals of the country to which such slave ship or vessel shall belong. And the said commanders and commissioned officers shall be further authorized to carry, or send in, any such slave-trading ship, so by them captured, into the ports of the country to which such slave-trading ship shall belong, for trial by the tribunals and conformably to the laws of the said country. But the slave ship so captured shall not be sent into the ports or tried by the tribunals of the captor.

ARTICLE III.

If any naval commander or commissioned officer of the United States of America shall, on the high seas, or any where without the territorial jurisdiction of the said States, board, or cause to be boarded, any merchant vessel of Great Britain, and visit the same as a slave trader, or on suspicion of her being engaged in carrying on the illicit traffic in slaves, in every case, whether the said visited vessel shall be captured and delivered over, or sent into the ports of her own country for trial and adjudication, or not, the boarding officer shall deliver to the master or commander of the visited vessel a certificate, in writing, signed by the said boarding officer with his name, and the addition of his rank in the service of the United States, and the name of the public vessel of the United States, and of her commander, by whose order the said visit shall have been ordered; and the said certificate shall declare that the only object of the said visit is to ascertain whether the said British merchant vessel is engaged in the slave trade or not; and, if found to be so engaged, to take and deliver her over to the officers or the tribunals of her own nation, for trial and adjudication. And the commander of the said public vessel of the United States shall, when he delivers her over to the officers or tribunals of Great Britain, deliver all the papers found on board of the captured vessel, indicating her national character and the objects of her voyage, and with them a like certificate of visitation, in writing, signed by his name, with the addition of his rank in the navy of the United States, and the name of the public vessel commanded by him, together with the name and rank of the boarding officer by whom the said visit was made. This certificate shall also specify all the papers received from the master of the vessel detained or visited, or found on board the vessel, and shall contain an authentic declaration, exhibiting the state in which he found the vessel detained, and the changes, if any, which have taken place in it, and the number of slaves, if any, found on board at the moment of detention. And the same duties herein described shall devolve upon every commander or commissioned officer of the Royal Navy of Great Britain, by whom or by whose order any merchant vessel of the United States, or navigating under their flag, shall be visited for the said purposes, and upon the boarding officer by whom the visit shall be effected, on the high seas or any where without the territorial jurisdiction of Great Britain.

ARTICLE IV.

No merchant vessel of either of the contracting parties, under the convoy of a public vessel of her own nation, shall, under any circumstances whatever, be captured or visited by or from any public vessel of the other nation, as being engaged, or on suspicion of being engaged, in the slave trade.

ARTICLE V.

No search shall be made, by or under the orders of the commander or boarding officer of any public vessel of either party visiting any merchant vessel of the other, as being engaged, or under suspicion of being engaged, in the slave trade, excepting such as may be necessary to ascertain if there be slaves on board for the purposes of the said traffic, or other proof that the said vessel is so engaged. No person shall be taken out of the said visited or captured merchant vessel of either nation, by the commanding officer of the visiting vessel, or under his order. Nor shall any part of the cargo of the said visited vessel be removed out of her until delivered over to the officers or tribunals of her own nation.

ARTICLE VI.

When a merchant vessel of either nation shall be captured, as being engaged in the slave trade, by any commander or commissioned officer of the navy of the other nation, it shall be the duty of the commander of any public ship of the navy of the nation to which the captured vessel shall belong, upon the offer thereof being made to him by the commander of the capturing vessel, to receive into his custody the vessel so captured, and to carry or send the same into the ports of his own country, for trial and adjudication. And at the time of the delivery of the said vessel, an authentic declaration shall be drawn up, in triplicate, signed by both the commanders of the delivering and of the receiving vessels, one copy of which shall be kept by each of them, stating the circumstances of the delivery; the condition of the vessel captured at the time of the delivery; the number of slaves, if any, on board of her; a list of all the papers received, or found on board of her at the time of capture, and delivered over with her, and the names of the master or commander of the captured vessel, and of every person on board of her, other than the slaves, at the said time of delivery; and the third copy of the said declaration shall be transmitted, with the said captured vessel, and the papers found on board of her, to one of the ports of the country to which the said captured vessel shall belong, to be produced before the tribunal appointed or authorized to decide upon the said capture; and the commander of the said capturing vessel shall be authorized to send the boarding officer, and one or two of his crew, with the said captured vessel, to appear as witnesses of the facts in relation to her capture and detention, before the said tribunal. The reasonable expenses of which witnesses, in proceeding to the place of trial, during their necessary detention there, and for their return to their own country, or to rejoin their station in its service, shall be allowed by the tribunal of trial; and in case of the condemnation of the captured vessel, be defrayed from the proceeds of the sale thereof, and in case of the acquittal of the said vessel they shall be paid by the Government of the capturing officer.

ARTICLE VII.

The commander or commissioned officer of the navy of either of the contracting parties, having captured a merchant vessel of the other, as being engaged in the slave trade, if there be no public vessel of the nation to which the said captured vessel belongs cruising upon the same station, to

the commander of whom the said captured vessel may be delivered over as stipulated in the preceding article, shall carry or send the said captured vessel to some convenient port of her own country, there to be delivered up to the competent tribunal, for trial and adjudication. And the said captured vessel shall there be libelled, in the name and behalf of the captors; and in case of the condemnation of the said vessel, the proceeds of the sale thereof and of her cargo, if also condemned, shall be paid to the commander of the said capturing vessel, for the benefit of the captors, to be distributed according to the established rules of the service of the nation to which such capturing vessel shall belong, for the distribution of prize money.

ARTICLE VIII.

The captain or commander and crew of the said vessel so captured and sent in for trial and adjudication, shall be proceeded against conformably to the laws of the country whereinto they shall be so brought upon the charge of piracy, by being engaged in the African slave trade; and the captain or commander, the boarding officer, and other persons belonging to the capturing vessel, shall be competent witnesses to the facts relating to the said charge and to the capture of the said vessel, to which they shall be personally knowing: but every such witness, upon the criminal trial for piracy, shall be liable to be challenged by the person accused, and set aside as incompetent, unless he shall release and renounce all his individual claim to any part of the prize money, upon the condemnation of the vessel and cargo.

ARTICLE IX.

It is agreed between the high contracting parties, that the right of visiting, capturing, and delivering over for trial, the vessels engaged in the African slave trade, and assuming their respective flags, is mutually conceded to the officers of their respective navies, on the consideration that they have, by their respective laws, declared their citizens and subjects, actively participating in the said traffic, guilty of the crime of piracy.

That no part of this convention shall be so construed as to authorize the detention, search, or visitation, of the merchant vessels of either nation, by the public officers of the navy of the other, except vessels engaged in the African slave trade, or for any other purpose whatever than that of seizing and delivering up the persons and vessels concerned in that traffic, for trial and adjudication, by the tribunals and laws of their own country.

ARTICLE X.

It is further agreed, that this right of visiting, detaining, and delivering over for trial, vessels engaged in the slave trade, shall be exercised only by the commissioned officers of the navy of the parties, respectively, furnished with instructions from their respective Governments, for the execution of their respective laws for the suppression of the slave trade; that the boarding officer, and the captain or commander of the vessel exercising these rights, or either of them, shall be personally responsible in damages and costs to the master and owners of every inerchant vessel so by them delivered over, detained, or visited, for every vexatious or abusive exercise of the right. In the case of every vessel delivered over, as herein stipu-

lated, for trial, the tribunal shall be competent to receive the complaint of the master, owner, or owners, or of any person on board of such captured vessel, or interested in the property of her cargo, at the time of her detention, and, on suitable proof of such vexatious or abusive detention or visitation, to award reasonable damages and costs to the sufferers, to be paid by the said commanding or boarding officer, or either of them, so charged with vexatious or abusive detention or visit. And the high contracting parties agree, that their respective Governments shall, in every such case, cause payment to be made of all such damages and costs so awarded, to the persons so entitled to receive them, within twelve months from the date of such award; and if any case of such vexatious or abusive detention or visit should occur, in which the vessel detained or visited shall not be delivered over for trial and adjudication, as herein provided, the commander and boarding officer by whom such vexatious and abusive detention or visit shall have been made, shall also be responsible in costs and damages to the sufferers, upon complaint before the competent admiralty court of the country of the said commander and boarding officer; and the respective Governments shall, in like manner, cause payment to be made of any damages and costs awarded by said court, within twelve months from the date of the award.

ARTICLE XI.

A copy of this convention, and of the laws of the two countries actually in force for the prohibition and suppression of the African slave trade, shall be furnished to every commander of the public vessels instructed to carry into effect such prohibition; and in case any such commanding officer of the navy of the United States, or of Great Britain, shall deviate in any respect from the dispositions of this treaty, and from the instructions of his Government conformable to it, the Government which shall conceive itself to be wronged by such conduct shall be entitled to demand reparation; and in such case the Government of the nation to the service of which he may belong binds itself to cause inquiry to be made into the subject of the complaint, and to inflict upon him, if he be found to have deserved it, a punishment proportioned to the transgression which may have been committed.

ARTICLE XII.

The present treaty, consisting of ——— articles, shall be ratified, and the ratifications exchanged within one year from this date, or sooner, if possible.

In witness whereof, the respective plenipotentiaries have signed the same, and thereunto affixed their seals.

Done at ———, the ——— day of ———, in the year of our Lord ———.

Mr. Adams to Mr. Middleton.

DEPARTMENT OF STATE,
Washington, July 28, 1823.

SIR: At the close of the last session of Congress a resolution was adopted by the House of Representatives, almost unanimously, requesting "the

President of the United States to enter upon and to prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient for the effectual abolition of the African slave trade and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world."

In pursuance of this resolution, instructions for carrying it into effect have been given to the ministers of the United States destined to the republics of Colombia and of Buenos Ayres, and to the minister who has recently departed for Spain. But, as a negotiation for co-operation to effect the suppression of the African slave trade had already been commenced with Great Britain, a special instruction upon the subject was forwarded to Mr. Rush, together with a full power and a draught of a convention to be proposed, in substance, to that Government, and which he has been authorized to conclude.

A copy of that instruction and draught are herewith enclosed, the general terms of which you will communicate, at such time and in such manner, to the Imperial Russian Government, as you shall think proper.

You will also communicate to them the purport of the resolution of the House of Representatives above cited, and copies of the laws of the United States prohibiting the slave trade. You will particularly invite their attention to the two sections of the act of the 15th of May, 1820, by which this offence, when committed by citizens of the United States, is subjected to the penalties of piracy.

The proposal that this principle should be recognised by the general consent of civilized nations, recommended by the resolution of the House of Representatives, appears to be substantially the same with that made by Great Britain at the Congress of Verona. It was not acceded to by any one of the other Powers there assembled, and the conferences on this subject terminated there by a mere renewal of the joint declaration against the traffic at the Congress of Vienna. So long as the trade shall not be recognised as piracy by the law of nations, we cannot, according to our Constitution, subject our citizens to trial, for being engaged in it, by any tribunal other than those of the United States.

The admission of the crime as piracy by the law of nations would seem necessarily to subject the perpetrators of it to *capture* by the armed force of every nation. And this might endanger the lawful commerce of the maritime nations, by subjecting them to the abuses of vexatious searches, without some special provision to guard against them.

This is the object of the stipulations proposed in the draught herewith transmitted, requiring that all vessels of one nation, which may be captured as slave traders by the cruisers of another, should be delivered over for trial to the tribunals of their *own* country.

You will see that Mr. Rush is instructed to correspond with you upon this subject. If the draught of the articles enclosed should lead to the conclusion of a convention between the United States and Great Britain, a communication of it to the Russian Government will be made as soon as possible, and we shall propose that His Imperial Majesty's accession to it, if agreeable to him, shall be invited.

In the mean time, you will informally suggest to his ministry, that it will be the desire of the Government of the United States to proceed in this matter in perfect good understanding and harmony with them; and you will further intimate that, as this has now become a general concern

of the whole civilized world, and as Great Britain is negotiating, *jointly and severally*, with each and every of her allies in Europe, apart, and again with them altogether, while she is also separately treating with us, we wish it to be considered whether it would not be expedient on all sides that communication should be made to us of all the jointly concerted measures while they are mere proposals, and not that the knowledge of them should be withheld from us until they are matured into positive treaties.

I am, with great respect, sir, your very humble and obedient servant,
JOHN QUINCY ADAMS.

HENRY MIDDLETON,
*Envoy Extraordinary and Minister Plenipotentiary of the
United States at St. Petersburg.*

Mr. Adams to Mr. Everett.

DEPARTMENT OF STATE,
Washington, August 8, 1823.

SIR: At the close of the last session of Congress, a resolution was adopted, almost unanimously, by the House of Representatives, "That the President of the United States be requested to enter upon and to prosecute, from time to time, such negotiations, with the several maritime Powers of Europe and America, as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world."

In pursuance of this resolution, instructions for carrying it into effect have been given to the ministers of the United States destined to the republics of Colombia and of Buenos Ayres, and to the several ministers of the United States in Europe.

As a negotiation for co-operation, to effect the suppression of the African slave trade, had already been commenced with Great Britain, a special instruction upon the subject has been forwarded to Mr. Rush, together with a full power, and a draught of a convention to be proposed, in substance, to the British Government, and which he is authorized to conclude.

A necessary preliminary to the conclusion of this proposed convention, should it meet the assent of the British Government, will be the enactment of a statute declaring the crime of African slave trading piracy by the British law. In that event, it is proposed, by proper co-operation, that the influence of the two Powers should be exerted to obtain the consent of other nations to the general outlawry of this traffic as piracy. In the mean time, to give at once effect to the concert of both nations, it is proposed that the armed vessels of both, duly authorized and *instructed*, shall have power to *capture* the slave-trading vessels which may assume the flag of *either*, and, if not of their own nation, to deliver over the captured slave trader to the officers or tribunals of his own country, for trial and adjudication.

This principle is essential, as connected with that of constituting the traffic piracy, by the law of nations. So long as the offence was considered as of inferior magnitude, the Constitution of the United States forbade the submission of it, when charged upon their citizens, to any foreign tri-

bunal; and when the crime and the punishment are aggravated, to involve the life of the accused, it affords but a more imperative inducement for securing to him the benefit of a trial by his countrymen and his peers.

It appears that, at the conferences of Verona, the proposition was made by the British Government, that the slave trade should be recognised and proclaimed as piracy by the law of nations. We have therefore reason to hope that the proposal now made to them on the part of the United States will be favorably considered by them. In that case, further communications on the subject, with other Governments, will ensue.

In the mean time, to fulfil the intentions of the House of Representatives in relation to the Netherlands, you will communicate to their Government a copy of the resolution, together with copies of the laws of the United States prohibiting the slave trade, with particular notice of the two sections of the act of the 15th of May, 1820, by which the crime of being concerned in the African slave trade, when committed by citizens of the United States, is declared to be, and is made punishable as for, piracy. And you will announce the readiness of the American Government, should it suit the views of His Majesty the King of the Netherlands, to enter upon a negotiation, for the purpose of carrying into effect the object of the resolution of the House of Representatives—namely, the denunciation of the African slave trade as piracy by the law of nations.

I am, with great respect, sir, your very humble and obedient servant,
JOHN QUINCY ADAMS.

ALEXANDER H. EVERETT, Esq.,

Chargé d'Affaires United States to the Netherlands.

Extracts of a letter from Mr. Adams to General Dearborn, envoy extraordinary and minister plenipotentiary of the United States at Lisbon, dated

DEPARTMENT OF STATE,

Washington, August 14, 1823.

At the close of the last session of Congress, a resolution was adopted, almost unanimously, by the House of Representatives, "That the President of the United States be requested to enter upon and to prosecute, from time to time, such negotiations, with the several maritime Powers of Europe and America, as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world."

A negotiation, for concerting measures of co-operation to effect the suppression of the African slave trade, had already for several years been pending with Great Britain; for which reason, a special instruction has been transmitted to Mr. Rush, together with a full power, and a draught of a convention to be proposed, in substance, to the British Government, and which he is authorized to conclude.

Should this proposal meet the assent of the British Government, a necessary preliminary to the conclusion of the convention will be the passage of an act of Parliament declaring the crime of African slave trading, when committed by British subjects, piracy. An act of Congress to that effect, as relates to citizens of the United States, has been in force, as you

are aware, these three years. When the crime shall have been constituted piracy by the statute law of both countries, each with reference to its own citizens or subjects, the principle offered by the projected convention is, that the armed vessels of each, specially empowered and instructed to that end, shall be authorized to capture slave-trading vessels assuming the flag of the other, and to deliver over the captured vessels to the public cruisers or to the tribunals of their own country, for trial. This plan is offered as a substitute for that which was offered to us by Great Britain, which was predicated on the treaties already concluded between that Power and Spain, Portugal, and the Netherlands. The leading principle of these treaties was the mutual concession of the right of maritime search, in time of peace, to the armed vessels of both, cruising for slave traders, and a mixed court of commissioners and arbitrators, sitting in colonial possessions of the parties, for the trial of the delinquents. To this system the United States have steadily declined to accede, for two reasons: one, because they had an invincible repugnance to subject their merchant vessels to the maritime search of foreign officers in time of peace; and the other, because they could not subject their citizens to the jurisdiction of foreign tribunals, upon trials for offences against their laws.

At the conferences of Verona, the British Government appears to have proposed that the African slave trade should be declared piracy by the law of nations. This is the same proposition recommended by the resolution of the House of Representatives of the United States. The ultimate object of the United States and of Great Britain, therefore, is the same.

The negotiations suggested by the resolution of the House must depend materially for their character and progress, with reference to other Powers, upon the event of that which is thus pending with Great Britain. The instructions to the ministers of the United States in other countries have therefore been only of a general character.

Portugal is the only maritime Power of Europe which has not yet declared the African slave trade, without exception, unlawful. Her own internal situation has, perhaps, recently tended to diminish the influence of those interests which have heretofore prevailed to delay and postpone her acquiescence in the principle of total proscription upon that trade. It is hoped that she will not much longer resist the predominating spirit of the age, calling so loudly upon the rulers of mankind effectually to put down the crying sin of that abominable traffic.

In communicating to the Portuguese Government copies of the resolution of the House of Representatives, and of the laws of the United States prohibiting the slave trade, you will state that the Government of the United States will be ready to enter, at any time when it may suit the views of that of Portugal, upon the negotiation contemplated by the resolution.

Mr. Rush to Mr. Adams, giving him the substance of a conversation with Mr. Canning.—[EXTRACTS.]

LONDON, October 9, 1823.

This latter subject, [the slave trade,] he said it was his wish to take in hand with me himself, and thus keep it detached from the general negotiation.

* * * * *

Whilst we were speaking of the mode of taking up the question of the slave trade, I did not scruple to intimate, even at this early stage, that, unless his Government was prepared to say that it would cause a statute to be passed, declaring the trade, by its own subjects, to be piracy, and rendering it punishable as such, in manner as had been done by the United States, I was not authorized to make any proposals upon the subject; that this, in fact, was the only basis upon which it fell within the intentions of my Government to attempt any arrangement of the subject whatever. I was happy to hear Mr. Canning say, in reply, that he did not, speaking from his first impressions, see any insurmountable obstacle upon this score to our proceeding with the subject.

Extract of a letter from Mr. Sheldon, chargé d'affaires of the United States at Paris, to the Secretary of State.

PARIS, October 16, 1823.

In the same conference I also informed Mr. de Chateaubriand of the resolution of the House of Representatives respecting the slave trade, which made the subject of your despatch (No. 2) of the 14th of August. He repeated, in substance, what he had before stated to Mr. Gallatin in conversation, viz: that the French Government were sincerely desirous of putting an end to that trade, and were taking all the measures in their power to effect it, by pursuing offenders, and executing rigidly the laws now in existence; but that the public opinion generally in France, and more especially in the Chambers, was against it, owing not only to the prevalence of the colonial interest in the question, but particularly to the circumstances under which their stipulations with England upon this subject had been made. So tender were they upon this point, that the proposition of adding new rigors to their laws would be taken as a new concession to that Power, and, instead of being adopted in the Chambers, would be more likely to provoke an attempt to repeal the prohibitory measures already established, in order to rid themselves, in that way, of one of the charges imposed upon them by the foreign occupation; that time was necessary to wear away these impressions; and, until that should have arrived, no minister in France could be strong enough, upon this point, to do more than to watch over the execution of the laws already in force, which they were now disposed to do fully and faithfully, and which, if not entirely efficient, at least made the prosecution of the trade, under the French flag, hazardous and difficult.

At present, therefore, it is not probable that France will consent to the proposal of the President to enter upon the negotiation contemplated by the resolution of the House of Representatives. I have, however, made the proposal, in obedience to your directions, and have the honor to enclose a copy of the letter to Viscount de Chateaubriand, in which I have communicated to him that resolution.

Extract of a letter from Mr. Sheldon, chargé d'affaires, to the Secretary of State, dated

PARIS, November 5, 1823.

I have received answers from Viscount de Chateaubriand on the subject of the new and more effective measures proposed against the slave trade.

On the subject of the slave trade, the answer manifests a disposition to adopt such new provisions as may be found necessary for its more effectual suppression, and this disposition really exists; but, after what Mr. de Chateaubriand had stated in conversation, and which I have already communicated, these new and more rigorous legislative provisions can only be introduced gradually, and some time will be required for effecting that purpose.

Mr. Sheldon to the Viscount de Chateaubriand.

PARIS, October 15, 1823.

SIR: The minister of the United States to this court had, some time before he left Paris, transmitted to your excellency copies of the laws successively adopted by the United States for the suppression of the slave trade. This communication was intended for the special purpose of making the French Government acquainted with the fact that, so far as the United States were concerned, their legislation upon this subject had been ineffectual; that their laws had been violated, and the trade had continued, until they had denounced against it the highest punishment that a human tribunal can inflict. Since it has been declared to be piracy, and punishable with death, the American flag has no longer been soiled with it.

At the last session of Congress, that body, desirous that the co-operation of the other maritime Powers might be obtained in measures which we had found to be so effectual, formally requested the President to enter upon and prosecute negotiations with those Powers to that end. I have the honor to enclose a copy of the resolution adopted, with great unanimity, by the House of Representatives, upon that subject, and I am directed to declare that the President is ready to enter upon the negotiation contemplated by it with France, whenever it may be agreeable to her. Instructions to the same effect have been given to all the ministers of the United States accredited to foreign Powers, and the favorable results which are hoped from them will be made known at the earliest opportunities to the French Government. It may be expected that a co-operation in measures equally effectual with those heretofore brought forward for the suppression of this trade, and not open to similar objections, will be generally and readily afforded.

I beg to offer to your excellency the renewed assurances, &c.

B. SHELDON.

[TRANSLATION.]

Viscount de Chateaubriand to Mr. Sheldon.

PARIS, October 29, 1823.

SIR: You did me the honor of writing me, on the 15th of this month, that the Government of the United States had only attained the effectual suppression of the slave trade by making it piracy, and by rendering those guilty of it liable to the same punishment. You have, at the same time, informed me that that Government was disposed to co-operate with the other Powers; by negotiations to attain, by the same means, the complete and general abolition of this traffic.

The communication which you did me the honor to address to me cannot but deserve great consideration. I have requested the keeper of the seals to review, with great care, the laws and ordinances which have been made in France for obtaining the abolition of the trade; to certify, after this examination, in what points they may be insufficient, and to propose for completing them, in case of need, all the new dispositions which might accord with the independence and rights of the flag, and which might appear most proper to assure in France, in an efficacious manner, the absolute cessation of a traffic so contrary to the rights of humanity.

Accept, sir, the assurances, &c.

CHATEAUBRIAND.

Extract of a letter from Mr. Everett, chargé d'affaires, to the Secretary of State, dated

BRUSSELS, November 20, 1823.

I have received from the Baron de Nagell a preliminary answer to my note of the 7th upon the slave trade, of which I have the honor to enclose a copy.

[TRANSLATION.]

Mr. Everett to Baron de Nagell.

BRUSSELS, November 7, 1823.

SIR: I have the honor to subjoin to your excellency, by order of my Government, a printed copy of the laws of the United States which forbid their citizens to pursue the slave trade; also, a copy of the resolution of the House of Representatives of the 8th of February, 1823, by which the President is requested to concert, with the maritime Powers of Europe and of America, the measures which may be most proper to effect the abolition of that trade, and to make it, by the universal consent of the civilized world, equivalent to the crime of piracy.

Your excellency will remark that it is already viewed in this light by the laws of the United States. The act of the 15th of March, 1820, declares (sections 4 and 5) that the persons subject to the jurisdiction of the republic, who shall be engaged in the slave trade, either by seizing these

unfortunates by force or fraud, and carrying them on board their vessels, or by keeping them there, and making them an object of traffic, shall be deemed pirates, and punished with death.

In fact, this pretended commerce bears all the characteristics of piracy: that is, of felony committed on the sea. And, as it has been denounced as a crime by the greater part of civilized nations, it ought to fall into the particular class of crimes to which it naturally belongs, and undergo the penalties which the usage and the law of nations impose upon them. An unanimous declaration of the Christian Powers to this effect would inevitably produce the entire cessation of the trade. The public ships of each Power would then be authorized, by the law of nations, to cruise against the persons who might be engaged in it, without regard to the color of the flag with which they might pretend to be sheltered. Whilst, if the trade is only regarded in each country as an offence against the municipal laws, it would be lawful for any one nation alone, by permitting it, to afford an asylum, under its flag, to the pirates of all the others.

The known character of the King, and the zeal which His Majesty has already displayed in his efforts to bring about the abolition of this infamous commerce, furnishes a presumption to the Government of the United States, that that of the Low Countries will voluntarily co-operate with it to that effect. In communicating to your excellency the subjoined papers, and in praying that you will be pleased to lay them before the King, I am charged to announce to him the desire of the President of the United States to obtain the co-operation of His Majesty in this work of justice, and to establish a concert between the two Powers, in the measures which they may pursue in common, to render the slave trade equivalent to the crime of piracy, by the universal consent of the Christian world.

I eagerly embrace this occasion to renew to your excellency the homage of my most distinguished consideration.

A. H. EVERETT.

[TRANSLATION.]

Baron de Nagell to Mr. Everett.

BRUSSELS, *November 13, 1823.*

SIR: I have the honor to acknowledge the receipt of your note of the 7th of this month, containing some propositions in regard to the slave trade, and to inform you that, without delay, I laid this paper, and its enclosures, before the King.

I shall hasten to impart to you the determination of His Majesty, as soon as I shall have been informed of it; and, in the mean time, I seize this opportunity to renew the assurance of my distinguished consideration.

A. W. C. DE NAGELL.

EIGHTEENTH CONGRESS, FIRST SESSION.

MARCH 17, 1824.

On motion of Mr. Mercer, it was

Resolved, That the Committee on the Suppression of the African Slave Trade be instructed to inquire into the expediency of amending the existing laws of the United States for the suppression of that traffic, so as to extend the penalties thereof to cases of expeditions fitted out in foreign ports or places for that traffic, by, or on account of, citizens or persons residing within the jurisdiction of the United States.

APRIL 16, 1824.

Mr. Govan, from the committee consisting of Mr. Govan, Mr. Livermore, Mr. Herrick, Mr. Test, Mr. Wayne, Mr. Spaight, and Mr. Eaton, reported the following bill:

A BILL respecting the slave trade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passing of this law, if any citizen of the United States, or any person resident therein, shall, in any port or place whatsoever, build, or in any respect fit, equip, man, load, or otherwise prepare, or cause to be prepared, or in any respect fitted, equipped, manned, or otherwise prepared, or be in any respect concerned in equipping, manning, or preparing, any ship or vessel, for the purpose of being employed in the slave trade, or in the transportation of slaves from any foreign port or place to any other foreign port or place whatsoever, for the purpose aforesaid, every such citizen or other person, so offending, shall, on conviction, be punished by fine not exceeding five thousand dollars, and by imprisonment not exceeding seven years; and such ship or vessel, her tackle, apparel, furniture, provisions, and cargo, on board thereof, shall be forfeited. And any citizen, or other person, resident as aforesaid, who shall voluntarily serve on board of such ship or vessel, or shall sail on board thereof, knowing the same to be intended to be employed in the slave trade, or in the transportation of slaves as aforesaid, shall, on conviction, be liable to be punished by fine not exceeding three thousand dollars, and by imprisonment not exceeding five years.

SEC. 2. And be it further enacted, That nothing in this act contained shall be construed to affect, or in any wise repeal, any acts hitherto passed for the prohibition or suppression of the slave trade; but the same acts, and every clause thereof, shall remain in full force, in the same manner as if this act had not been made.

NOTE.—This bill was never acted upon by the House.

EIGHTEENTH CONGRESS, SECOND SESSION.

FEBRUARY 16, 1825.

Report of the committee consisting of Mr. Govan, Mr. Herrick, Mr. Test, Mr. Wayne, Mr. Spaight, Mr. Eaton, and Mr. Herkimer, to whom was referred so much of the President's message of the 7th of December last as relates to the suppression of the slave trade.

The Committee on the Suppression of the Slave Trade, to whom was referred so much of the President's message of the 7th December last as relates to that subject, have, according to order, had the same under consideration, and respectfully report :

That, pursuant to the almost unanimous request of the House of Representatives, expressed by their resolution of the 28th February, 1823, the President of the United States concluded a convention with Great Britain, on the 13th of March, in the following year, by which the African slave trade was denounced to be piracy under the laws of both countries; the United States having so declared it by their antecedent act of the 15th May, 1820, and it being understood between the contracting parties, as a preliminary to the ratification of the convention by the United States, that Great Britain should, by an act of Parliament, concur in a similar declaration.

With great promptitude, and in accordance with this agreement, such an act was passed, declaring the African slave trade to be piracy, and annexing to it the penalty denounced against this crime by the common law of nations. A copy of this act was transmitted by the British Government to the Executive of the United States, and the convention submitted by the President to the Senate, for their advice and consent.

The convention was approved by the Senate, with certain qualifications, to all of which, except one, Great Britain, *sub modo*, acceded; her Government having instructed its minister in Washington to tender to the acceptance of the United States a treaty agreeing, in every particular except one, with the terms approved by the Senate. This exception the message of the President to the House of Representatives presumes "not to be of sufficient magnitude to defeat an object so near to the heart of both nations" as the abolition of the African slave trade, "and so desirable to the friends of humanity throughout the world." But the President further adds, "that, as objections to the principle recommended by the House of Representatives, or, at least, to the consequences inseparable from it, and which are understood to apply to the law, have been raised, which may deserve a reconsideration of the whole subject, he has thought proper to suspend the conclusion of a new convention until the definitive sentiments of Congress can be ascertained."

Your committee are therefore required to review the grounds of the law of 1820 and the resolution of 1823, to which the rejected, or, as they rather hope, the suspended convention, referred. The former was the joint act of both branches of Congress, approved by the President; the latter, although adopted with extraordinary unanimity, was the single act of the House of Representatives.

Upon the *principle of intention* of the act of Congress of 1820, making

the slave trade punishable as piracy, the history of the act may reflect some light.

A bill from the Senate, entitled "An act to continue in force the act to protect the commerce of the United States, and punish the crime of piracy, and also to make further provision to punish the crime of piracy," came to the House of Representatives on the 27th of April, 1820, and was, on the same day, referred to a Committee of the Whole to which had been referred a bill of similar purport and title, that had originated in the House of Representatives.

Upon the 8th of May following, the Committee on the Suppression of the Slave Trade reported an amendment of two additional sections to the Senate's bill; also, a bill to incorporate the American Society for colonizing the free people of color of the United States, and three joint resolutions, two of which related to the objects of that society; but the first of which, in behalf of both Houses of Congress, requested the President "to consult and negotiate with all the Governments where ministers of the United States are or shall be accredited, on the means of effecting an entire and immediate abolition of the African slave trade." The amendatory sections denounced the guilt and penalty of piracy against any citizen of the United States, of the crew or company of any foreign vessel, and any person whatever of the crew or company of any American vessel, who should be engaged in this traffic.*

The amendments, bill, and resolutions, along with the explanatory report which accompanied them, were referred to the Committee of the Whole above mentioned; and, on the 11th of the same month, the House proceeded to consider them. After a discussion in the committee, the piracy bill and its amendments, having been adopted, were reported, and both were concurred in by the House. The following day, the bill, as amended, being then on its passage, a motion was debated, and *negatived*, to recommit the bill to a select committee, with an instruction to strike out the last section of the amendment. The bill then passed, and was ordered to be returned, as amended, to the Senate.

On the same day, a motion prevailed to discharge the Committee of the Whole from the further consideration of the bill and the resolutions which accompanied the report; and the particular resolution already recited being under consideration, to try the sense of the House on its merits, it was moved to lay it on the table. The yeas and yeas having been ordered on this motion, it was rejected by a majority of 78 to 35 members. It having been again proposed to postpone the resolution till the ensuing or second session of the same Congress, and this proposal being also determined in the negative, the resolution was engrossed, read the third time, passed, and ordered to be transmitted to the Senate on the same day with the piracy bill.

The amendments of this bill underwent like scrutiny and debate in the Senate, and were finally concurred in, the day after they were received from the House of Representatives, without any division apparent on the Journal of that House.

The resolution, which had been received by the Senate at a different hour of the same day, was read a second time on the 15th of May, was further taken up, and considered as in Committee of the Whole, reported

* See preceding pages, for these amendments, bill, and resolutions.

to the House without amendment, and ordered, after debate, to pass to a third reading; but this being the last day of the session of Congress, and a single member objecting "that it was against one of the rules of the Senate to read it the third time on the same day without unanimous consent," it remained on the table of that body, on its final adjournment, after an ineffectual effort to suspend one of their rules, against which many of the friends of the resolution felt themselves compelled, by their invariable usage, to vote in union with its enemies.

One of the objections to the resolution, in the Senate, was founded upon the peculiar relation of that branch of the National Legislature to the Executive, in the ratification of treaties; which seemed, in the opinion of those who urged this argument, to interdict their concurrence in a request of the President to institute any negotiations whatever.

A cotemporary exposition of the object of the amendments of the piracy bill, and the resolution which the House of Representatives adopted by so large a majority, will be found in the report, which accompanied them, from the Committee on the Suppression of the Slave Trade.* Those objects, it will be seen, were in perfect accordance with each other. They were designed to introduce, by treaty, into the code of international law, a principle, deemed by the committee essential to the abolition of the African slave trade—that it should be denounced and treated as piracy by the civilized world.

The resolution being joint, and having failed in the Senate, for the reason already stated, the subject of it was revived in the House of Representatives, at a very early period of the succeeding session of Congress, by a call for information from the Executive; which, being received, was referred to a committee of the same title with the last. Their report, after reviewing all the antecedent measures of the United States for the suppression of the slave trade, urgently recommended the co-operation of the American and British navies against this traffic, under the guarded provisions of a common treaty, authorizing the practice of a qualified and reciprocal right of search.

This report closed with a resolution, requesting the President of the United States to enter into such arrangements as he may deem suitable and proper, with one or more of the maritime Powers of Europe, for the effectual abolition of the African slave trade.†

The United States had, by the treaty of Ghent, entered into a formal stipulation with Great Britain, "that both the contracting parties shall use their best endeavors to accomplish the entire abolition of this traffic."

The failure of the only joint attempt which had been made by England and America, at the date of this report, to give effect to this provision, being ascribed, in part, to a jealousy of the views of the former, corroborated by the language and conduct of one of the principal maritime Powers of Europe, in relation to the same topic, the committee referred to the decision of Sir William Scott, in the case of the French ship *Le Louis*, to demonstrate that Great Britain claimed no right of search, in peace, but such as the consent of other nations should accord to her by treaty, and sought it by a fair exchange, in this tranquil mode, only for the beneficent purpose of an enlarged humanity.

Certain facts, disclosed by the diplomatic correspondence of France and England, during the pendency of that case in the British court of admi-

* See report made 8th May, 1820.

† See report made February 9, 1821.

yalty, were calculated to guard the sympathies of America from being misguided by the language of the former Power.

The painful truth was elicited, that France had evaded the execution of her promise at Vienna to Europe and mankind. That she had, long after the date of that promise, tolerated, if she had not cherished, several branches of a traffic which she had concurred in denouncing to be the opprobrium of Christendom, and which she had subsequently bound herself, by the higher obligations of a solemn treaty, to abolish, as inconsistent with the laws of God and nature.

Succeeding events in the councils of the French nation have not impaired the force of this testimony. What authority can be accorded to the moral influence of a Government which insults the humanity of a generous and gallant people, by pleading, in apology for the breach of its plighted faith, that its subjects required the indulgence of this guilty traffic?

The Emperor Napoleon, who re-established this commerce on the ruins of the French Republic, also abolished it again when he sought to conciliate the people of France, during that transient reign which immediately preceded his final overthrow.

Congress adjourned without acting on this report.

By an instruction to the Committee on the Suppression of the Slave Trade, of the 15th of January, 1822, the same subject was a third time brought directly before the House of Representatives. The instruction called the attention of the committee to the present condition of the African slave trade, to the defects of any of the existing laws for its suppression, and to their appropriate remedies. In the report made in obedience to this instruction, on the 12th of April, 1822, the committee state, that, after having consulted all the evidence within their reach, they are brought to the mournful conclusion, that the traffic prevailed to a greater extent than ever, and with increased malignity; that its total suppression, or even sensible diminution, cannot be expected from the separate and disunited efforts of one or more States, so long as a single flag remains to cover it from detection and punishment. They renew, therefore, as the only practicable and efficient remedy, the concurrence of the United States with the maritime Powers of Europe in a modified and reciprocal exercise of the right of search.

In closing their report, the committee add, in effect, that they "cannot doubt that the people of America have the intelligence to distinguish between the right of searching a neutral on the high seas, in time of war, claimed by some belligerents, and that mutual, restricted, and peaceful concession, by treaty, suggested by your committee, and which is demanded in the name of suffering humanity." The committee had before intimated that the remedy which they recommended to the House of Representatives presupposed the exercise of the authority of another department of the Government; and that objections to the exercise of this authority, in the mode which they had presumed to suggest, had hitherto existed in that department. Their report closed with a resolution differing in no other respect from that of the preceding session, than that it did not require the concurrence of the Senate, for the reason already suggested.*

The report and resolution were referred to a Committee of the Whole, and never further considered.

* See report made April 12, 1822.

After a delay till the 20th of the succeeding February, a resolution was submitted to the House, which was evidently a part of the system of measures for the suppression of the slave trade which had been begun by the act of the 3d of March, 1819, and followed up by the connected series of reports and resolutions which the committee have reviewed, and which breathe the same spirit.

This resolution, in proposing to make the slave trade piracy, by the consent of mankind, sought to supplant, by a measure of greater rigor, the qualified international exchange of the right of search for the apprehension of the African slave dealer, and the British system of mixed tribunals created for his trial and punishment—a system of which experience and the recent extension of the traffic, what it sought to limit, had disclosed the entire inefficacy.

The United States had already established the true denomination and grade of this offence by a municipal law. The resolution contemplated, as did the report which accompanied and expounded that law, the extension of its principle, by negotiation, to the code of all nations.

It denounced the authors of this stupendous iniquity as the enemies of the human race, and armed all men with authority to detect, pursue, arrest, and punish them.

Such a measure, to succeed to its fullest extent, must have a beginning somewhere. Commencing with the consent of any two States to regard it as binding on themselves only, it would, by the gradual accession of others, enlarge the sphere of its operation, until it embraced, as the resolution contemplated, all the maritime Powers of the civilized world.

While it involved, of necessity, the visit and search of piratical vessels, as *belligerent rights* against the common enemies of man, it avoided all complexity, difficulty, and delay, in the seizure, condemnation, and punishment of the pirate himself. It made no distinction in favor of those pirates who prey upon the property, against those who seize, torture, and kill, or consign to interminable and hereditary slavery the persons of their enemies.

Your committee are at a loss for the foundation of any such discrimination. It is believed that the most ancient piracies consisted in converting innocent captives into slaves; and those were not attended with the destruction of one-third of their victims by loathsome confinement and mortal disease.

While the modern, therefore, accords with the ancient denomination of this crime, its punishment is not disproportionate to its guilt. It has robbery and murder for its mere accessories, and moistens one continent with blood and tears, in order to curse another by slow consuming ruin, physical and moral.

One high consolation attends upon the new remedy for this frightful and prolific evil. If once successful, it will forever remain so, until, being unexerted, its very application will be found in history alone.

Can it be doubted that, if ever legitimate commerce shall supplant the source of this evil in Africa, and a reliance on other supplies of labor its use elsewhere, a revival of the slave trade will be as impracticable as a reversion to barbarism? that, after the lapse of a century from its extinction, except where the consequences of the crime shall survive, the stories of the African slave trade will become as improbable among the unlearned as the expeditions of the heroes of Homer?

The principle of the law of 1820, making the slave trade a statutory piracy, and of the resolution of the House of Representatives of May, 1823, which sought to render this denunciation of that offence universal, cannot, therefore, be misunderstood.

It was not misconceived by the House of Representatives when ratified with almost unprecedented unanimity.

An unfounded suggestion has been heard, that the abortive attempt to amend the resolution indicated that it was not considered as involving the right of search. The opposite conclusion is the more rational, if not, indeed, irresistible; that having, by the denomination of the crime, provided for the detection, trial, and punishment of the criminal, an amendment, designing to add what was already included in the main proposition, would be superfluous, if not absurd. But no such amendment *was* rejected. The House of Representatives, very near the constitutional close of the session of 1823, desirous of economizing time, threatened to be consumed by a protracted debate, entertained *the previous question* while an amendment, the only one offered to the resolution, was depending. The effect of the previous question was to bring on an immediate decision upon the resolution itself, which was adopted by a vote of 131 members to 9.

It is alike untrue that the resolution was regarded with indifference. The House had been prepared to pass it without debate, by a series of measures, having their origin in 1819, and steadily advancing to maturity.

Before the resolution *did* pass, motions had been submitted to lay it on the table, and to postpone it to a future day. The former was resisted by an ascertained majority of 104 to 25; the latter without a division.

Is the House now ready to retrace its steps? The committee believe not. Neither the people of America, nor their representatives, will sully the glory they have earned by their early labor and steady perseverance in sustaining, by their Federal and State Governments, the cause of humanity at home and abroad.

The calamity inflicted upon them by the introduction of slavery, in a form and to an extent forbidding its hasty alleviation by intemperate zeal, is imputable to a foreign cause, for which the past is responsible to the present age. They will not deny to themselves, and to mankind, a generous co-operation in the only efficient measure of retributive justice to an insulted and afflicted continent and to an injured and degraded race.

In the independence of Spanish and Portuguese America, the committee behold a speedy termination of the few remaining obstacles to the extension of the policy of the resolution of May, 1823.

Brazil cannot intend to resist the voice of the residue of the continent of America; and Portugal, deprived of her great market for slaves, will no longer have a motive to resist the common feelings of Europe. And yet, while, from the Rio de la Plata to the Amazon, and through the American Archipelago, the importation of slaves covertly continues, if it be not openly countenanced, the impolicy is obvious, of denying to the American shore the protective vigilance of the only adequate check upon this traffic.

Your committee forbear to enter upon an investigation of the particular provisions of a depending negotiation, nor do they consider the message referred to them as inviting any such inquiry.

They will not regard a negotiation to be dissolved, which has approached so near consummation, nor a convention as absolutely void, which has been executed by one party, and which the United States, having first tendered, should be the last to reject.

FEBRUARY 28, 1825.

Mr. Mercer laid the following resolution on the table :

Resolved, That the President of the United States be requested to enter upon, and prosecute from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient, for the effectual abolition of the slave trade, and its ultimate denunciation as piracy under the law of nations, by the consent of the civilized world.

The above resolution was not acted upon during the session.

MARCH 3, 1825.

Mr. Forsyth laid the following resolution on the table :

Resolved, That while this House anxiously desires that the slave trade should be universally denounced as piracy, and, as such, should be detected and punished under the law of nations, it considers that it would be highly inexpedient to enter into engagements with any foreign Power, by which *all* the merchant vessels of the United States would be exposed to the inconvenience of any regulation of search, from which any merchant vessels of that foreign Power would be exempted.

The above resolution was not acted upon.

MARCH 2, 1825.

Mr. Tucker, of Virginia, laid the following resolution on the table :

Resolved, That the Secretary of War be required to ascertain the probable expense of extinguishing the Indian title to a portion of the country lying west of the Rocky mountains, that may be suitable for colonizing the free people of color; the best known routes across the said mountains, and the probable cost of a road and military posts necessary to a safe communication with such colony; and to report the same to this House at the next session of Congress.

On the 3d March, 1825, Mr. Tucker moved the House to consider this resolution. The motion failed.

NINETEENTH CONGRESS, FIRST SESSION.

FEBRUARY 18, 1825.

The following resolution was submitted to the Senate of the United States, by Mr. Rufus King, of New York :

Resolved, That, as soon as the portion of the existing funded debt of the United States, for the payment of which the public land of the United States is pledged, shall have been paid off, then, and thenceforth, the whole of the public land of the United States, with the nett proceeds of all future sales thereof, shall constitute or form a fund, which is hereby appropriated; and the faith of the United States is pledged that the said fund shall be inviolably applied to aid the emancipation of such slaves, within any of the United States, and aid the removal of such slaves, and the removal of such free people of color, in any of the said States, *as, by the laws of the States*, respectively, may be allowed to be emancipated, or removed to any territory or country without the limits of the United States of America.

DECEMBER 19, 1825.

Mr. Forsyth laid the following resolution on the table :

Resolved. That the President of the United States be requested to communicate to this House copies of such portions of the correspondence between the United States and Great Britain, on the subject of the convention for suppressing the slave trade, as have not heretofore been, and which can be communicated without detriment to the public interest.

DECEMBER 20, 1825.

The above resolution was adopted by the House.

On the 27th December, 1825, the President transmitted to the House the following message, with its accompanying documents :

To the House of Representatives of the United States :

In compliance with a resolution of the House of Representatives of the 20th instant, I transmit, herewith, a report from the Secretary of State, with copies of such portions of the correspondence between the United States and Great Britain, on the subject of the convention for suppressing the slave trade, as have not heretofore been, and which can be communicated without detriment to the public interest.

JOHN QUINCY ADAMS.

WASHINGTON, *December 27, 1825.*

DEPARTMENT OF STATE,

Washington, December 22, 1825.

The Secretary of State, in compliance with a resolution of the House of Representatives of the 20th instant, which has been referred to him, requesting the President of the United States to communicate to that House copies of such portions of the correspondence between the United States and Great Britain, on the subject of the convention for suppressing the slave trade, as have not heretofore been, and which can be communicated without detriment to the public interest, has the honor to submit, herewith, to the President, copies of all the correspondence upon that subject which is embraced by the call of the House.

Respectfully submitted.

H. CLAY.

PAPERS SENT.

Mr. Addington to Mr. Adams, March 2, 1825, (copy.)

Mr. Clay to Mr. Addington, April 6, 1825, (copy.)

Mr. Addington to Mr. Clay, April 9, 1825, (copy.)

Mr. Addington to Mr. Adams.

WASHINGTON, *March 2, 1825.*

SIR: On the 6th of November last, I had the honor to inform you that I had received full powers from His Majesty to conclude and sign, with this Government, a convention *verbatim* the same, as that entered into on the 13th of March, last year, between Great Britain and the United States, with all the amendments subsequently effected in it by the Senate, the erasure of the words, "and America," in the first article, excepted.

In reply to that communication, you did me the honor to acquaint me that the President had decided upon referring the whole subject to Congress, whereby it became necessary for you to postpone giving a definite answer to my proposal.

This resolution of the President was, at the commencement of the session, carried into effect; and I understand that the subject has been under the consideration of Congress. You will therefore, I trust, sir, allow me now to request to be made acquainted with the definite intention of the President, with respect to the proposition submitted by me on behalf of His Majesty's Government.

I have the honor to be, with distinguished consideration, sir, your most obedient servant,

H. U. ADDINGTON.

HON. JOHN QUINCY ADAMS.

Mr. Clay to Mr. Addington.

DEPARTMENT OF STATE,

Washington, April 6, 1825.

SIR: I have the honor to inform you that the delay in the transmission of a definite answer to your note of the 6th of November last has proceeded from an anxious desire on the part of the late President of the United States to ascertain the practicability of reconciling, if possible, the views of the Government of the United States with those which are entertained by that of His Britannic Majesty, in respect to the convention for more effectually suppressing the slave trade. With that object, the correspondence with your Government, and the convention in which it terminated, together with what has since passed between the two Governments, both here and at London, were submitted to Congress during its late session. Of that reference you were apprized by the note of my predecessor, of the 4th December last. It has so happened that neither the Senate nor the House of Representatives has expressed, directly, any opinion on the subject. But, on another convention, having the same object, concluded with the Republic of Colombia, on the 10th day of December, 1824, which was formed after the model of that which is pending between the Governments of the United States and Great Britain, the Senate has expressed a very decided opinion. In the Colombian convention, the coasts of America were excepted from its operation; and yet, notwithstanding this conciliating feature, the Senate, after full deliberation, in the exercise of its proper constitutional powers, has, by a large majority, deemed it inexpedient to consent to and advise the ratification of this convention.

The Government of His Britannic Majesty is well acquainted with the provisions of the Constitution of the United States, by which the Senate is a component part of the treaty-making power; and that the consent and advice of that branch of Congress are indispensable in the formation of all treaties. According to the practice of this Government, the Senate is not ordinarily consulted in the initiatory state of a negotiation, but its consent and advice are only invoked after a treaty is concluded under the direction of the President, and submitted to its consideration. Each of the two branches of the treaty-making authority is independent of the other, whilst both are responsible to the States and to the People, the common sources of their respective powers. It results from this organization, that, in the progress of the Government, instances may sometimes occur of a difference of opinion between the Senate and the Executive, as to the expediency of a projected treaty, of which the rejection of the Colombian convention affords an example. The people of the United States have justly considered that, if there be any inconveniences in this arrangement of their executive powers, those inconveniences are more than counterbalanced by the greater security of their interests, which is effected by the mutual checks which are thus interposed. But it is not believed that there are any inconveniences to foreign Powers, of which they can with propriety complain. To give validity to any treaty, the consent of the contracting parties is necessary. As to the mode by which that consent shall be expressed, it must necessarily depend with each upon its own peculiar constitutional arrangement. All that can rightly be demanded, in treating, is to know the contingencies, on the happening of which, that consent is to be regarded as sufficiently testified. This information the Government of the United States has always communicated to the foreign Powers with which it treats, and to none more fully than to the United Kingdom of Great Britain and Ireland. Nor can it be admitted that any just cause of complaint can arise out of the rejection, by one party, of a treaty which the other has previously ratified. When such a case occurs, it only proves that the consent of both, according to the constitutional precautions which have been provided for manifesting that consent, is wanting to make the treaty valid. One must necessarily precede the other in the act of ratification; and if, after a treaty is ratified by one party, a ratification of it be withheld by the other, it merely shows that one is, and the other is not, willing to come under the obligations of the proposed treaty.

I am instructed by the President to accompany these frank and friendly explanations by the expression of his sincere regret that, from the views which are entertained by the Senate of the United States, it would seem to be unnecessary and inexpedient any longer to continue the negotiation respecting the slave convention, with any hope that it can be made to assume a form satisfactory to both parties. The Government of His Britannic Majesty insists, as an indispensable condition, that the regulated right of search, proposed in the convention, should be extended to the American coasts, as well as to those of Africa and the West Indies. The Senate, even with the omission of America, thinks it unadvisable to ratify the Colombian convention. And it is, therefore, clearly to be inferred, that a convention with His Britannic Majesty, with a similar omission, would not receive the approbation of the Senate. The decision of the Senate shows that it has made up its deliberate judgment, without any regard to the relative state of the military or commercial marine; for all the considerations

belonging to a view of that subject would have urged the Senate to an acceptance of the Colombian convention. It is hoped, therefore, that His Britannic Majesty cannot fail to perceive that the Senate has been guided by no unfriendly feelings towards Great Britain.

Before closing this note, I must express my regret that I am unable to concur with you in the view which you have been pleased to present of the act of the British Parliament, by which it has denounced as piratical the slave trade, when exercised by British subjects. It is acknowledged that the Government of the United States considered such a denunciation as expedient, preliminary to the conclusion of the projected convention. But the British Parliament, doubtless, upon its own sense of the enormity of the offence, deemed it proper to affix to it the character and the penalties of piracy. However much it may be supposed to have been actuated by an accommodating spirit towards the United States, it can hardly be imagined that it would have given that denomination to the fact of trading in slaves, from motives of concession merely, contrary to its own estimate of the moral character of that act. The Executive of the United States believed that it might conduce to the success of the negotiation, if the British Parliament would previously declare, as the United States had done, the slave trade to be piratical. But it did not follow, from the passage of that act, that any treaty, in which the negotiation might terminate, was to be taken out of the ordinary rule by which all treaties are finally submitted to the scrutiny and sanction of the respective Governments. No peculiar advantage has accrued to the United States from the enactment of that British law. Its continued existence, moreover, now depends upon the pleasure of the British Parliament.

But there is no disposition to dwell longer on this subject. The true character of the whole negotiation cannot be misconceived. Great Britain and the United States have had in view a common end of great humanity, entitled to their highest and best exertions. With respect to the desire of attaining that end, there is no difference of opinion between the Government of His Britannic Majesty and that of the United States, in any of its branches. But the Senate has thought that the proposed convention was an instrument not adapted to the accomplishment of that end, or that it was otherwise objectionable; and, without the concurrence of the Senate, the convention cannot receive the constitutional sanctions of the United States. Without indulging, therefore, unavailing regrets, it is the anxious hope of the President that the Government of His Britannic Majesty should see, in all that has occurred, nothing towards it unfriendly on the part of that of the United States, and nothing that ought to slacken their separate or united exertions in the employment of all other practical modes to effectuate the great object, so dear to both, of an entire extirpation of a traffic which is condemned by reason, religion, and humanity.

I pray you, sir, to accept the assurance of my distinguished consideration.

H. CLAY.

HENRY U. ADDINGTON, Esq.,
Chargé d'Affaires from Great Britain.

Mr. Addington to Mr. Clay.

WASHINGTON, April 9, 1825.

SIR: I have the honor to acknowledge the receipt of your letter of the 6th instant, in which you announce to me the definite decision of the President with regard to the convention for the more effectual suppression of the slave trade, which I had the honor to submit for the acceptance of this Government, on the 6th November last.

In expressing my regret at the failure of the benevolent efforts which have been employed in a cause so dear to humanity, I may venture to assure you that, however deeply His Majesty's Government may deplore the present disappointment of their hopes, they will consider the unfortunate issue of this business as in no wise affecting the friendly feelings which exist between the two Governments, and will accept with pleasure the expression of the President's desire that every exertion should still be used for effecting the entire extirpation of that odious traffic which the convention was designed to suppress.

I cannot dismiss this subject without a brief observation on that part of your letter in which you animadvert upon the argument employed in mine of the 6th of November last, relative to the act passed by the British Parliament, for denouncing the slave trade as piracy. The expressions used by you would lead to a belief that I had represented the passage of that act, on the part of Great Britain, as rendering it *imperative* on the American Government to accede to the convention, even at the expense of a sacrifice of their constitutional prerogatives.

A reference to the expressions of my letter will, I apprehend, at once demonstrate the erroneousness of this impression, by showing that I put the case as a point of conscience, not one of right, and that I urged the argument above alluded to in the form of an appeal, not of a demand.

The denunciation of the slave trade as piracy, by British statute, was made by this Government a *sine qua non* to the signature of the convention. As far as Great Britain was concerned, that proceeding, although perfectly conformable to the views of Parliament, *quoad* morality, was one of pure supererogation, and conferred no power towards the suppression of the slave trade not possessed before. Had the Government of the United States not expressly desired the enactment of that statute, it would never have been passed; but, being passed, its revocation, although certainly within the competence of Parliament, is now, by the interposition of subsequent events, rendered tantamount to morally impracticable.

These circumstances will, I apprehend, amply justify, both the form of the argument which I built upon then, and the warmth with which I urged it.

I offer the preceding remarks, not by any means with a view to invite to further discussion, but simply in order to obviate all misconception of the meaning of words already employed by me.

I have the honor, sir, to renew to you the assurance of my distinguished consideration.

H. U. ADDINGTON.

Hon. HENRY CLAY,
Secretary of State.

FEBRUARY 14, 1826.

Mr. Forsyth laid the following resolutions on the table, viz :

1. *Resolved*, That it is expedient to repeal so much of the act of the 3d March, 1819, entitled " An act in addition to the acts prohibiting the slave trade," as provides for the appointment of agents on the coast of Africa.

2. *Resolved*, That it is expedient so to modify the said act of the 3d March, 1819, as to release the United States from all obligation to support the negroes already removed to the coast of Africa, and to provide for such a disposition of those taken in slave ships, who now are in, or who may be hereafter brought into the United States, as shall secure to them a fair opportunity of obtaining a comfortable subsistence, without any aid from the public Treasury.

These resolutions were not acted on by the House.

NINETEENTH CONGRESS, SECOND SESSION.

FRIDAY, MARCH 2, 1827.

Mr. Hamilton moved the following resolution, which was read, and laid on the table, viz :

Resolved, That the President of the United States be requested, on some fit and convenient occasion, in the course of any pending correspondence with the Governments of Great Britain and France, to ascertain and report to this House, at the next session of Congress, whether those Governments will furnish facilities to the landing and safe passage through their respective possessions on the coast of Africa to such Africans as may have come into the possession of the United States by virtue of captures and condemnations under the slave-trade laws, whom this Government may desire to return to the respective countries, provinces, or dominions, of the countries to which such Africans belong.

March 3, 1827.—The above resolution was taken into consideration and adopted by the House.

MARCH 3, 1827.

Mr. MERCER, from the select committee consisting of Mr. Mercer, Mr. Powell, Mr. Weems, Mr. Kellog, Mr. Kreps, Mr. Bryan, and Mr. McHatton, made the following report :

The committee to whom were referred sundry memorials of the American Colonization Society, of citizens of various portions of the United States, together with the resolutions of the Legislatures of the States of Delaware and Kentucky, inviting the aid of the Federal Government to colonize in Africa, with their own consent, the free people of color of the United States, report :

That the memorials and resolutions present to the consideration of Congress an object which must be regarded as of the highest importance to the future peace, prosperity, and happiness, of the United States.

Surrounded with difficulties, in proportion to the magnitude of the interests that it involves, has been the circumspection with which the committee have approached it. Could they hope that the evil to which the memorials and resolutions point would find a remedy in silent neglect, or could be mitigated by concealment, they would ask to be discharged from its further investigation. The peculiar delicacy of another topic, almost inseparable, in imagination at least, however distinguishable in truth, from the purpose of the several memorials and resolutions referred to them, would induce the committee to avoid its consideration, if a sense of duty, prompted by the hope that their labor may not be in vain, did not urge them to proceed in the delicate task imposed upon them by the order of the House.

Its object the committee are well aware is not novel, nor even now for the first time presented to the notice of Congress.*

It involves an inquiry into the expediency of promoting, by the authority and resources of the General Government, the colonization of the free people of color beyond the territorial limits of the United States.

The existence of a distinct race of people in the bosom of the United States, who, both by their moral and political condition, and their natural complexion, are excluded from a social equality with the great body of the community, invited the serious attention and awakened the anxious solicitude of many American statesmen, as soon as the unhappy traffic which had annually multiplied them ceased to be regarded as innocent. A part of them, once held by the same tenure which originally introduced them all into America, were, in some of the United States, liberated before, and in others by the Revolution. In many States, however, their total number was, as it still continues to be, so great, that universal or general emancipation could not be hazarded, without endangering a convulsion fatal to the peace of society. No truth has been more awfully demonstrated by the experience of the present age, than that, to render freedom a blessing, man must be qualified for its enjoyment; that a total revolution in his character cannot be instantaneously wrought by the agency of ordinary moral and physical causes, or by the sudden force of unprepared revolution.

Still, in many States of the American Union, all the colored population are now free; and in others so circumstanced as still to render universal emancipation dangerous to the public happiness. Large bodies of free colored people have arisen, from the influence of humanity in the master, under a system of laws which, if they did not promote, did not, till recently, prohibit voluntary enfranchisement. The enlargement of the rights of the colored race extend, however, to very various limits in the different States. In no two, perhaps, has it precisely the same extent. In none does it efface all civil and political distinctions between the colored man and the white inhabitant or citizen. Over moral influences mere laws have every where less power than manners. No where in America, therefore, has emancipation elevated the colored race to perfect equality with the white; and in many States the disparity is so great that it may be questioned whether the condition of the slave, while protected by his master, however degraded in itself, is not preferable to that of the free negro. Nor is this any where so questionable as in those States which have both the greatest

* See proceedings of Colonization Society, appended to this report.

number of slaves and of free people of color. It is at the same time worthy of remark, that, among these, the principle of voluntary emancipation has operated to a much greater extent than the laws themselves, or the principle of coercion upon the master has ever done, even among those States who had no danger whatever to apprehend from the speedy and universal extension of human liberty. So little ground is there, in fact, to be found among the different sections of the Union for those uncandid reproaches which, where not reprov'd as alike impolitic and unjust, are calculated to sow the seeds of lasting jealousies and animosities among societies of men whose best interests are indissolubly connected, and who have only to know each other intimately to be as cordially united by mutual esteem as they are by a common Government.

All must concur, however, in regarding the present condition of the free colored race in America as inconsistent with its future social and political advancement; and, where slavery exists at all, as calculated to aggravate its evils without any atoning good. Among those evils, the most obvious is the restraint imposed upon emancipation by the laws of so many of the slaveholding States—laws deriving their recent origin from the obvious manifestation which the increase of the free colored population has furnished of the inconvenience and danger of multiplying their number where slavery exists at all.

Their own consciousness of their degraded condition in the United States has appeared to the North as well as the South, in their repeated efforts to find a territory beyond the limits of the Union to which they may retire, and on which, secure from external danger, they may hope for the enjoyment of political as well as civil liberty. (*See memorial of free people of color to citizens of Baltimore.*)

The belief that such would and should be their desire, and a conviction that the voluntary removal of this part of the population of the United States would greatly conduce to the future happiness of the residue, have turned the anxious attention of many private citizens and the Legislatures of several States to the expediency of affording to them the means of colonizing a territory in Africa.

Anterior to the year 1806, three several attempts to procure a country suited to this subject had been secretly made by the General Assembly of Virginia, through a correspondence between the Executive of that State and the President of the United States. (*See letter from Mr. Jefferson to John Lynd, ante, p. 186*)

The last, but, at the same time, the earliest *public effort* to attain this object was made by the Legislature of the same State, in December, 1816, some time before the formation, in the city of Washington, of the American Society for colonizing the free people of color. The design of this institution, the committee are apprized, *originated* in the disclosure of the secret resolutions of prior Legislatures of that State, to which may also be ascribed, it is understood, the renewal of their obvious purpose in the resolution subjoined to this report—a resolution which was first adopted by the House of Delegates of Virginia, on the 14th of December, 1816, with an unanimity which denoted the deep interest which it inspired, and which openly manifested to the world a steady adherence to the humane policy which had secretly animated the same councils at a much earlier period. This brief and correct history of the origin of the American Colonization Society evinces that it sprung from a deep solicitude for *Southern* interests.

and among those most competent to discern and to promote them. (See paper following Mr. Jefferson's letter.)

Founded by the co-operation of several distinguished statesmen, co-operating with many patriotic and pious citizens, the American Colonization Society, for colonizing the free people of color, soon received the countenance of the Legislature of Maryland, and succeeding it, at shorter or longer intervals, the unequivocal approbation of the States of Georgia and Tennessee, as it has very recently done of Delaware and Kentucky. (See acts of Maryland, Virginia, Georgia, Tennessee, Delaware, Kentucky, New Jersey, Ohio, Connecticut, Vermont, Indiana, and Pennsylvania.)

To these have been added, during the prosecution of its benevolent design, the favorable opinions and pious aspirations for its success of almost every religious society in the United States.

To these influences, and to the success of its measures, it may be ascribed, that private subscriptions to the extent of near sixty thousand dollars have co-operated with the collateral aid of the American Government in founding the present flourishing colony of Liberia. On two several occasions, in the years 1825 and 1826, the General Assembly of Virginia have voted, at the request of the society, a small pecuniary aid to its resources; and that of Maryland has, by a fixed annuity, very lately concurred in a similar benefaction. These acts may be regarded as an earnest of the continued adherence of both States to the opinions which they have repeatedly expressed in behalf of the object of the American Colonization Society.

The success of the society, however, so far as it has advanced, is attributable, under Heaven, mainly to the persevering zeal and prudence of its members, and to the countenance and aid which it has both merited and received from the Federal Government.

The last annual report of the society, which is hereto annexed, (see tenth annual report of the Society,) and the various reports and resolutions of former committees of the House of Representatives, charged, from time to time, with an inquiry into the most effectual means of suppressing the African slave trade, will show the present condition of the colony which the society have planted on the coast of Africa, its present relation to the Federal Government, and the character and extent of the aid which it has derived from the national resources. The prosperity of the colony, your committee are assured by the report and memorial of the Society, surpasses the most sanguine hopes of its early founders, and furnishes conclusive evidence of the capacity of such communities, spread along the coast of Africa, not only to abolish effectually that inhuman traffic which has hitherto baffled the combined efforts of the Christian world, but to afford, on this oppressed continent, the long-sought asylum to such of its free descendants in America as may choose to return to the land of their progenitors.

The aid hitherto derived by the society from the co-operation of the Federal Government has been limited to the execution of the act of 1819, under "the just and liberal construction" given to it by the late President of the United States, in honor of whom the chief town of the colony has received a name which it will hand down, it may be hoped, to remote posterity, as a perpetual memorial of the wisdom and benevolence of the nation over which he presided.

This construction harmonized the benevolent spirit of the act of Congress of 1807, which sought to abolish the American branch of the African slave trade, with the constitutional obligations of the General Government to the several States and to the Union. (*See Message of President Monroe of December 17, 1819.*)

The memorialists found, on views yet more enlarged, an application to the General Government for more extended aid; and, sustained as they are by their own weight of character and the approving voices of so many States—by the wishes of so large a portion, indeed, of the American people—these views are entitled to the most respectful consideration.

They request the Congress of the United States to assume the government and protection of the colony of Liberia, and to furnish to the free people of color in America the means of defraying the expense of their voluntary removal to the continent of their ancestors.

Objects of greater interest, though not now pressed for the first time on the consideration of Congress, have rarely been brought to the notice of this Government.

The first inquiry which they suggest refers the committee to the power of the Federal Government to grant the prayer of the memorialists; the next, to the expediency of doing so.

The committee entertain no doubt whatever but that the Government of the United States has the constitutional power to acquire territory; and that the people of every inhabited country, so acquired, must be regarded as standing towards the Federal Government in the relation of colonial dependence, till admitted as co-ordinate States with the common Union.

The inhabitants of every portion of the former Northwestern Territory, deriving their birth from the thirteen original States, and possessing the right of emigration, were, strictly speaking, recognised colonies of their common mother country, as are at present the Territories of Arkansas, Michigan, and Florida. They had not the right of self-government, nor have these; but they were, or are, dependent, for their laws upon the Congress of the United States. Such Territories, with their inhabitants, can in no sense be regarded as the colonies of any particular State, being made up of emigrants from all the States to the common territory of all; and the power to govern them has been exercised, at all times, under the unquestioned and indisputable authority of the Union.

No State having the power to enter into any negotiation for the acquisition of foreign territory, the authority to make a treaty for that object must and does vest in the United States, or it exists no where. This reasoning is in accordance with the past history of the United States, and the tenor of the earliest report upon this subject from a committee of this House. But, while this committee recognise in the Federal Government the power to negotiate for the acquisition of territory, and to govern it and its inhabitants, when acquired, as a colony, they are not prepared, at present, to admit the expediency of doing so in relation to the people and territory of Africa. Were the exercise of such a power deemed, by the committee, indispensably necessary to the benevolent and useful purposes of the memorialists, a decision on the expediency of the measure proposed would be involved in greater difficulty, and inspire the deepest solicitude. But the committee entertain a different opinion. The colonial agent of the American society has experienced, especially of late, very little difficulty in procuring accessions of territory: no such difficulty need hereafter be

apprehended, or none that mere pecuniary aid would not promptly obviate. Nor, for the protection of the colony against a civilized enemy, does it appear to your committee to be required that the United States should assume over it any jurisdiction or power of political and civil government. The fatality of the climate of tropical Africa to the constitution of the white man forms one source of the security of any colony of persons capable of withstanding its influence. Against the predatory incursions of the feeble tribes in the neighborhood of the American colony, its own strength manifestly suffices for its defence; and from the power of the maritime States of Europe and America, and the agitations and dangers of their frequent wars, the humanity of the world would afford a better protection than the flag of any single State, however powerful.

While the colony of Sierra Leone was subject, as is that of Liberia at present, to the moral control of a society of private gentlemen, it was once, during the disorders of the French revolution, attacked by a French squadron; but such was the indignation awakened by this act of wanton barbarity, that it was promptly disavowed by the revolutionary Government of France; and, in all the subsequent wars of Great Britain, such an act has never been repeated, or even apprehended.

To render this moral protection more authoritative, your committee beg leave to recommend to the House, in conformity with the report of a former committee, acting in relation to the same subject, the adoption of a resolution, requesting the President of the United States to "enter upon such negotiations as he may deem expedient, with all the maritime Powers of the Christian world, for the purpose of securing to the colony of Liberia," and such other colonies as may be planted on the African coast, for like purposes, so long as they may merit it, "the advantages of a perpetual neutrality."

Against the hazard, which must however shortly cease, if it has not already done so, arising from the desperate enterprises of those piratical adventurers who frequent the African coast for the purpose of carrying on a trade now prohibited, north of the equator, by all nations, and continued to the south by Brazil and Portugal alone, the growing strength of the colony, aided by the frequent presence of the American flag in its vicinity, will furnish adequate security. To provide for its internal tranquillity, an assumption of its government by the United States would seem at first to be of greater moment. To the future peace and prosperity of the colony, it may appear to be an indispensable guaranty. Some of the memorialists have so regarded it.

But as a responsibility, involving political considerations of no small magnitude, would, of necessity, attach to the exercise, by the United States, of a sovereign jurisdiction over a remote territory and people, the committee have been led, in conformity with the principles which they have already laid down, to consider it more prudent to trust the internal government of the colony to the administration by which it has been hitherto so successfully conducted.

A mixture of the control of other magistrates than those of the same color with the colonists, to be drawn, for that purpose, from the white population of the United States, might possibly arouse in other States, as well as in the colonists themselves, jealousies which do not at present exist; while no small sacrifice of human life would be the obvious consequence of attempting to sustain an authority over the colony by the force

of any other power than that moral control which repeated benefactions; a sense of gratitude, and the dictates of interest, may long preserve to its American founders and their successors.

When its population and power shall entitle Liberia to rank, as it may, and in all human probability will hereafter do, among the civilized States of the earth, negotiation will keep open and improve the avenue which, in its feeble though yet flourishing condition, it now offers to the admission of the colored race from America. Thus it may continue to subserve all the benevolent and useful purposes which its early patrons and friends had in view, without subjecting it to entangling alliances with, or a degrading dependence upon, any other political community.

The power and the expediency of affording pecuniary aid to the voluntary removal of the free people of color from America to Africa, are questions presenting to the committee fewer difficulties. (*See extracts from third annual report of Colonization Society.*)

It is not easy to discern any object to which the pecuniary resources of the Union can be applied, of greater importance to the national security and welfare, than to provide for the removal, in a manner consistent with the rights and interests of the several States, of the free colored population within their limits. And your committee would not hesitate to accompany this report with a resolution recommending, with suitable conditions, such an appropriation, did not the public business remaining to be disposed of by the present Congress preclude the hope, if not the possibility, of obtaining for such a resolution the sanction of this House.

They close their report, therefore, with an earnest recommendation of the prayer of the memorialists, and the accompanying resolutions of the States of Kentucky and Delaware, to the early attention of the next Congress.

At a meeting of the society held on the first day of January, 1817, the following resolution was adopted :

Resolved, That the president and board of managers be, and they are hereby, instructed and required to present a memorial to Congress, on the subject of colonizing, with their consent, the free people of color of the United States, in Africa or elsewhere.

The following resolutions have been adopted by the society, at its annual meetings in 1819, 1820, 1826, and 1827 :

Resolved, That a committee of three be appointed to lay before the Congress of the United States, or any committee or committees which may be appointed by either branch thereof, the information which has been collected through the means of this society, showing the practicability of the object of this institution, and respectfully, but earnestly, to solicit the countenance, aid, and support of Congress, in the accomplishment of that object.

Resolved, That a committee be appointed to prepare and present to the Congress of the United States a memorial requesting that they will take such further steps as to their wisdom may seem proper to ensure the entire abolition of the African slave trade.

Resolved, That a committee be appointed to prepare and present, as soon as possible, to the two Houses of Congress, memorials praying such aid and assistance to the society as Congress shall think proper to afford.

Resolved, That the board of managers be empowered and directed, at such time or times as may seem to them expedient, to make respectful application to the Congress of the United States, and to the Legislatures of the different States, for such pecuniary aid, in furtherance of the object of this society, as they may respectively be pleased to grant.

Memorial of the free people of color to the citizens of Baltimore.

At a meeting of a respectable number of colored persons, convened at Bethel church, December 7, 1826, for the purpose of considering the propriety of promoting an emigration to the African colony at Liberia, the Reverend William Cornish was called to the chair, and Robert Cowley appointed secretary. The meeting being organized, after due deliberation, the following resolution and memorial were read and adopted.

The proceedings were then ordered to be signed by the chairman and secretary, and published.

DECEMBER 11, 1826.

At a very numerous meeting of respectable free people of color, held at the African church, Sharp street, on Monday, the 11th of December, 1826, on motion of the Reverend Lewis G. Wells, Mr. James Deaver was called to the chair, and Remus Harvey appointed secretary.

A memorial to the white people of Baltimore was then presented to the meeting, being the same adopted at the Bethel church on the 7th instant; and, after the same had been read and discussed, it was adopted, and ordered to be part of the proceedings of the meeting, signed by the chairman and secretary, and published.

Memorial.

We have hitherto beheld in silence, but with the intensest interest, the efforts of the wise and philanthropic in our behalf. If it became us to be silent, it became us also to feel the liveliest anxiety and gratitude. The time has now arrived, as we believe, in which your good work and our happiness may be promoted by the expression of our opinions. We have therefore assembled for that purpose, from every quarter of the city, and every denomination, to offer you this respectful address, with all the weight and influence, which our number, character, and cause, can lend it.

We reside among you, and yet are strangers—natives, and yet not citizens; surrounded by the freest people and most republican institutions in the world, and yet enjoying none of the immunities of freedom. This singularity in our condition has not failed to strike us as well as you; but we know it is irremediable here. Our difference of color, the servitude of many and most of our brethren, and the prejudices which those circumstances have naturally occasioned, will not allow us to hope, even if we could desire, to mingle with you one day in the benefits of citizenship. As long as we remain among you, we must (and shall) be content to be a distinct race, exposed to the indignities and dangers, physical and moral, to which our situation makes us liable. All that we may expect is merit, by our peaceable and orderly behavior, your consideration and the protection of your laws,

It is not to be imputed to you that we are here. Your ancestors remonstrated against the introduction of the first of our race who were brought amongst you, and it was the mother country that insisted on their admission, that her colonies and she might profit, as she thought, by their compulsory labor. But the gift was a curse to them, without being an advantage to herself. The colonies, grown to womanhood, burst from her dominion, and if they have an angry recollection of their union and rupture, it must be at the sight of the baneful institution which she has entailed upon them.

How much you regret its existence among you is shown by the severe laws you have enacted against the slave trade, and by your employment of a naval force for its suppression. You have gone still further. Not content with checking the increase of the already too growing evil, you have deliberated how you might best exterminate the evil itself. This delicate and important subject has produced a great variety of opinions; but we find, even in that diversity, a consolatory proof of the interest with which you regard the subject, and of your readiness to adopt that scheme which may appear to be the best.

Leaving out all considerations of generosity, humanity, and benevolence, you have the strongest reasons to favor and facilitate the withdrawal from among you of such as wish to remove. It ill consists, in the first place, with your republican principles, and with the health and moral sense of the body politic, that there should be in the midst of you an extraneous mass of men, united to you only by soil and climate, and irrevocably excluded from your institutions. Nor is it less for your advantage in another point of view. Our places might, in your opinion, be better occupied by men of your own color, who would increase the strength of your country. In the pursuit of livelihood and the exercise of industrious habits, we necessarily exclude from employment many of the whites, your fellow-citizens, who would find it easier, in proportion as we depart, to provide for themselves and their families.

But if *you* have every reason to wish for our removal, how much greater are *our* inducements to remove! Though we are not slaves, we are not free. We do not, and never shall, participate in the enviable privileges which we continually witness. Beyond a mere subsistence and the impulse of religion, there is nothing to arouse us to the exercise of our faculties, or excite us to the attainment of eminence. Though under the shield of your laws, we are partially protected, not totally oppressed; nevertheless, our situation will and must inevitably have the effect of crushing, not developing, the capacities that God has given us. We are, besides, of opinion that our absence will accelerate the liberation of such of our brethren as are in bondage, by the permission of Providence. When such of us as wish, and may be able, shall have gone before to open and lead the way, a channel will be left, through which may be poured such as hereafter receive their freedom from the kindness or interest of their masters, or by public opinion and legislative enactment, and are willing to join those who have preceded them. As a white population comes in to fill our void, the situation of our brethren will be nearer to liberty; for their value must decrease and disappear before the superior advantages of free labor, with which theirs can hold no competition.

Of the many schemes that have been proposed, we most approve of that of *African colonization*. If we were able and at liberty to go whitherso-

ever we would, the greater number, willing to leave this community, would prefer *Liberia*, on the coast of Africa. Others, no doubt, would turn them towards some other region: the world is wide. Already established there, in the settlement of the American Colonization Society, are many of our brethren, the pioneers of African restoration, who encourage us to join them. Several were formerly residents of this city, and highly considered by the people of their own class and color. They have been planted at Cape Mesurado, the most eligible, and one of the most elevated sites on the western coast of Africa, selected in 1821, and their number has augmented to 500. Able, as we are informed, to provide for their own defence and support, and capable of self-increase, they are now enjoying all the necessaries and comforts, and many of the luxuries, of larger and older communities. In Africa, we shall be free men indeed, and republicans after the model of this republic. We shall carry your language, your customs, your opinions, and Christianity, to that now desolate shore, and thence they will gradually spread, with our growth, far into the continent. The slave trade, both external and internal, can be abolished only by settlements on the coast. Africa, if destined ever to be civilized and converted, can be civilized and converted by that means only.

We foresee that difficulties and dangers await those who emigrate, such as every infant establishment must encounter and endure—such as your fathers suffered when first they landed on this now happy shore. They will have to contend, we know, with the want of many things which they enjoy here; and they leave a populous and polished society for a land where they must long continue to experience the solitude and ruggedness of an early settlement. But “Ethiopia shall lift her hands unto God.” Africa is the only country to which they can go, and enjoy those privileges for which they leave their firesides among you. The work has begun, and it is continuing. A foothold has been obtained, and the principal obstacles are overcome. The foundations of a nation have been laid, of which they are to be the fathers.

The portion of comforts which they may lose, they will cheerfully abandon. Human happiness does not consist in meat and drink, nor in costly raiment, nor in stately habitations. To contribute to it even, they must be joined with equal rights and respectability; and it often exists in a high degree without them. If the sufferings and privations to which the emigrants would be exposed were even greater than we imagine, still they would not hesitate to sacrifice their own personal and temporary ease for the permanent advantage of their race, and the future prosperity and dignified existence of their children.

That you may facilitate the withdrawal from among you of such as wish to remove, is what we now solicit. It can best be done, we think, by augmenting the means at the command of the American Colonization Society, that the colony of *Liberia* may be strengthened and improved for their gradual reception. The greater the number of persons sent hither, from any part of this nation whatsoever, so much more capable it becomes of receiving a still greater. Every encouragement to it, therefore, though it may not seem to have any particular portion of emigrants directly in view, will produce a favorable effect upon all. The emigrants may readily be enabled to remove, in considerable numbers every fall, by a concerted system of individual contributions; and still more efficiently by the enactment of laws to promote their emigration, under the patronage of the State. The

expense would not be nearly so great as it might appear at first sight: for when once the current shall have set towards Liberia, and intercourse grown frequent, the cost will of course diminish rapidly, and many will be able to defray it for themselves. Thousands and tens of thousands, poorer than we, annually emigrate from Europe to your country, and soon have it in their power to hasten the arrival of those they left behind. Every intelligent and industrious colored man would continually look forward to the day when he or his children might go to their veritable home, and would accumulate all his little earnings for that purpose.

We have ventured these remarks, because we know that you take a kind concern in the subject to which they relate, and because we think they may assist you in the prosecution of your designs. If we were doubtful of your good will and benevolent intentions, we would remind you of the time when you were in a situation similar to ours, and when your forefathers were driven by religious persecution to a distant and inhospitable shore. We are not so persecuted; but we, too, leave our homes, and seek a distant and inhospitable shore. An empire may be the result of our emigration, as of theirs. The protection, kindness, and assistance, which you would have desired for yourselves, under such circumstances, now extend to us: so may you be rewarded by the riddance of the stain and evil of slavery, the extension of civilization and the gospel, and the blessing of our common Creator!

WILLIAM CORNISH,

Chairman of the meeting in Bethel Church.

ROBERT COWLEY,

Secretary of the meeting in Bethel Church.

JAMES DEEVER,

Chairman of the meeting in the African Church, Sharp street.

REMUS HARVEY,

Secretary of the meeting in the African Church, Sharp street.

The resolution of the State of Virginia had been, as the committee are assured, for several weeks before it was submitted by its mover to the House of Delegates of that State, shown to many members of that body. Its subject had also been made by him a topic of discussion in the city of Washington, in the preceding spring, and in the cities of Baltimore, Philadelphia, and New York, as well as at Princeton, in New Jersey, during the following summer and autumn. And a concurrent movement in relation to its purpose, in both Maryland and Virginia, had been distinctly concerted in Georgetown, within the District of Columbia, with a gentleman now residing there, as early as March, 1816, without the participation or knowledge of any individual whatever residing north of Maryland.

An accidental disclosure in the city of Richmond, late in February, 1816, of the prior resolutions of the General Assembly of Virginia, was referred to, in the inception of this measure in Georgetown, and in every early stage of its subsequent prosecution. These statements of unquestionable truth, capable of being sustained by ample testimony, are designed to suppress the suggestion, that any influence exterior to the Southern States of the Union, or hostile to their interests, had the least participation in

prompting the first organized public effort to colonize the free people of color of the United States. The subjoined pages, published at a press in the city of Washington, immediately after the formation of the American Colonization Society, and filed among its records, are also in accordance with this hitherto private history.

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From the (Geo.) Missionary.

At a called session of the Jackson County Auxiliary Colonization Society, held on the 2d day of April, 1825, the following preamble and resolutions were offered, and unanimously adopted :

Whereas it is obvious that the present is an age of *great* and successful experiment and enterprise, all having the melioration of the condition of the human family in view ; and whereas we do believe that the American Colonization Society may be justly ranked with the greatest means employed at this time with a view to the accomplishment of those events which are indispensable as a prelude to that happy day (and which cannot be distant) when violence and oppression shall be driven from the world, and the "knowledge of God shall cover the earth as the waters cover the sea : " Therefore,

Be it resolved, That this society, impelled by the foregoing considerations and convictions, and in anticipation of final success, renew to each other the solemn pledge of fidelity and perseverance in aiding, to the utmost of their means, the *great* and laudable enterprise of the parent society.

Resolved, That this society, in anticipating the approaching fourth of July next, see much to excite their love and gratitude to God, and they trust, in a just proportion, their love to their fellow-creatures of every caste: it is therefore recommended that that day be set apart as the day that ushers in the first and great American jubilee ; and that, so far as the members of this society are concerned, or their influence extends, to loose the bands of labor on that day ; and that a committee, consisting of William Pentecost, Hugh Montgomery, David Boring, Hosea Camp, and Joseph Hampton, be, and they are hereby, appointed and requested to open a correspondence with such persons as they may deem most friendly to the institution, with a view to solicit donations in behalf and for the use of the parent society, and to call their attention to the expediency of forming auxiliaries ; and that they also avail themselves of the advantages of that auspicious day, in soliciting donations for the use of what we do not scruple to call one of the greatest enterprises.

Resolved, That, in the opinion of this society, the cause in which the American Colonization Society is engaged is *national*, and therefore requires and merits *national* aid ; they consequently look with anxious anticipation to the National and State Governments for their efficient co-operation, and to auxiliaries and individuals for more liberal contributions.

Resolved, That the treasurer of this society transmit to Richard Smith, Esq., Treasurer of the American Colonization Society, all the money in his hands, except so much as may be necessarily retained for incidental expenses, and report to the society at the next meeting.

Resolved, That the proceedings of this day be transmitted to the editors of *The Missionary* for publication.

Resolved, That the society now adjourn to the first Saturday in September next.

A true copy from the minutes.

W. PENTECOST,
Secretary pro tem.

Address of the synod of Tennessee to the society for the colonization of the free people of color in the United States.

NASHVILLE CHURCH, October 3, 1817.

RESPECTED SIR : Through you, the synod of Tennessee embrace, with lively pleasure, an early opportunity of congratulating the society formed at the capital of our nation, and consisting of so many of our distinguished statesmen and fellow-citizens, for the colonization of the free people of color among us who may accede to their plan. We congratulate you on the noble and important object for which you are associated, on the providential signs of our times which signally favor your efforts, and on the wide-spread and growing impression upon the public mind, that your success is connected with the best interests, not only of the people of color, but of our country and mankind. If it is important that legal equality should accompany liberty, that Africa should receive the gospel, and that the evils of the slave trade should be overruled for her final enjoyment of the blessings of civilization and knowledge, liberty and religion, then it is important that your designs should be encouraged. We wish you therefore to know that, within our bounds, the public sentiment appears clearly and decidedly in your favor, and that the more vigorously and perseveringly you combine and extend your exertions on the plan you have adopted, the more you are likely to be crowned with the approbation of the people, as well as with the higher rewards of doing good. As ministers and disciples of Him who proclaims light to them that sit in darkness, peace to a jarring world, liberty to the captives, and the opening of the prison to them that are bound, we anticipate the glorious day when men shall know the Lord, from the least unto the greatest, in all lands; when every one shall sit under his own vine and under his own fig tree, having none to molest or to make him afraid; when the rod of the oppressor and the tears of the oppressed shall be known no more, but all men shall do unto others as they would be done unto in similar circumstances. This glorious change in the state of the world we expect will be brought about by the instrumentality of men, under the blessing of God. While, then, the heralds of salvation go forth, in the name and strength of their Divine Master, to preach the gospel to every creature, we ardently wish that your exertions, and the best influence of all philanthropists, may be united to meliorate the condition of human society, and especially of its most degraded classes, till liberty, religion, and happiness, shall be the enjoyment of the whole family of man.

Hon. BUSHROD WASHINGTON, Esq., *President, &c.*

A true copy from the records of the synod of Tennessee.

CHARLES COFFIN,
Stated Clerk.

Extract from the journal of the convention of the Protestant Episcopal church of Virginia, holden in Petersburg, on the 13th May, 1819.

Resolved, That this convention highly approve of the objects of the American Colonization Society; and that a committee be appointed to transmit to the president of the society a copy of this resolution, and to assure him of the good wishes and prayers of the committee in behalf of the benevolent exertions of the society.

Resolved, That the Rev. William H. Wilmer, Robert Page, Esq., and Mr. Needham Washington, be the committee for that purpose.

In convention of the Protestant Episcopal church in Maryland.

Resolved, That the institution of the society for colonizing the free people of color of the United States on the coast of Africa meets with the cordial approbation of this convention, and that it be earnestly recommended to all the members of this church to give to the said society their countenance and support.

Resolved, That the thanks of this convention be presented to the Hon. Bushrod Washington, the president, and to the members of the board of managers, for their zealous and persevering exertions in furtherance of the benevolent object of the society.

Resolved, That the secretary transmit a copy of these resolutions to the president and secretary of the society.

Test:

H. L. DAVIS, *Secretary*.

Resolution of the general assembly of the Presbyterian church.

The objects and plans of the American Society for colonizing the free people of color of the United States having been stated to the general assembly, and the same having been considered and discussed, the assembly resolved that, in their opinion, the plan of the society is benevolent in its design, and if properly supported, and judiciously and vigorously prosecuted, calculated to be extensively useful to this country and to Africa.

The situation of the people of color has frequently attracted the attention of this assembly. In the distinctive and indelible marks of their color, and the prejudices of the people, an insuperable obstacle has been placed to the execution of any plan for elevating their character, and placing them on a footing with their brethren of the same common family. In restoring them to the land of their fathers, the assembly hope the way may be opened, not only for the accomplishment of that object, but for introducing civilization and the gospel to the benighted nations of Africa. From the information and statements received, the assembly believes that the proposed colony in Africa may be made a powerful auxiliary in the efforts which are making to abolish the iniquitous traffic in slaves carried on in Africa, and happily calculated to lay the foundation for a gradual emancipation of slaves in our country, in a legal and constitutional manner, and without violating the rights or injuring the feelings of our Southern brethren.

With these views, the assembly feel it a duty earnestly to recommend the American Society for colonizing the free people of color of the United States to the patronage and attention of the churches under their care, and to benevolent individuals throughout the Union.

A true extract from the minutes of the general assembly of the Presbyterian church.

Attest :

I. E. LATTA, *Permanent Clerk.*

. SESSION OF THE ASSEMBLY, *May 31, 1819.*

The following resolution was adopted by the same in 1826:

The assembly having witnessed with high gratification the progress of the American Colonization Society in a great work of humanity and religion, and believing that the temporal prosperity and moral interests of an extensive section of our country, of a numerous, degraded, and miserable class of men in the midst of us, and of the vast continent of Africa, now uncivilized and unchristian, are intimately connected with the success of this institution: Therefore,

Resolved, That this assembly recommend to the churches under their care to patronize the objects of the American Colonization Society, and particularly that they take up collections in aid of its funds on the 4th of July next, or on the Sabbath immediately preceding or succeeding that day; and, whenever such course may be thought expedient, to give them assistance in such a manner as may be most conducive to the interests of the general cause.

Address from the presbytery of North Carolina.

HILLSBOROUGH, *April 18, 1818.*

Sir: The presbytery of Orange, in the State of North Carolina, learn with sincere and peculiar satisfaction that a plan for colonizing the free people of color of the United States has now ceased to be merely a subject of anxious wish to the hearts of the humane and the charity of the Christian. We rejoice in the institution of a society in which, permit us, sir, to say, your selection to the presidency is calculated to excite a general confidence. To Him who has ruled in this auspicious event, we would render our thanks, that the society has already commenced its operations, and is now, with a well-directed energy, advancing in their execution. It has long been the firm opinion of many in this part of our country, that nothing more was necessary to success, in colonizing vast numbers of free people of color, than a common understanding among its friends, with a well-digested method, distinctly pointed out, and evidently practicable without injury to the community. When the feeling and patriotic bosom has breathed the ardent wish that our country might be redeemed from the complicated evils which have been incorporated with society, it was to such a plan only as it was the object of your institution to patronize and effect, that the intelligent mind could look for the consolation of hope. Colonization was necessary; but how were the wisdom and efficacy to be

combined, which were essential to its accomplishment? It was necessary, not only that cautious prudence should be satisfied, but even reluctant selfishness must, if possible, be left without a plausible plea for opposition, from apprehensions of public danger, untoward circumstances, or untimely failure. We think that in the Constitution and proceedings of the Colonization Society we see all that we could wish. We might indeed desire to witness and experience ourselves a speedy and complete termination to the moral disease which mingles and circulates its vitiating influence through the whole of our social state; but with prayerful resignation we would submit to the will of our Heavenly Father, and be fervently grateful to Him for the prospect with which he permits our longing eyes to be cheered. As a pledge of the ardor which animates this presbytery in the cause which engages the society, we are directed to inform you that, to a resolution appointing a committee to give expression to their feelings, they have annexed another, "That it be earnestly recommended by this body, to each of its members, to employ his influence and personal exertions for promoting the establishment of societies auxiliary to the principal Colonization Society."

Our prayers, sir, are ever with you and with the society, that God, in whose hands the hearts of men are as the rivers of water, to turn them whithersoever he will, may plenteously infuse into your minds, and into the hearts of the people, a spirit of union and strength to accomplish the great object of your benevolent institution, for the sake of our great Redeemer.

Signed by the committee.

FREDERICK NASH.
WILLIAM MCPHEETON.
JOSEPH CALDWELL.

HON. BUSHROD WASHINGTON,
President of the American Colonization Society.

Extract from the minutes of the presbytery of Fayetteville, N. C.

THIRTEENTH SESSION OF THE PRESBYTERY OF FAYETTEVILLE,
Tirza Church, Monday, October 4, 1819.

Resolved, That this presbytery do heartily approve of the object proposed by the American Society for colonizing the free people of color of the United States; and that they do sincerely wish, and fervently pray, that the said society may meet with the most abundant and speedy success.

Ordered, That an attested copy of the above resolution be transmitted to the president of the said society.

Truly extracted from the 151st page of the minutes of the presbytery.
COLIN McIVER, *Stated Clerk.*

Resolutions of the general association of Massachusetts.

WESTHAMPTON, *September 19, 1810.*

SIR: At a meeting of the general association of Massachusetts proper, at Pittsfield, June 22, 1819—

"The association *voted*, That this association entertain sentiments of high respect for the society organized for the colonization of free blacks; that they most earnestly wish success to its noble and interesting objects; that they assure the directors of their co-operation, and beg them to persevere in the good work so favorably commenced.

"*Voted*, That a copy of this vote be transmitted to the secretary of the society."

Certified and transmitted, with sentiments of respect, by, sir, yours, &c.

ENOCH HALE,

Secretary General Association, Massachusetts Proper.

ELIAS B. CALDWELL, Esq., *Secretary, &c.*

Resolution of the synod of Virginia.

PRINCE EDWARD, *November 18, 1819.*

DEAR SIR: At a meeting of the synod of Virginia, in Winchester, on the 23d October, 1819, the following resolution was unanimously adopted, and an order passed that a copy should be transmitted to you, as president of the American Colonization Society :

Whereas the synod of Virginia are informed of the existence, in our country, of an association of intelligent and patriotic citizens, under the title of the American Colonization Society, the object of which is to send out to Africa such free persons of color as may be willing to go: And whereas there is reason to hope that this enterprise, if conducted with proper discretion, will produce the happiest effects, particularly in aiding to communicate the glad tidings of the gospel to an interesting quarter of the globe, and to meliorate the condition of a degraded portion of our population, while it promises the means of alleviating evils which our country has reason to deplore :

Resolved, unanimously, That the synod of Virginia recommend, and they do hereby cordially recommend, to all the members of the churches and congregations under their care, to aid the design of the said society, according to opportunity and ability, by their countenance, their contributions, and their prayers to Almighty God for its success.

BENJAMIN H. RICE, *Moderator.*

A true copy :

MATTHEW STILES, *Stated Clerk.*

Hon. BUSHROD WASHINGTON,

President of the American Colonization Society.

Resolution of the Methodist conference of Virginia and North Carolina.

OXFORD, N. C., *February 28, 1825.*

Resolved, That this conference highly approve the object of the American Colonization Society, and recommend it to the patronage of the people of our charge.

JOHN EARLY, *Secretary.*

Resolution of the Methodist Baltimore annual conference.

At the conference of the Methodist church, lately held in Baltimore, the following resolution was passed, and communicated to the board of managers of the American Colonization Society by its secretary :

Resolved by the Baltimore annual conference, in conference assembled, That we highly approve the objects of the American Colonization Society, and that we will use all prudent means to promote its success, by taking up collections in aid of its funds, on the Sabbath preceding or succeeding the 4th of July, in all places where it is practicable.

In the year 1825, the Legislature of Virginia adopted a resolution appropriating five hundred dollars to the American Colonization Society; and in 1826 it appropriated eight hundred dollars to the same object.

Maryland appropriation.

MARYLAND, *act :*

At a session of the General Assembly of Maryland, begun and held at the city of Annapolis, on the last Monday of December, being the twenty-fifth day of the said month, in the year of our Lord one thousand eight hundred and twenty-six, and ended the thirteenth day of March, one thousand eight hundred and twenty-seven, (his excellency Joseph Kent, Esq., Governor,) amongst others, the following law was enacted, to wit :

AN ACT making appropriation for the benefit of the American Colonization Society.

Whereas the people and Government of this State have witnessed, with deep interest, the exertions of the American Colonization Society to promote and carry into effect the great and laudable objects of their association: And whereas this Legislature do most highly approve of the scheme of African colonization set on foot by said society, and believe it to be the only one which can promise practical benefit to the country, or to that class of the community which it is intended to relieve: Therefore,

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That the treasurer of the Western Shore be, and he is hereby, authorized and directed to pay to the order of the treasurer of the American Colonization Society, for the use of said society, the sum of one thousand dollars, out of any unappropriated moneys which shall be in the treasury at the time of the passage of this act: *Provided,* That the treasurer of the said Shore shall be satisfied that the said sum will be expended for the benefit of free people of color who have been actual residents of this State for twelve months previous to the time of their embarkation.

Sec. 2. *And be it enacted,* That the said treasurer is hereby authorized to pay to the order of the treasurer of the society aforesaid the sum of one thousand dollars, for the use of said society, in the month of January, in the year eighteen hundred and twenty-eight, and the like sum, at the same time, in each successive year thereafter: *Provided,* That, after the present year, no payment shall be made under the authority of this act, unless the

officers of said society shall present satisfactory proof to the said treasurer of the Western Shore that the whole of the appropriation of the preceding year, or such parts thereof as may have been expended, has been applied towards the colonization, on the coast of Africa, of free people of color who had been actual residents of this State for twelve months preceding the time of their embarkation: *And provided, further*, That the appropriation shall be extended to the applicants for colonization from each of the counties, and the city of Baltimore, in the ratio of applications.

BY THE HOUSE OF DELEGATES, *March 13, 1827.*

This engrossed bill, the original of which passed this House on the 10th day of February, 1827, was this day read and assented to.

By order :

GIDEON PEARCE, *Clerk.*

BY THE SENATE, *March 13, 1827.*

This engrossed bill, the original of which passed the Senate on the 8th day of March, 1827, was this day read and assented to.

By order :

WILLIAM KILTY, *Clerk.*

JOSEPH KENT.

[THE GREAT SEAL OF MARYLAND.]

MARYLAND, *scilicet* :

I hereby certify that the foregoing is a full and true copy, taken from the original engrossed bill deposited in and belonging to the office of the court of appeals for the Western Shore of said State.

In testimony whereof, I have hereunto subscribed my name, and affixed the seal of the said court of appeals, this eleventh day of April, [L. s.] in the year of our Lord one thousand eight hundred and twenty-seven.

TH. HARRIS,
Clerk Court of Appeals.

While so many testimonies of public favor have been supplied in America to the cause of colonization, other nations have not been inattentive to the interests which it is calculated to promote, not only in Africa but elsewhere. Both policy and humanity prompted the annexed communication from the French Government to the American Society, through one of its members.

[TRANSLATION.]

LEGATION OF FRANCE IN THE UNITED STATES,

Washington, March 2, 1821.

SIR: The King, my master, has heard, with great satisfaction, that a society has been formed in the United States, whose object is gradually, and therefore without dangerous experiments, to improve the condition of a class of individuals who have been, for too long a time, strangers to the care and sympathy of mankind.

His Majesty, actuated by a desire to aid, by more effectual means than mere good wishes, a project so deserving of encouragement, has been pleased to authorize me to lay the foundation of a scheme of colonization, which, if successful, cannot fail to become, at a future day, a real blessing to civilization and humanity.

The generous undertaking which you have unceasingly labored to promote, by the most active endeavors, does not appear to me to form an obstacle to that proposed by my Government. The true desire of doing good can never breed collision; and hearts such as yours are always desirous that it should be effected by all the means pointed out by Providence.

Although it is not my intention, at least at this time, to give publicity to the project which I have the honor to communicate to you, I will yet enter into such details as will enable you to appreciate, not only the deed itself, but the intention also.

As soon as the undertaking of my Government shall have become publicly known, there may, perhaps, not be wanting those who will say that it is, on its part, but an interested act. It is true that France may, in future, derive some real benefit from the execution of the plan, but humanity will be still more benefited than France; and when the project has been proposed on one hand, and accepted on the other, it will be seen that the object in view was the cause of humanity.

This, sir, is the project in question:

France agrees to the colonization, in that part of Guiana which belongs to her, of free colored agriculturists, and wishes to receive them chiefly from the United States, in case nothing should exist to oppose this intention.

I have acquired the conviction that the Commonwealth has nothing more at heart than to promote the removal of her free colored population; it is, therefore, with full confidence that I now solicit, in behalf of a project according so well with the desire and interest of the Union, your personal assistance, and that of the honorable society which has been pleased, for several years past, to receive my offers of services, and, I may say, to consider me as one of its members. To this society I am sure I will always remain attached by the sentiments which now actuate me, and by the desire I feel of sympathizing with it. Various motives impel me to wish for the co-operation of this benevolent association. It has it in its power to remove many difficulties which stand in my way, and, above all, to quiet the fears which might be entertained by men naturally mistrustful, and too often justified in being so. The King of *the Franks* has no desire to introduce new slaves into one of his most valuable colonies. His generous soul knows too well how to feel for unavoidable miseries, which time alone can gradually alleviate, to entertain for a moment the idea of maintaining a state of things which religion and humanity condemn, and to which the children of St. Louis will seek to put an end, by all the means suggested by prudence and justice.

The colonists proposed to be settled in French Guiana will be free, and will enjoy all the protection guaranteed to the subjects of the King.

This, sir, is the first thing which will be guaranteed to them; and of this they will, I hope, be easily convinced, when they shall have known, from their most zealous protectors, the character of the Government to whose care it is proposed to commit them.

In order to proceed with more safety, I would like to begin by introducing, as soon as possible, into Guiana a few healthy families, to whom I

would willingly add one or two colored men, whose duty would be to acquire a personal knowledge of the character of the settlement, and return to the United States to facilitate subsequent expeditions.

The emigrants would be transported at the expense of the King, a tract of land granted to each family, and on each tract a temporary dwelling would be erected. To these would be added provisions for six, nine, and even twelve months. The fee simple of the land would vest in the grantees as soon as two-thirds of the tract should have been cleared, under the condition of their raising thereon a stated proportion of indigenous provisions, independently of the cultivation of cotton, coffee, tobacco, indigo, cocoa, vanilla, and spices. Every male child would, on marrying, obtain also a tract of land upon the same conditions.

Other advantages will be granted to these families of agriculturists. Nothing will be neglected as respects medical assistance, and, above all, to cause religion, this primary source of prosperity and happiness, to preside over their progress in industry and civilization.

All the conditions will be stipulated in a precise manner; and I will willingly engage to bring back, during the first year, at the expense of the Government, such of the first emigrants as would think that their expectations had been deceived.

This statement will enable you, sir, to discover that the object is to form an establishment useful to humanity. I therefore take the liberty to ask your opinion, as well on the general intent of the plan, as on the surest means to promote its execution.

It would also be gratifying to me to be enabled by you to communicate with your friends in Philadelphia and in the other cities of the Union; but it will be time to give our attention to this when you shall have imparted to me your views of the project, and informed me how far it may be assisted by the Federal Government, and by those societies which are now engaged, throughout the Union, in devising the means of improving the condition of the people of color.

Be pleased to accept the assurance of the sentiments of consideration and attachment with which I have the honor to be your most obedient humble servant,

HYDE DE NEUVILLE.

TWENTIETH CONGRESS, FIRST SESSION.

FEBRUARY 25, 1828.

Mr. McDUFFIE, from the Committee of Ways and Means, to which the subject had been referred, reported the following bill :

A BILL, to abolish the agency of the United States on the coast of Africa, to provide other means of carrying into effect the laws prohibiting the slave trade, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, after the first day of January, one thousand eight hundred and twenty-nine, the agency of the United States on the coast of Africa, established under the authority of an

act of Congress of the 3d of March, one thousand eight hundred and nineteen, entitled "An act in addition to the acts prohibiting the slave trade," shall be abolished.

SEC. 2. *And be it further enacted*, That the President of the United States be then authorized to convey to the agents of the Colonization Society on the coast of Africa all the houses and other property belonging to the agency of the United States on that coast: *Provided*, The said society will agree to receive, on the terms hereinafter stated, the negroes who may be recaptured and sent to Africa, under the acts for the suppression of the slave trade.

SEC. 3. *And be it further enacted*, That the President of the United States be authorized to pay to the Colonization Society, or their agents on the coast of Africa, a sum not exceeding fifty dollars, for the support of each recaptured African negro delivered to the agents of the said society: *Provided*, The said society, or their agents, will agree to receive them on the terms specified in this and the preceding section.

SEC. 4. *And be it further enacted*, That the sum of thirty thousand dollars be, and the same is hereby, appropriated, to be paid out of any unappropriated money in the Treasury, for carrying into effect the aforesaid provisions, and also for the purpose hereinafter stated.

SEC. 5. *And be it further enacted*, That the Secretary of the Navy be authorized to pay, out of the sum herein appropriated, the claim of the administrator of the estate of Taliaferro Livingston, late United States marshal for the district of Alabama, for the maintenance of sundry Africans captured in one thousand eight hundred and eighteen: *Provided*, The said administrator shall produce satisfactory evidence of the reasonableness of the charges for the said maintenance; and that the sums received by the said Livingston for the hire of the said Africans be accounted for and deducted.

NOTE.—In the course of the proceedings on this bill, the 1st, 2d, and 3d sections were stricken out, leaving the 4th and 5th sections only, which were passed into a law, and received the approbation and signature of the President of the United States on the 24th of May, 1828.

THURSDAY, MARCH 4, 1828.

Mr. MERCER moved the following resolution, which was read, and laid on the table, viz:

Resolved, That the Secretary of the Navy be directed to lay before this House such intelligence as his Department may supply respecting the present condition and probable annual expense of the United States agency for recaptured Africans upon the coast of Africa; and to comprehend therein any information possessed by the said Department, illustrative of the present circumstances of the settlement of free colored people at Liberia, and of those liberated Africans who have been restored to that continent in pursuance of the act of Congress of 1819.

This resolution was adopted by the House on the day after its introduction; and the Secretary of the Navy, in obedience to its requirements, communicated to the House the following:

NAVY DEPARTMENT, *March 11, 1828.*

SIR: In answer to the resolution of the House of Representatives of the 5th instant, directing the Secretary of the Navy to lay before the House "such intelligence as his Department may supply, respecting the present condition and probable annual expense of the United States agency for recaptured Africans upon the coast of Africa; and to comprehend therein any information, possessed by said Department, illustrative of the present circumstances of the settlement of free colored people at Liberia, and of those liberated Africans who have been restored to that continent in pursuance of the act of Congress of 1819," the Secretary of the Navy has the honor to lay before the House a copy of two letters from J. Ashmun, who is temporarily the acting agent at Cape Mesurado—one dated 28th August, and the other 22d December, 1827; a schedule of the public buildings and other property, with their estimated value; a statement of the disposition made of the Africans sent from Georgia by the ship Norfolk; and an extract of a letter from Master Commandant J. B. Nicholson, dated 20th February, 1828.

These papers contain all the information recently received of the present condition of the agency, which is represented as prosperous and encouraging.

It will be perceived that all the liberated Africans have by this time ceased to be a charge to the United States.

Should no further captures be made, the only expense, under existing regulations, will be for the care of the public property and the salaries of the agents. It may be proper, however, to state that 121 Africans, landed from the wreck of a Spanish vessel, have lately been seized at Key West, and measures adopted by the marshal of East Florida for their removal to St. Augustine, preparatory to a trial. The decision respecting them cannot be anticipated, but it is possible that the case may be considered as coming within the acts of Congress; in which event, the duty will devolve upon the Executive of removing them from the United States. Provision was made for such an emergency in the estimate presented at the commencement of the session.

Accounts of the expenditures at and for the agency have been furnished to the close of the last year; those subsequently received have not yet been settled.

Orders were given on the 10th December not to expend any more money on the public buildings, and the agent was directed to prepare a schedule of them and their cost: this was partly anticipated by one of the accompanying papers, but the current estimated value is substituted for the actual cost, which is probably not more than one-half the amount stated.

A map of the country having been engraved, a copy of it is herewith sent, showing the position of the several settlements.

The Department is not in possession of any other information, particularly "illustrative of the present circumstances of the settlement of free colored people at Liberia." Reports on that subject are addressed to the Colonization Society; nor has the Department any knowledge further than what arises from the unavoidable connexion existing between the agency and the settlement of free people, and which connexion has heretofore been explained in communications to Congress.

All which is respectfully submitted.

SAMUEL L. SOUTHARD.

The SPEAKER of the House of Representatives.

UNITED STATES AGENCY FOR RECAPTURED AFRICANS,

Cape Mesurado, August 28, 1827.

SIR: I have the honor to acknowledge the receipt, through Doctor Todson, per the ship "Norfolk," arrived here on the 20th instant, forty-one days from Savannah, of your letter of the 11th of June, and copies of instructions therein referred to: those originally addressed to the late Doctor Peaco, dated April 2, and those given to Doctor Todson, dated the 11th June, all of the present year.

In obedience to those instructions, I have received 142 Africans at the agency, (the number embarked at Savannah having been diminished by two, from the death of a child and an aged paralytic,) and proceeded to dispose of them in the way judged most conducive to their own welfare, and most conformable to the views and instructions of the Department. Under this disposition of these people, of which the particulars shall be forwarded by the return of the Norfolk, three-fourths of them will cease to be a charge to the United States at the end of *one month*, and *all* (except the sick) at the end of *six months*. All the adults are to receive lands, and will be admitted to the privileges of colonial settlers at the expiration of twelve months, provided their conduct within that term shall not prove them unworthy of the civil rights attaching to landed property in the colony.

Conformably with the same instructions, I have reorganized the service of the agency, with a view to diminish and reduce to the lowest estimated amount its future expenses.

W. L. Weaver, the book keeper and assistant, appointed by the late Dr. Peaco, is discharged after the 31st of the present month.

The storekeeper, E. Johnson, whose services in keeping, distributing, and exchanging the stores and other property belonging to the Norfolk's cargo, *cannot be dispensed with*, is retained at a compensation of \$333 per annum, for six months from the same date.

A. D. Williams, the former superintendent, is also retained at a compensation of \$400, for the same term.

The reason for retaining Mr. Williams is, that his superintendency and other services are absolutely necessary to place the Africans in situations, accustom them to such employments, and form them to such habits, as shall enable them, some from the first, *all* at the end of six months, to support themselves.

On the supposition that no more Africans are to be sent to the agency, I beg to submit an estimate of its future expenses in this country—anticipating its expiration on the first of September, 1828—exclusive of drafts on the Department previous to the present time, some of which appear not to have been received on the 11th of June last, and of the stores, &c., received per the Norfolk.

Estimate.

1. Compensation due to W. L. Weaver, in full for past services up to the time of his discharge, August 31, 1827	-	-	\$175 00
2. Compensation due to E. Johnson, storekeeper, in full for services up to the 31st of August, 1827	-	-	75 00
3. Compensation due to E. Johnson, storekeeper, in full for services to be rendered the ensuing six months, when they are to terminate	-	-	166 50

4. Compensation due to Griffin, Steward, and Clarke, associate carpenters, for carpenters' work accomplished and doing on the United States buildings for recaptured Africans and superintendent at Stockton town	\$200 00
5. Compensation due to the same carpenters for work done and doing on Fort Norris battery, Cape Mesurado	95 00
6. Compensation due to Nelson's services as carpenter, Stockton buildings	250 00
7. Estimated amount of masons and painters' bills for underpinning and painting the Stockton buildings	275 00
8. Bills of William Draper, employed, in 1826, by Dr. Peaco, to build a very expensive double piazza, with Venetian work, quite around the large agency house, involving alterations in the house	2,400 00
9. Bills of masons, carpenters, and painters, for work necessary to complete the new agency house	300 00
10. Bills of carpenters and smiths for completing the large schooner boat now on the stocks	650 00
Materials for the same, and for repairing the Catharine	400 00
11. Bills of painters, and for materials for painting the United States ware, gun, and other remaining houses	240 00
12. Expenses incurred about Fort Norris battery, for the protection of the roads, estimated at	165 00
13. Expenses for compensation to A. D. Williams, superintendent recaptured Africans, February 28, 1828	400 00
14. Incidentals. Agent's personal expenses during the year to end August 31st, 1828, \$100, or (exclusive of pay) extra services and fixtures about the public stores, \$50; salutes to foreign national vessels, \$50; compensation for military and ordnance storekeeper, \$36	236 00
15. Amount of draft for purchases made of the schooner Eclipse, in favor of William De La Roche. <i>Note.</i> —The amount of this draft, dated to-day, is \$1,602 97½, comprehending—	
Of the 1st item of the preceding estimate	\$72 87½
Of the 4th do do do	92 00
Of the 6th do do do	120 00
Of the 8th do do do	290 00
Of the 13th do do do	30 00
	604 87½
	604 87½

And leaving, after abating this general estimate, \$604 87½, for purchases properly belonging to item 15

Making, exclusive of my own or substitute's pay through the year beginning September 1, 1827, in full for all future expenses to that date, and supposing the expiration of the agency at that date, six thousand nine hundred and eighty-five dollars and sixty cents

6,985 60

In the foregoing estimate I have most anxiously studied economy on the one hand; but I have also, on the other, not been regardless of the mode of closing a concern of so interesting a nature, situated in a foreign country, which becomes the justice and dignity of the Government of the United States. The actual state of the United States *dwelling, ware, and gun-houses*, its fortifications and their armament, *the buildings for recaptured Africans, and the boats, &c.*, belonging to the agency, (worth, at a moderate estimate, \$14,000,) requires also a large part of the additional expense included in this estimate, in order to furnish and put them in a condition to fit them either for sale or preservation.

Doctor Todson will furnish himself with a properly authenticated schedule of all the permanent property belonging to the United States at this date, attaching to the agency, which probably will not materially vary at the year's end.

Having formed the above estimate in the exercise of my best discretion, I beg leave, in conclusion, to observe, that *until further instructions from the Department, to which I beg most respectfully to submit it for approval, I shall regulate my expenditures by it, and, without the most extraordinary necessity, shall not exceed any one of the items.*

Respectfully, sir, your obedient servant,

J. ASHMUN.

Hon. SAMUEL L. SOUTHARD,
Secretary U. S. Navy, Washington city.

P. S. A general statement of my accounts since the departure of Doctor Peaco was forwarded by the United States schooner Shark, which sailed from Mesurado, for the West Indies, 12th February last; and a full statement of my accounts up to the 30th of April, 1827, went by the Doris, which sailed hence for Baltimore on the 22d of June last. If my health, which has been bad for two months past, proves sufficient, I shall forward by Doctor Todson a further statement of the accounts to the date of the Norfolk's arrival, August 20th (instant.)

J. ASHMUN.

Understanding a vessel, to be chartered by the American Colonization Society, is expected to sail from the United States for Cape Mesurado some time in autumn, I have to request that twenty-five thousand of juniper, cypress, or yellow pine shingles may be forwarded by that conveyance, in order to cover the most valuable of the United States houses, &c., in this country. The shingles of the country are dear, and too indifferent to last longer than two seasons. Some require to be annually renewed.

J. ASHMUN.

U. S. AGENCY FOR RECAPTURED AFRICANS,
Cape Mesurado, December 22, 1827.

SIR: The United States ship Ontario, having arrived in Mesurado roads last evening, ten days from Sierra Leone, and forty-one from Gibraltar, on her return to the United States will be the bearer of this communication.

I have the satisfaction of being able to state, that all the recaptured Afri-

cans at the agency are, with nearly every individual of the American settlers, in perfect health, with the exception of nine cases (of which two are recaptured Africans) of ulcerated legs. The sufferers from this malady have, however, been convalescent since the termination of the rainy season, which the present year was unusually protracted, and scarcely terminated at the beginning of the present month.

The number of Africans from Georgia has been diminished by two deaths since the date of my letter per the Norfolk. The first was that of an adult, drowned, or, as there is reason to suppose, destroyed by an alligator, while bathing in the Mesurado river, on the 10th of October. The other case is of a child, three years old, carried off by a malignant fever of thirty hours' continuance. About forty of the whole company from Georgia have been slightly affected with intermittents. The worst case continued nearly two months, but generally the patient recovered in ten days.

These people have proved, far beyond expectation, orderly, peaceable, and industrious. Only a solitary offence deserving corporeal punishment has come to my knowledge, and this grew out of a sudden exasperation of passion. Five marriages have been solemnized; and the irregular connexions of the unmarried strictly prohibited, and, as far as is known, prevented entirely. Seven women, having one or more small children each, not obtaining situations in the families of the settlers, have been employed in the best manner I could place them in the public service. Three of them wash and cook for the public laborers, the rest have situations in the colonial *infirmary and orphan house*, where they enjoy the strictest paternal superintendence of the manager of that establishment, and are fully employed, without any actual increase of the sum total of the public expense. It has proved a truly auspicious circumstance, when only the temporal lot of these people and their restoration to Africa are considered, that more than forty of their number have brought with them that best of all personal endowments—a simple and imperfect, but serious and practical knowledge of Christianity. The true religion operating on such minds exists and displays itself only in its influence on the life and character. And this is only salutary. I trust their good conduct during their probationary year will secure them the good wishes and patronage of all in the colony whose friendship can hereafter be most useful to them. A part of them is destined at the end of the year to the newly projected settlement at Grand Bassa; another division I hope to provide for on the Stockton, midway between Caldwell and Monroe. The lands of both districts are good, and *equally* good. The third or remaining part of the company, consisting of single women and minors, will remain attached to the families of the settlers, and accede, in time, to the privileges of the American emigrants.

The expenditures on account of the agency have been regulated strictly according to the estimate forwarded by the schooner Eclipse, under date of August 28th, 1827—no event having occurred, or appearing likely to happen, requiring me to exceed it. The injury sustained by the schooner boat has been repaired, and she is again in active service. We still keep her armed, but have considerably reduced the expense of her ordinary armament and crew this season, which may be increased at pleasure. It is quite necessary she should occasionally show a gun, but more so that

she should fetch good freights of rice and oil for the comfort of the people; and in this service we hope hereafter chiefly to employ her.

The other unfinished boat is under shelter, and will be completed at leisure, in the best style which our materials and workmen will permit. The great multiplication of decked coasting craft in the colony the present season both delays the completion of the public boats by engaging the mechanics, and renders that delay the less prejudicial to the common welfare of the establishment.

The accounts of the agency for the four months ending on the 31st instant may be expected by the schooner "Susan," of and for Baltimore, to sail early in January. The actual state of the slave trade on this coast will, perhaps, be best learnt by the Department from the report of Captain Nicholson, of the "Ontario," who remained several days at the centre of intelligence on this subject, Sierra Leone. On this part of the coast it is certainly reviving. The vessels engaged in it carry, a few, the *French*, but most the *Spanish* flag. Most of the adventurers are also Spaniards, many are French, and not a few natives of the *United States*. In one instance, the United States flag has been used to protect a slaving schooner, whose name, place of outfit, and master, I have not been able satisfactorily to ascertain.

Respectfully, sir, I have the honor to remain your obedient servant,
J. ASHMUN.

Hon. SAMUEL L. SOUTHARD,
Secretary of the Navy, Washington city.

Schedule of United States property attached to the agency for recaptured Africans, Cape Mesurado, and not of a convertible nature.

Denomination and description.	Estimated value, Sept. 1, 1827.
<p style="text-align: center;">1. LARGE AGENCY HOUSE.</p> <p>Frame, yellow pine. Brought to Africa in 1823. Surrounded with a double piazza 12 feet deep; of which the upper story is now finishing with Venetian work of excellent workmanship and materials. Kitchen attached. The principal dimensions are 64 feet long, 40 wide—stories 11 and 9 feet. Will be finished about the first of January, 1828; and, when complete, valued at - - -</p>	<p style="text-align: right;">\$7,500 00</p>
<p style="text-align: center;">2. GRANARY AND STOREHOUSE.</p> <p>This is a small building, of which the uses to which it has hitherto been applied are described by its name: designed to become a storehouse to the new agency house, near which it stands. It is two stories—the lower mason work, roof hipped, panel doors, and the whole building painted.</p> <p>Value - - -</p>	<p style="text-align: right;">500 00</p>

SCHEDULE—Continued.

Denomination and description.	Estimated value, Sept. 1, 1827.
3. OLD WAREHOUSE.	
<p>Consists of one ground story, and a capacious loft; has a slight frame, secured in every part by a filling in of logs; clapboarded, and covered with country shingles. Dimensions, 40 feet by 16 feet. Built in 1826. Estimated value</p>	\$500 00
4. NEW WAREHOUSE, MONROVIA.	
<p>This is a completely finished and secure warehouse and store, of two stories—the lower is strengthened with a filling in of timbers; the upper constructed of a frame brought from the United States. One side of the roof painted. Built in 1826 and 1827. Value - - - - -</p>	1,800 00
5. MAGAZINE.	
<p>Stone work, plastered on the outside. The roof, inside, vaulted with mason work, and covered above with a shingled roof. Its strength is what is technically called bomb-proof. Estimated value - - - - -</p>	200 00
6. CROWN HILL FORTIFICATION.	
<p>Commenced only. The foundation is laid for a hexagonal tower of two platforms, each to mount four guns. Its foundation walls are five feet thick; intended for the defence of the eastern extension of the settlement of Monrovia, where it stands. Value of foundation and materials collected</p>	175 00
7. CENTRAL FORT, FORMERLY FORT STOCKTON.	
<p>This work, building, in part, of the materials of Fort Stockton, which was demolished in 1826 for the purpose, is in the form of a triangular battery; of which the angles consist of three pentagonal two-story towers, in each of which are 10 port-holes; and these towers joined together by walls 10 feet high, two thick, and each 60 feet in length, pierced with 15 port-holes. The work may mount any number of guns, from 6 to 18: 6 heavy and 6 light pieces are its medial complement. The towers of this work, erected in 1826 and 1827, are the only part yet accomplished. It defends nearly the whole present settlement of Monrovia, and the mouth of the river. Present value - - - - -</p>	950 00

SCHEDULE—Continued.

Denomination and description.	Estimated value, Sept. 1, 1827.
8. FORT NORRIS BATTERY.	
<p>Erected on the height of Thompsontown, for the protection of the outer roadstead. It stands near the summit of Cape Mesurado, on a shelf strengthened and levelled by means of an expensive and impenetrable bed and abutment of the heaviest stone work. It has two faces, each of 40 feet, furnished with a platform of four inches thick sawed stuff; is housed and roofed, and provided with four long twelve-pounders, iron. Built in 1827. Value, exclusive of the armament - - - - -</p>	\$800 00
9. ORDNANCE, 21 PIECES.	
<p>Five long twelves, of which one needs remounting; two eighteen-pound gunnades, well mounted; three nines, one long, one medium, and one carronade, all mounted; six sixes, one carronade, the others mediums, and two need remounting; five smaller medium guns and swivel pieces: of these, one is a brass six-pound field piece, mounted on a travelling carriage, and furnished, also, with a revolving carriage to suit either a tower or the deck of a small vessel. Rammers, &c., nearly complete. Value - - -</p>	2,000 00
10. CENTRAL RECEPTACLE FOR RECAPTURED AFRICANS, STOCK-TONTOWN.	
<p>Of this building, the part approaching the river is two stories, and finished with Venetian blinds, and in the best style. Intended for the superintendent's residence. The whole consists of American lumber: the length 60 feet, and consists of eight apartments for recaptured Africans, exclusive of the front part described. Built in 1826 and 1827. Value</p>	\$50 00
11. RANGE NO. 1.	
<p>Situated near the central receptacle, has the form of L, one and a half story, 14 feet wide and 72 feet long, built of the best American materials; and contains a store room and five spacious apartments, each of which has a loft for recaptured Africans, 1827 - - - - -</p>	1,000 00

SCHEDULE—Continued.

Denomination and description.	Estimated value, Sept. 1, 1827.
12. RANGE NO. 2.	
Situated opposite to range No. 1, Stocktontown. Same dimensions, materials, and construction, except the division of the apartments. Value the same; built 1827 - -	\$1,000 00
13. TWO LOG BUILDINGS AT THOMPSONTOWN.	
Each 36 feet long, and one and a half story in height; built in 1824 and 1825, of African materials; eight rooms -	750 00
14. TWO SCHOONERS.	
One finished, but damaged; the other on the stocks. Estimated value of both; one rigged - - - -	2,200 00
Total - - - - -	20,225 00

J. ASHMUN.

TWENTY-FIRST CONGRESS, FIRST SESSION.

APRIL 7, 1830.

Mr. MERCER, from the select committee to which the subject had been referred, made the following report:

The committee to whom were referred the memorial of the American Society for colonizing the free people of color of the United States; also, sundry memorials from the inhabitants of the State of Kentucky, and a memorial from certain free people of color of the State of Ohio, report:

That the leading object of the memorialists has been often brought to the view of Congress, as will appear from a reference to the accompanying documents, containing an act of Congress and various resolutions and reports of committees and proceedings of this House, the earliest of which bears date the 11th of February, 1817.

A wish to provide, somewhere beyond the limits of the United States, a country to which the free people of color of the several States and Territories might voluntarily remove from their present abode, has long been widely diffused.

The State of Virginia, early in the administration of Mr. Jefferson, sought, through the agency of the General Government, to obtain such an asylum for this class of her population. Her efforts for the accomplishment of this object were repeated before as well as shortly after the ac-

quisition of Louisiana, to the western borders of which her hopes were at one time directed. Disappointed in this direction, after the lapse of more than ten years her General Assembly adopted, with great unanimity, the first of the resolutions annexed to the memorial of the board of managers of the American Society for colonizing the free people of color. This resolution requests the Executive of the State "to correspond with the President of the United States, for the purpose of obtaining a territory upon the coast of Africa, or at some other place not within any of the States or Territorial Governments of the United States, to serve as an asylum for such persons of color as are now free, and may desire the same, and for those who may be hereafter emancipated" within the Commonwealth. This resolution further requests the Senators and Representatives of the State in the Congress of the United States to contribute their best efforts, in aid of those of the President, for the attainment of its object.

A few weeks after the introduction of this resolution into the General Assembly of Virginia, a number of gentlemen of great respectability united in the city of Washington to form the society in behalf of whose purpose the first of the memorials referred to your committee is addressed to Congress by their board of managers.

It does not fall within the compass of this report to trace through all its details the history of the colony already planted by this society on the coast of Africa, further than to say that its position, remote from any rival European settlement; its soil and climate, yielding two productive harvests in the year; its present population and commerce; its past growth and future prospects, recommend it as a judicious and fortunate selection for all the purposes which the memorialists, its founders and patrons, hope to accomplish.

Passing by the other benevolent objects of the memorialists, there is among them one so intimately connected with the prosperity, the character, the honor of the American Government, that your committee deem it an indispensable duty to draw to it the particular attention of the House of Representatives.

The Government of the United States is not only empowered, but bound, by every consideration of expediency as regards its immediate constituents, of humanity as respects another continent, and of fidelity to the obligations of an existing treaty, to abolish, if possible, a traffic which has long been denounced in vain by its laws.

The slave trade still exists to a great extent, in despite of the concurrent treaties of England, Spain, and the Netherlands, and the separate legislation of all the Christian States of Europe for its abolition. The courts of mixed commission, established by these treaties, and the occasional appearance of a few armed ships on the coast of Africa, by imposing the necessity of greater caution, expedition, and vigor, on the part of the trader, have served only to augment the horrors, and with them the profits of the trade.

Since the rejection of the treaties, negotiated by the President of the United States, with Great Britain and Colombia, all efforts to abolish this iniquitous commerce, by international exchanges of the right of search, have ceased; and the hopes of the patriot and the philanthropist, that the traffic will ever disappear, are now limited to the agency of such colonies on the coast of Africa as the African Institution of England and the Amer-

ican Colonization Society have planted at Sierra Leone and at Montserado.

Scattered along those shores of that continent which are now frequented by the slave trader, such colonies will serve as so many citadels to guard against his approach, and will open, at the same time, as many markets for the various productions of African industry.

A colonial system, such as your committee contemplate, for which the United States furnish most abundant materials, would strike at the root of the African slave trade, by substituting an innocent commerce in the fruits of African labor for the persons of the laborers themselves.

One objection to the establishment of such a system of colonization the committee have anticipated, with a view to suggest for it an adequate and secure remedy.

A responsibility, on the part of the American Government, for the safety of such colonies, would involve consequences difficult to reconcile to the established policy of the United States. The purposes of the Colonization Society have not seemed to your committee to require a departure from this policy. The American colonists of Liberia, in their weakest condition, found themselves secured by their own strength from the hostility of the enfeebled African tribes in their vicinity; and the committee confidently believe that the humanity of the civilized world will hereafter afford to them protection from maritime depredation, more effectual than the American navy could, of itself, supply.

By the diplomatic arrangements, which one of the subjoined resolutions proposes to make, through the Executive of the United States, with the several maritime Powers of Europe and America, for the future peace and neutrality of all such colonies of free people of color as may arise on the coast of Africa, each colony, so long as it merits respect by its conduct, will be secured against external violence, from the only quarter whence it might be seriously apprehended.

For an exemption from domestic causes of inquietude, it must rest mainly upon its own prudence and capacity for self-government. The moral influence of its American founders and benefactors will continue to promote its prosperity, and to shield it from danger, in the only way in which the peculiar climate of tropical Africa, so fatal to the white race, will permit them to exercise their benevolence towards this injured continent.

The committee, entertaining the opinion that all the States of the Union are alike interested, if not in an equal degree, in the removal from their bosom of such part of their free colored population as may be desirous to settle in Africa, have proposed, in the accompanying bill, to appropriate the sum of twenty-five dollars, without discrimination, between various parts of the United States, to defray the passage of every colored emigrant who may leave America, with intention to make a permanent settlement in Africa.

The memorial from the free people of color of the State of Ohio, referring to a recent decision of the courts of that State, when taken in connexion with certain resolutions subsequently adopted by the colonial Legislature of Upper Canada, presents a case, indeed, which, while it confirms the policy of the course recommended by the committee towards the free people of color in general, makes a special and urgent appeal to the humanity of Congress. It has suggested the provision of the second sec-

tion of the accompanying bill, for equalizing the bounty which it offers between emigrants from the vicinity of their port of embarkation, and those who have to reach it from a considerable distance, at an increased expense of transportation.

Extract from a communication of Dr. Ayres, United States agent for recaptured Africans, in 1824.

Does not this show the proper field to operate upon in suppressing the slave trade? Send men among them capable of instructing them; let them be qualified in head as well as in heart—not avaricious speculators, nor yet ignorant enthusiasts, but practical men, who can give the natives a living example of integrity, of principle, and at the same time instruct them in other modes of obtaining the necessaries of life. Let them be taught the benefit of employing their time in cultivating the earth; show them that the *labor of a man for one year will produce more than they can sell him for*; create a market for all they can supply, and give them in exchange such articles as they want, immediately their wars, which have been entered into merely to get slaves, the sale of which is the only method they know of to supply their wants, will cease.

IN SENATE OF THE UNITED STATES,

Friday, February 18, 1825.

Mr. King, of New York, rose and said, in offering the resolution he was about to submit, though it was a subject of great national importance, he did not desire to debate it, nor did he offer it with a view to present consideration. He submitted it as a matter for the future consideration of the Senate, and hoped it would be received by all parts of the House as one entitled to its serious attention. He then laid on the table the following resolution:

Resolved by the Senate of the United States of America, That as the portion of the existing funded debt of the United States, for the payment of which the public land of the United States is pledged, shall have been paid off, then and thenceforth the whole of the public land of the United States, with the nett proceeds of all future sales thereof, shall constitute and form a fund, which is hereby appropriated, and the faith of the United States is hereby pledged, that the said fund shall be inviolably applied to aid the emancipation of such slaves, within any of the United States, and to aid the removal of such slaves, and the removal of such free persons of color, in any of the said States, as by the laws of the States, respectively, may be allowed to be emancipated or removed to any territory or country without the limits of the United States of America.

Letter from the Hon. James Madison to the secretary of the society, the Rev. R. R. Gurley.

MONTPELIER, December 29, 1831.

DEAR SIR: I received in due time your letter of the 21st ultimo, and with due sensibility to the subject of it. Such, however, has been the

effect of a painful rheumatism on my general condition, as well as in disqualifying my fingers for the use of the pen, that I could not do justice "to the principles and measures of the Colonization Society, in all the great and various relations they sustain to our own country and to Africa," if my views of them could have the value which your partiality supposes. I may observe, in brief, that the society had always my good wishes, though with hopes of its success less sanguine than were entertained by others, found to have been the better judges; and that I feel the greatest pleasure at the progress already made by the society, and the encouragement to encounter remaining difficulties afforded by the earlier and greater ones already overcome. Many circumstances at the present moment seem to concur in brightening the prospects of the society, and cherishing the hope that the time will come when the dreadful calamity which has so long afflicted our country, and filled so many with despair, will be gradually removed, and by means consistent with justice, peace, and the general satisfaction—thus giving to our country the full enjoyment of the blessings of liberty, and to the world the full benefit of its great example. I never considered the main difficulty of the great work as lying in the deficiency of emancipations, but in an inadequacy of asylums for such a growing mass of population, and in the great expense of removing it to its new home. The spirit of private manumissions, as the laws may permit and the exiles may consent, is increasing, and will increase; and there are sufficient indications that the public authorities in slaveholding States are looking forward to interpositions in different forms, that must have a powerful effect. With respect to the new abode for the emigrants, all agree that the choice made by the society is rendered peculiarly appropriate by considerations which need not be repeated; and, if other situations should not be found eligible receptacles for a portion of them, the prospects in Africa seem to be expanding in a highly encouraging degree.

In contemplating the pecuniary resources needed for the removal of such a number to so great a distance, my thoughts and hopes have been long turned to the rich fund presented in the Western lands of the nation, which will soon entirely cease to be under a pledge for another object. The great one in question is truly of a national character, and it is known that distinguished patriots, not dwelling in slaveholding States, have viewed the object in that light, and would be willing to let the national domain be a resource in effecting it.

Should it be remarked that the States, though all may be interested in relieving our country from the colored population, are not all equally so, it is but fair to recollect that the sections most to be benefited are those whose cessions created the fund to be disposed of.

I am aware of the constitutional obstacle which has presented itself; but if the general will be reconciled to an application of the territorial fund to the removal of the colored population, a grant to Congress of the necessary authority could be carried, with little delay, through the forms of the Constitution.

Sincerely wishing an increasing success to the labors of the society, I pray you to be assured of my esteem, and to accept my friendly salutation.

JAMES MADISON.

Extract of a letter from the Hon. John Marshall, Chief Justice of the United States, dated

RICHMOND, *December 14, 1831.*

The great object of the society, I presume, is to obtain pecuniary aids. Application will undoubtedly be made, I hope successfully, to the several State Legislatures, by the societies formed within them, respectively. It is extremely desirable that they should pass permanent laws on the subject; and the excitement produced by the late insurrection makes this a favorable moment for the friends of the colony to press for such acts. It would be also desirable, if such a direction could be given to State legislation as might have some tendency to incline the people of color to migrate. This, however, is a subject of much delicacy. Whatever may be the success of our endeavors to obtain acts for permanent aids, I have no doubt that our applications for immediate contributions will receive attention. It is possible, though not probable, that more people of color may be disposed to migrate than can be provided for with the funds the society may be enabled to command. Under this impression, I suggested, some years past, to one or two of the board of managers, to allow a small additional bounty in lands to those who would pay their own passage, in whole or in part. The suggestion, however, was not approved.

It is undoubtedly of great importance to retain the countenance and protection of the General Government. Some of our cruisers stationed on the coast of Africa would at the same time interrupt the slave trade—a horrid traffic, detested by all good men—and would protect the vessels and commerce of the colony from pirates who infest those seas. The power of the Government to afford this aid is not, I believe, contested. I regret that its power to grant pecuniary aid is not equally free from question. On this subject, I have always thought, and still think, that the proposition made by Mr. King, in the Senate, is the most unexceptionable and the most effective that can be devised.

The fund would probably operate as rapidly as would be desirable, when we take into view the other resources which might come in aid of it; and its application would be, perhaps, less exposed to those constitutional objections which are made in the South than the application of money drawn from the Treasury and raised by taxes. The lands are the property of the United States, and have heretofore been disposed of by the Government, under the idea of absolute ownership.

TWENTIETH CONGRESS, FIRST SESSION.

IN SENATE OF THE UNITED STATES, *April 28, 1828.*

Mr. Tazewell, from the Committee on Foreign Relations, (composed of Mr. Macon of North Carolina, Mr. Sanford of New York, Mr. Tazewell of Virginia, Mr. Bell of New Hampshire, and Mr. White of Tennessee,) made the following report, of which three thousand extra copies were ordered to be printed by the Senate. On the 7th February, 1832, it was reprinted by order of the House of Representatives.

The Committee on Foreign Relations, to whom were referred sundry petitions and memorials, and the resolutions of several Legislatures of different States, in relation to the colonization of persons of color, have had all the said documents under their consideration; and now beg leave to report :

That they have not been able to discover, in the several petitions, memorials, and resolutions, to them referred, any precise and common object, which the different applicants desire should be accomplished by the exertion of the legislative powers of Congress. The memorial of the American Society for colonizing the free people of color of the United States recommends, generally, to the aid and patronage of the Government, the plan of that society for promoting its objects, by colonizing the free people of color, without indicating in what particular mode they wish the aid and patronage so solicited to be exerted or furnished. This general recommendation of the American Colonization Society is supported by a resolution of the Legislature of the State of Ohio as general as itself. The petition of sundry citizens of the State of Pennsylvania is somewhat more precise. This prays that a suitable asylum may be provided by the United States, somewhere on the coast of Africa, for the reception of such free persons of color as may wish to migrate to it. Sundry citizens of the State of Ohio, and others of Minot, in the county of Cumberland, in the State of Maine, have also presented memorials containing similar applications; and praying that the asylum, so to be provided, may be open to such slaves as the humanity of individuals and the laws of the different States may permit to emigrate thither. In connexion with this measure these latter memorialists also suggest the importance of setting apart, from the annual revenue of the Government of the United States, a suitable fund for furnishing not only the means of transportation to such free people of color as may be desirous of emigrating, but also the necessary aids to such humane individuals as may think proper to liberate their slaves with a view to their colonization on the coast of Africa.

It would appear, therefore, from all these different applications, that the applicants wish generally that the United States should exert their power and their means, *First*, to acquire a territory somewhere on the coast of Africa, which, when acquired, should be opened as an asylum for the reception of free persons of color and liberated slaves: *Secondly*, that the United States should set apart a portion of their annual revenue, in order to constitute a fund for the transportation of such persons to the asylum so to be provided: and *Lastly*, that, to effect these objects the better, the United States should extend their aid and protection to the existing society of individuals known and distinguished as the American Colonization Society.

Against the adoption of any of these measures, the Legislature of the State of Georgia, by a resolution of that body, have preferred a most solemn protest. In this they explicitly deny the right of Congress to grant any such applications, and plainly intimate the strongest objections to the expediency of doing so, even if the right was conceded. The Legislature of the State of South Carolina have also adopted similar resolutions in relation to this matter, containing the like solemn negation of the right of the Government of the United States in this respect; and all these resolutions have been referred by the Senate to this committee.

Under such circumstances, the committee, while investigating the sub-

jects to them referred, have felt themselves constrained, by no ordinary considerations, to examine most attentively the various questions which they present. And that the reasons, from which are deduced the conclusions—of whose correctness they themselves are well satisfied—may be subject to the same tests in the Senate, to which they have been submitted in the committee, they will now state them.

The first question which arises is, Does the Constitution of the United States grant to this Government any right to acquire new territory, for the purpose and in the quarter where these applicants propose such territory should be acquired?

The acquisition of new territory, no matter where such territory may be situated, or in what mode or for what purpose such acquisition may be made, is an exercise of one of the highest powers which any Government can ever exert. Such a power necessarily includes the right of governing and disposing of the territory so acquired, either according to the will of the acquiring sovereign, or according to the terms and conditions which may be annexed to the acquisition at the time it is made. Comprehending these high functions, it also implies the power of acting upon and altering materially most of the political and many of the civil relations that pre existed in the nation by which the acquisition is made: because all these relations must have been established in reference to a condition of things very different from that which will exist after the empire is enlarged by the addition of the newly acquired domain.

Such being the character of the power which it is proposed the United States should now exert, and the possession of such a power being solemnly denied to them by several of the sovereign States, from whom they derive all their authority, it is due, not less to the high character of those who deny the grant of this power, than to the effects which may result from its exercise, that all the sources from whence it may legitimately flow should be carefully examined. It is only by such an examination that a correct opinion can be formed as to the right of the United States to employ such a power upon this occasion.

All the examples which history furnishes of new territory acquired by any nation in past time exhibit but three modes in which such acquisition hath ever been made. These are by discovery, conquest, or negotiation, and this committee cannot conceive any other means by which new territory can ever be acquired by any sovereign. If this be so, then a Government which is not endowed with the power of prosecuting discoveries, of making conquests, or of conducting negotiations, cannot enjoy the legitimate right of acquiring new territory. For it cannot be overlooked, that, high and important as is this power of acquiring new territory, yet, from its very nature, it cannot be a substantive power, but must always exist in connexion with, and as a mere consequence of, some one or more of the other great powers, that afford the only means by which it can ever be exerted. Instead, therefore, of inquiring whether the United States possess the specific right of acquiring new territory, the inquiry should rather be, do they enjoy fully the general powers before mentioned, the exercise of which necessarily and properly includes this as an incidental right?

Every Government charged with the exclusive direction of the exterior relations of the nation for which it was designed, and specially endowed with the general powers of regulating its commerce, of waging war, and of conducting negotiations, must enjoy, as incident to these powers, the

right of prosecuting discoveries, of achieving conquests, and of concluding treaties; and, consequently, must enjoy the right of acquiring new territory by any of these means, unless this natural incident of the powers granted is expressly denied to such Government, by those who created and so endowed it. The Federal Constitution specially grants to the Government of the United States all these general powers, and contains no direct inhibition of the right of acquiring new territory, which, as has been said, necessarily and naturally flows from each of them. The committee, therefore, cannot doubt that the Government of the United States does possess the right of acquiring new territory, by some of the modes before referred to, whenever the case may occur to which any of these modes of acquiring new territory is properly applicable. They see, moreover, that the past practice of this Government has conformed to this opinion in the memorable examples of the acquisition of the Territory of Louisiana from France, and of Florida from Spain.

But, while the committee can readily discern the source of the right asserted by the Government of the United States in the cases referred to, and can as distinctly perceive that such a right may, at any time hereafter, be legitimately asserted as an incident and consequence of some of the high powers to which they have referred it, whenever the case may arise to which these powers properly apply, they cannot discover what support this opinion can afford to the legitimate acquisition of the new territory which is proposed upon the present occasion.

The whole coast of the great peninsula of Africa was discovered a very long time since, by many different civilized nations, even before America itself was visited by any inhabitant of the old world. And if more of the discovered countries there situated have not been occupied by those civilized nations, who have so long known, by so frequently visiting them, the causes that have restrained others from such occupation merit at least as much consideration from the United States as they have received from the elder members of the family of civilized man. At all events, these notorious facts suffice to show that, at this day, the United States are as much precluded, by the usages of nations, from advancing any claim to new territory there situated, upon the ground of first discovery and prime occupancy, as they would be precluded from asserting such a title to any new territory they might wish to acquire upon the coasts of Patagonia or of Japan. Any nation may possibly support a right to acquire new territory upon the known coasts of Africa, in virtue of either of the great sources of such right, but none can found any pretension to acquire territory there now, upon the ground of first discovery.

Doubtless, the United States possess the power of declaring war, and, as a consequence of this power, the right to push hostilities through victory to conquest, and so to acquire the dominions of their enemies. But this power of waging war, like all the other discretionary powers conferred by the Constitution, is necessarily limited by the ends and objects for which alone it may be rightfully exerted. Now, as war itself is never to be justified, except as a means necessary to the preservation of permanent peace and greater security, and can never be rightfully declared for the single and naked purpose of acquiring territory, therefore, the right of acquiring territory, in the proposed case, by any such means, cannot be conceded to belong to the Government of the United States. The remote position, the ignorance, the poverty, and the imbecility, in which all the savage hordes

occupying the coast of Africa have ever existed, and must continue to exist for a long period yet to come, place it beyond credulity that any or all of them can now threaten the peace or disturb the security of any the most weak and exposed spot in this hemisphere. Defensive war, on our part, with any of these tribes, is at present impossible; and offensive war against such a people, in order to strip them of their possessions, can never be justified. The mere capacity to wage war for such a purpose, with these or any other people, the United States unquestionably possess. But, until all distinction between power and right be forgotten, until the limits of the one shall be supposed to be found only in the measure of the other, the constitutional power of the United States to wage any war can never be admitted to bestow upon their Government the constitutional right to acquire new territory, by means of an unjustifiable war, waged upon the unoffending inhabitants of the coast of Africa. The right of the United States to acquire new territory there, at this time, cannot, therefore, be derived from their general power to declare war, more than it can be deduced from their right to prosecute discoveries, in virtue of their general power to regulate commerce.

The only remaining source of this right to acquire new territory is in the power to make treaties. This, too, is a discretionary power, granted to the United States by the Constitution; but, like all the other powers of this kind thereby conveyed, it has its limits—limits to be found, not less in the specified ends and objects for which the Government itself was created, but in the nature and character of the power itself. Without attempting to define what these limits are, the committee will merely remark, that, from the very nature of this power, it is one which can only be exercised by two or more sovereigns, acting together, for the attainment of the same object, by means of a compact, which, when concluded, is to be obligatory upon the whole people governed by such sovereigns. None but sovereigns can enter into such an agreement, and the parties, being all sovereign, are, of course, equal in that respect.

Many and important are the consequences, not only to the contracting parties themselves, but to the whole civilized world, which result from the mere fact of concluding a treaty. It is a recognition of the sovereignty and independence of the parties, by each other. From this, many results flow, and obligations attach to either, in all their future intercourse. Such being the effects of the exertion of this power of making treaties, civilized nations have rarely believed themselves at liberty to conclude them with any savage people, until many events had combined to prove that such people were capable and sincerely disposed to maintain the rights and to conform to the usages which, for the wisest reasons, have been acknowledged and adopted to regulate the relations and intercourse between the different members of the family of nations. Therefore it is that no civilized nation, in modern times, hath ever entered into a treaty with any of the savage tribes who wander over the deserts or dwell upon the coast of Africa; and numerous circumstances exist, (which need not be here repeated,) that, in the opinion of this committee, are sufficient to restrain the United States from being the first to enter into such a compact with any such people, especially for the purpose of enlarging the limits of our present wide-spread empire. Some of these circumstances have hitherto been considered as sufficient to prevent this from being done by the United States, for very different purposes, with another people, whose situation,

in all respects, is certainly much more elevated in the scale of civilization than that which any of the savage tribes of Africa have yet attained.

In the pursuit of their private avocations, enterprising individuals have often attained from some of these tribes the privilege of making establishments, for various purposes, within the limits of their supposed possessions. When these establishments in after time had acquired a growth and consequence sufficient to require the attention and protection of the nations to which the individuals engaged in them were subject, such nations have granted to these, their subjects, the aid of their power to guard them from lawless violence, and to protect their honest acquisitions. But this committee are not aware that any civilized nation hath ever yet concluded a solemn treaty with any of the people of Africa, the direct object of which was to extend its dominions by the surrender of their possessions, or has ever regarded any of these tribes as a moral being capable of entering into, and disposed to conform to, the obligations of such compacts. This right of acquiring new territory, which it is proposed the United States should exert in order to make such acquisition upon the coast of Africa, can therefore derive as little support at this time from the treaty-making as it has been shown to derive from the other great powers of the Government of the United States.

Should it be supposed that the example of the nominal treaties concluded between the United States and the various savage tribes inhabiting within their acknowledged dominions, by some of which nominal treaties the Indian title to territory there situated has been extinguished, constitutes any exception to the position here asserted, a very slight notice of the peculiar character of these instruments, and of the situation of the parties, will furnish a sufficient answer to this supposition. The Indian title so extinguished is but a mere usufructuary interest, enjoyed by the courtesy and under the permission of the United States, who long since acquired the acknowledged sovereignty and dominion over the territory so possessed. In extinguishing such an interest, the United States do not acquire any new territory; they merely exempt that territory which they before held from an encumbrance to which their humanity had previously subjected it. By concluding such compacts, the United States do not recognise the independent sovereignty of the people whose rights of possession are so extinguished; and the Senate require not to be informed by their committee of the particular *local* considerations which at the very commencement of this Government made it highly desirable, if not indispensably necessary, that the form and manner of effecting the extinction of this possessory right, which was not prescribed by the Constitution, should be by a nominal treaty rather than by statute, as under other circumstances would probably have been the case.

But if it was even conceded that the treaty-making power of the United States was equal to the legitimate acquisition of new territory, either within or contiguous to their original dominions, (as it certainly is,) this committee do not see in such a concession any foundation for the opinion that this power would extend to the acquisition of a distant territory in another quarter of the globe, separated from the United States by a wide ocean. These circumstances of themselves, if none other existed, would necessarily convert such a territory, when acquired, either into a sovereignty independent of the United States, or into a colony absolutely dependent upon them. A country so situated could never be admitted into this Union as

an integral part of the Confederation ; because, in the nature of things, it could never contribute its just proportion of the blessings, or bear its proper share of the responsibilities, of our representative democracy. Our established system of uniform laws, too, must necessarily work its speedy ruin, or cripple and greatly impair the beneficial effects of that system upon the other parts of the empire. The new territory, when acquired, must therefore ever continue in a state of colonial bondage, deprived of all hope of being ever admitted into the Union, or it must be endowed with the character and attributes of a sovereign State, entirely independent of the parent country. To suppose, however, that our free Constitution was ever designed to vest in the United States a power of establishing and holding distant colonies, to be always retained in a state of colonial bondage to the mother country, or of creating new empires absolutely independent of it, is an opinion which this committee believe to be opposed to the whole theory of that Constitution, and to the genius and spirit of all our institutions.

In all the cases in which the United States have ever yet acquired new territory, this has been done upon the expressed condition that the territory so acquired, and its inhabitants, should thereafter be admitted into the Union as a part and equal member of this Confederation. This practice, in the opinion of this committee, is in strict conformity with that provision of the Constitution which authorizes the admission of new States into the Union, and which was probably intended to provide for the very case of new territory acquired by some of the means before referred to. Indeed, this committee would be at a loss to discover in the Constitution any foundation for the permanent acquisition of new territory upon any other terms.

If the committee are correct in the opinions which they have thus expressed, then, although it is true that the Government of the United States does possess the right to acquire new territory under particular circumstances, and for a certain purpose, yet this Government cannot now rightfully exercise any such power, in the mode and for the purpose proposed by any of these applicants. It is true that some of the applicants have deduced this right of acquiring new territory from other powers, vested by the Constitution in the Government of the United States, than those to which alone the committee have referred it. But the committee cannot concur either in the principles or application of the reasoning resorted to for the purpose of showing the rightful possession of such power by this Government.

The petition of the Colonization Society refers, specially, to the power of Congress to provide for the common defence and to promote the general welfare, as to a general authority bestowed upon this body by the Constitution, in virtue of which the United States may lawfully acquire distant territory, or do any other of the acts which this society wishes to be performed. But the error of this construction, which would convert a mere limitation into a grant of power, and into a grant, too, of power unlimited, has been so often exhibited and established, that this committee do not feel justified now in again examining it minutely. They will merely remark, that although to provide for the common defence and to promote the general welfare are some of the great objects for which this Government was established, yet the manner of attaining even these great objects is prescribed in the enumeration of the limited powers specially delegated to the Government for their accomplishment. It is by the exercise of these granted powers, and of none other whatever, that the common

defence can be provided for or the general welfare promoted. Now, the power of acquiring new territory is not one of the powers specially enumerated in the Constitution, by the employment of which the common defence may be provided for or the general welfare promoted. This is a power which the United States enjoy as a mere incident of the powers of regulating commerce, of declaring war, or of negotiating treaties, all of which powers are expressly granted to them. Being thus derived, any circumstance, whether physical, moral or political, which constitutes a necessary limitation or bar to the legitimate exercise of the great powers before referred to, must unavoidably obstruct the acquisition of new territory by any such means. And these being the only means that can be legitimately employed for that end, the end is prohibited when the use of these necessary means is denied. Any other construction of the Constitution would convert the Government of the United States, which confessedly is limited both in object and power, into a Government unlimited in either of these respects. Nay, it would justify even the annihilation of the State sovereignties themselves, whenever the existence of these might be regarded by the authorities of the United States as impediments to the common defence or obstacles in the promotion of the general welfare.

A similar answer may be given to another suggestion, presented in some of the documents the committee have had under their consideration. In some of these, it is said that the power to acquire distant territory, although not specially granted to the United States by the Constitution, may yet be inferred from the power of appropriating the public revenue, which seems to be considered as a discretionary power, limited by nothing but the judgment of the body to which it is confided. The committee do not concur in these opinions. The power of collecting revenue is a power specially granted by the Constitution, limited, however, in the grant which concedes it by the enumerated objects for which revenue may be collected, and by the prescribed modes in which it must be levied even for these objects. The United States have no power to raise revenue in any other than according to these prescribed modes, or for any other than these declared objects. From this expressed power of collecting revenue, the subsidiary power of appropriating the revenue, when collected, is certainly fairly to be deduced. The power of appropriating the revenue is not, however, a substantive power, an original end, the attainment of which is specially authorized by the Constitution, but is a mere incident, resulting from the grant of other powers, as being necessary and proper to be exerted in order to give to them effect. Thus, Congress having the power to wage war, may undoubtedly collect and appropriate revenue for that purpose. The acquisition of territory being a consequence that may result from waging war, by appropriating revenue to the prosecution of war, the revenue so appropriated may happen to be applied to the acquisition of territory. But as the acquisition of territory is not one of the objects enumerated in the Constitution, for which revenue may be collected, it seems hardly necessary to say that revenue cannot be appropriated for any such substantive purpose, although it may chance to be applied in that way whenever the acquisition of territory becomes a necessary and proper means to give full effect to any of the general powers which are specially granted. To carry this doctrine further would be to assert that revenue might be appropriated to a purpose for which it could not be collected; and so to make the resulting and mere accessorial power greater than the

original and principal power from which alone it is derived—a proposition which seems to this committee as erroneous in argument as it would be dangerous in practice.

The committee, having thus shown that the United States have no right, at this time, to acquire new territory upon the coast of Africa for any purpose, might perhaps excuse themselves from examining this subject under any other aspect. But the subject is one by much too important in itself not to be investigated in every shape under which it has been presented by any of those who have brought it before the Senate. The committee will therefore examine it in another view.

If it was permissible to the United States to acquire territory upon the coast of Africa, do they possess the right of transporting thither, at the public expense, any part of our own population? And here the committee will observe, that although in this particular instance it is proposed to transport none but a portion of the colored population to the coast of Africa, yet the power proposed to be exerted is the same that would be employed if the object was to transport, at the public expense, any portion of the white population to any other spot. It is true that the power in question is now proposed to be exerted for the transportation of voluntary emigrants only. But if the United States enjoy this power, and may employ it for such a purpose, none can deny to them the right of acting upon the will of the people, by holding out inducements to them to emigrate. Of the extent of such inducements, the United States must necessarily be the sole judges; and, being the judges, it is obvious they may offer bounties of such a character as to overcome all reluctance, and so convert any into willing emigrants, when the power in question, if it be legitimate, would rightfully apply to them. Nay, bounties and rewards are not the only means by which the United States might act upon the citizen to overcome his reluctance to emigrate. In the exercise of other powers which belong to them, while they do not exceed the constitutional limits, and are not, therefore, guilty of usurpation, they may, nevertheless, so oppress him, by unintentionally misdirecting his labor and capital, as to inspire him with the wish of flying from the land of his birth, and of accepting their proffered aid to bear the expense of his transportation. It is a question, therefore, well deserving the serious consideration of every State in this Union, whether the United States may rightfully intrude within the confines of any of the States, for the purpose of withdrawing from thence any portion of its inhabitants, in order to locate them permanently elsewhere?

Upon this subject the committee have no doubt. They believe that, for all mere external purposes, which bring the United States into contact with any foreign State, the powers vested in them by the Constitution are full and complete. All powers useful and fit for the attainment of any of these objects are not only vested in the United States, but expressly denied to each of the States. For all purposes merely internal, however, whether connected with either the territory or population of a State, where the reserved powers of the States are plenary to their accomplishment, those of the United States are limited, specially enumerated in the Constitution, and circumscribed, not less by the enumeration than by the objects for which these powers were granted. The United States, therefore, cannot act directly in any way, either upon the territory or the population of a State, (whether it be white or colored,) except for the objects defined, and in the modes prescribed by the Constitution. The revenue of the United States

can no more be appropriated to the defraying of the expenses of transporting any portion of the inhabitants of the States, not being in the service of the United States, from one part of the world to another, than it can be appropriated to the support and comfort of such inhabitants while within the United States, either to feed, to clothe, or to educate them there. These latter powers, however, it has ever been conceded, the United States do not enjoy under the Constitution; and yet, that which it is now proposed to exert is a power not only similar in its nature, but may be infinitely more prejudicial to the States in its effects. For it must be obvious to all, that the effect of the exercise of such a power by the United States, if carried to any extent, would be to impair the political weight of the State from which the subtraction of population was made, and so to derange that equilibrium of political power which it was the purpose of the Constitution to establish and to preserve. It is obvious, too, that in the proposed case this power must, of necessity, be partially exerted; because the colored population, which it is proposed to transport, is not scattered generally or equally over the whole surface of the United States, but exists in very unequal proportions, and in particular districts only. The expense of their transportation, however, must be defrayed by the appropriation of revenue derived from the contributions of all.

A power of such doubtful origin, of such partial operation, of such broad and dangerous extent, and to the attainment of all the beneficial effects of which the powers of every State are fully equal, this committee cannot think is possessed by the United States. As one of the powers not granted to the United States, it is reserved to the States, each of which possesses the clear right of controlling and governing its own people and territory, in all cases where the exercise of such a power does not conflict with any of the powers granted to the United States; who, on their part, could not possibly exert this power of taking away any part of the population of a State, in order to locate it permanently elsewhere, beyond the confines of such State, without impairing and destroying the rights of the States over such a subject.

Doubtless the United States may invite, perhaps coerce, the free population of all the States, to fill the ranks of their armies, to navigate their fleets, and to execute their laws. All these are objects which the Constitution expressly authorizes the United States to accomplish, and which may not be attainable without the use of such means. But the people thus taken into the service of the United States continue the subjects of the States from which they may have been originally drawn. Their numbers will still add to its political weight, while they remain in it; and even when, in the discharge of their duties, they may be withdrawn from it, this withdrawal is not necessarily permanent, nor is this the purpose for which the power is given or exerted, although such may be the accidental effect resulting from it.

Before they leave this part of the subject, the committee will observe that the framers of the Constitution most wisely abstained from bestowing upon the Government thereby created any power whatever over the colored population of the United States, as such, whether this population was bond or free. Any attempt to endow it with such a power we know, as an historical fact, would have frustrated all the labors and defeated the great objects of the patriot statesmen assembled for the purpose of framing this plan of government. The condition of the persons inhabiting the sév-

eral States was therefore left to the control of the States, respectively, who retained the exclusive power of defining and regulating this condition as they might severally think best; and any power to prohibit the migration or importation of such persons as the States might think proper to admit was specially denied to Congress for a term of twenty years. It is true that this term has expired; but, in the opinion of this committee, it would be a departure from the spirit of the Constitution, as well as an exertion of power not granted by it, if Congress were now, by any special legislative act on their part, to invite and encourage the emigration or transportation of that particular class of persons whose introduction into the States they were at first expressly prohibited from preventing.

Indeed, this committee cannot perceive in what mode the power which it is proposed should be exerted by the United States upon this occasion could ever be practically exercised, without a violation of that great principle which lies at the very foundation of this Government, that the States, respectively, should retain the exclusive right of severally determining the condition of their own inhabitants. For if the United States possess the right to intrude into any State, for the purpose of withdrawing from thence its free colored population, they undoubtedly must exert, practically, the power of previously deciding what persons are embraced within this description. They must have the right of determining finally not only who are colored, but who are free persons. This committee believe, however, that any attempt by the United States to exercise such a power would not only be a direct violation of the Constitution; but must be productive of the worst effects.

It has been said by an eminent statesman, that even if the Constitution had not contained any express inhibition of the exercise by this Government of the powers not granted to it, yet the consequences which must unavoidably result from the exertion of any such powers would be found, in practice, so inconvenient, inexpedient, and impolitic, that no wise men would ever voluntarily attempt to use them. The case now before the committee furnishes a good illustration, if not a proof, of the truth of this opinion. This committee will not state all the facts and arguments which may suggest themselves to the minds of those who shall examine this subject, to prove that even if the power it is desired should be employed by the United States upon this occasion, was enjoyed by them without question or doubt, yet it is a power that ought not to be exerted by this Government. They will confine themselves to the statement of a few only of these facts and arguments.

And, first, they will endeavor to show that the object which these applicants purpose to accomplish cannot be attained by any of the means which, in justice to the people of this country, the United States ought ever to apply to any such purpose. This object is to relieve the States of this Confederacy from what is supposed to be the evil of their free colored inhabitants, by transporting all these to the coast of Africa. Now, by the last census, taken in 1820, the whole number of the free colored people of the United States is shown to have then been 233,530. By comparing this number with that shown by the preceding enumeration, the mean ratio of their annual increase, for the ten years preceding 1820 appears to be somewhat more than two and one-half per cent. Add then an annual increase according to this ratio, during the term of eight years, which has elapsed since the census of 1820 was taken, and we shall find the probable

number of the free colored population of the United States now to exceed 280,000; and that the annual increase of this population, at present, is more than 7,000.

The expense of transporting such persons from the United States to the coast of Africa has been variously estimated. By those who compute it at the lowest rate, the mere expense of this transportation has been estimated at \$20 per head. In this estimate, however, is not comprehended the expense of transporting the persons destined for Africa to the port of their departure from the United States, or the necessary expense of sustaining them, either there or in Africa, for a reasonable time after their first arrival. All these expenses combined, the committee think they estimate very low when they compute the amount at \$100 per head. It has been estimated by some at double this amount; and, if past experience may be relied upon as proving any thing, the official documents formerly furnished to the Senate by the Department of the Navy show that the expenses attending the transportation of the few captured slaves who have been returned to Africa by the United States, at the expense of this Government, far exceeds even the largest estimate. But, taking the expense to be only what the committee have estimated it, then the sum requisite to transport the whole number of the free colored population of the United States would exceed twenty-eight millions of dollars; and the expense of transporting a number equal only to the mere annual increase of this population would exceed seven hundred thousand dollars per annum—sums which would impose upon the people of this country an additional burden of taxation, greater than this committee believe they could easily bear, and much greater than ought to be imposed upon them for any such purpose.

The views of the present applicants, however, are not confined to the transportation of the existing free colored population of the United States, or of the future natural increase of this population. They also propose that this Government shall furnish the necessary aids to such humane individuals as may think proper to liberate their slaves, and that the slaves so liberated may, in like manner, be transported to Africa. What augmentation of the number to be transported would be produced by the adoption of such a project would depend very much upon the quantum of the aids which this Government might think proper to tender to humane individuals, in order to induce them to liberate their slaves. Doubtless the proprietors of the whole slave population of the United States might be tempted to part with their property, by the offer of what they might deem a fair equivalent; and, as the plan of some of the applicants seems to look even to this event, the committee have thought it necessary to examine into the effects of this measure also.

By the census of 1820, the whole number of slaves in the United States is shown to be 1,538,128. By comparing this number with that shown by the preceding enumeration, the mean ratio of their annual increase, for the ten years preceding 1820, appears to be somewhat less than three per cent.; add then an annual increase, according to this ratio, during the term of eight years which has elapsed since the census of 1820 was taken, and we shall find the probable number of slaves in the United States now to be at least 1,900,000, and that the annual increase of this population, at present, is at least 57,000. Now, allow the same sum per head for the transportation of these persons that has been estimated for the transportation in the other similar case, and the sum requisite to defray the expense of the trans-

portation of all the slaves in the United States would be one hundred and ninety millions of dollars; and that requisite to defray the expense of the transportation of a number only equal to their mere annual increase would be five millions seven hundred thousand dollars per annum. But to either of these sums must be added the reasonable equivalent, or necessary aid, to be paid by the United States to humane individuals, in order to induce them voluntarily to part with their property. The committee have no "data" by which they can measure what this might be. But any sum, however small, will make so great an augmentation of the amount as almost to baffle calculation, and to exhibit this project at once as one exceeding very far, indeed, any revenue which the United States could ever draw from their citizens, even if the object was to increase and multiply, instead of reducing the numbers of the class of productive labor.

It would not in any degree allay the excitement which an imposition so grievous as that necessary to defray the expense of transporting the mere annual increase of our present free colored population only would generate in this country, to know that its effects must necessarily be partial as well as oppressive. The free persons of color now in the United States are collected, for the most part, in the cities, towns, and villages, situated on the Atlantic seaboard; from hence, therefore, the exportation of such persons would commence, and would long be confined to the inhabitants of such places. The provisions of such a regulation could not be extended to many of the States of this Union at all; nor would they be felt, directly, in the interior even of those States to the seaboard of which they would extend.

But this is not all. In the seaboard towns, where the free colored population of the United States, for the most part, now exists, these persons are generally engaged as domestics, servants, and day laborers in various necessary menial duties. The removal of this useful portion of their population from the Atlantic towns would necessarily create a vacuum there. This vacuum, by enhancing the rate of wages of such persons in the places where it existed, would certainly tempt others to resort thither. The free colored people from the country contiguous and adjacent to these towns would probably first rush in to supply the void, so creating a new vacuum in the places from whence they went. This new void would inevitably be supplied by fugitive slaves escaping from their owners in the slaveholding States. The system would therefore be productive at first of much temporary inconvenience, and of some loss to the inhabitants of the seaboard towns, and must occasion, ultimately, real and permanent injury to the slave property in all the slaveholding States.

This committee, believing themselves to be correct in all the views which they have taken of this subject, do not therefore find it necessary to examine particularly the character and objects of the American Colonization Society, to which it is asked that the aid and protection of this Government should be extended. Of the generous feelings and philanthropic purposes of the members of this society, the committee do not entertain the slightest doubt. But they cannot refrain from stating, that in a Government like this, the establishment of a self-created society at the seat of this Government, which society numbers in the list of its members many of the most distinguished officers and agents of the Government itself, and which extends its influence throughout the Union, by means of affiliated associations formed in the different States, is an exhibition which, under any circumstances, would merit attention. Should the objects and plans of that society

be in any way connected with the action of this Government, either to invite, to stimulate, to restrain, or to prevent the exercise of any of its acknowledged or supposed powers, such an institution, in despite of the purity and intelligence of its members, must be looked at with suspicion and distrust. But when such a society professes to draw distinctions for any purpose between the different classes of our population; to establish colonies; to erect governments; nay, to found new empires, independent of the United States, the example of such an association cannot be productive of any benefit. Much better would it be for the peace and good order of society if the Government, instead of lending its aid, and extending its protection to such an institution, should take the whole subject at once into its own hands, and regulate it in the customary mode, by agents directly responsible to the people and to the States. This, however, as the committee believe, the United States cannot and ought not to do; and, as they cannot assist, they ought not to countenance the plans of such an institution, but should leave it to be dealt with by the several State sovereignties as to their wisdom may seem best.

The committee, therefore, pray to be discharged from the further consideration of all the petitions, memorials, and resolutions, upon this subject, which to them have been referred.

TWENTY-FIRST CONGRESS, SECOND SESSION.

DECEMBER, 1830.

Among the documents accompanying the annual message of the President to Congress in December, 1830, is the following, which contains an historical account of the connexion of the Government with the Colonization Society up to that year:

TREASURY DEPARTMENT,

Fourth Auditor's Office, August, 1830.

SIR: Upon the accounts of Joseph Mechlin, Esq., agent for the reception of recaptured Africans upon the coast of Africa, by you referred to me, I have the honor to report the following facts:

This agent derives his official existence and powers from the act of Congress, passed March 3, 1819, entitled "An act in addition to the acts prohibiting the slave trade."

The first section authorizes the President to employ any of the armed vessels of the United States in cruising upon the coast of the United States and of Africa, with the view of capturing any vessels employed by citizens or residents of the United States in the slave trade, and delivering over to the marshals, or other persons appointed to receive them, all negroes found on board, destined for slaves.

The second section provides, "that the President of the United States be, and he is hereby, authorized to make such regulations and arrangements as he may deem expedient for the safe keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of color, as may be so delivered and brought within their jurisdiction; and to appoint a proper person or persons, residing upon the coast

of Africa, as agent or agents for receiving the negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade by the commanders of the United States armed vessels.' The act further provides for the transportation of such negroes, &c., as may have been illegally imported into the United States, and appropriates \$100,000 to give effect to its provisions.

All the powers possessed by the agent on the coast of Africa are derived from the 2d section of the act above quoted. By a literal interpretation of the provision, it would seem that the person to be appointed agent must be *residing* upon the coast of Africa *previous to his appointment*, and that his official duties are performed when he has *received* the negroes from the commanders of the vessels in which they may be transported. It is by inference only that he is entitled to any compensation for his services, or any remuneration for the expenses which may attend the disposition of the negroes after they are received.

Connecting this act with the fact that the Colonization Society was then preparing to effect a settlement on the coast of Africa, with the view of affording an asylum for free people of color and emancipated slaves, it is probable Congress expected that some person or persons residing in the proposed settlement would be appointed to receive the recaptured negroes, and that the final disposition of them, when they did not immediately return to their own countries, would be embraced in the benevolent plans of the Colonization Society. It might have been supposed that the society, which was preparing to transport and provide for numerous Africans freed from bondage in the United States, would not hesitate to provide for those whom the Government had saved from slavery, and delivered to them without charge in their own colony. In so doing, they would have been acting in accordance with the original objects of their institution—the lessening of the evil of slavery in the United States, and the suppression of the slave trade. It may have been thought that the Government had done all it legitimately could, when it returned the recaptured negroes to the shores of their native continent.

It would seem that the terms of the act were hardly sufficient to authorize the *establishment of a colony*, owing allegiance to the United States, and entitled to protection, if ever Congress itself possesses a right to authorize such an establishment. In the simple grant of power to an agent to *receive* recaptured negroes, it requires broad construction to find a grant of authority to *colonize them, to build houses for them, to furnish them with farming utensils, to pay instructors to teach them, to purchase ships for their convenience, to build forts for their protection, to supply them with arms and munitions of war, to enlist troops to guard them, or to employ the army or navy in their defence.*

There appears to have been difficulty in construing this act immediately after its passage. At the next session of Congress, President Monroe sent a message to both Houses, (see Senate Journal, page 33, Dec. 20, 1819,) from which the following are extracts :

"Some doubt being entertained respecting the true intent and meaning of the act of the last session, entitled, 'An act in addition to an act prohibiting the slave trade,' as to the duties of the agents to be appointed on the coast of Africa, I think it proper to state the interpretation which has been given to the act, and the measures adopted to carry it into effect, that Congress may, should it be deemed advisable, amend the same before fur-

ther proceeding is had under it." "On due consideration of the several sections of the act, and its humane policy, it was supposed to be the intention of Congress that all the persons above described, who might be taken under it, and landed in Africa, should be aided in their return to their former homes, or in their establishment at or near the place where landed. Some shelter and food would be necessary for them there as soon as landed, let their subsequent disposition be what it might. Should they be landed without such provision being previously made, they might perish. It was supposed, by the authority given to the Executive to appoint agents residing on the coast of Africa, that they should provide such shelter and food, and perform the other beneficent and charitable offices contemplated by the act. The coast of Africa having been little explored, and no persons residing there who possessed the requisite qualifications to entitle them to the trust being known to the Executive, to none such could it be committed. It was believed that citizens only, who would go hence well instructed in the views of their Government, and zealous to give them effect, would be competent to these duties, and that it was not the intention of the law to preclude their appointment," &c. "On this view of the policy and sanctions of the law, it has been decided to send a public ship to the coast of Africa, with two such agents, who will take with them tools and other implements, necessary for the purpose above mentioned. To each of these agents, a small salary has been allowed—fifteen hundred dollars to the principal, and twelve hundred to the other." "Special instructions will be given to these agents, defining in precise terms their duties in regard to the persons thus delivered to them, the disbursement of the money by the principal agent, and his accountability for the same. They will also have power to select the most suitable place on the coast of Africa, at which all persons taken under this act shall be delivered to them, with an express injunction to exercise no power founded on the principle of colonization, or other power than that of performing the benevolent offices above recited, by the permission and sanction of the existing government under which they may establish themselves."

Nothing was done by either House of Congress to explain the act of the preceding session. The President accordingly, in pursuance of his own construction, appointed Samuel Bacon principal agent, and John P. Banks assistant agent. The agent was authorized "to form an establishment in the island of Sherbro, or elsewhere on the coast of Africa, by an amicable arrangement with the government of the island, or such other place as he might select;" to build barracks for the accommodation of three hundred persons, and to prepare provisions, clothing, tools, and implements. "It is distinctly understood," say his instructions, "that you are not to connect your agency with the views or plans of the Colonization Society, with which, under the law, the Government of the United States has no concern. You are not to exercise any power or authority founded on the principles of colonization, but to confine yourself to that of performing the benevolent intentions of the act of Congress of the 3d March, 1819."

As it had been determined that provisions and accommodations might, under the act of Congress, be prepared in advance for the Africans who might be returned to their own continent, it was construed also to admit the sending out of mechanics and laborers, to build barracks or houses for them. The agent accordingly took out with him thirty-three men, eighteen women, seventeen male children, and twenty female children—in all, eighty-

eight persons. As the men went out as mechanics and laborers for the United States, and the women "as cooks, seamstresses, nurses, and washerwomen," the act of Congress was construed to admit of sending out provisions for the support of themselves and families.

They must have tools as well as provisions, and therefore the agent took out "one wagon, several wheelbarrows, ploughs, iron work for a saw and grist mill, a fishing seine," and a variety of farming utensils.

They must be protected from the violence of enemies, and therefore the act was construed to admit the sending out of arms and munitions of war for their use. The agent was accordingly authorized to take out "two six-pounders with shot, one hundred muskets with accoutrements, ten kegs of common powder, and two of priming powder."

They must carry on some intercourse with their neighbors, and therefore the act was construed to admit the sending out a "four-oared barge," the property of the United States.

Thus accompanied and prepared, the agent sailed for Africa, and was safely landed at Sierra Leone, with his stores, munitions, and people. At Sierra Leone he purchased a schooner for the use of the contemplated establishment, and, after some delay, transported his people and effects to the island of Sherbro. There the agent and his assistant soon sickened and died; many of the mechanics and laborers, and their families, perished; most of the residue were scattered abroad, and the provisions and stores sent out chiefly wasted and destroyed.

On the 1st December, 1820, Jonathan B. Winn was appointed agent, and Ephraim Baron assistant agent. The new agent took out sixteen men, twelve women, and ten children, to supply deficiencies among the mechanics and laborers first sent out, caused by death and dispersion. He also took out four liberated Africans. He landed with his company at Sierra Leone, collected as many as possible of the first company, and of the stores sent out with them, and after considerable delays, occasioned by difficulties in selecting a site for the establishment of the agency, finally transported his company to Cape Mesurado, which had been selected and purchased by the Colonization Society in concert with the agent of the Government. They landed there in January, 1822, and were left by the agent in June, living in comfortable dwellings, erected by themselves. The schooner *Augusta*, purchased by Mr. Bacon, being much out of repair, another schooner, called the *Calypso*, had been purchased by the new agent for the use of the establishment.

In May, 1822, the Secretary of the Navy directed that ten liberated Africans should be delivered to J. Ashmun, for transportation to Africa, who also took out fifteen men, twelve women, and ten children, to be attached to the agency. The Secretary also authorized him to take out, at the expense of the Government, 15,000 hard red bricks, 5,000 feet assorted lumber, thirty barrels ship bread, eight of tar, four of pitch, four of rosin, and two of turpentine.

On the 15th May, 1822, Doctor Eli Ayres, who, on the 21st of the preceding July, had been appointed "a surgeon, for the purpose of affording medical assistance to the United States agents, and the mechanics, laborers, and families, employed under their direction, and to the negroes and persons of color who may be delivered," &c., was appointed principal agent, with a salary, as agent and surgeon, of \$2,000. He was authorized to take out, at the public expense, a frame for a house, boards, scantling,

shingles, &c., four window frames, with glass, nails, bolts, locks, &c., two carts, and a hand mill to grind corn and rice, with powder, cannon, shot, lead, &c.

Previous to the arrival of Doctor Ayres, and subsequent to his departure from Liberia, where his stay was short, the management of the agency was in the hands of Jehudi Ashmun, agent of the Colonization Society. Ten liberated Africans, sent out in 1823, were returned to their own country, which was within forty or fifty miles of the settlement.

In March, 1824, Doctor Ayres resigned the agency, and Mr. Ashmun received a temporary appointment. To him a large quantity of provisions, cloths, leather, axes, lumber, and various other goods, were sent in 1824.

Fortifications had been built, guns mounted, and the arms and munitions furnished by the United States employed in the defence of the settlement. To the Government, also, were charged all the supplies employed in repelling sundry attacks of the natives upon the settlement.

In June, 1824, R. R. Gurley was appointed agent, but the management of the agency was soon devolved again upon Mr. Ashmun.

In January, 1825, the Secretary of the Navy authorized the erection of "a building for the residence and instruction of the recaptured Africans, and a superintendent." He also directed the agent to "make application to the proper officers of the Colonization Society for an allotment of a certain portion of their land, as may be fixed upon, for the use of the recaptured Africans, that they may be instructed in agriculture," &c.

In the same month, Mr. Ashmun reported that he had appointed "a superintendent of captured Africans," "a secretary pro tempore," a "store-keeper," and "a conductor of ordnance;" and that he was erecting two buildings, containing "a residence for the superintendent, a school room and chapel," together with apartments for liberated Africans. He had repaired the old agency house, and was building a new one; had built a small building, to be attached to the agency house, to be temporarily employed as a rice granary and storehouse; was collecting materials for a storehouse; was proceeding to build a stone pier at the landing; was about to repair a tower for defence; and, by building and repairing, had two boats "employed in transporting rice." He had organized a regular guard, and enlisted "seven men for the service." He had previously had on his ration list two hundred persons, but they were then reduced to sixty-eight. He expected, however, to furnish rations for about eighty. He had fifteen pieces of cannon and three swivels, besides small arms.

The salaries and allowances of all the officers appointed, the men enlisted, and persons employed in these improvements, together with the cost of the materials, were charged to the United States.

The number of liberated Africans then under charge of this formidable agency was *fifteen*. "Nine," says Mr. Ashmun, "are in possession of plantations of their own; the remaining six, whose age and acquaintance with agriculture forbid a separate allotment of lands, cultivate a small farm in common, under their superintendent."

In the same month, the Secretary directed a considerable quantity of provisions and goods to be sent out, with a quantity of lumber, a parcel of carpenters' tools, "ten dozen porter, ten gallons Madeira wine," and seeds to be distributed in the colony.

In November, 1825, an additional quantity of provisions was directed to

be sent out, and, in December, an additional supply of arms and munitions of war.

In the instructions of Doctor John W. Peaco, who was now appointed agent, he was authorized to employ the *colonists* "in labor and defence," at the expense of the Government. It is observed, "The necessity of keeping a military force in the pay of the Government is not sufficiently apparent to authorize such a step in the present advanced condition of the colony, or without further evidence of its utility," &c. The *right* to keep up such a force is here clearly recognised. It is further observed, "It is very desirable that the recaptured Africans should remain at the agency so long as to acquire some knowledge of the arts and comforts of civilized life; but should any of them discover their nation and country, and desire to return to their homes, you will not oppose their wishes, but facilitate and promote them."

The principles upon which Mr. Ashmun had thus far practised were thus recognised by the Secretary of the Navy. The act of 1819, which authorized the appointment of an agent or agents, to receive liberated Africans on the coast of Africa, was construed to admit the building of *school-houses* and *chapels* for them, of *paying teachers* to *civilize and christianize* them, *superintendents* to *teach them agriculture* and "the arts and comforts of civilized life." In fine, the act which seems intended merely to facilitate the return of liberated Africans to their own countries and families, was, by construction, made to authorize the appropriation of the power and means of the Government to their civilization, and to their location and protection in a new community.

In 1825, and early in 1826, the agent, who had introduced an efficient military organization into the settlement, was involved in hostilities with certain slave dealers and others in his neighborhood, and, in various expeditions, liberated and carried to the agency about 170 slaves. These, also, he supported and instructed at the expense of the Government, until he was informed by the Secretary of the Navy that they could not be brought within the provisions of the law, and must cease to be a public charge.

In February, 1827, there were no liberated Africans under the care of the agent, but he was building a new town for a number who were expected.

Dr. Peaco, who went out and returned, leaving the agency still in the care of Mr. Ashmun, reported, from Philadelphia, January 1, 1827, the "persons constantly employed at Liberia, who receive their pay, &c., from the Government," as follows, viz:

"Henry Nelson, carpenter and house joiner, and four apprentices, in finishing the buildings for the Africans expected from Georgia, and other buildings, at (an annual salary of)	-	-	-	\$600
Anthony D. Williams, superintendent	-	-	-	300
James Thompson, assistant superintendent	-	-	-	300
Elijah Johnson, storekeeper	-	-	-	200
W. L. Weaver, assistant to United States agent	-	-	-	300

"To these may be added W. Draper, house joiner, employed at the agent's house per job, and from three to five boat builders; besides which, blacksmiths, caulkers, extra carpenters, masons, sawyers, laborers, seamstresses, nurses, &c., are frequently employed, who receive goods from the public stores for their services."

In August, 1827, one hundred and forty-two liberated Africans were received at the agency, sent out by the Government from Savannah, in

Georgia. The buildings erected there were not then completed, and a schooner was building at the expense of the United States.

On the 2d April of that year, instructions were sent to the agent, that "in no case are the supplies now or hereafter to be furnished to be distributed among the liberated Africans at the agency, or among the colonists;" and he was directed to "discharge all the superintendents and agents, of every description, who have been and are under pay, except those whose services are absolutely necessary." On the 12th December, he was instructed "not to expend any more money on the public buildings."

In October, 1828, Dr. Richard Randall was appointed agent. All the recaptured Africans previously sent out had ceased to be a charge upon the agency, and he was informed that he would have little to do but to take care of the public property.

Dr. Randall died in April, 1829, and Dr. Joseph Mechlin, who had gone out as assistant agent, succeeded him as principal. In March, 1830, he received from Florida ninety-one liberated Africans, sent out by the Government.

The accounts of Dr. Mechlin are those now under consideration. I have entered into the foregoing detail for the purpose of showing what principles have been adopted and acted upon heretofore, by those in the administration of the Government, relative to the affairs of this agency. Whatever the Government itself can lawfully send out for the use of the recaptured Africans, the agent may lawfully purchase for their use in case of necessity. Accordingly, in the accounts of the various agents heretofore settled, charges have been allowed for the purchase of, perhaps, every species of article which has been shipped from the United States for the use of the establishment. From a comparison of Dr. Mechlin's vouchers with those passed to the credit of his predecessors, there is, I believe, not one without precedent to support it, so far as it regards the *principle* of the claim. Indeed, it would perhaps be difficult to imagine an expenditure incident to the business of human life, which is not in principle embraced in the settlements heretofore made of the accounts of the agents for the reception of liberated Africans at Liberia.

Nothing is more evident to my mind than the proposition that a large portion of these expenditures is not justified by the language or object of the act of 1819. Yet a different construction has been put upon that act by the Government itself; that construction has prevailed through a series of years, it has governed the settlement of all the agent's accounts. Mr. Mechlin was appointed agent, with the same powers as his predecessors; he expected, and had a right to expect, that his accounts would be settled upon the same principles; indeed, a large portion of his payments is for services rendered under their management. If the message of the President, the instructions given to the agents, and the precedents set in the settlement of their accounts, are not law, it could not be otherwise than that the agent should consider them a *sure guide* in his official acts, and fully explanatory of the meaning of the law as understood by his superiors. To apply another construction and new rules to the settlement of his accounts, and make them operate retrospectively, would certainly be a great hardship, if not unjust.

It seems to me right and proper that his accounts should now be adjusted upon the principles heretofore settled by the instructions and acts of the

Government; and that, for his future guidance, a new set of instructions be given, conformable to the opinion entertained by the present Executive.

It appears to me that the whole business of this agency requires remodeling. Its expenses far exceed those of such an establishment as would be fully competent to all the objects embraced in the acts of Congress.

The whole number of negroes transported to Africa by the Government since the passage of the act of 1819, is, according to the best information I can collect, less than 260. The appropriations for their support in the United States, transportation to Africa, and superintendence there, have amounted to \$264,710. Every liberated negro has, therefore, cost the United States near *one thousand dollars*. But immensely the greater portion of this money has been paid, not for the direct support and comfort of the negroes themselves, but for the salaries, compensation, and subsistence of those who have been employed to keep, provide for, superintend, and teach them; for buildings, vessels, implements of industry, arms, munitions of war, and supplies in defence. To say nothing of the principles involved in the Navy Department, building, arming, and maintaining forts on a distant continent, where there is no naval station, and raising and maintaining an army, or an armed force, in a foreign land, certainly such an extensive and costly establishment is not necessary for the accomplishment of every object contemplated by the acts of Congress.

It is not, however, my province to recommend any measure of curtailment to the Navy Department.

In relation to the accounts of the agency, the whole object of this report may be summed up in two points:

First. From necessity, and the justice of the case, I think the accounts of the present agent ought to be settled upon the same principles which have been recognised and acted on in the accounts of his predecessors.

Secondly. I solicit for the agent a new set of instructions, conformable to the views entertained by you of law and policy in relation to that agency, and so specific as to obviate all future difficulties in relation to the powers, duties, and accounts of the agent.

If it meet your approbation, I shall feel at liberty to proceed with the settlement of the accounts, until the new instructions take effect, according to the rule above suggested.

On reference of the case to the Attorney General, as now presented, I am confident that he would be of opinion that this course is admissible and just, whatever he might think of the powers granted by the law of 1819, if the question were one of first impression.

Very respectfully, your obedient servant,

AMOS KENDALL.

JOHN BRANCH, Esq.,
Secretary of the Navy.

JANUARY 18, 1831.

Message from the President of the United States, transmitting documents in relation to certain captives on board the Spanish slave vessel called the Fenix.

To the House of Representatives :

I submit to the consideration of Congress the accompanying report and documents from the Navy Department, in relation to the capture of the Spanish slave vessel called the Fenix, and recommend that suitable legislative provision be made for the maintenance of the unfortunate captives, pending the legislation which has grown out of the case.

ANDREW JACKSON.

JANUARY 15, 1831.

NAVY DEPARTMENT, *January 14, 1831.*

SIR : I have the honor to enclose sundry communications relative to the Spanish slave vessel called the Fenix, captured by the United States schooner Shark, and carried into the port of New Orleans. They are accompanied by the decision of the district judge, ordering the marshal to take charge of the slaves found on board, at the public expense ; and also the opinion of the Attorney General of the United States, that their case is not provided for by the act of the 3d of March, 1819, and will therefore require legislative provision by Congress, for which purpose the papers are respectfully submitted.

I have the honor to be, very respectfully, your obedient servant,

JOHN BRANCH.

The PRESIDENT of the United States.

DEPARTMENT OF STATE,

Washington, January 13, 1831.

The Secretary of State has the honor to transmit, herewith, to the Secretary of the Navy, agreeably to the request in his note of the 11th instant, the papers returned to this Department by that of the Navy, on the 21st of August last year, in the case of the Spanish slave vessel Fenix, together with the copy of the opinion of the Attorney General of the United States in that case ; which copy accompanied the papers in question on their return to this office.

OFFICE OF THE UNITED STATES DISTRICT ATTORNEY,

New Orleans, July 20, 1830.

SIR : The Spanish schooner Fenix has arrived here as a prize to the United States schooner Grampus, under circumstances which you will find detailed in the accompanying copies of a letter of Lieut. I. Mayo, and of the declaration of the master, &c., of the American brig Kremlin. I have libelled the

vessel under the provisions of the 2d and 4th sections of the act of the 3d March, 1819, chapter 200, but am much embarrassed as regards the course to be pursued with the slaves found on board of her. They are at present, to the number of seventy-four, in possession of the marshal of this district, who had received them from the officer who brought in the Fenix. I have not libelled them, because, even if they could be considered as cargo, they would not be liable to condemnation under the statute above referred to. They have been claimed by the owners of the vessel, who have prayed for restitution, with costs and damages; and a claim will probably be also interposed by the Spanish consul, acting on behalf of his Government, on the ground of forfeiture for a violation of the laws of Spain. The slave trade is not absolutely forbidden to Spanish subjects by the treaty between Spain and Great Britain, and, as I understand, by laws passed in pursuance of that treaty. I have not been able to procure, at present, a copy of that treaty or of the laws, but believe that vessels engaged in the trade, with the slaves on board, are subject to capture by vessels of either nation, and are condemned by a mixed commission sitting in Havana.

But this is an offence of which our courts cannot entertain cognizance. In the case of the Antelope, reported in 10 Wheaton, page 114, it was declared by the Supreme Court, that the right of bringing in for adjudication, in time of peace, vessels engaged in the slave trade, did not exist, even when the vessel belonged to a nation which had forbidden the trade. The case of the Fenix differs from that of the Antelope in these particulars: 1st. The latter vessel was found hovering on our coast, with the intention of landing the slaves that were on board. 2d. American citizens had been engaged in transporting them from foreign parts, in contravention of the laws of the United States. 3d. A portion of the slaves were brought into the jurisdiction of the United States without the consent or fault of the owners or their agents. Here the only offence charged is a piratical aggression, or rather an attempt to commit one, and the statute does not involve the cargo in the forfeiture. All the persons found on board (the slaves excepted) are Spaniards, and there is no evidence of any of our citizens being interested in the vessel or her cargo. She was captured at a distance from our coast; and there can be no cause to suspect any intended violation of our laws against the introduction of slaves. Should the vessel be condemned for the alleged piratical aggression, or should the court decide that there was a justifiable cause for detention, the slaves having been brought within the jurisdiction of the United States through the fault of the master, a question will present itself of considerable difficulty. Can a Spanish subject, engaged in a trade prohibited by the laws of his country, set up a title to property of this peculiar character, acquired in violation of their laws? And if he cannot, what disposition is to be made of the negroes when the court shall have dismissed the claim? I shall await your instructions on this subject; and am, very respectfully, your obedient servant,

JOHN SLIDEI.

Hon. MARTIN VAN BUREN,
Secretary of State, Washington.

UNITED STATES SCHOONER GRAMPUS,
Off Cape Hayti, St. Domingo, June 5, 1830.

Circumstances leading to and attending the seizure of the Fenix.

At 1 o'clock, P. M., 5th June, highlands off Cape Hayti in sight, discovered a brig under a press of sail standing to the westward; made sail in chase. At 1 30, P. M., discovered a long low foretopsail schooner on the starboard beam of the brig, (the Grampus being upon the brig's larboard beam,) not far off, and standing for her. Upon seeing us, the schooner immediately jibed, and stood off from the brig to the northward, making all sail. At 2, P. M., spoke the American brig Kremlin, C. J. Hall, master, of Boston, from Antwerp, who expressed great joy at our timely coming up, saying that the schooner in sight had been dogging him for some time, and at last came close to him, and peremptorily ordered him to send his boat on board, &c., (as will be seen in Captain Hall's affidavit.) I immediately filled away, and made all sail in chase of the schooner. At 3, P. M., within musket shot of her, hoisted the American ensign, and fired three guns before she would show her colors; by this time close on board of her, when she hoisted Spanish colors, and backed her topsail, but continued to shoot ahead, evidently intending to tack to windward. Hailed, and ordered her to lower her sails immediately, or I would fire into her. Seeing that, she yet wished to escape by getting to windward, nor was it until I fired a shot close under her counter, which threw the water on board of her, that she hauled down her jib, and lowered the mainsail. Despatched a lieutenant with an armed crew, took out her commander and fourteen of her men, (she having a crew of twenty men and eighty-two slaves.) She is called the Fenix or Fenix, an American-built vessel of 90½ tons, Spanish; one gun of a large caliber, on a circle amidships, with small arms, &c., for twenty men, and well supplied with ammunition. Reports to have sailed fourteen months since, from the Havana, all of which time her commander reports having been upon the coast of Africa. This I much question; we know that most piracies, recently committed, have been by vessels engaged in this traffic.

In conformity to the instructions contained in the second section of "An act to protect the commerce of the United States, and punish the crime of piracy," to detain and bring to trial a vessel of her character, caught under such circumstances.

It is very certain that the slave trade has become a pretext, and most piracies recently have been committed by the slavers.

ISAAC MAYO,
Commanding U. States schooner Grampus.

UNITED STATES SCHOONER GRAMPUS,
Off Cape Hayti, St. Domingo, June 4, 1830.

Mr. J. C. Hall, master of the brig Kremlin, of Boston, from Antwerp, bound to Cuba, certifies as follows, viz :

I, Christopher J. Hall, master of the above-named brig, do hereby certify, upon oath, that, on Thursday, June 3, 1830, off Cape Cabron, island of St. Domingo, at daylight in the morning, a suspicious looking foretopsail

schooner hove in sight, and from that hour until the following day at 10 o'clock, A. M., continued to dog me, making and shortening sail, evidently with an intention to keep near me, ultimately approaching within speaking distance, and showing every symptom of hostility, his men being at a long gun, mounted amidships. I called all hands, and cleared away my three guns for action, distributing my small arms among my crew, being under a firm conviction that his intention was to attack me, as he peremptorily ordered me to send my boat on board; I observed to him that my boat was leaky, and I could not send her; he having all the while shown no colors. And I further certify it to be my positive belief, that nothing but my show of resistance prevented his attacking me. He then said, I will send my boat to you. My vessel is high sided, and I did not shorten sail for him. He ultimately hoisted Spanish colors, crossed my bow, and luffed off until 1 o'clock, P. M., when he jibed, and stood again towards me. At this moment I discovered a vessel standing for me, which I believed to be a cruiser, and was soon after spoken by the United States schooner Grampus. I gave to her commander my impression that she was a suspicious vessel, and we parted company.

To the truth of the foregoing statement, I hereby make oath, in presence of

Sworn before { ISAAC MAYO, *commanding U. S. schr. Grampus.*
 G. C. COOPER, *Purser U. S. schooner Grampus.*
 ISRAEL ISRAEL, *Vice Consul for Cape Hayti.*
 C. J. HALL, *Master of brig Kremlin.*

I, Shubail A. Thomas, chief mate, and Oliver L. Chase, second mate, of brig Kremlin, certify that the foregoing statement is true.

S. A. THOMAS.
 O. L. CHASE.

In presence of O. S. Glisson, midshipman.

I certify that the foregoing is a true copy of the original.

RICHARD H. MORRIS,
Lieut. U. States schooner Grampus.
 WILLIAM WHELAN,
Acting Surgeon U. S. schooner Grampus.
 J. P. WILSON.

U. S. SHIP ERIE, PENSACOLA, July 11, 1830.

SIR: I have the honor to apprise you of the arrival at this port, for supplies, of the Spanish schooner Fenix, in the care of Lieut. J. P. Wilson, charged by Lieutenant Commandant Mayo with an attempt to depredate on the American brig Kremlin, of Boston, but which was prevented by the opportune appearance of the United States schooner Grampus, under his command. The accompanying communication of Lieutenant Mayo, and the affidavit of the master and officers of the Kremlin, will make you acquainted with all the facts in the case, and which, in my mind, conclusively establish the charges made. If you will advert to the instructions under which each of my squadron sails, relatively to the present point, you will perceive that I have been particular in almost requiring, as a prerequisite:

to a justifiable capture of a vessel thus charged, the commission of the overt act—the section of the law under which the capture is made authorizing a greater latitude. Conformably with your instructions of the 3d September, 1829, I have despatched the prize to New Orleans, escorted by Captain Newton, in the Natchez, to the mouth of the river Mississippi, which he will pass in his intended cruise on the coast of Mexico. The small size of this vessel, and her crowded state, make it necessary she should arrive at New Orleans as early as possible. I have directed Lieutenant Wilson to place the prize in tow of a steamboat, that he may be enabled to ascend the river without difficulty. Advices are received from the captain of the slaver, that the hermaphrodite brig Manzanres (which had depredated on the American ship Candau last fall) was on the coast of Africa at the period of his departure. Doubtless Lieutenant Commandant Stringham, in the Falmouth, will be at the east end of the island of Cuba at the time of her arrival there, and I trust will be so fortunate as to send her in to me. The promptness with which Lieutenant Commandant Mayo has repaired to the assistance of the brig Kremlin calls forth my warmest approbation, and I trust will meet with the same reception at the Department. Lieutenant Wilson is also entitled to commendation, for his attention to the poor creatures under his charge, and the able performance of his general duties. I have furnished the slaves with fresh provisions, in the quantities which their state rendered judicious, and which has already had a tendency to improve their condition and promote their comfort. To the prisoners, I have have also sent fresh bread, beef, and vegetables. That portion of the officers and men belonging to the prize schooner Fenix, now on board the Grampus, I will send in that vessel, which I look daily for, to New Orleans, as soon as possible.

I have the honor to be, very respectfully, your obedient servant,
J. D. ELLIOTT.

HON. JOHN BRANCH,
Secretary of the Navy, Washington city.

[The communication and affidavit referred to in the above letter are duplicates of those appended to the letter of the district attorney of Louisiana.]

PENSACOLA, August 8, 1830.

SIR: On the 11th ultimo, I had the honor to apprise you of my movements in relation to the piratical schooner Fenix, destined for New Orleans, (one of the ports named in your general instructions,) but which touched here for supplies. At the period of the capture by the schooner Grampus, the brig on which she had attempted the outrage was destined for New Orleans, but has subsequently put into Havana, and will most probably take in a cargo there. A commission has, however, been sent, by which the deposition of the captain and officer can be had; and I have instructed Captain Rose, in the Erie, to touch off the harbor, and bring them to me at this place, or have them forwarded to New Orleans.

I have the honor to be, very respectfully, your obedient servant,
J. D. ELLIOTT.

HON. JOHN BRANCH,
Secretary of the Navy, Washington city.

OFFICE OF THE UNITED STATES DISTRICT ATTORNEY,
New Orleans, July 16, 1830.

SIR: I have your letters of the 11th instant, with the accompanying documents, relating to the capture of the Spanish schooner Fenix.

Lieutenant Wilson has not yet arrived here with his prize, and, upon inquiry at the custom-house, I find that the brig Kremlin, upon which vessel the attempted piratical aggression is said to have been made, has not been reported there; they may both be daily expected. From an examination of the papers furnished by you, I do not think that a condemnation of the schooner can be expected; although, under all the circumstances of the case, there seems to have been sufficient ground for her detention. When her crew shall be examined, it is probable that we will be enabled to prove, from declarations of the captain, or from other sources, the piratical intention with which the Kremlin was pursued and approached, or some previous acts of piracy committed by them on board of her. Such proofs would entitle the captors to a decree of condemnation under the 2d and 4th sections of the act of 3d March, 1819. I shall libel the vessel immediately on her arrival, as I think this the more prudent course to pursue for the protection of the capturing officer; the facts represented being such as, in my opinion will entitle him in any court to costs, &c., for a justifiable seizure. The character of the trade in which the vessel was engaged (it being prohibited by the laws of Spain) may perhaps deter the owners from interfering in the claim.

I am, very respectfully, your obedient servant,

JOHN SLIDELL.

J. D. ELLIOTT, Esq.,

Commanding United States squadron, Pensacola.

NEW ORLEANS, *July 21, 1830.*

SIR: I reached here in the Fenix early on the morning of the 19th, and immediately delivered all the papers to the United States district attorney. In the course of the day, the prisoners, vessel, and slaves, were given in charge of the marshal. Yesterday, a hearing was had before the United States district judge, and the prisoners set at liberty, he not considering the evidence sufficiently strong to authorize a full committal for trial. The vessel, however, has been libelled by the district attorney, and, strange as it may appear, the slaves by the owners of the vessel; they had an agent here before I arrived. This person, a Captain Barclay, was at Key West when I arrived there; left there for Havana the day I sailed for Pensacola, and reached here the day before me. He was, it seems, on his way to Pensacola when my arrival stopped him. The judge seems to be of opinion that the owners of the slaves can hold them if they give good security. The district attorney has written to the Secretary of State concerning the business, and advised me to address a note to the Spanish consul here, which I did; a copy of which I have sent Lieutenant Commandant Mayo.

How the crew can be set at liberty, the vessel libelled for piracy by the United States, and the slaves by the owners of the vessel, are things which I, sir, cannot explain.

Under this state of things, I hope you will perceive, sir, I could not effect a valuation of the vessel and cargo; but I shall endeavor, as far as I am concerned, to make my conduct meet your approbation.

The Kremlin has not yet arrived ; and if she should not arrive in a few days, I will give in my testimony, and return to Pensacola, unless I receive different directions from you.

I am, sir, very respectfully, your obedient servant,

J. P. WILSON.

Commodore JESSE D. ELLIOTT,

Commanding U. S. naval forces in the West Indies, Pensacola.

NEW ORLEANS, *July 27, 1830.*

SIR: I had the honor of addressing you yesterday by mail, and in my letter stated the various conflicting positions in which the affair of the Fenix seemed to be placed, viz: that the vessel had been libelled for piracy, the crew set at liberty, and the negroes libelled by the owners ; but as they have not been willing to give the security required, the negroes still remain, and, I presume, will remain, in the hands of the marshal.

In the opinion of the judge, the evidence was not sufficient to inflict any punishment upon the captain and crew, the only penalty in such case being the forfeiture of the vessel ; and the district attorney has hopes of condemning her.

The question still remaining, it seems, is, whether the negroes are free, or whether they revert to the owners of the vessel. Instructions on this head are required from Washington ; and the district attorney has written to the Secretary of State for that purpose.

My object in addressing the Spanish consul was to prevent his giving any assistance to the owners of the vessel.

The Kremlin has not yet arrived, but I think must be up in the course of to-day.

I am, sir, very respectfully, your obedient servant,

J. P. WILSON,

Lieutenant United States Navy.

Commodore JESSE D. ELLIOTT,

Commanding U. States naval forces in the West Indies.

PENSACOLA, *August 9, 1830.*

SIR: The two communications, herewith accompanied, are those to which Lieutenant Wilson refers in his letter of the 22d ultimo, and are intended to accompany my letter of the 8th instant, numbered 62.

I have the honor to be, very respectfully, your obedient servant,

J. D. ELLIOTT.

Hon. JOHN BRANCH,

Secretary of the Navy, Washington city.

NEW ORLEANS, *July 20, 1830.*

SIR: I have the honor to inform you of the arrival here of the Spanish slave vessel Fenix, under my charge, which vessel was taken possession of

on the 4th of June last by the United States schooner Grampus, for an alleged piratical attempt on the American brig Kremlin, of Boston.

The Fenix, when captured, had on board 82 slaves, and was direct from the coast of Africa.

As the captain and crew of the vessel have violated the laws of Spain by being engaged in this horrible traffic, I make this communication that you may take such steps as you may think proper against them.

I am, sir, very respectfully, your obedient servant,

J. P. WILSON,

Lieutenant United States Navy.

DON ANTONIO ARGOTI VILLALOTON,
Spanish Consul, New Orleans.

SPANISH CONSUL'S OFFICE,

New Orleans, July 23, 1830.

SIR: Yesterday afternoon I found at the post office the letter which, under date of the 20th, you have done me the honor of addressing me. You inform me in it of your arrival in the port with the Spanish slave vessel Fenix, captured by the United States schooner Grampus, on the 4th of June last, for an alleged piratical attempt on the American brig Kremlin, and discovered to be direct from the coast of Africa, with eighty-two slaves on board; and it is in consequence of her being engaged in this reprobated trade, by which the captain and crew have violated the laws of Spain, that you have thought fit to make this report to me, in order that I may take such steps against them as I may consider proper and necessary.

As it appears that the charge of piracy was without the least foundation, the law office here having proceeded to the release and unqualified enlargement of the prisoners, I have to regret that they have not been carried to a Spanish port, to be tried by their national tribunal for the other offence against the Spanish laws, which could certainly have been fixed upon them. Such appears to be the practice of the officers of the British navy, as I have just seen that the Spanish brig Amelia, having on board one hundred and thirty slaves from the coast of Africa, has been carried to Havana by the British sloop of war Victor, bringing thus the offenders within the jurisdiction of the court whose duty it is to avenge the violated laws of Spain.

I will transmit a copy of your letter to the minister of His Catholic Majesty with the Government of the United States, and also to the Captain General of the island of Cuba, and await his instructions upon the subject.

I remain, with great respect, sir, your obedient servant,

ANTONIO ARGOTI VILLALOTON.

J. P. WILSON, Esq.,

Lieutenant of the U. S. navy, New Orleans.

OFFICE OF THE ATTORNEY GENERAL UNITED STATES,

August 18, 1830.

SIR: Your communication of the 16th instant has been duly received, with the accompanying documents. You ask my official opinion, whether

the Africans found on board the Spanish vessel called the Fenix, lately captured by the United States schooner Grampus, and brought into the port of New Orleans, come within the provisions of the act of the 3d March, 1819, prohibiting the slave trade; and, if so, what steps should be taken by the Department on the subject?

In reply, I have to state to you that this case is not, in my opinion, within the provisions of the act referred to. It is the case of a Spanish vessel, manned and navigated by Spaniards, found on the high seas at a distance from our shores, and which, though engaged in the slave trade, cannot, therefore, for that cause, be amenable to our tribunals. She is equally exempt, notwithstanding the laws of Spain have prohibited the trade, since our courts do not execute the penal laws of another country.

Thus much was settled in the case of the Antelope, in which so much was left unsettled, from a conflict of opinion between the judges. The great question on which the court divided was, whether, under the circumstances of that case, our judicial tribunals were bound to restore. Restoration took place in conformity to the decree of the circuit court, which, in consequence of this division, was necessarily affirmed; but no principle in relation to this question was settled in the appellate tribunal.

It seems to me, sir, considering that such is the unsettled state of the law on this subject, that these Africans cannot with propriety be delivered up to any person claiming property in them, until the validity of such claim, and our obligation to deliver them, shall have been affirmed by the Supreme Court of the United States. The vessel was properly sent in for adjudication, under the act of 3d March, 1819, "to protect the commerce of the United States, and to punish the crime of piracy." The Africans found on board are therefore rightfully in the possession of the court; whether they can be delivered to a claimant whose title to them is deduced from a traffic which is equally forbidden by the laws of his own country and of ours, is a question which ought, I think, under the circumstances, to be referred to the highest judicial tribunal.

This course is not, however, without difficulty; the Africans must be supported pending the litigation, and, if the claim be repelled, must be disposed of in some manner which will be consistent with their rights and with the principles of humanity. Not coming within the provisions of the act of 1819, first referred to, the fund which is placed under the control of the President, by that act and subsequent acts, cannot be applied to these objects; still I apprehend it will be the duty of the district attorney to pursue the course suggested. Much expense may be saved by giving out these Africans on well-secured bonds for their forthcoming. If restored, it will probably be on payment of costs and expenses by the claimant; and should the claim be repelled, and the final disposal of these persons devolve upon the Government, Congress will no doubt, in the mean time, provide the funds necessary for the performance of a duty which will be equally enjoined by justice and humanity. Such an appropriation was made in 1829, in the case of the Africans wrecked on the coast of Florida, who were equally without the provisions of any existing law; and there is no reason to apprehend a refusal to provide for the present case. The papers accompanying your communication are returned.

I am, respectfully, sir, your obedient servant,
JOHN MACPHERSON BERRIEN.

The SECRETARY of the Navy.

WASHINGTON, *January 5, 1831.*

DEAR SIR: You will of course recollect the case to which the enclosed letter relates, and which ought to have been addressed to you. I have advised the writer that I have communicated it to you.

Yours, truly,

JOHN MACPHERSON BERRIEN.

HON. JOHN BRANCH.

NEW ORLEANS, *December 20, 1830.*

May I be permitted to solicit the attention of the honorable the Attorney General of the United States to the propriety of having an act passed this session of Congress to meet the case of the Africans lately sent into this port by the United States schooner Grampus. According to the opinion, as given to our district attorney, the Fenix, the vessel on board of which the Africans were, was properly sent in for adjudication under the act of the 3d March, 1819, though the case did not come within the law of 1818. My disbursements have been considerable; and if I understood the Hon. the Secretary of the Navy, he required an appropriation to justify their payment.

With high consideration and respect, your obedient servant,

JOHN NICHOLSON,
*United States marshal.*HON. JOHN MACPHERSON BERRIEN,
*Attorney General of the United States.**Court of the United States, eastern district of Louisiana.*

SPECIAL COURT.

FRIDAY, *July 30, 1830.*

Present: Honorable Samuel H. Harper.

Ex parte.

Sundry African negroes brought into this port in the schooner Fenix, captured by the United States schooner Grampus, for an alleged piratical aggression committed on the American brig Kremlin. The Africans, by Alfred Heuner, Esq., claim the benefit of the writ of *habeas corpus*, and pray to be liberated, alleging that they are free men. This application is opposed by the district attorney. O. F. Benlugaïne, deputy marshal, in obedience to the writ of *habeas corpus* issued in this case, appeared, and showed for cause that the negroes were delivered to him by Lieutenant Wilson, of the United States navy, prize master of the schooner Fenix, and that he was further instructed by the district attorney of the United States to take charge of the said negroes.

On this application, the court delivered its opinion as follows: "I have considered this cause with great solicitude, because it is a new one, so far as I know, in the United States, and because it greatly embarrasses the executive officer of this court, on account of expense and responsibility. In

virtue of a law of the United States, the officers of the navy are *instructed* to capture *all vessels* guilty of piratical aggressions, without regard to what may be on board, whether *negroes* or any thing else. Under these instructions, the Fenix was captured, having eighty-two negroes on board, said to be from Africa, and bound to the island of Cuba, as is alleged. The negroes, being on board, were *necessarily* brought with the vessel into this port, and delivered by the captors, together with the Fenix and her crew, to the marshal. The vessel has been libelled by the United States, and application made at the same time by the district attorney, in his official capacity, to the proper department of the Government, for his instructions relative to the further disposition of the negroes. Under these circumstances, what was the duty of the marshal? Had he a right to put them on shore, and set them at liberty? If he had that right, the *captors* might also have exercised it when they made the capture; but suppose they had been set at liberty, and it should turn out in investigation that the original possessor is either an American citizen or a resident of the United States, or that the capture was made in our waters, or that they were actually destined to one of our own ports, or that the Government should declare itself competent to take charge of them under all the circumstances—in either of these cases they would be proper subjects for transportation to Africa, and therefore such premature discharge of them would have been an improper act, and for the same reasons it would have been improper to *deliver* them to any one until better advised. Pending the time necessary to ascertain all the facts and circumstances attending their capture, and also the requisite time to learn the determination of the Government of the United States in relation to them, can they be legally discharged by virtue of a writ of *habeas corpus*, their *original and present confinement* arising from the necessity of the case? If they become *ipso facto* free, from the circumstances of their being landed in the United States, negroes *confessedly* brought here for *sale* from a foreign country would be equally entitled to be set at liberty; but the Government has determined that such should not be set free, but should be sent to Africa. The act of Congress of 1807 permitted the States respectively to regulate the manner of disposing of people of color brought into them contrary to law, and Louisiana, being a slaveholding State, under that act *sold* such persons. But the act of 1819 forbids the exercise of that right, and declares that all such shall be transported to Africa. The *policy*, then, of the Government is, that no people of that description shall remain in the country. It is therefore clear in my mind that foreign negroes, however introduced, cannot be set free *here*, nor can they be legally sold in this country under any circumstances; it follows, then, that they must in *all cases* either be sent home, or in some way be excluded from the United States. Besides, the Louisiana Legislature, at the last session, passed a law declaring that all free persons of color, arriving in the State after the year 1825, should be compelled to leave it. If the court of the United States, sitting in Louisiana, were to declare these Africans to be free, and set them at liberty in the State, would not such act be in derogation of State rights? In any event, they would be excluded from the State; and where would they go? Other States perhaps have similar laws; and thus they would be hunted like wild beasts from one extremity of the Union to the other. At such treatment humanity revolts; compared with which, slavery would be a blessing.

In any view of this subject, I think that which ought to have been done

has been done, and that the marshal is bound, *ex officio*, to retain them at the expense of the Government (in the first instance) until further or otherwise instructed.

CLERK'S OFFICE, UNITED STATES DISTRICT COURT,

New Orleans, July 31, 1830.

I certify the foregoing to be a true copy of the original opinion, of record in my office.

Witness my hand and the seal of the court, the day and year above written.

T. W. LEA, *Clerk.*

FEBRUARY 7, 1831.

The following memorial from the county of Buckingham, in the State of Virginia, was presented to the House of Representatives:

Petition of inhabitants of Buckingham county, Virginia, in relation to free negroes.

To the Senate and House of Representatives of the United States, in Congress assembled :

Your petitioners, citizens of the county of Buckingham, and State of Virginia, respectfully represent, that we cordially unite in the plan of colonizing the free negroes of Africa. As we consider the free colored population a national disease, we believe you have constitutionally the power to apply the remedy.

We find that the General Government has uniformly passed laws which sanction the principle of colonizing the free negroes, and that these laws have received the approbation of the party which has been most rigid in their constructions of the powers of Congress granted by the Constitution, by the purchases of Louisiana and Florida, by the erection of fortifications, &c., on Key West, and by the removal of the Indians. We are unable to draw the distinction between the constitutional power of making purchases in America and making purchases in Africa ; between settling Key West and settling Liberia, (neither of which can ever form an integral part of our Union,) and between removing the Indians and removing the free negroes.

The expediency of removing this class of our population must be admitted by all who will seriously take the subject into consideration. "At a moderate expense, we shall relieve our country from a growing pest ; we shall make room for a better population, and secure the continuance of domestic peace and prosperity." If the patronage of the General Government be extended to the Colonization Society, it will cause thousands of humane slaveholders to emancipate their slaves ; for we are persuaded that but few genuine philanthropists would consent to hold slaves, if they found that their condition would be benefited by emancipation. This would prevent the rapid increase of that class of our population, which threatens ruin to the Southern country ; that diabolical traffic, the slave trade, which has heretofore bid defiance to the measures adopted by the United States and the Governments of Europe, would be abolished ; and we are persuaded that

the commerce of the United States would receive benefits equivalent to the expenditure, by the lucrative traffic with the colony.

We forbear to enlarge on any of these important subjects, but leave them to your consideration, where we believe they will receive that mature and deliberate attention which their importance merits. We therefore entreat that aid be given the American Colonization Society, either by donation, or by employing a portion of the navy of the United States in transporting the free negroes to Africa, or both, or in any other manner that to you may seem best; and, as in duty bound, will ever pray.

MARCH 3, 1831.

Mr. Mercer moved to suspend the rule, to enable him to submit the following resolution:

Resolved, That the President of the United States be requested to renew, and to prosecute from time to time, such negotiations, with the several maritime Powers of Europe and America, as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world.

TWENTY-SECOND CONGRESS, FIRST SESSION.

JANUARY 10, 1832.

Mr. Condict presented to the House of Representatives a memorial of the Rahway Colonization Society, in the State of New Jersey, praying Congress to aid and assist the American Colonization Society in colonizing the free people of color in the United States on the coast of Africa. The memorial was laid on the table.

JANUARY 12, 1832.

Mr. Jenifer moved in the House of Representatives the following resolution, viz:

Resolved, That a committee be appointed to inquire into the expediency of making an appropriation for the purpose of removing from the United States and her Territories the free people of color, and colonizing them on the coast of Africa or elsewhere.

The said resolution was read; when it was

Ordered, That the consideration thereof be postponed until Monday, the 16th instant.

JANUARY 27, 1832.

The House resumed the consideration of the resolution moved by Mr. Jenifer on the 12th instant, in relation to colonizing the free people of color of the United States; when

A motion was made by Mr. Thompson, of Ohio, to amend the said reso-

lution, by striking out all after the word "resolved," and inserting the following, viz:

That a committee, to consist of one member from each State, be appointed, to take into consideration the constitutionality and expediency of procuring, by purchase or cession, a suitable quantity of land, on this continent or some other, to be appropriated as a colony and an asylum for all and such of the free people of color in these States as may choose to go; to which they may immediately or gradually be removed, as necessity may require or circumstances will permit. And to inquire into the expediency of continuing the present or some other reasonable rate of duties on imports for a definite term of years, after the existing national debt shall have been extinguished, to constitute a fund for the payment of the land above mentioned, should it be purchased, and to defray the expense of the removal to, and the support and protection of that unfortunate race of beings in, said colony, for a reasonable length of time; and that said committee have leave to report by bill or otherwise.

This amendment being read,

Mr. Thompson, of Georgia, moved to amend the same by striking out these words, viz: "a committee, to consist of one member from each State, be appointed," and inserting these words, viz: "the Committee of Ways and Means be instructed;" when

A motion was made by Mr. Jenifer, that the further consideration of the resolution be postponed until Monday next.

A motion was then made by Mr. Boon, that the further consideration of the said resolution be postponed until the second Monday in December next.

And, after debate thereon, the House, on motion, passed to the orders of the day.

JANUARY 30, 1832.

The House proceeded to the consideration of the memorial from the Rahway Colonization Society; and, after debate, referred the memorial to a select committee, composed of Mr. Jenifer, of Maryland; Mr. Drayton, of South Carolina; Mr. Mercer, of Virginia; Mr. Lewis Williams, of North Carolina; Mr. Edward D. White, of Louisiana; Mr. Clayton, of Delaware; and Mr. Marshall, of Kentucky.

JANUARY 31, 1832.

The House resumed the consideration of the resolution submitted by Mr. Jenifer on the 12th of January instant, in relation to colonizing the free people of color of the United States.

The question recurred on the motion made by Mr. Boon on the 27th instant, that the further consideration of the said resolution be postponed until the second Monday in December next; when

A motion was made by Mr. Jenifer, that the said resolution, with the amendments thereto depending, be referred to the committee appointed yesterday on the memorial of the Rahway Colonization Society, in the State of New Jersey;

And, thereupon,

Mr. Boon withdrew his said motion.

And the question was then put on the motion of Mr. Jenifer, to refer the said resolution,

And passed in the affirmative. And then,

By consent of the House, Mr. Archer submitted the following, which was read, and also referred to the committee on the memorial of the Rah-way Colonization Society, viz :

Resolved, That a select committee be instructed to inquire into the expediency of recommending, for adoption, an amendment to the Constitution of the United States, by which Congress shall have power to appropriate the revenue accruing or derivable from the proceeds of the sales of the public lands in aid of the construction of such works of internal improvement as may be authorized, commenced, or patronized, by the States, respectively, within which the same are to be executed ; and shall, in like manner, have power to appropriate the same fund of revenue in aid of the removal of such portions of the colored population of the States as they may, respectively, ask aid in removing, on such conditions and to such place as may be mutually agreed on, for which purpose Congress shall be authorized to acquire the territory it may consider the best adapted to the object ; and to govern such territory in the manner in which the Territories of the United States are now governed, for such time as the occasion for which it shall have been obtained may require ; after which, the said territory shall be established into a State, which shall be declared, or into several States, which shall be successively declared independent of the United States ; neither of which States shall, in any event, or at any time, be admitted into the Union of the United States.

NOTE.—The proceedings of this committee, if any, are not known. It made no report to the House.

TWENTY-SIXTH CONGRESS, SECOND SESSION.

MARCH 3, 1841.

Message from the President of the United States, transmitting a report from the Secretary of State, in relation to seizures or search of American vessels on the coast of Africa, &c.

To the House of Representatives :

I transmit to the House of Representatives, in compliance with their resolution of the 30th of January last, a report from the Secretary of State, with accompanying documents.

M. VAN BUREN.

WASHINGTON, *March 3, 1841.*

WASHINGTON, *March 3, 1841.*

The Secretary of State, to whom has been referred the resolution of the House of Representatives of the 30th of January last, requesting the President to communicate to that House, if not incompatible with the public interest, "any information or correspondence he may have in relation

to recent seizures or search of any of our vessels, upon the coast of Africa or elsewhere, by British cruisers or authorities, and the cause of such search or seizure, and the authority under which they have been made; and also copies of all correspondence between the Governments of the United States and of Great Britain, relating to the African slave trade, since the 3d of March, 1837, and of all despatches from Nathaniel [Nicholas] P. Trist, consul of the United States at the Havana, to the Department of State, relating in any manner to the said African slave trade:" has the honor to report to the President the accompanying papers, in answer to that resolution.

JOHN FORSYTH.

To the PRESIDENT of the United States.

LIST OF PAPERS TRANSMITTED.

Correspondence with the legation of the United States in London.

- Mr. Stevenson to Mr. Forsyth, (with enclosures,) Dec. 22, 1836.—Extract.
 Mr. Forsyth to Mr. Stevenson, April 17, 1837.—Extract.
 Same to same, (with enclosures,) July 17, 1838.
 Mr. Stevenson to Mr. Forsyth, (with enclosures,) Sept. 14, 1839.—Extract.
 Mr. Forsyth to Mr. Stevenson, (with enclosure,) Jan. 3, 1840.
 Mr. Stevenson to Mr. Forsyth, (with enclosures,) Jan. 22, 1840.—Extracts.
 Mr. Forsyth to Mr. Stevenson, Jan. 25, 1840.
 Mr. Stevenson to Mr. Forsyth, (with enclosures,) Feb. 18, 1840.—Extract.
 Same to same, (with enclosures,) Feb. 25, 1840.
 Same to same, (with enclosure,) Feb. 29, 1840.—Extract.
 Same to same, (with enclosure,) March 6, 1840.—Extract.
 Mr. Forsyth to Mr. Stevenson, March 18, 1840.
 Mr. Stevenson to Mr. Forsyth, (with enclosure,) April 13, 1840.—Extract.
 Same to same, (with enclosure,) April 14, 1840.
 Same to same, (with enclosures,) April 25, 1840.—Extract.
 Same to same, (with enclosure,) June 3, 1840.—Extract.
 Mr. Forsyth to Mr. Stevenson, July 8, 1840.
 Mr. Stevenson to Mr. Forsyth, (with enclosures,) July 24, 1840.—Extract.
 Same to same, (with enclosures,) Aug. 4, 1840.
 Same to same, (with enclosures,) Aug. 12, 1840.—Extract.
 Same to same, (with enclosures,) Aug. 19, 1840.
 Same to same, (with enclosures,) Aug. 26, 1840.
 Mr. Forsyth to Mr. Stevenson, Aug. 28, 1840.
 Mr. Stevenson to Mr. Forsyth, (with enclosures,) Nov. 6, 1840.—Extract.
 Same to same, (with enclosures,) Dec. 1, 1840.—Extract.
 Mr. Forsyth to Mr. Stevenson, (with enclosures,) Dec. 3, 1840.
 Mr. Stevenson to Mr. Forsyth, (with enclosure,) Dec. 12, 1840.
 Mr. Forsyth to Mr. Stevenson, Dec. 26, 1840.
 Same to same, (with enclosures,) Jan. 6, 1841.
 Same to same, March 1, 1841.

Correspondence with the British legation at Washington.

Mr. Fox to the acting Secretary of State, (with enclosures,) June 18, 1839.
 Acting Secretary to Mr. Fox, June 20, 1839.
 Mr. Fox to the acting Secretary, (with enclosure,) July 5, 1839.
 Mr. Forsyth to Mr. Fox, July 16, 1839.
 Acting Secretary to same, (with enclosure,) Aug. 14, 1839.
 Same to same, (with enclosure,) Aug. 19, 1839.
 Mr. Fox to Mr. Forsyth, (with enclosures,) Oct. 30, 1839.
 Mr. Forsyth to Mr. Fox, Feb. 12, 1840.
 Mr. Fox to Mr. Forsyth, (with enclosures,) March 30, 1840.
 Mr. Forsyth to Mr. Fox, April 1, 1840.
 Mr. Fox to Mr. Forsyth, (with enclosures,) Aug. 15, 1840.
 Same to same, (with enclosures,) Aug. 16, 1840.
 Same to same, (with enclosures,) Aug. 18, 1840.
 Same to same, (with enclosures,) Aug. 19, 1840.
 Same to same, (with enclosures,) Aug. 20, 1840.
 Same to same, (with enclosures,) Aug. 21, 1840.
 Same to same, (with enclosures,) Feb. 1, 1841.
 Same to same, (with enclosures,) Feb. 4, 1841.
 Same to same, Feb. 5, 1841.
 Mr. Forsyth to Mr. Fox, February 11, 1841.
 Same to same, (with enclosure,) Feb. 13, 1841.
 Same to same, (with enclosures,) March 1, 1841.

Correspondence with the United States consulate at Havana.

Mr. Trist to Mr. Forsyth, February 12, 1836.—Extract.
 Same to same, (with enclosures,) Nov. 29, 1836.—Extract.
 Same to same, May 22, 1838.—Extracts.
 Same to same, (with enclosures,) Dec. 18, 1838.—Extracts.
 Same to same, (with enclosures,) Jan. 12, 1839.—Extract.
 Same to same, (with enclosure,) Jan. 20, 1839.—Extracts.
 Same to same, (with enclosures,) Jan. 22, 1839.—Extract.
 Same to same, (with enclosures,) Jan. 25, 1839.—Extracts.
 Same to same, May 4, 1839.
 Same to same, (with enclosure,) May 4, 1839.—Extract.
 Same to same, Sept. 7, 1839.—Extracts.
 Same to same, (with enclosures,) Dec. 17, 1839.
 Same to same, (with enclosures,) Dec. 18, 1839.
 Same to same, (with enclosures,) Jan. 23, 1840.
 Same to same, (with enclosures,) Feb. 29, 1840.
 Same to same, (with enclosures,) March 10, 1840.—Extract.
 Same to same, (with enclosure,) March 10, 1840.—Extract.
 Same to same, (with enclosures,) March 11, 1840.
 Same to same, (with enclosures,) Aug. 21, 1840.
 Same to same, (with enclosure,) Aug. 22, 1840.
 Same to same, (with enclosures,) Sept. 28, 1840.—Extracts.
 Same to same, (with enclosure,) Nov. 28, 1840.
 Mr. Everett to Mr. Forsyth, July 21, 1840.
 Mr. Forsyth to Mr. Trist, Feb. 10, 1841.
 Mr. Trist to Mr. Forsyth, Feb. 13, 1841.

Same to same, (with enclosure,) Feb. 18, 1841.
 Same to same, (with enclosure,) Feb. 21, 1841.
 Same to same, (with enclosure,) Feb. 27, 1841.

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 14.]

LEGATION OF THE UNITED STATES,

London, December 22, 1836.

SIR: I have the honor to transmit to you the copy of a communication, with the accompanying documents, which I received on the 17th instant from Lord Palmerston, in relation to the alleged employment of vessels under the flag of the United States, to assist Spanish subjects in carrying on the slave trade.

Not feeling authorized to express any opinion on the subject, either on the part of my Government or myself, I answered the note, simply acknowledging the receipt of the papers, with an assurance that the Government of the United States would omit nothing which was proper to be done for preventing the improper use of the flag of the Union in protecting the slave trade. A copy of my note is herewith transmitted.

[Enclosure No. 1.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, *December 17, 1836.*

The undersigned, His Majesty's principal Secretary of State for Foreign Affairs, has the honor to transmit to Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the United States, the enclosed extract of a despatch from His Majesty's commissioners at the Havana, together with a copy of a representation made by the commissioners to the consul of the United States in Cuba, relative to the alleged employment of vessels under the flag of the Union, to assist Spanish subjects in carrying on the slave trade.

His Majesty's Government cannot entertain a doubt that the Government of the United States, upon receiving this information, will feel anxious to take prompt and effectual measures for preventing the flag of the Union from being used for the protection of a traffic which has been denounced as a capital crime by the laws of the United States.

The undersigned avails himself of this occasion to renew to Mr. Stevenson the assurances of his high consideration.

PALMERSTON.

A. STEVENSON, Esq., &c.

[Sub-enclosure.—Extract.]

HAVANA, *October 25, 1836.*

During the months of August and September, there arrived here, for sale, from the United States, several new schooners, some of which were already expressly fitted for the slave trade.

Amongst them we have been able to ascertain the names of four, viz : "Emanuel," "Dolores," "Anaconda," and "Viper." They vary in size from 50 to 150 tons. Their construction is of the slightest possible description ; their rig that of the New York pilot boats, and such as is very much in use by the coasting traders of the ports of this island. They are furnished with thirty sweeps—are unarmed, of very light draught of water, and certainly a class of vessels admirably adapted for escaping from and deceiving His Majesty's cruisers.

The "Emanuel" and "Dolores" were purchased, and have since left the port (we believe with other names) on slaving expeditions, under the Spanish flag.

But, to our astonishment and regret, we have ascertained that the two latter vessels, (the "Anaconda" and "Viper,") the one on the 6th, the other on the 10th instant, cleared out and sailed from hence for the Cape de Verd islands, under the American flag.

These two vessels arrived in the Havana, fitted, in every particular, for the slave trade, and took on board a cargo which would at once have condemned as a slaver any vessels belonging to the nations that are parties to the equipment article.

It is unnecessary for us to occupy your lordship's time with a recital of the various evils which will arise, should a continuance of this scandalous and open abuse of the American flag be countenanced by that Government.

It is, nevertheless, our duty to state that the slave dealers have conceived great hopes of being able to cover their nefarious speculations in this way, founded upon the definitive determination of the President not to make the United States a party to any convention on the subject of the slave trade ; and, judging from the observable impetus which their view of the above declaration has given to the slave trade, we fear that, before any representation can reach Washington, many similar enterprises will have been embarked in.

Thus, my lord, so far as we are informed, or able to draw an inference from these distressing details, the expression of the above determination by the head of a free Government, upon a subject represented as being an object in which every branch of the Government, and the whole people of the United States, feel a deep solicitude, has been the means of inducing American citizens to build and fit in their own ports vessels only calculated for piracy or the slave trade, to enter this harbor, and, in concert with the Havana slave traders, take on board a prohibited cargo, manacles, &c., and proceed openly to that most notorious depot for this iniquitous traffic, the Cape de Verd islands, under the shelter of their national flag. As a further exemplification of the mistake which we consider that Government to have made in withholding its consent to the recent conventions, we may add, that, while these American slavers were making their final arrangements for departure, the Havana was visited, more than once, by American ships of war.

His Majesty's commissioners, therefore, are not without a hope that a

recital of the above facts, and the return thus made by some of the citizens of the United States to their Government, for the jealous care with which it has sought to preserve their rights and dignity, in refusing to accede to the only efficacious measures yet put into operation for the suppression of the slave trade, (viz: the mutual right of search and the equipment articles,) that Government will be induced to reconsider the consequences thus likely to ensue, should it permit the present facilities to exist.

It is true that the mockery of a sale or transfer to a Portuguese subject is to be enacted, when these vessels reach their present destination; but such an excuse, if offered, can never be admitted in extenuation of the crime which we hold all concerned in the expedition to be guilty of.

We also addressed a letter to the American consul, of which we beg leave to enclose a copy, together with the reply made by the American vice consul, (the consul being absent from his post, but expected to return in a few days.)

Since writing this despatch, we are enabled to add the names of two more American vessels (the "Fanny Butler" and the "Rosanna") as having proceeded to the Cape de Verd islands and the coast of Africa, under the flag of that nation, upon the same inhuman speculation.

The subjoined list gives the date of clearance, and the names of the masters, from the books of the American consulate.

Schooner *Anaconda*, W. Knight, master, cleared on the 4th instant.

Schooner *Viper*, H. Galt, master, cleared on the 8th instant.

Schooner *Fanny Butler*, A. Richard, master, cleared on the 22d instant.

Ship (barque) *Rosanna*, George Chason, master, cleared on the 22d inst.

[Sub-enclosure.]

HAVANA, *October 17, 1836.*

SIR: We have the honor to acquaint you with the following circumstances, as being intimately connected with your consulate and the flag of your nation, which it will be our painful duty to report to His Majesty's Government.

During the month of September there arrived in this port, for sale, from the United States, four new schooners—we believe, two from New York, and two from Baltimore; all, however, built at the latter place—viz: the "*Anaconda*," "*Viper*," "*Emanuel*," and "*Dolores*," expressly constructed and peculiarly fitted for carrying on the slave trade. The two former of these vessels having received on board, from the French house of Forcade & Co., a cargo, which, by the treaty of the 28th June, 1835, would have condemned as a slaver any vessel bearing Spanish colors, cleared out and sailed under the American flag; the "*Anaconda*" on the 6th, the "*Viper*" on the 10th instant, for the Cape de Verd islands; there to be transferred to a Portuguese subject, and to proceed, with the flag of that nation, to the coast of Africa, upon a slaving enterprise.

The protection which the schooners will receive from the American colors, both as regards their fitting and cargo, will effectually secure them against capture by His Majesty's cruisers, until they arrive at the scene of their depredations.

The "*Emanuel*" has, we believe, left the port under the Spanish flag;

but we have also to inform you that, some short time since, the brig *Martha*, of Portland, which arrived here from Matanzas, took on board, in this harbor, a cargo which would equally have consigned as a slaver any Spanish vessel, and sailed direct for the coast of Africa, to deliver it at some of the numerous factories or dens of infamy established there, in connexion with the slave traders of Havana.

The facilities thus afforded by the flag of the United States for carrying on this inhuman traffic could never, we feel convinced, have been contemplated by your enlightened Government—especially as, during the period when these schooners were taking in their cargoes, the harbor was visited by American men-of-war; which, had any convention existed between the two Governments, such as has been acceded to by almost every other maritime Power, a seizure of the most important nature, as regards these iniquitous expeditions, must have been effected. However, we do not entertain the least doubt but that a knowledge of the above circumstances will instantly produce measures calculated to remedy so deplorable and flagrant a profanation of the American colors.

We have, &c.

E. W. H. SCHENLEY.
R. R. MADDEN.

N. P. TRIST, Esq.,

Consul of the United States at Havana.

[Sub-enclosure.]

CONSULATE OF THE UNITED STATES,

Havana, October 19, 1836.

GENTLEMEN: I have the honor to acknowledge the receipt of your communication, under date of the 17th instant, addressed to N. P. Trist, Esq., consul of the United States.

Mr. Trist is now absent on a visit to the United States, and is expected to return here early the next month. I shall, on his arrival here, lay your communication before him.

I have, &c.

J. A. SMITH, *Vice Consul.*

H. B. M. COMMISSIONERS, &c., *Havana.*

[Enclosure No. 2.]

Mr. Stevenson to Lord Palmerston.

23 PORTLAND PLACE, *December 19, 1836.*

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, begs leave to inform Lord Palmerston, His Majesty's principal Secretary of State for Foreign Affairs, that he had the honor to receive, on the 17th instant, his lordship's note of that day, transmitting to the undersigned, for communication to his Government, an extract of a despatch from His Majesty's commissioners at Havana, together with a copy of a representation made by the commissioners to the consul of the

United States at Cuba, relative to the alleged employment of vessels, under the flag of the Union, to assist Spanish subjects in carrying on the slave trade.

The undersigned has the honor to acquaint Lord Palmerston that he will take great pleasure in communicating, without delay, for the information of his Government, his lordship's note and the accompanying papers; not doubting but that his Government will omit nothing which may be proper to be done for preventing the flag of the United States from being used for the protection of a traffic which has been denounced as piracy by its laws, and for the abolition of which the united efforts of both countries have been sincerely and honestly directed.

The undersigned avails himself of the occasion to tender to Lord Palmerston assurances of his high consideration and respect.

A. STEVENSON.

Mr. Forsyth to Mr. Stevenson.—[EXTRACT.]

[No. 19.]

DEPARTMENT OF STATE,

Washington, April 17, 1837.

Your communications, to No. 19, inclusively, have been duly received; that dated the 22d of December last, with accompanying documents, relative to the alleged use of the American flag to cover the slave trade, ought perhaps to have been sooner acknowledged. The information comprised in those papers had, however, long since been in possession of this Government, through the agency of our consul at Havana.

Mr. Forsyth to Mr. Stevenson.

[No. 57.]

DEPARTMENT OF STATE,

Washington, July 17, 1839.

SIR: You will receive, herewith, copies of a letter from collector Bancroft, dated on the 2d instant, and of a communication from several other respectable residents of Boston; bearing date the 20th of May last, together with an authenticated extract from the log book of the ship "Susan," of Boston, Thomson, master, detailing the particulars of an outrage committed upon that vessel, on the 10th of April last, near Cape Frio light, by the commander of, and by a boarding officer sent from, Her Majesty's armed brig Grecian. You will take an early occasion to make a representation of this case to Her Majesty's principal Secretary of State for Foreign Affairs, as a violation of the respect due to the flag of the United States from friendly Powers, and request that an inquiry may be instituted into the whole matter, and the allegations against the commander and the boarding officer of the Grecian be carefully examined, in order that, if they are well founded, conduct and language so unwarrantable and disreputable to Her Majesty's service may meet the reprehension they merit, and will doubtless receive, from Her Majesty's Government.

I am, sir, your obedient servant,

JOHN FORSYTH.

ANDREW STEVENSON, Esq., &c.

Boston, May 20, 1839.

SIR : We annex an extract from the log book of the ship Susan, Captain Thomson, from Rio de Janeiro, on board of which vessel we came passengers, and confirm the same as a true statement. Feeling indignant, as citizens of the United States, at an outrage to our flag of this nature, we wish that you should be informed of it; and, for our information, to respectfully ask of you how far the rights of foreign men-of-war extend to our merchant vessels? whether, upon satisfying the boarding officer we were a merchant vessel of the United States in a legal trade, the captain could not have ordered him and his force to leave the ship; and, upon refusal, whether the ship could not have been abandoned to him? whether he had the right to take the captain or passengers on board the man-of-war? and, again, whether we were bound to wait for orders from a foreign man-of-war to proceed on our course, after satisfying him of the character of our ship? The statement does not in the least exaggerate the piratical manner in which we were boarded, and the insolent conduct of the officer. The fact of one of us knowing the Grecian and the boarding officer relieved our minds from the fear we were taken by a pirate.

We have the honor to be, most respectfully, your obedient servants,
 DAN. P. AUSTIN.
 THEODORE D. PARKER.
 JAS. H. BREWER.

*Extract from the log book of the ship "Susan," of Boston, April 10, 1839,
 Cape Frio light in sight.*

At 7 h. 15 min. P. M., saw a vessel on the starboard bow steering to the southward; and, when on our quarter, she bore up to us, and fired a gun—the wad striking just under our stern. We *immediately* hove the maintopsail to the mast; and, while lying in that situation, hove to for her to come up with us; she fired a shot, which was seen and heard to hiss through the air within a few feet of the ship, and struck abreast of the starboard fore-rigging. In a few minutes she was alongside—hailed us to know who we were; answered, Susan, from Rio de Janeiro. He was then asked: "What brig is that?" and replied, the Grecian; and was then asked: "What do you mean by firing a shot into us?" His answer was, "If you don't heave to, I'll fire into you;" and was replied to, that the ship was, and had been, hove to some time. She then sent a boat, with an officer and four men, who boarded us in a piratical manner—they being armed with cutlasses and muskets; and the first words the officer said upon reaching the deck were, "Who is the captain?" of whom he immediately demanded to know by what right he hailed Her Majesty's brig Grecian to know why he fired, &c. The captain replied, by repeating the same question; to which he, (the officer,) in a very impertinent manner, said he would send Captain Thomson on board the Grecian. Here the passengers interfered, and said, "No, you don't, unless you use force;" to which he replied, he would use force, and take the passengers also; who replied, "Do it, if you dare." He then asked to see the papers, and was told he could see the register only; and, at the same time, ordered a man and a loaded musket on deck from his boat, and took possession of the ship, saying he would make a signal, and order more force. In the height of his impertinence, he was requested to perform his duty, and go about his busi-

ness; to which he replied, "I shall take my own time, and shan't hurry, and want none of your *cheek*;" that, if he was to do his duty properly, he should send us all on board the Grecian, as he had the force, and it was in his power to do so; and was again told he had better quickly do his duty, as we did not wish to be detained by him all night. After asking the usual questions, *without* looking at the register, he ordered the captain not to fill away until he received permission from the Grecian; and then left the ship without *offering* to put into execution any of his *violent* and impertinent threats of taking the captain and passengers on board the *Grecian*. As soon as the boat reached the brig, they hailed us with "you can go;" filled away, and left us; and we proceeded on our course.

CUSTOM-HOUSE, BOSTON, *June 27, 1839.*

I do hereby certify that the foregoing extract from the log book of the ship Susan, now in this office, has been carefully examined with the original entry in said log book, and found correct in all its parts.

Given under my hand and seal of office, the day and year above written.
[L. S.]

GEORGE BANCROFT,
Collector.

Hon. JOHN FORSYTH,
Secretary of State, Washington.

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 78.]

LEGATION OF THE UNITED STATES,

London, September 14, 1839.

SIR: I received, on the 20th ultimo, by the "Roscius," your despatch of the 27th of July, (No. 57,) in relation to the outrage committed by the British armed brig the "Grecian," upon the "Susan," of Boston, off Cape Frio light, on the coast of Brazil. I lost no time in presenting the case to Lord Palmerston's consideration; and have now the honor of forwarding a copy of my note, with his lordship's answer.

[Enclosure No. 1.]

Mr. Stevenson to Lord Palmerston.

23 PORTLAND PLACE, *August 26, 1839.*

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor, pursuant to instructions received from his Government, to communicate to Viscount Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, the accompanying papers, detailing the particulars of an outrage committed in April last upon an American ship, (the "Susan," of Boston, Thomson, master,) near Cape Frio light, by the commander of, and by a boarding officer from, Her Majesty's armed brig "Grecian;" and to invite the early attention of his lordship to the complaint therein contained.

In presenting to the notice of Her Majesty's Government a case so mani-

festly violating the respect due from one friendly nation to the flag of another, the undersigned has the honor to request that an inquiry may be instituted into the whole matter, and the allegations against the officers of the "Grecian" carefully examined, in order, should they turn out to be well founded, that conduct and language so unwarrantable, and disreputable to Her Majesty's naval service, may meet the reprehension and punishment they merit, and which they will doubtless receive from Her Majesty's Government.

The undersigned takes the occasion to renew to Lord Palmerston assurances of his high respect.

A. STEVENSON.

[Enclosure No. 2.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, *September 9, 1839.*

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has the honor to acknowledge the receipt of the note of the 26th ultimo, from Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the Government of the United States, complaining of the conduct of the commanding officer, and of one of the subordinate officers, of Her Majesty's brig "Grecian" towards the American vessel "Susan," near Cape Frio.

The undersigned has the honor to acquaint Mr. Stevenson that an inquiry has been instituted into the circumstances complained of; and that he will not fail to communicate to Mr. Stevenson the result of that inquiry.

The undersigned has the honor to renew to Mr. Stevenson the expression of his high consideration.

PALMERSTON.

Mr. Forsyth to Mr. Stevenson.

[No. 64.]

DEPARTMENT OF STATE,

Washington, January 3, 1840.

SIR: I transmit to you, herewith, the copy of a despatch (No. 22) addressed to this Department on the 16th of October last, by the consul of the United States at Rio de Janeiro. Transcripts are also sent of the enclosures therein referred to. These papers set forth the circumstances attending a gross violation of the flag of our country, by the commander of Her Britannic Majesty's sloop "Columbine," of the 22d of July last, off Ambrise, on the coast of Africa, in boarding and taking possession of an American merchant vessel, the brig "Edwin," of New York, while prosecuting a lawful commerce; compelling her master, by acts of violence, and with contumelious language, to quit his vessel; forcibly taking possession of his log book and other papers; carrying him on board the British sloop, and there detaining him a prisoner, under guard, until the hatches of his vessel had been opened, a part of the cargo removed, and a strict search made for

proofs of his having been engaged in the slave trade. Under pretext of such a suspicion, which nothing appears to have authorized, the commander of the "Columbine" assumed to perpetrate the offences charged in the deposition of Captain Dayley; the truth of which is corroborated by the officers and seamen who sailed with him.

It is the wish of the President that the attention of the British Government should be forthwith called to this case. You are accordingly directed to address a representation of it to Lord Palmerston, exhibiting the facts as set forth in the accompanying documents; expressing the dissatisfaction it has occasioned this Government; asking for such explanations of the transaction as Her Majesty's Government may have to offer; and demanding that the very vexatious and reprehensible conduct of Commander Elliot on this occasion be adequately punished.

I am, sir, your obedient servant,

JOHN FORSYTH.

ANDREW STEVENSON, Esq., &c.

[Enclosure.]

Mr. Slacum to Mr. Forsyth.

[No. 22.]

CONSULATE OF THE UNITED STATES OF AMERICA,

Rio de Janeiro, October 16, 1839.

SIR: I have the honor to transmit, herewith, depositions of the master and crew of the brig Edwin, of New York, lately arrived at this port from the coast of Africa. The Edwin is owned by Messrs. Farnham & Fry, of Salem, Massachusetts; but sails from New York, where these gentlemen are engaged in commerce, under the firm of P. J. Farnham & Co. It appears, from the verbal statement of the master, that Messrs. Farnham & Co. have had a factory, or storehouse, for some years past, on the coast, at a place called Ambrise, about sixty miles north of Angola, and have had vessels engaged in trading there. I am further informed that the present master of the Edwin had been in charge of the factory for several months, and was relieved by the one who went from the United States in her.

The object pursued by these gentlemen I believe to be trade with the natives for the produce of that country—say ivory, wax, &c., in exchange for cloths, handkerchiefs, beads, and other trinkets suited to their wants or tastes. Ambrise is becoming quite a commercial place—the English having many factories there, like that of Messrs. Farnham & Co. The Edwin will sail in a few days for Richmond, where the master may be found, should his presence at Washington be deemed necessary.

I have the honor to be, sir, your most obedient servant;

GEO. W. SLACUM, *Consul U. S. A.*

HON. JOHN FORSYTH,

Secretary of State, Washington.

This is to certify that the brig Edwin, of New York, was boarded by Her Britannic Majesty's sloop Columbine, on the 22d July, 1839, off Ambrise:

that the person then in charge of her I believe to be named James Dayley, as stated in the instructions on board the vessel; but I have reasons to suppose that the vessel is engaged in the slave traffic. I have further to certify, that my reasons for boarding the said Edwin were, that I had the strongest suspicion she was not an American; and the master of her was extremely insolent and unruly.

GEO. ELLIOT, *Commander.*

H. B. M. "COLUMBINE,"
July 22, 1839. *At sea.*

CONSULATE OF THE U. S. OF AMERICA, *Rio de Janeiro :*

These are to certify that the foregoing is a true and faithful copy of an original endorsement which appears on the back of the shipping articles of the brig Edwin, of New York, and that the same has been carefully collated.

[L. s.] Given under my hand and seal of office, at the city of Rio de Janeiro, this seventh day of October, A. D. 1839.

GEORGE W. SLACUM, *Consul U. S. A.*

CONSULATE OF THE U. S. OF AMERICA, *Rio de Janeiro :*

Personally appeared before the undersigned, consul of the United States of America at the city of Rio de Janeiro, James Dayley, master of the brig Edwin, of New York, and who, being duly sworn, deposed as follows: That on the 22d day of July last past he sailed from the port of Anibrise, coast of Africa, in capacity aforesaid, with part of a cargo on board, taken from the factory of Messrs. P. J. Farnham & Co., of New York, owners of the said brig Edwin; that on proceeding up the coast to another port to take in cargo for same account, and being still in sight of the place of his departure, he was fired at from H. B. M. brig Columbine, George Elliot, Esq., commander, and ordered to heave to; which having done, an officer and six armed men boarded and took possession of the vessel while the American flag was flying. And deponent further said that the English officer immediately on gaining the deck of the Edwin demanded to know if he (deponent) commanded the vessel; when, upon being answered in the affirmative, he ordered him into the boat of the Columbine, to be carried on board that vessel; that he (deponent) hesitated to obey the order, and asked why he was to leave his ship, whereupon the English officer repeated the order, and said to the men, "If he refuses, put him into the boat by force;" that the men then approached deponent with drawn swords, and in this manner forced him out of his vessel. And deponent further said that no demand for his papers was made, but that, as he was getting over the side of his ship, his log book and tin case, containing his public and private papers, were taken from him, as he held them under his arm. And deponent further declared that he was taken on board H. B. M. brig Columbine, placed a prisoner between two guns, under a guard of marines, and thus detained more than two hours; that

He, (deponent,) in passing from his own ship to the Columbine, was accompanied by an English lieutenant whom he recognised while in the boat, and reminded him of his having received and hospitably entertained him at the factory of Messrs. P. J. Farnham & Co. about a month before, and brought to his recollection the fact of his having told him (the officer) that he expected a vessel from New York. Notwithstanding all this, and the assurance given that the Edwin was an American vessel, engaged in lawful trade, he (deponent) was not released, and put in command of his ship, till the hatches had been opened, the cargo removed, and a strict search made. And further deponent said not; referring to the depositions of the mates and crew for the particulars of the outrage committed on board the Edwin while he was detained a prisoner on board the Columbine.

JAMES DAYLEY.

Sworn before me, this 12th day of October, A. D. 1839.

GEORGE W. SLACUM, *Consul U. S. A.*

CONSULATE OF THE U. S. OF AMERICA, *Rio de Janeiro* :

These are to certify that the foregoing is a true and faithful copy of the original deposition on record in this consulate, and that the same has been carefully collated.

[L. s.] Given under my hand and seal of office, at the city of Rio de Janeiro, this sixteenth day of October, A. D. 1839.

GEORGE W. SLACUM, *Consul U. S. A.*

CONSULATE OF THE U. S. OF AMERICA, *Rio de Janeiro* :

Personally appeared before the undersigned, consul of the United States of America at the city of Rio de Janeiro, Richard Darling, chief mate; John Albertson, second mate; John Thomson, J. Welling, and Frederick Beeman, seamen—all of the brig Edwin, of New York, and who, being duly sworn, deposed as follows: That they sailed from Ambrise, coast of Africa; on board the brig Edwin, of New York, James Dayley, master, having on board part of a cargo taken in at the factory of Messrs. P. J. Farnham & Co., of the city aforesaid; that when about two leagues from the land, and in sight of their port of departure, they were fired at, and brought to, by H. B. M. brig Columbine, George Elliot, Esq., commander, while the American flag was flying on board the Edwin.

That an officer and six armed men boarded the Edwin, and took possession of her. And deponents further declared, that as soon as the Edwin was taken possession of the master was ordered on board the Columbine; and when he refused to go, and desired to know why he was to leave his vessel, the British officer said, "If you don't go, I will force you;" at the same time calling his men, who ran aft where Captain Dayley stood, with their swords drawn, and forced him to get into the boat; in the act of doing which, his log book and tin case, containing his papers, were taken from him.

And deponents further said that, after Captain Dayley had left the Edwin, the British officer in charge questioned them as to where the ves-

sel was owned, the names of the owners, captain's name, of what the cargo consisted, &c.; all of which questions were answered. He then said he must search the cabin, and requested deponent (Richard Darling) to go with him into the cabin; on returning from the cabin, he ordered the hatches fore and aft to be taken off, and the hold examined and searched, removing part of the cargo. After this examination, the British officer observed, "You have one thing on board that will condemn you;" and when deponent (Richard Darling) asked what it was, he replied, "the lumber." And deponents further said, that, during the absence of Captain Dayley, another boat came from the Columbine with two midshipmen, leaving one in charge of the Edwin, and returning with the officer first left in charge. And further deponents said not.

RICHARD DARLING.
JOHN ALBERTSON.
JOHN THOMSON.
J. WELLING.
FREDERICK C. BEEMAN.

Sworn before me, this 12th day of October, A. D. 1839.

GEO. W. SLACUM, *Consul U. S. A.*

CONSULATE OF THE UNITED STATES OF AMERICA, *Rio de Janeiro*:

These are to certify that the foregoing is a true and faithful copy of the original deposition on record in this consulate, and that the same has been carefully collated.

[L. s.] Given under my hand and seal of office, at the city of Rio de Janeiro, this seventeenth day of October, A. D. 1839.

GEO. W. SLACUM, *Consul U. S. A.*

Mr. Stevenson to Mr. Forsyth.—[EXTRACTS.]

[No. 84.]

LEGATION OF THE UNITED STATES,

London, January 22, 1840.

A short time since, I received a despatch from Lord Palmerston, communicating sundry documents relative to the slave trade, which had been received by this Government from their commissioners established at the Havana, under the treaties between Great Britain and Spain for the suppression of that trade.

I have therefore the honor to transmit to you copies of all these papers, and shall await the President's instructions on the subject.

[Enclosure No. 1.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, *December 31, 1839.*

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, is desirous of communicating to Mr. Stevenson, envoy extraordi-

nary and minister plenipotentiary of the United States of America, the accompanying despatch and its enclosures, which have recently been received by the undersigned from Her Majesty's commissioners established at the Havana, under the treaties between Great Britain and Spain for the suppression of the slave trade.

These papers relate to a previous correspondence between the commissioners and Mr. Trist, the United States consul at the Havana; a portion of which was contained in the papers upon the slave trade laid before Parliament, by Her Majesty's command, during the last session, and of which the undersigned encloses a copy.

And the undersigned encloses also a copy of that portion of the correspondence between the commissioners and Mr. Trist which was not laid before Parliament.

The undersigned thinks it right to submit to some authority connected with the Government of the United States the letter from Mr. Trist, which forms one of the enclosures in the despatch of the 27th of October, 1839, from Her Majesty's commissioners; but the gentlemen on the establishment of the Foreign Office have so much pressing business at this time to perform, that Mr. Trist's long letter could not be copied without delay and injury to the public service; and the undersigned is therefore obliged to send these papers to Mr. Stevenson in original, and he requests that Mr. Stevenson will have the goodness to return them to him when Mr. Stevenson shall have read them.

The undersigned avails himself of this occasion to renew to Mr. Stevenson the assurances of his distinguished consideration.

PALMERSTON.

[Sub-enclosure.]

[No. 35.]

HAVANA, *October 27, 1839.*

MY LORD: In our despatch No. 22 of 1839, dated 15th July last, we informed your lordship of our having written a letter to Mr. Trist, the United States consul at this place, in obedience to your lordship's directions, as given in the despatch No. 3 of 1839, dated the 16th April last. A copy of that letter we then enclosed, and stated that, in answer to it, we had not received any reply.

On the 30th August, however, a reply was delivered, of which we have now to transmit a copy, not having been able to have it made in time for the previous packet, on account of its exceeding, as your lordship will perceive, two hundred and sixty closely written pages. Of this extraordinary production we can scarcely trust ourselves to express an opinion; but are glad to think our so doing of less consideration, inasmuch as the most cursory glance at it must make your lordship aware of its character better than any opinion we could convey. We must, however, be allowed to make a few remarks, and in the outset to observe, that, offensive as Mr. Trist evidently desires to be to us personally, (MS. pp. 31, 99,) we have the less reason to complain, as he undistinguishingly inveighs against the conduct of our predecessors in the commission as much as against what he imputes to us also, (page 40;) but that, with regard to our motives of action and mode of carrying them into effect, we trust we may lay claim to at least as much

right feeling, honesty of purpose, and courtesy of demeanor, as he can put forward for himself.

Mr. Trist's claim to be considered a person entitled to pass judgment on us, or, indeed, on any question relating to slavery or the slave trade, we must at once and unhesitatingly dispute. Born, as he himself informs us, amidst black domestics, (page 250,) and brought up among slaves, the native of a slaveholding State, himself somewhat of a slaveholder, (ibid,) and having most of his connexions of that character, he cannot be supposed to have that freedom from improper bias on any such subject which alone could make his judgment and opinions deserving of consideration. But when we find his public conduct in this place only the natural, though lamentable, consequence to be expected of such an origin, we must declare him the most unfit to be taken for our guide and instructor in opinion or practice. Preferring, as we do, facts to professions, we will put the latter for the present out of consideration, and give, as evidence of our assertions, the following circumstances.

The office of Portuguese consul has been vacant now nearly two years; during which time, we have not heard of any respectable person being a candidate for it; nor do we believe any respectable person would accept it, or we may be sure the Portuguese Government would have long since made the appointment. During this time, then, when no such person was found ready to undertake the disgrace of sharing its associations with the slave trade; when the only occupation and advantage it could give proceeded from the slave dealers; proportioned, too, as the officeholder screened and aided them in their iniquities—the one person, above all others, they could find ready to become their instrument and assistant, was the American consul; and as if the office of itself, on account of its only existing duties, had not been sufficiently disgraceful, he thus added the indecency of associating with it the compromising the flag and national character of his republic; the laws of which declare the severest penalties against the slave trade, while its citizens were openly and with impunity furnishing it vessels; and giving it every assistance their ingenuity could devise.

Mr. Trist might, perhaps, say that he undertook the office with a view to put down those abuses. This would be scarcely consistent with his duty to the Portuguese flag or nation; but, supposing it were so, how has he effected or attempted this object? Not a vessel has gone to the coast of Africa, under the American flag, but he must have been aware of the purpose for which it was despatched; and yet we have not heard of any denunciations he has made, or steps he has taken, to defeat or punish the offenders, except in one solitary instance, to which we shall have immediately to call attention.

Meanwhile, as evidences of the contrary intention on his part, namely, to assist the slave dealers, we find the following facts alleged:

1. The pro-consul at the Cape de Verdes charges him with "having granted, (we presume, allowed or authenticated,) to his knowledge, more than ten false bills of sale of vessels and papers to these islands."—Parliamentary papers respecting slave trade, 1839, class B, further series, p. 110.

2. We find him giving vessels, which he must have known were intended for the slave trade, irregular assistance, in furnishing them with blank forms, to be filled up at their convenience.—Parliamentary papers, ibid, class D, further series, p. 25.

3. We find him giving such vessels certificates irregularly signed; as in two cases, the day before the documents they purported to authenticate, (Parliamentary papers, *ibid*, class A, further series, pp. 58, 59,) and those in relation to a remarkable vessel, found, when taken, to have twenty-one long guns on board, eighteen-pounders, with a corresponding number and quantity of muskets, cutlasses, and ammunition, stowed about the decks, and prepared for action.

The character of this piratical vessel could not have escaped his observation when he passed her papers; and, as sailing in breach of the laws of all nations, it was his duty to denounce her at least to the local Government, whose laws more particularly she was setting at defiance; but, instead of so doing, he appears to have even gone out of his regular course to facilitate her progress.

In one case, however, he did detain a vessel, as stated above, suspected of being engaged in the slave trade—the American brig “Thomas,” of which fact, in our ignorance of his character and conduct, we made honorable mention at the time, (see despatch, No. 52 of 1838, dated the 24th December.) In the missive before us, he refers to it, and shows that, unflinching advocate as he professes to be for national independence, the vessel was taken, by his direction, in this harbor, by an armed force from the American sloop-of-war “Ontario.” Had an English vessel of war been committing such an act in a foreign port, we might perhaps have been fairly liable to all those charges here made against us for a trampling upon, and contempt of, the rights of a powerless nation; but the American consul holds himself privileged to outrage those rights, and to commit an act which we may justly declare to have been perfectly wanton, because it was totally unnecessary. As an American vessel, the “Thomas” could not sail out of the harbor without the American consul’s special permission; and, in fact, it was only taken to be delivered up to the Captain General of the island, who would unquestionably, as a matter of course, have ordered the vessel to be detained, upon an official demand from Mr. Trist, had he been pleased to make it. But this regular mode of proceeding did not comport with his temper or views. Without charging him with a vainglorious desire to make an exhibition of his power, or doubting his desire to defeat a slave-trading expedition, we must point out the fact confessed—that the captain of the “Thomas,” who was also the owner, and acknowledged “a man of very good connexions,” had, unfortunately, upon some former occasion, had a quarrel with Mr. Trist, at whose “demand” he had been for some weeks in prison, and had thus become “a most distinguished and sympathy-exciting victim of consular persecution.”—(See MSS., p. 87.)

The force of this sneer your lordship will best understand, by perusing the proceedings at different meetings held at Boston and New York, for petitioning the United States Government to remove Mr. Trist from his office, for various acts of capricious tyranny and neglect of duty. Of one of these meetings we enclose an account; and your lordship will perceive from it that Mr. Trist’s own countrymen have just as much cause as we have to condemn him for those perverted feelings and overweening notions of importance which persons of weak minds are so apt to fall into when filling appointments (no matter what) beyond their capability or merit.

Had the case against the “Thomas” been undeniably a clear one, the step of so forcibly taking possession of her in a foreign port, unnecessarily

would still have been most unjustifiable ; much more, then, when it was so doubtful that, upon investigation by the local authorities, (of which he makes no mention,) they at once ordered her release, censured the detention, and awarded the master damages, which he is now seeking to recover, we understand, from the captain of the "Ontario."

From all these facts, we think it evident that Mr. Trist's vaunted affection for national independence and hatred of slavery cannot be very deeply rooted, when he is found by his writings to be such an apologist for the slave trade, such an abettor of slave dealers, and so ready to violate the dearest provisions of respect for the rights of foreign nations unnecessarily, and manifestly only to gratify his own petty resentments. Such a person should be the last to accuse others of unworthy actions or dishonorable motives ; and, certainly, in this case, the maxim seems as if it might be relied on, to estimate the solidity of a man's principles, and the truth of his professions, inversely to the intensity of the loudness with which they are so unnecessarily paraded.

Holding the very lucrative office of American consul, we cannot suppose that the few dollars Mr. Trist may further gain as Portuguese consul can be to him of any consideration. But surely it little becomes him to taunt us with being paid from the labors of the factory girl, (pp. 133-143,) when he is himself so ready to partake of the blood-money of the slave.

We write thus decidedly, because, as Mr. Trist has penned his invectives in that ridiculously inflated and theatrical style so appropriate for his extravagant and delirious ideas of personal and national importance, with the evident expectation that they will be presented, and printed, among the papers laid before the House of Commons next session, we should feel unwilling, in case your lordship please to indulge him, that his own conduct should be left unexposed, or the indignities offered us unrepelled.

Those indignities we had but one way of meeting with regard to himself personally ; and, accordingly, in our acknowledgment of his papers we expressed the fact of their being received in the shortest terms of official courtesy. (Enclosure No. 2.) We feel assured that in so doing we shall receive your lordship's sanction, considering all that was due to such an unbusinesslike collection of extravagancies as that which Mr. Trist has here been so self-deluded as to put forth for arguments, opinions, and specimens of eloquence. That acknowledgment, however, in accordance with an intimation given in his voluminous letter, (p. 134,) Mr. Trist sent back unopened (as, we suppose, purposing an insult) through the post office, in a large and thick envelope, so as to put us to the most expense of postage.

We ought perhaps to explain with respect to his cavilling about the terms in which we communicated your lordship's message, that they were written with reference to a paragraph in our former letter, which for conciseness sake had been afterwards struck out ; and that we wrote the last, knowing the wild lengths which Mr. Trist is so apt to go, in terms expressly not to give him the opportunity of taking your lordship for a correspondent instead of ourselves.

We have the honor to be, with the greatest respect, my lord, your lordship's most obedient, humble servants,

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

Rt. Hon. Viscount PALMERSTON, *G. C. B.*, &c.

[Sub-enclosure.]

[No. 22.]

HAVANA, July 15, 1839.

My Lord: We have the honor to acknowledge having received your lordship's despatch (No. 3 of 1839) dated the 16th April, on the subject of the correspondence we had in January last with Mr. Trist, the United States consul at this place, respecting the slave ship "Venus."

In obedience to your lordship's directions, we addressed a letter to Mr. Trist, informing him "that Her Majesty's Government would feel most sincerely obliged by his furnishing us at any time with any information in his power which might enable Her Majesty's Government to enforce the penalties of the law against British subjects concerned in the slave trade."

We also duly communicated your lordship's sentiments on the obligation arising from the engagements entered into between the two countries, by the treaty of Ghent, for the entire abolition of the slave trade, "that the agents of each Government should furnish to the agents of the other Government any information calculated to enable that other Government more effectually to accomplish the common purpose."

We beg to refer your lordship to the copy of the letter enclosed, to which we have not received any reply.

We have the honor to be, with the greatest respect, my lord, your lordship's most obedient, humble servants,

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

Rt. Hon. Viscount PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

Her Majesty's commissioners to Viscount Palmerston.—[EXTRACT.]

HAVANA, January 19, 1839.

In the despatch, dated the 22d August last, from Her Majesty's commissioners at this place, your lordship was informed of the arrival here of the American ship "Venus," built at Baltimore expressly for the slave trade, and of her departure shortly after for the coast of Africa. The "Venus" sailed hence under the American flag, with several American citizens on board; but in the ship's articles, (of which a glance in bravado was afforded Her Majesty's commissary judge) it was expressly stipulated that she was to be taken to Bahia, there to be transferred to the Portuguese flag. This, however, appears not to have been done; for in the almost incredibly short period of four months the ship has returned, and in the beginning of this month landed on the coast the extraordinary cargo of not fewer than 860 slaves. At this time the name was changed to the "Dukeza de Braganza," and she bore the Portuguese flag; but it was a matter of doubt whether a valid, if any, transfer of her had taken place; and it was currently believed that the American subjects who had sailed in her from this port had been present at the time when the slaves were taken on board. Indeed, it was reported, from the parties themselves, that they had been visited on the coast of Africa, when bearing the American flag, by the officers of a British cruiser; and upon being asked what they were doing there, answered the inquiries by saying it was no business of theirs, and that they were Americans.

They boasted, also, that though one of the cruisers watched, and saw them take part of their cargo on board, and attempted afterwards to follow them, yet the chase was made in vain; and, undoubtedly, the wonderfully short time in which this unprecedentedly successful voyage has been made, fully warrants the character which the ship brought here with her, for her fast-sailing qualities.

Under these circumstances, we felt it our duty to call the attention of the American consul, who is also acting as Portuguese consul, to so gross a violation of the laws, as well as of the flag of the United States.

To this communication of ours, the answer was returned, of which we enclose your lordship a copy, stating, at very considerable length, the opinions which had actuated him (the consul) on the occasion just referred to, as well as his views in the present instance. The answer is worthy of consideration, as an evidence of the feelings held by certain classes of the American community with regard to the slave trade, and the part taken by the British Government to suppress it. In our reply, we confined ourselves to a general assertion of our duties, and of the grounds on which we exercised them. As we hear the correspondence has been sent to the Government of the United States, we trust your lordship will consider the terms in which we addressed the consul, as well as those in which we answered his reply, to be deserving the support of Her Majesty's Government.

With regard to the ship "Venus," otherwise the "Duqueza de Braganza," we should state that the original cost, we understand, was \$30,000; and that the fitting out, and expenses of every description for the voyage, including the value for the return cargo, was estimated at \$60,000 more—say, altogether, \$100,000. The number of negroes brought back, as has been before stated, was 860; and they are said to have been sold at \$340 per head, producing the sum of nearly \$300,000; of which, therefore, two-thirds was nett profit. So long as such returns can be effected, we fear that no efforts whatever will be effectual in suppressing the traffic; and certainly not, while the dealers have only to meet such a system of corruption as pervades every department of the government of the island.

We have only further to add, that the ship "Duqueza de Braganza" is principally owned by the slave dealer Mazorra, whom we have so often had occasion to name, and a Frenchman named Gautier, and that she is preparing again for another voyage.

[Sub-enclosure.]

Viscount Palmerston to Her Majesty's commissioners.

FOREIGN OFFICE, April 16, 1839.

GENTLEMEN: I have received your despatch of the 19th of January, 1839, containing copies of a correspondence which had taken place between yourselves and Mr. Trist, the United States consul at the Havana, on the occasion of your having communicated to that gentleman information respecting the vessel (the "Venus") which had sailed from the Havana for Africa, under the flag of the Union, with several American citizens on board, and had returned within four months, with a cargo of 860 slaves, from Africa.

With reference to that part of Mr. Trist's letter to you which relates to British fabrics made expressly for Africa, and to shackles of British manufacture intended for slave trade, exported from England, and imported into Cuba, I have to desire that you will state to Mr. Trist, that, if he can at any time furnish Her Majesty's Government, through you, with any information which may, directly or indirectly, enable Her Majesty's Government to enforce the penalties of the law against British subjects who may be concerned in slave trade, Her Majesty's Government will feel most sincerely obliged to him.

You will observe to Mr. Trist, that the two Governments having, by the 10th article of the treaty of Ghent, mutually engaged to each other that they would "use their utmost endeavors to promote the entire abolition of the slave trade," it seems to be perfectly consistent with the respect which the agents of each country must feel for the other country, that they should not only themselves act in strict accordance with the spirit of the engagement which their own Government has contracted, but that they should furnish to the agents of the other Government any information which may be calculated to enable that other Government more effectually to accomplish the common purpose.

I am, &c.

PALMERSTON.

Her Majesty's COMMISSIONERS, &c.

[Enclosure No. 2.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET, *January 18, 1840.*

The undersigned, minister plenipotentiary from the United States, had the honor to receive, on the 2d instant, the note of Lord Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, under date of the 31st of December, with the accompanying despatch and its enclosures, received by Her Majesty's Government from its commissioners established at the Havana, under the treaties between Spain and Great Britain for the suppression of the slave trade.

The undersigned will take the earliest opportunity of communicating to his Government copies of Lord Palmerston's note, with the papers accompanying it, including the letter of Mr. Trist, the American consul at the Havana; the original of which, having been sent to the undersigned for the reasons stated in Lord Palmerston's communication, he has now the honor of returning to his lordship, together with the other documents of like character. This would have been done some days ago, but for the great length of Mr. Trist's letter, a copy of which the undersigned was desirous of placing in possession of his Government. As the subject to which these papers relate is one of great delicacy and interest, involving, as it does, the conduct of one of its public functionaries, it will rest alone with the President of the United States to decide upon the measures which it may be proper, under the circumstances, finally to adopt.

The undersigned has the honor to offer to Lord Palmerston reiterated assurances of his distinguished consideration.

A. STEVENSON.

Mr. Forsyth to Mr. Stevenson.

[No. 65.]

DEPARTMENT OF STATE,

Washington, January 25, 1840.

SIR: A note, received some time ago at this Department, from the British legation here, relating to a supposed abuse of the American flag by subjects of other Powers, to cover the illegal traffic in African slaves, contains, incidentally, a representation against the consul of the United States at Havana, who, it is stated, has, upon certain occasions, while acting for Portuguese subjects in the absence of a consul of that nation, given to the owners or commanders of slave vessels, for them to fill up at pleasure, printed blank forms, to which his signature was affixed; a practice which Her Majesty's Government supposes has contributed in affording material assistance to the masters of such vessels in the detested traffic.

The grave charge above alluded to having attracted the attention of Mr. Trist in the public journals, some time during the last summer, (7th September,) he addressed a note to this Department, (extracts from which are now transmitted to you, in confidence,) requesting that a formal application might be made to the British Government for one or more specimens of the blank forms in question, and for all other specific information that it could furnish relative to the subject; but as Mr. Fox, in a conversation with me soon after the receipt of Mr. Trist's letter, intimated that he was about to make a communication to this Government regarding the abuse of its flag, connected with a complaint against the American consul at Havana, it was presumed that one of these blank forms, or at least a transcript of one of them, would probably accompany his letter, and render unnecessary a demand on his Government. In this expectation I have, however, been disappointed. Mr. Fox's promised communication has been made without enclosing the paper desired.

It is alike due to the source of these representations, and to the character of Mr. Trist, that a close inquiry should be instituted into his official conduct; but, before a full investigation of the truth of this charge against him can take place, it will be necessary that this Department should be informed of the precise character of the signed blanks referred to, and, if to be had, be possessed of one of them for examination. For this purpose, the President directs that you apply to the British Government, without delay, to communicate to you one or more of the blank forms in question, bearing the signature of Mr. Trist, which, so soon as received, you will transmit to me.

I am, sir, your obedient servant,

JOHN FORSYTH.

ANDREW STEVENSON, Esq., &c.

Mr. Stevenson to Mr. Forsyth—[EXTRACT.]

[No. 86.]

LEGATION OF THE UNITED STATES,

London, February 18, 1840.

SIR: I received, on the 4th instant, your despatch No. 64, transmitting the papers in relation to the late outrage committed by Lieutenant Elliot,

of the British navy, upon the American brig "Edwin," of New York, off the coast of Africa. I immediately addressed an official note to Lord Palmerston on the subject, setting forth the prominent facts of the case, and expressing the expectation of our Government that suitable measures would be taken for inquiry and redress. On the 16th I received his answer, a copy of which, with my two notes, I now enclose.

[Enclosure No. 1.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET, February 5, 1840.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has been specially charged by his Government to make the following representation to Lord Viscount Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, respecting an alleged violation of the flag of the United States by the commandant of the British sloop of war the "Columbine," in July last, on the coast of Africa. From the affidavits (regularly taken before the American consul at Rio de Janeiro) of James Dayley, master, Richard Darling, chief mate, John Albertson, second mate, and three seamen, of the American brig "Edwin," of New York, which the undersigned has now the honor of transmitting to Lord Palmerston, together with a copy of an official letter from the consul at Rio to the Secretary of State, it appears that on the 22d of July last, off Ambrise, near the African coast, George Elliot, the commandant of Her Majesty's sloop the "Columbine," boarded and took possession of the "Edwin," while at sea, prosecuting a lawful trade, and under the protection of the flag of the United States; that, immediately after boarding, Captain Dayley was compelled, by acts of violence, and in the most insulting manner, to quit his vessel; his log book and other papers were forcibly taken from his possession, and he carried on board the British sloop, and there detained as a prisoner, under guard, until the hatches of his vessel were opened, a part of the cargo removed, and a strict search made to ascertain whether there were any slaves on board. These are the important facts of the case, as they appear conspicuous in the papers now transmitted for the consideration of Her Majesty's Government. The grounds alleged by Captain Elliot for this proceeding were, that this brig was engaged in the slave trade. Now, the affidavits of the captain and the two mates and seamen show that there was no just foundation for any such supposition, and nothing to excuse or extenuate so gross an outrage upon the flag of an independent nation and the rights of its citizens. On the contrary, the whole proceeding appears to have been one of an aggravated and unwarrantable character.

Upon the subject of the right of British officers to search the vessels of the United States, under pretence of their being engaged in the slave trade, it may be proper again distinctly to state to Lord Palmerston, that the Government of the United States can never acquiesce. The undersigned has heretofore taken occasion to announce to Her Majesty's Government the determination of that of the United States that her flag is to be the safeguard of all who sail under it, either in peace or war; and, consequently, that no

just exception can be allowed in favor of a right of search connected with the slave trade, or the fulfilment of treaties between Great Britain and other nations for its abolition, to which the United States are not a party. Whilst the United States, therefore, have omitted nothing which was proper to be done for preventing its flag from being used for the protection of a traffic which they were the first to denounce as piracy by their laws, and for the abolition of which their efforts have been as sincerely and cordially directed as those of Great Britain, they cannot acquiesce in the practice of having their vessels and citizens interrupted and detained whilst engaged in commercial pursuits, by British officers, under any pretence such as that exercised by Captain Elliot. The undersigned has therefore been instructed to present this case to the consideration of Her Majesty's Government, and to ask for such explanations of the transaction as it may be able to give; and, likewise, to express the just expectation of his Government, that, should the complaint be such as it has been represented, Her Majesty's Government will not only take pleasure in disavowing the proceeding, but will see fit to mark its disapprobation of such vexatious and reprehensible conduct by a suitable and signal punishment of the individual by whom it has been perpetrated.

The undersigned prays Lord Palmerston to accept renewed assurances of his distinguished consideration.

A. STEVENSON.

[Enclosure No. 2.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, *February 15, 1840.*

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has received the note which was addressed to him under date of the 5th instant, by Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the United States Government, complaining of the conduct of Lieutenant Elliot, of Her Majesty's navy, in examining the papers of the United States vessel "Edwin." The undersigned has desired that inquiry may be immediately instituted into the facts of the case, and will lose no time in making Mr. Stevenson acquainted with the result of his inquiry. The undersigned, in the mean time, begs to inform Mr. Stevenson that strict orders have been given to Her Majesty's cruisers employed for the suppression of the slave trade not to interfere with vessels belonging to countries with which Great Britain has no treaty conceding mutually a right of search. But the undersigned cannot refrain from availing himself of this opportunity of requesting Mr. Stevenson to draw the attention of the President of the United States to the progressively increasing extent to which the citizens and vessels of the Union are engaged in the slave trade; for not only do vessels which are not the property of citizens of the United States fraudulently assume the United States flag, in order to cover their criminal undertakings, but, in contempt and violation of the laws of the Union, vessels are built for slave trade in the ports of the United States, and United States citizens engage more and more in that traffic. Her Majesty's Government therefore earnestly hope that the President will

take effective means for putting down this evil, by enforcing, in the ports of the Union, the law against slave trade, and, by sending an adequate number of cruisers to the coast of Africa, to prevent the abuse which is now made of the flag of the Union.

The undersigned avails himself of this occasion to renew to Mr. Stevenson the assurance of his distinguished consideration.

PALMERSTON.

[Enclosure No. 3.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET, February 17, 1840.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to acknowledge the receipt of the note of Lord Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, under date of the 15th instant, in answer to that of the undersigned of the 5th, in relation to the conduct of Lieutenant Elliot, of Her Majesty's navy, towards the brig "Edwin," of New York, on the coast of Africa. The undersigned will take the earliest opportunity of transmitting a copy of Lord Palmerston's note for the information of his Government, from whom it will doubtless receive the consideration it merits. In the mean time, it may be proper to correct a misapprehension into which his lordship appears to have fallen as to the character of this proceeding. The complaint which the undersigned had the honor of submitting to Her Majesty's Government was not, as Lord Palmerston states, in consequence of Lieutenant Elliot's *examination of the papers of the American brig*, but for an outrage of a marked character upon the flag of the United States and the rights of its citizens. By reference to the note of the undersigned, and the papers which accompanied it, his lordship will perceive that Lieutenant Elliot was charged with having not only boarded and searched the "Edwin," and forcibly taken possession of her log book and papers, but with having, in a very insulting manner, forced the captain on board the British ship, and there detained him as a prisoner, under guard, until the hatches of his vessel were opened, the cargo removed, and strict search made in every part of it for slaves. It was for such conduct that the Government of the United States directed the case to be brought to the notice of Her Majesty's Government, as one which must strike with peculiar force, and offer a favorable opportunity of marking with disapprobation and punishment such unwarrantable proceedings on the part of Her Majesty's naval officers towards the vessels and citizens of a friendly nation.

Of the extent to which the citizens and vessels of the United States are now engaged in the slave trade, the undersigned is wholly uninformèd. Upon that subject, he can only repeat the assurances which he has already had the honor of giving Lord Palmerston, that nothing has been omitted on the part of the Government of the United States, within its constitutional powers, to enforce its laws and regulations for the suppression of the slave trade, and the solicitude which it feels for its entire abolition. Indeed, the same just and benevolent motives which produced the interdiction now in force against this odious traffic will no doubt continue to be felt by the

American Government, in giving the fullest efficacy to their own laws and regulations for the suppression of this great evil. This, however, can give no right to the naval officers of those countries who have treaties on the subject of the slave trade to board and search the vessels of the United States, and harass their commerce, however qualified or restricted the right claimed may be, or under whatever pretence done; and that, consequently, the conduct of Lieutenant Elliot, in the present instance, can be regarded in no other light than as an insult to the flag of the United States, and an outrage upon the rights of its citizens.

The undersigned renews to Lord Palmerston assurances of his distinguished consideration.

A. STEVENSON.

Mr. Stevenson to Mr. Forsyth.

[No. 87.]

LEGATION OF THE UNITED STATES,

London, February 25, 1840.

SIR: I have the honor to transmit, enclosed, copies of a note received yesterday from Lord Palmerston, with the paper which accompanied it, in relation to three vessels lately captured on the coast of Africa by one of Her Majesty's naval officers, and engaged in the slave trade, under cover of the American flag.

One of these vessels appears to have been the *Constituição*, referred to by Mr. Trist in the extract from his letter of the 7th of September last, which accompanied your despatch No. 65, received yesterday by the "*South America*," and to which my earliest attention shall be given.

As Lord Palmerston's note required only the common answer, I gave the reply, of which a copy is now transmitted.

I am, sir, very respectfully, your obedient servant,

A. STEVENSON.

JOHN FORSYTH, Esq., *Secretary of State.*

[Enclosure No. 1.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, *February 24, 1840.*

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, with reference to recent communications between Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the Government of the United States, and himself, upon the subject of slave trade attempted to be carried on in vessels which profess to belong to citizens of the United States of America, and which bear the flag of the Union, begs to transmit to Mr. Stevenson the accompanying extract of a letter just received from Lieutenant Matson, commanding Her Majesty's brig *Waterwitch*, reporting the proceedings of that vessel while employed under treaties between Great Britain and foreign Powers, for the prevention of illegal traffic in slaves.

The paper in question contains an account of three vessels which Lieutenant Matson had recently met with carrying on the slave trade on the coast of Africa, under cover of the United States flag.

The undersigned requests that Mr. Stevenson will have the goodness to transmit to the United States Government the information contained in that paper.

The undersigned avails himself of this opportunity to renew to Mr. Stevenson the assurances of his distinguished consideration.

PALMERSTON.

[Sub-enclosure.]

Extract of a letter from Lieutenant Matson, of Her Majesty's brig "Waterwitch," dated off Prince's island.

OCTOBER 9, 1839.

On the 8th of July, after a chase of five hours, I captured the Portuguese schooner "Constituição," (which vessel I had seen on the evening of the 6th, standing out from Lagos, and followed in her supposed track,) having on board 344 slaves. This vessel was sailing under American colors, and by the name of Dolphin, until the day she embarked her slaves. She arrived at Sierra Leone under the charge of Mr. Clarence Taylor, mate, on the 20th of July, with the loss of two slaves on the passage.

On the 3d of August I boarded the American schooner "Hound," completely equipped for the slave trade. She was direct from Havana, where she was fitted so as to enable her to take slaves on board at an hour's notice. Her master, two mates, and one seaman, were Americans; the rest, Spaniards and Portuguese. This vessel sailed shortly after, with slaves, under Portuguese colors; at which time I was absent from Lagos in search of the "Lynx" and "Dolphin," and to meet the senior officer.

On the 27th of September I captured, after a chase of four hours and a half, the Portuguese schooner "Zete de Abril," having on board 427 slaves, and despatched her to Sierra Leone, under the charge of Mr. Wilcox, mate. I had several times boarded this vessel during the last three months; at which times she was sailing under American colors, and by the name of "Mary Cushing;" was not then equipped for slave trade, though with every appearance of being intended for it. It is quite evident that this, as well as all slavers hoisting the American flag, are sailing with false colors and papers. The papers of the "Zete de Abril" are dated in October, 1838; whereas she was sailing so late as the 15th of September, 1839, with American colors and papers. The American who formerly acted as master being on board at the time of capture, I have considered it my duty to detain him for the disposal of the senior naval officer, to whom I have specially reported the case.

To Rear Admiral the Hon. G. ELLIOT, C. B., &c.

[Enclosure No. 2.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET,

February 25, 1840.

MY LORD: I beg to acknowledge the receipt of the note which your lordship did me the honor to address to me yesterday, communicating extracts from a letter of Lieutenant Matson, commanding Her Majesty's brig "Waterwitch;" in relation to the capture of three vessels on the coast of Africa, engaged in the slave trade under cover of the flag of the United States.

I will take great pleasure in transmitting, by the earliest opportunity, copies of these papers, for the information of my Government; and have the honor to be, with high consideration and respect, your lordship's obedient servant,

A. STEVENSON.

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 88.]

LEGATION OF THE UNITED STATES,

London, February 29, 1840.

SIR: I acknowledged, on the 25th instant, the receipt of your despatch No. 65, with the accompanying extract from Mr. Trist's letter. I immediately asked an interview with Lord Palmerston, for the purpose of fulfilling the President's wishes; which took place the ensuing day at the Foreign Office. After explaining the nature and object of the request which I had been instructed to make, Lord Palmerston at once said that he was not quite certain that any of the *printed forms* to which I had referred had ever been in possession of the Government; but that if they had, and could be found, they should be furnished with great pleasure. He moreover said that he would cause an immediate examination to be made; and if it should turn out that these papers had not been forwarded to the department, orders should be sent out to the Havana to have them forwarded through their minister (Mr. Fox) in Washington. As Lord Palmerston was in the act of going down to the House of Commons when I arrived, and our conversation, of course, very brief, I deemed it best, on getting home, to write an official note, to guard against any misunderstanding, and ensure an early attention to the subject. I accordingly addressed to his lordship the note, of which a copy is herewith enclosed. No answer has yet been received; but I shall keep this despatch open until the last moment to-night, to enable me, should one come, to forward it by the "British Queen," which sails to-morrow. * * * * *

[Enclosure.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET,

February 27, 1840.

MY LORD: Since our conversation of yesterday at the Foreign Office, I have deemed it best to put in an official form the explanations which I had the honor of giving to your lordship upon the subject of our interview.

It appears that, in one of the communications from your minister (Mr. Fox) to the Secretary of State, on the subject of the supposed abuse of the American flag by vessels of other Powers engaged in the slave trade, a representation was incidentally made against Mr. Trist, the consul of the United States at the Havana, who, it was supposed, had (whilst acting for Portuguese subjects, in the absence of the consul of that nation) given to the owners or commandants of slave ships, to be filled up at pleasure, *printed blank forms*, to which his signature was attached; and which, in the opinion of Her Majesty's Government, had contributed in affording essential aid to the masters of such vessels, in their illegal and odious traffic. This charge, moreover, it is believed, has been made against Mr. Trist in communications to Her Majesty's Government from its colonial authorities.

The President of the United States, feeling that it was due to Her Majesty's Government, as well as to the character of the consul, that so grave a charge of official misconduct should be inquired into, has given directions that a strict investigation should take place. This, it appears, has also been asked on the part of Mr. Trist himself. Before, however, an inquiry into the truth of the charge can take place, it has been deemed best to ascertain the precise character of the blanks supposed to have been signed and given by the consul, and, if practicable, to have at least one of them placed in the possession of the American Government. Under this view, I have been instructed by the President to apply to Her Majesty's Government on the subject, and to ask that one or more of those printed papers, if in its possession, may be communicated to me with as little delay as possible, to be forwarded to Washington.

I beg leave, therefore, to request that your lordship will do me the honor to state whether there are any of those printed forms, purporting to have been signed by Mr. Trist, in possession of Her Majesty's Government; and, if so, whether it will be their pleasure to furnish one or more of them for the purposes indicated.

In the readiness with which the representations of Her Majesty's Government upon this subject have been attended to, I flatter myself with the hope that your lordship will not fail to see a spirit of just conciliation on the part of my Government, and a prompt sensibility to a traffic alike in violation of the laws of humanity and those of the two countries.

I pray your lordship to accept assurances of my high consideration and respect.

A. STEVENSON.

Mr. Stevenson to Mr. Forsyth. — [EXTRACT.]

[No. 89.]

LEGATION OF THE UNITED STATES,
London, March 6, 1840.

I have now the honor to transmit to you the enclosed copy of Lord Palmerston's answer to my note of the 17th ultimo, in the case of the brig "Edwin," of New York, received since the date of my last despatch.

[Enclosure.]
 Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, March 2, 1840.

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, with reference to previous correspondence with Mr. Stevenson, envoy extraordinary and minister plenipotentiary of the United States of America, respecting the conduct of Commander Elliot, of Her Majesty's ship "Columbine," towards the United States vessel "Edwin," has to acquaint Mr. Stevenson that no report has yet been received at the Admiralty upon this case; but that directions have been given by the Board of Admiralty for instituting an immediate inquiry into the facts stated in the communication from Mr. Stevenson.

The undersigned avails himself of this occasion to renew to Mr. Stevenson the assurances of his distinguished consideration.

PALMERSTON.

Mr. Forsyth to Mr. Stevenson.

[No. 67.]

DEPARTMENT OF STATE,

Washington, March 18, 1840.

Sir: I transmit to you, enclosed, the copy of a despatch addressed to this Department by the consul of the United States at Havana, on the 29th of February last, together with the original documents therein referred to, in which he communicates intelligence of several recent cases of outrage committed by British armed cruisers upon American merchant vessels on the western coast of Africa. These papers are forwarded with a view to enable you again to point the attention of the British Government to the extraordinary and most unjustifiable proceedings of some of Her Majesty's naval officers on the African station towards our citizens engaged in lawful commerce on that coast, and to invite such measures on the part of Her Britannic Majesty's Government as shall effectually prevent such excesses in future. The case of the brig "Mary," of New Orleans, Tomlinson, master, captured on the 18th of August last, when within a short distance of the Gallinas, (her destination,) and subsequently taken to Sierra Leone by the commander of Her Britannic Majesty's brig "Forrester," will attract your especial attention, and may properly form the subject of a particular representation, in which you will set forth all the circumstances attending this impudent violation of our flag, as disclosed in the accompanying papers; prefer a claim for indemnification in behalf of the owners of the "Mary," denounce the conduct of Commander Bond, of the "Forrester," on the occasion referred to; and demand the exemplary punishment of all concerned in this piratical outrage.

I am, sir, your obedient servant,

JOHN FORSYTH.

ANDREW STEVENSON, &c.

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 90.]

LEGATION OF THE UNITED STATES,

London, April 13, 1840.

Herewith enclose copies of two notes from Lord Palmerston upon the subject of the documents desired by the State of Massachusetts, and the printed forms supposed to have been signed by Mr. Trist, our consul at the Havana, in relation to the slave trade.

[Enclosure.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, March 17, 1840.

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has the honor to acknowledge the receipt of the note addressed to him on the 27th ultimo; by Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the United States of America, in which Mr. Stevenson requests to be furnished, for the use of his Government, with one at least of certain forms said to have been signed in blank by Mr. Trist, the United States consul at the Havana, and to have been furnished by him to the owners or commandants of vessels about to be engaged in slave trade; and the undersigned has, in reply, to state to Mr. Stevenson that inquiries will be made whether any papers of this description are in the possession of the British authorities; and, if so, they shall be transmitted to Mr. Stevenson, according to his desire.

The undersigned avails himself of this occasion to renew to Mr. Stevenson the assurance of his distinguished consideration.

PALMERSTON.

Mr. Stevenson to Mr. Forsyth.

[No. 91.]

LEGATION OF THE UNITED STATES,

London, April 14, 1840.

SIR: I have this moment received a letter from Lord Palmerston, in relation to the printed forms requested in your despatch of the 25th of January, of which I subjoin a copy; and am, sir, very respectfully, your obedient servant,

A. STEVENSON.

JOHN FORSYTH, Esq.,
Secretary of State.

[Enclosure.]

*Lord Palmerston to Mr. Stevenson.*FOREIGN OFFICE, *April 13, 1840.*

Lord Palmerston presents his compliments to Mr. Stevenson, and, in reply to that part of his note of the 11th instant which relates to the printed forms said to have been signed in blank by Mr. Trist, has to acquaint Mr. Stevenson that inquiries have been made whether any papers of this description are in the possession of the British authorities; and that Lord Palmerston will acquaint Mr. Stevenson with the result of the inquiries as soon as it shall have been made known to Her Majesty's Government.

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 92.]

LEGATION OF THE UNITED STATES,

London, April 28, 1840.

I shall lose no time in examining the documents transmitted in relation to the brig "Mary," and other vessels on the African coast, and fulfilling your instructions.

[Enclosure No. 1.]

*Lord Palmerston to Mr. Stevenson.*FOREIGN OFFICE, *April 23, 1840.*

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, in his note dated the 9th of September last, had the honor to inform Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the United States of America, that an inquiry had been instituted upon the complaint brought forward by Mr. Stevenson, in his note dated the 26th of August, relative to an alleged outrage committed upon an American ship (the "Susan," of Boston,) near Cape Frio light, on the 9th of April, 1839, by the commander of Her Majesty's sloop "Grecian," and a boarding officer from that vessel.

The undersigned has now the honor to transmit to Mr. Stevenson a copy of a letter from the Secretary of the Admiralty, enclosing an extract of a letter from Commander Smyth, of Her Majesty's sloop "Grecian," and a copy of a letter from Mr. N. B. Pearse, master of that sloop, explaining the circumstances attending the detention of the "Susan" on the occasion to which Mr. Stevenson's note refers.

The undersigned trusts that the Government of the United States will see, from the narrative which these papers contain, that nothing was done by the officers of the "Grecian," of which the United States Government can justly complain; but that, on the contrary, Her Majesty's Government have good ground for complaining of the rude and offensive behavior of Mr. Brewer, a passenger on board the "Susan," towards Her Majesty's

officers, while employed in the performance of their duty; and the undersigned has to observe, that, from what is stated in these reports, there seems strong reason to suspect that Mr. Brewer was not unconnected with slave-trade undertakings.

The undersigned has the honor to renew to Mr. Stevenson the assurances of his high consideration.

PALMERSTON.

[Sub-enclosure.]

Sir John Barrow to Lord Leveson.

ADMIRALTY, April 14, 1840.

MY LORD: With reference to your letter of the 7th September last, I am commanded by my Lords Commissioners of the Admiralty to transmit to you, herewith, for the information of Viscount Palmerston, an extract of a letter from Commander Smyth, of Her Majesty's sloop "Grecian," dated December 10, 1839, and a copy of a letter from Mr. N. B. Pearse, master of that sloop, which accompanied it, relative to the detention of the American ship "Susan," off Cape Frio, by the "Grecian," on the 9th April, 1839.

I am, &c.

JOHN BARROW.

[Sub-enclosure.]

Extract of a letter from Commander Smyth, of Her Majesty's sloop Grecian, dated December 10, 1839, addressed to Commodore Sullivan, C. B., at Rio de Janeiro.

In reply to your letter of the 25th November, 1839, enclosing copies of a correspondence relative to the United States barque "Susan," boarded by a boat from Her Majesty's sloop under my command, I have the honor to state to you, for the information of my Lords Commissioners of the Admiralty, that, while cruising off Cape Frio, I was standing towards the cape with a prize; and at half past 7, P. M., it being quite dark, flashes were reported as being seen to the leeward, which appeared to me to be signals with slave vessels, as I knew that several were expected, and, among them, a barque called the Commodore.

I desired the prize to continue her course for the cape, and then bore up in the direction of the lights, and very soon after discovered a sail; upon which I hoisted a light, and fired a blank gun to bring her to. As far as we (the officers and myself) could distinguish, from the obscurity of the night, the vessel paid no attention to our signals. I then, being anxious not to separate from the prize, ordered a shotted gun to be fired well ahead of the vessel, and shortly after ran up alongside of, and hailed her in the following manner: 'This is Her Britannic Majesty's brig "Grecian"—what barque is that?' The answer was: 'The Susan, from Rio de Janeiro; God damn you, what do you mean by firing a shot across our bows? I'll blow you out of the water.'

Not feeling satisfied, from the style of the answer, what the vessel was, I

hailed to say I should send a boat on board. I therefore ordered the jolly boat to be lowered, and sent Mr. Pearse, master, to ascertain what vessel she was; (and the statement of that officer, which accompanies this letter, relative to what took place on board the Susan, I beg leave to transmit for their lordships' information.)

On the return of the boarding officer, he related to me, as far as my memory will allow, precisely the words that are in his statement. I confess I should have detained her, and inquired into such unbecoming behavior, had I not been pressed to rejoin the prize, which had on board 430 slaves, who I was extremely anxious should get into port with the utmost speed. Therefore every moment's detention to me was of the greatest importance, and I was reluctantly constrained to permit my officer—in fact, my ship—to suffer an indignity, without being able, from circumstances, to examine the case, so as to make an official report thereon. An additional cause of my anxiety to rejoin the prize was through fear that she might mistake the light shown by the Susan for Cape Frio light, which at that time was not visible.

[Sub-enclosure.]

Mr. N. B. Pearse to Commander Smyth.

HER MAJESTY'S SLOOP GRECIAN,
Buenos Ayres, December 10, 1839.

SIR: In compliance with your orders, I beg leave to state what occurred on the night of the 9th of April last, while in company with the United States barque "Susan."

Being on board the brig Grecian, cruising off Cape Frio, engaged in the suppression of the slave trade, and particularly looking out for a slave barque that was daily expected, (viz: the Commodore,) at 7 h. 30 m. P. M., it being very dark, a light was observed in-shore of us, which was visible only at intervals; but when visible was very bright. This was suspected to be a slave vessel making signals to the shore, (this being a place where slaves in great quantities are landed.) We stood after her, and fired a blank gun; and, she not heaving to, a shot was fired ahead of her. On closing with her, she seemed to be a barque. She was hailed by you from the fore-castle, telling what ship this was, and asking what she was. The reply was, the ship's name, and "God damn you, what do you mean by firing across our bows? if you fire again, I'll blow you out of the water." I was then ordered to board her, which I did in the jolly boat. On going alongside, I had considerable difficulty in getting on board, it being very dark and a considerable sea on. No rope was handed over the side, or any of the usual assistance given to a boat going alongside of a vessel.

I had considerable difficulty in scrambling up her side. When I got on deck, I called for the captain; but was immediately surrounded by several persons who were most clamorous and noisy—particularly one person of the name of Brewer, whose language and general deportment were most insolent and abusive. I told him I had nothing to say to him, but wished to see the captain; on which he merely continued to repeat his abuse, and

to offer every interruption to my obtaining any information as to what the vessel was. I repeated to him several times that I had no business with him, and wished to say nothing to any one but the captain; but all my efforts to have any conversation with him (for as yet I had not seen him) were interrupted by the noisy and turbulent behavior of the said Mr. Brewer, who was now joined in his reproaches and abuse by the other persons standing round, and much confusion was produced on deck by their violent language and insolent menaces.

I had not yet seen the captain; and, although I believed Mr. Brewer to be an American citizen, my mind was by no means free from suspicion of the vessel being a slaver—this same Mr. Brewer having declared, in a boasting manner, some time previously, in Rio de Janeiro, that he was the person who had sold the very slave vessel that we were now in chase of (the *Comodore*) to her present owners. Under these circumstances, I told them that, if I was interrupted by them in communicating with the captain, I should make a signal to the brig for assistance, and calling one man out of the boat, and desiring him to bring a musket and lantern to enable me to make the necessary signal. I had not yet seen the captain, nor had I any proof of the nationality of the vessel. They were now more silent; and having at length ascertained who was captain, I asked him to show me his papers. Mr. Brewer then again interfered, desiring the captain to show nothing but the register. I told them I only wished to satisfy myself that she was an American vessel. I went into the cabin with the captain, and inspected the register, and entered her name, &c., in the boarding book, in the usual manner. While so engaged, Mr. Brewer and the other passengers came into the cabin. I asked the captain why he gave such an answer to a British man-of-war hailing her; when he told me he had made no such reply, and that that given had been given by Mr. Brewer, who was a passenger, but not by him, (the captain.) While making the short notation in the boarding book, Mr. Brewer and the others insisted on my going away, and not detaining them; to which I replied, that I should take what time was necessary.

The only time that was lost was by the insolent behavior of Mr. Brewer and the others.

Having seen the register, and being satisfied that she was a regular trading vessel, I made no further inquiries, but left the vessel, requesting she would not make sail until I got on board the *Grecian* to make the report of her.

I came on board the *Grecian*, then within hail of the *Susan*; and having reported her, you immediately hailed her to go on.

From the time she first hove to until she filled again, it did not exceed half an hour; and the time occupied by me in examining her register, when once produced, did not exceed five minutes.

The whole affair occupied as little time as possible, having been ordered to return immediately, in order to rejoin the *Ganges* prize slave brig, from which we had parted company, and being anxious about her, lest she should have been deceived by the lights seen from the *Susan*, and mistaken them for Cape Frio light, which was not then visible.

And I further state, that I am ready, if called upon, to substantiate, on oath, the foregoing statement.

I have, &c.

N. B. PEARSE,

Master of H. M. Sloop Grecian.

[Enclosure No. 2.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET,

April 27, 1840.

Mr. Stevenson presents his compliments to Lord Palmerston, and has the honor to acknowledge the receipt of his lordship's note of the 23d inst., relative to the case of the American ship Susan, of Boston, submitted for the consideration of Her Majesty's Government in August last.

Mr. Stevenson will take an early opportunity of transmitting Lord Palmerston's note to his Government; and avails himself of this opportunity to renew to his lordship assurances of his high consideration.

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 96.]

LEGATION OF THE UNITED STATES,

London, June 3, 1840.

I now transmit to you a copy of my note to Lord Palmerston, complaining of the outrage committed upon the American brig Mary, of New Orleans, by one of the British cruisers on the African coast. No answer has yet been received, nor is it probable that one will be given for some time to come. Several of my former notes, in similar cases, remain unanswered.

[Enclosure.]

32 UPPER GROSVENOR STREET,

May 15, 1840.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to inform Lord Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, that he has received instructions which make it his duty again to invite the attention of Her Majesty's Government to the continued excesses which, it appears, are still practised by British naval officers upon the vessels and commerce of the United States in the African seas, and more particularly to bring to its notice a recent aggression, of a marked and extraordinary character, committed by the commander of one of Her Majesty's cruisers upon an American brig on the high seas, and which, in the opinion of the President of the United States, calls for the immediate action of Her Majesty's Government.

To enable Lord Palmerston to judge of the nature and extent of this outrage, the undersigned has the honor of transmitting to his lordship the accompanying documents, detailing the whole proceeding; amongst which will be found the original log book of the American brig, from the time of her sailing from the Havana to that of her return to that port, four or five months after.

From these papers, it appears that, on the 21st June, 1839, an American brig, called the "Mary," the property of Peter Sabate, of the city of New Orleans, and under the command of Captain David Tomlinson, (both citizens of the United States,) sailed from the Havana for the Gallinas and

Cape Lopez, with a valuable cargo of merchandise belonging to the commercial house of Blanco & Cabello, of that city.

That this vessel was regularly cleared from the Havana, by the consul of the United States, for ports on the African coast.

That, on the 18th of August, whilst pursuing her voyage, and within sight of Cape Mount, and not more than twenty-five or thirty miles from the port of destination, a British cruiser, called the "Forrester," commanded by William Bond, and sailing under the British flag, bore down, and fired a gun across the bow of the "Mary," for her to heave to.

That the American colors were hoisted on board the brig, and in full view of the British cruiser.

That Captain Tomlinson accordingly came to, when his vessel was immediately boarded by the commandant of the "Forrester," with a subordinate officer and six or eight of the crew.

That, upon examination of the ship's papers, which were all regular, Captain Bond expressed himself dissatisfied; declared that the American consul at the Havana, by whom they were signed, had been removed by his Government; ordered the hatches immediately to be opened, turned up and examined the whole cargo, broke open and destroyed ten boxes or liquor cases, and finally seized the said vessel and cargo as lawful prize.

That the vessel was thereupon carried by force into Sierra Leone for condemnation; but the prize court refused to exercise jurisdiction over her, upon the ground that she was American property, and that the seizure had been unauthorized and illegal.

That this took place on Saturday, the 24th of August, at 3 o'clock, P. M.; at which time orders were given to Captain Tomlinson to leave the port by 1 o'clock the following day, with a further notification that, if there was any delay beyond that hour, his vessel would be again seized.

That his papers were then in possession of Captain Bond, as were also five of her crew; and that she had not, besides, suitable provisions of wood and water for going to sea.

That it was not until after 3 o'clock that possession of the brig was restored to Captain Tomlinson by the officer, with a part of her papers and four of her crew. On the following day, however, she was again boarded by another officer, who brought with him the remainder of the papers, without the fifth seaman, (the steward,) who was retained.

That, in consequence of this notification, Captain Tomlinson made immediate preparation to sail, and accordingly put to sea, though so unprovided with wood and water as to make it extremely hazardous to do so.

That, on the 30th of August, the brig reached the Gallinas, where she went for provisions; and, on the 23d of September, Captain Tomlinson died, from a fever which he had taken in consequence of his detention in the deadly climate of the African coast.

It further appears that the "Mary" was a clump brig, utterly unsuitable for the purposes of a slaver, and manifestly intended for the employment in which she was engaged—of transporting cargoes of ordinary merchandise.

Such is a brief recital of the facts of this case, which will be found, however, more particularly detailed in the documents which accompany this letter. They afford proof too manifest and decisive to leave room for doubt or denial as to the extent of the outrage, or the reparation which it calls for.

Not content with having boarded and searched, (acts in themselves of in-

sult and violence,) the commandant of the British cruiser had the temerity actually to capture and send into a foreign port for condemnation, in time of peace, as lawful prize, the vessel of a friendly nation engaged in lawful commerce upon the high seas, and under the protection and jurisdiction of its own flag; and that, too, in the absence of that degree of suspicion which, under the provisions of existing treaties between Great Britain and other nations in relation to the slave trade, would alone justify a mutual right of search in, and capture of, their respective vessels.

Indeed, the whole proceeding on the part of Captain Bond would seem to want nothing to give it the character of a most flagrant and daring outrage; and very little, if any thing, to sink it into an act of open and direct piracy.

Such is the view of the case which the undersigned has been instructed to present to the consideration of Her Majesty's Government; and in preferring a claim for suitable indemnity to the owners of the "Mary," he has been further directed to ask for the exemplary punishment of the commander of the "Forrester," and those concerned in so wanton and unjustifiable an outrage.

In performing this duty, the undersigned will forbear to enlarge upon the subject. After the former notes which he has had the honor of addressing to Lord Palmerston, and in which he took occasion to express very fully the views of his Government in relation to these violations of its flag; and the vexatious interruptions to which the commerce and navigation of the United States are subjected by Her Majesty's cruisers on the coast of Africa, it cannot be necessary to do more than to place Her Majesty's Government in possession of the facts, and invite its early adoption of such measures as will have the effect of guarding for the future against such unwarrantable excesses on the part of its naval officers.

Lord Palmerston will not fail to see how unpleasant and painful it must be to the President to have complaints of this character so often pressed upon the attention of Her Majesty's Government, and the necessity and importance of preventing their repetition. Indeed, it would indicate a want of confidence in a Government which so well understands its own rights, and what is due to it from other nations, not to infer that a case of such gross indignity and insult, one so inconsistent with all international courtesy, and ill suited to the friendly relations of two such countries, would be promptly redressed and signally punished.

The undersigned takes occasion to renew to Lord Palmerston assurances of his distinguished consideration.

A. STEVENSON.

Mr. Forsyth to Mr. Stevenson.

[No. 73.]

DEPARTMENT OF STATE,

Washington, July 8, 1840.

SIR: Your despatch No. 92 was duly received and laid before the President. The answer given by Lord Palmerston to your note complaining of the outrage committed by the officers of the British sloop of war "Grecian" upon the barque "Susan," is of a nature to call for an early recurrence to the subject in your correspondence with the British Government. You will accordingly, on the receipt of this despatch, address to Lord Palmerston an official note in the following terms:

"The President has read with feelings of surprise and regret the answer returned by Her Majesty's Government to the complaint preferred on the part of the United States, in the affair of the barque 'Susan.' That answer cannot be considered as otherwise than unsatisfactory. The conduct of the British officers is attempted to be justified on their bare and unsupported statements, totally at variance with, and in entire disregard of, the facts registered, with every formality usual on such occasions, in the log book of the 'Susan;' supported, as these are, by the asseverations of persons of respectability, then passengers on board the vessel. In justice to the rights of their citizens, and in pursuance to the principles which the United States have assumed, such an occurrence as that under consideration cannot be allowed to pass over in the manner in which it has been treated by Her Majesty's Government. It would be foreign to the purposes of this communication to raise questions of law out of the occurrence which gave rise to the complaint of the United States.

"The circumstances under which the right of boarding and visiting vessels at sea is usually enforced, are defined with sufficient clearness; and, even where the right is admitted, usage among civilized nations has prescribed with equal precision the manner in which it is to be exercised. The motive of this communication is, that the British Government should be clearly made sensible that the United States cannot, in justice to their own citizens, permit the recurrence of such causes of complaint. If, in the treaties concluded between Great Britain and other Powers, the latter have thought fit, for the attainment of a particular object, to surrender to British cruisers certain rights and authority not recognised by maritime law, their officers charged with the execution of those treaties must bear in mind that their operation cannot give a right to interfere in any manner with the flag of nations not parties to them. The United States not being such a party, vessels legally sailing under their flag can in no case be called upon to submit to the operation of said treaties; and it behoves their Government to protect and sustain its citizens in every justifiable effort to resist all attempts to subject them to the rules therein established, or to any consequent deductions therefrom.

"The United States cannot look with indifference upon the laudable exertions made by Great Britain and her allies in the suppression of the slave trade, towards the attainment of the great object in view; and so long as those efforts are confined within their proper sphere, they will command applause and good wishes from the people and Government of the United States. But they must be considered as exceeding their appropriate limits, whenever they shall lead to such acts as those which form the subject of this communication. The President has been advised that, on frequent occasions, the flag of the United States, as well as those of other nations, has been fraudulently used by subjects of other countries to cover illicit commerce, and elude the pursuit of British and other cruisers employed in the suppression of the African slave trade; and that a pretext has thereby been afforded for boarding, visiting, and interrupting vessels bearing the American flag. The several complaints to which the subject has given rise should convince Her Majesty's Government of the great abuse to which the practice is liable, and make it sensible of the propriety of its immediate discontinuance. It is a matter of regret that this practice has not already been abandoned. The President, on learning the abuses which had grown out of it, and with a view to do away every cause for its longer

continuance, having now directed the establishment of a competent naval force to cruise along those parts of the African coast which American vessels are in the habit of visiting in the pursuit of their lawful commerce, and where it is alleged that the slave trade has been carried on under an illegal use of the flag of the United States, has a right to expect that positive instructions will be given to all Her Majesty's officers to forbear from boarding or visiting vessels under the American flag. This expectation is now distinctly signified to Her Majesty's Government, in the belief that it will see the propriety of confining the action of its agents to the vessels of nations with whom Her Majesty's Government has formed stipulations authorizing a departure from the rules prescribed by the public law, and thereby prevent the recurrence of circumstances inevitably productive of causes of irritation, and deeply endangering the good understanding now existing between the two nations, and which it is so much the interest of both to maintain unimpaired."

I am, sir, your obedient servant,

JOHN FORSYTH.

ANDREW STEVENSON, Esq., &c.

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 101.]

LEGATION OF THE UNITED STATES,

London, July 24, 1840.

SIR: I transmit to you the enclosed copies of papers received a few days ago from the Foreign Office, respecting a schooner called the "Euphrates," equipped for the slave trade, and having papers as an American vessel, signed by the vice consul of the United States at the Havana. I simply acknowledged the receipt of the papers, with an assurance that they would be forwarded for the information of my Government.

[Enclosure No. 1.]

Lord Leveson to Mr. Stevenson.

FOREIGN OFFICE, *July 21, 1840.*

SIR: I have the honor to transmit to you, for the information of the United States Government, the accompanying extract from a despatch which I have recently received from Her Majesty's commissioners at Sierra Leone, together with a copy of its enclosure respecting a schooner named the "Euphrates," equipped for the slave trade, and furnished by the vice consul of the United States at the Havana with papers as an American vessel.

I have the honor to be, sir, your most obedient, humble servant,

LEVESON.

A. STEVENSON, Esq., &c.

[Sub-enclosure.]

Extract of a despatch from Her Majesty's commissioners at Sierra Leone to Viscount Palmerston, dated July 3, 1839.

MY LORD: We have the honor to inform your lordship that Her Majesty's brigantine *Dolphin*, Lieutenant Edward Holland commanding, being on the 17th ultimo in 5° 52' north latitude, and 10° west longitude, detained the schooner "*Euphrates*," sailing under American colors, (but having no colors hoisted at the time of seizure, which took place during the night,) furnished with papers as an American vessel by the vice consul of the United States at Havana, and commanded by Charles A. Molan, a naturalized citizen of the United States, who declared with respect to the detained schooner, of which he was the alleged master and owner, that she was bound from Havana to the coast of Africa, and was to return to Baltimore.

In the declaration of seizure which Lieutenant Holland presented on the 26th ultimo to the judges of the British and Spanish mixed court of justice, accompanied by a petition that the "*Euphrates*" might be admitted to prosecution, the captor stated that he had detained the said schooner for being Spanish property, and equipped for the slave trade, contrary to the tenth article of the treaty between Great Britain and Spain, signed at Madrid on the 28th of June, 1835; and, further, that by her log she had, since her arrival on the coast, been engaged in supplying the notorious slave establishments at Gallinas and Young Sisters with rice, contrary to the spirit of the fourth article of the aforesaid treaty.

For the reasons which have frequently before been mentioned as having prevented our acknowledging the right of detention of American vessels, or of such vessels as are recognised as American by the authorities of the United States, we declined to permit of the "*Euphrates*" being libelled in the British and Spanish court. The captor appeared to expect that a distinction would be made by the court between this case and others of the same class, in consequence of the "*Euphrates*" hoisting no colors at the time of seizure; but as the schooner was boarded at night, the wearing her colors at such a time would have been contrary to the universal practice.

We have the honor to enclose to your lordship an abstract of the ship's papers found on board the "*Euphrates*."

H. W. MACAULAY.
WALTER W. LEWIS.

[Sub-enclosure.]

Abstract of the papers found on board the schooner "Euphrates," Charles A. Molan, master.

No. 1 is a cancelled American register, cut from the right-hand corner at the top to the left-hand corner at the bottom, and of which only one-half was on board the vessel. It is endorsed, "Register No. 24, schooner '*Euphrates*,' of Baltimore, 16th March, 1838, tons 84 $\frac{1}{2}$." Attached to this mutilated document is a bill of sale, filled up in the usual printed form, in the handwriting of Mr. J. A. Smith, the vice consul of the United States

at the Havana, and by which Thomas Dukehart, of Baltimore, sole owner of the "Euphrates," transfers that vessel, for the sum of \$3,800, to Charles A. Molan, a naturalized citizen of New York.

The above deed of sale was signed and sealed by the buyer and seller, at Havana, on the 5th of December last; and Mr. Smith, who copied the paper, added to it, on the same day, two certificates, under his signature and seal of office—one, to declare that Dukehart had acknowledged the transfer as his act and deed; and the other, to state that the purchaser of the vessel was also the master, and had taken the appointed oath as such, according to law.

No. 2 is an official muster roll, prepared and certified in the office of the American consulate at Havana, on the day following that on which the bill of sale was executed. It is entitled, "List of persons composing the crew of the schooner 'Euphrates,' of Baltimore, whereof is master Charles A. Molan, bound for Gallinas, coast of Africa."

	Places of residence.	Of what country.	subjects.
Nicholas Fernandez	- - Havana	- -	Spain.
Pedro Orfila	- - do	- -	do.
Francisco Lerda	- - do	- -	do.
Francisco Rodriguez	- - do	- -	do.
Cayetano Nadal	- - do	- -	do.
Benito Berino	- - do	- -	do.
José Padron	- - do	- -	do.

The master, Molan, adds his signature, and Mr. Vice Consul Smith certifies that the list was verified in his presence. It surely cannot be consistent with the wishes of the United States Government that one of its national vessels, on the day following its sale in a Spanish port, should be despatched, under the sanction of an American consul, to the most notorious slave mart on the coast of Africa, navigated entirely by a foreign crew, of whom every person, without one exception, was a resident of Havana and a subject of Spain.

Nos. 3 and 4. On the same day two passports were taken out by Don Pedro Badia and Don Francisco Canal, who were described as passengers making a voyage in the "Euphrates" to the *Cape Verd islands*. These persons were evidently the Spanish master and mate of the nominal American vessel; and their character may be correctly estimated by what is known of their previous history. Pedro Badia was the captain of the "Vingador," captured on the 5th of January, 1834, by Her Majesty's steam vessel "Pluto," with four hundred and five slaves on board. The "Vingador" was very heavily armed, and made considerable resistance to capture. Speaking of Badia, so long ago as February, 1834, (class A, 1834, page 15,) Her Majesty's commissioners at this place remarked that he was well known in connexion with "illicit adventures from Havana."

Francisco Canal, the other pretended passenger, was master of the Spanish schooner "Dolores," condemned in the British and Spanish mixed court of justice at this place, on the 23d of May, 1837, for having been captured with three hundred and fourteen slaves on board, (class A, 1837, page 30.)

No. 5 is the custom-house clearance from Havana, in which Molan, the American captain of the flag, is called Captain Molena. His vessel was cleared out on the 7th of December last for Newiester—meaning, we pre-

sume, for Newcastle — the large slaving station of Monsieur Teodore Canot, in the neighborhood of Gallinas. Amongst the shippers of the cargo, we meet with the names of the English house of Messieurs Drake & Co., of Havana.

No. 6 is a log book, written in miserable English. The sea log begins on the 9th of December last, under the general head of "Transactions on board the schooner 'Euphrates,' from Havana to Gallinas." On the 31st of January, the schooner reached the Rio Pongas, and remained in that river until the 26th of February. On the 4th of March, she was off Cape Mesurado; and, on the 7th, was boarded by a British brig of war, (name not mentioned,) and again, on the 10th, by the same brig. On the 12th, she was boarded by Her Majesty's brigantine "Forrester;" and again, on the 6th of April, by the same man of war, who overhauled her, "suspecting" (as Captain Molan remarks) "her to be a slaver, which God forbid she ever should be while I command her." On the 19th of April, the schooner was boarded by Her Majesty's brigantine "Tompkin," (Terma-gant must be meant,) and, on the following day, by Her Majesty's brig "Saracen," when Lieutenant Hill, the commander of the "Saracen," endorsed on the ship's papers that the schooner was evidently prepared for the slave trade. She was subsequently boarded, on the 14th of May, by Her Majesty's brigantine "Dolphin," and, on the 17th of May, by Her Majesty's brig "Harlequin." The log ends on the 15th ultimo; and the schooner's detention by the "Dolphin," Lieutenant Edward Holland, commander, took place during the night of the 16th ultimo.

No. 7 is a bundle of papers, of no particular interest. One of them shows that the writer had been on board the American ship "Black Hawk," commanded by Captain Hickling, whose name has already come before us in connexion with slave trade.

SIERRA LEONE, July 3, 1839.

[Enclosure No. 2.]

Mr. Stevenson to Lord Leveson.

32 UPPER GROSVENOR STREET,

July 22, 1840.

MY LORD: I have the honor to acknowledge the receipt of your note of yesterday, communicating an extract from a despatch recently received from Her Majesty's commissioners at Sierra Leone, together with copies of its enclosures, respecting the schooner called the "Euphrates," equipped for the slave trade, and furnished with papers which purport to have been signed by the vice consul of the United States at the Havana, as an American vessel.

I will take the earliest opportunity of transmitting copies of the papers for the information of my Government, from whom the subject will doubtless receive the attention its importance merits.

I have the honor to be your lordship's obedient, humble servant,

A. STEVENSON.

LORD LEVESON, &c.

Mr. Stevenson to Mr. Forsyth.

[No. 102.]

LEGATION OF THE UNITED STATES,

London, August 4, 1840.

SIR: I received last week a note from Lord Palmerston, communicating sundry papers received from the British commissioners at Sierra Leone, in relation to the capture and condemnation of the schooner Ontario as a slaver, copies of which I herewith transmit. I acknowledged the receipt of these papers, as you will see by the copy of my reply, without comment.

I am, sir, respectfully, your obedient servant,

A. STEVENSON.

J. FORSYTH, Esq.,
Secretary of State.

[Enclosure No. 1.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, July 31, 1840.

SIR: I herewith transmit to you, for communication to the Government of the United States, the copies of two despatches from Her Majesty's commissioners at Sierra Leone, upon the subject of the schooner Ontario, captured, while sailing under Spanish colors, with two hundred and twenty slaves on board, and condemned in the British and Spanish court of justice at Sierra Leone; and I have to request that you will draw the attention of the President to the accompanying abstract of the American papers, under which the Ontario had sailed up to the day when her slaves were embarked.

I have the honor to be, sir, your most obedient, humble servant,

PALMERSTON.

A. STEVENSON, Esq., &c.

[Sub-enclosure.]

[SPAIN, No. 6.]

SIERRA LEONE, January 20, 1839.

MY LORD: We have the honor to enclose to your lordship our report of the case of the schooner Ontario, Gregorio Martinez, acting master, captured under Spanish colors, on the 18th ultimo, by Her Majesty's sloop Pelican, Brunswick Popham, Esq., commanding, with two hundred and nineteen slaves on board, who had been shipped on the 14th ultimo in the river Nun, and were bound to Havana.

Until within a fortnight of the embarkation of her slaves, the Ontario had professed to bear an American character; but, on the 1st ultimo, a bill of sale was executed by the alleged American owner to the late master, José Maria Mendez, who had previously acted as captain, and shipped the Spanish crew of the vessel at the Havana. We believe the American papers to have been altogether colorable, and merely intended to protect the Ontario in her outward voyage. This purpose having been answered, the American flag was repudiated at the moment it became unsafe any

longer to sail under it, and the Spanish flag was assumed; which, though it allowed of visitation and search, would not, like the American, expose the crew to execution as pirates if they had chanced to have fallen in with an American cruiser.

The Ontario, having been captured under Spanish colors, and bound to the same Spanish port where the voyage commenced, with a cargo of slaves on board, had rendered herself liable to condemnation under the slave-trade treaty with Spain. As soon, therefore, as the case was closed, a sentence was pronounced, confiscating the detained vessel, and emancipating the two hundred survivors of the slaves who had been found in the detained vessel by the captor.

We have, &c.

H. W. MACAULAY.
R. DOHERTY.

Rt. Hon. Viscount PALMERSTON, *G. C. B.*, &c.

[Sub enclosure.]

Report of the case of the schooner Ontario, Gregorio Martinez, acting master.

SIERRA LEONE, *January 20, 1839.*

This vessel may be said to have been found without any ship's papers at all. Until within a few days of her capture, with two hundred and twenty slaves on board, she professed to be an American vessel; but, on the eve of the embarkation of a cargo, (which, if found on board her whilst sailing under the flag of the United States, by an American cruiser on the coast, would have exposed the captain and crew to summary punishment as pirates,) a bill of sale was executed, by Eleazer Huntington, the late apparent American captain and owner, to a Spaniard of the name of José Maria Mendez.

This bill of sale was signed and sealed in the river Nun, on the 1st ultimo, in the presence of José Cardezo the captain, and Cayetano Gonzalez, a passenger on board the schooner Magdalena, reported in our last despatch.

Immediately after the transfer had taken place, the Ontario, without changing her name, or procuring a register or passport of any description, assumed the Spanish flag, and took on board a cargo of slaves for the island of Cuba. The fact that she was sailing under Spanish colors, and professed to bear a Spanish national character at the time of capture, had, notwithstanding the absence of any documents to confirm the pretensions of the Ontario, given to the captor the right to visit, search, and afterwards to detain the guilty vessel, when he found that she had actually on board a full cargo of slaves, with whom she was bound to a Spanish port.

As none of the American papers belonging to the Ontario when she carried the American flag were given up to Mendez when the vessel became his property, there is reason to believe that those American papers will again be made use of by the late owner, (Huntington,) in order to protect in the same manner some other Spanish vessel on future voyages to this coast; and that the mock ceremony of a transfer will again be gone

through, at the moment when, by the embarkation of a cargo of slaves, the continuing to sail under the American flag will be attended with difficulty and danger.

No. 2 is headed "list of persons composing the crew of the schooner Ontario, of Baltimore, whereof is master Eleazer Huntington, bound for the island of Santome." It is dated at Havana, the 20th of June, 1838, and is signed by Eleazer Huntington. A certificate is added, under the hand and seal of the American consul at Havana, that Huntington had sworn to the correctness of the names of the crew, with the places of their birth and residence, so far as he can ascertain the same. On turning to the list, we find that, out of the eight men who navigated this American vessel, three are said to be Spaniards, five Portuguese, and *not one* is even pretended to be a citizen of the United States.

No. 3 is the log book, in Spanish, for the four first days of the present voyage.

On the 9th instant, the Ontario arrived in this harbor with two hundred slaves on board, and was immediately visited by the marshal and surgeon to the courts. The slaves were landed on the same day, and the prosecution of the vessel proceeded in the usual manner.

The captor's declaration is to the following effect: "I, Brunswick Popham, Esq., captain of Her Britannic Majesty's sloop Pelican, hereby declare that, on the 18th day of December, 1838, I detained the schooner named Ontario, sailing under Spanish colors, and commanded by José Hemans, who declared her to be bound from the river Nun to Havana, and having on board two hundred and twenty slaves, said to have been taken on board in the river Nun, on the 4th day of December, 1838."

The acting master, Gregorio Martinez, when examined on the standing interrogatories, deposed: "That he was born at Cadiz; has lived ten years at Havana; is a subject of Spain, and has never served any other State; that he took charge of the vessel on the 23th December, in consequence of the successive deaths of the master before capture, and of the mate since; that he first saw the vessel at Havana, about nine months since, and she is American built; that the vessel sailed under Spanish colors, and had no others; that the vessel is called Ontario, and witness never heard of her bearing any other name; that there were ten officers and mariners, exclusive of witness, all Spaniards, who were hired and shipped by the late master at Havana, seven months ago; that the last clearing port was Havana, where the voyage began, and was to have ended; that from Havana the vessel came direct to the river Nun for slaves; that the sole owner of the vessel was José Maria Mendez, who was also the late master, and is a resident of Havana; that the late master was the sole owner, loader, and consignee of the cargo; and the vessel, with respect to her employment in trade, was under his sole management."

From this evidence it would appear that the American papers which the Ontario carried on the outward voyage, and the bill of sale executed in the river Nun on the 1st ultimo, were entirely colorable; and that the vessel was actually Spanish, and the property of Mendez, when she left Havana in June, 1838, being so regarded by the crew whom Mendez shipped at that place.

Another witness was produced by the captor's proctor, but his evidence only served to corroborate that of the acting master.

The case being closed, a court was summoned for the 17th current, on

which day the monition was returnable by the marshal. The judgment of the court was, that the schooner Ontario be condemned as good and lawful prize, and that the survivors of the slaves captured on board of her, two hundred in number, be emancipated; nineteen having died subsequently to capture, and two hundred and nineteen having been on board at the moment of detention.

H. W. MACAULAY.
R. DOHERTY.

[Sub-enclosure.]

SIERRA LEONE, *May 13, 1839.*

MY LORD: In our despatch (marked Spain, No. 6) of the 20th of January last, containing our report of the case of the schooner Ontario, captured whilst sailing under Spanish colors, with two hundred and twenty slaves on board, we remarked that the American papers, under which the Ontario had sailed up to the day when her slaves were embarked, still remained in the possession of Eleazer Huntington, the former owner of that vessel, and would probably be again made use of, as before, to protect some other Spanish vessel, until a shipment of slaves rendered such papers no longer available.

At the time of the detention of the schooner Traveller, by Her Majesty's sloop Harlequin, as reported in our despatch of this date, the same Eleazer Huntington was found on board in the character of a pas-enger, and as such accompanied the Traveller to Sierra Leone.

The opportunity thus offered of preventing any further use being made of the Ontario's American papers was gladly embraced; and when they were placed in our hands by the kindness of Lord Francis Russell, the captor of the Traveller, a memorandum in the following words was written in a large hand across the body of each document:

"SIERRA LEONE, *May 7, 1839.*

"The within-named schooner Ontario, of Baltimore, was sold and transferred by Eleazer Huntington to José Maria Mendez, in the river Nun, on the coast of Africa, on the first day of December, 1838, and was captured a few days after by Her Majesty's sloop Pelican, with two hundred and twenty slaves on board, who had been embarked in the aforesaid river. The Ontario was subsequently condemned at Sierra Leone, where she was cut up and entirely destroyed.

"H. W. MACAULAY,
"British Commissary Judge."

The rage exhibited by Mr. Huntington on receiving back his papers, endorsed as above, sufficiently proved that he had contemplated some further improper use of documents which related to a vessel no longer in existence, and which had been cut up and destroyed under our own inspection.

It is curious to observe, in reference to the abstract of the Ontario's papers, which we have the honor to enclose to your lordship, how frequently, even within our own limited experience, the names of the same parties are met with in connexion with the slave-trade adventures under the American flag; and we trust that the information which we have been able to obtain re-

specting these persons will induce the authorities of the United States to watch their illegal proceedings more vigilantly.

Three of the four original owners of the Ontario (namely, William Hooper, Andronicus Cheeseborough, and Thomas Whitridge) were the original owners of the Mary Cushing, reported on the 30th ultimo. There is a difference only of twenty-one days in the dates of the two registers; and in each case a power of attorney was prepared by the notary public (Fernandez) on the same day that the registers were taken out, authorizing the respective masters to sell their vessels forthwith.

Thomas Wingate, the master of the Ontario, to whom authority was given to sell the schooner, is the same person to whom a similar power was granted by the owners of the Eagle, just six weeks subsequently, as reported in our despatch of the 12th February last. Wingate sold the Eagle at the Havana, on the 10th of March, 1838, and the Ontario on the 31st of May, 1838. It would thus appear that Wingate was appointed master of those vessels solely for the purpose of selling them. He was placed in the command of the Ontario in October, 1837, and sold her in May, 1838; and in the period between these two dates, (namely, between December, 1837, and March, 1838,) he both commanded and sold the Eagle, if any reliance is to be placed on the representations of the American authorities at Havana.

Nathan Farnsworth, who was the purchaser of the Ontario on the 31st of May, 1838, was also the purchaser of the Traveller on the 7th July, 1838, as mentioned in another despatch to your lordship of this date; and Peter Crusoe, who was a witness to the execution of the bill of sale of the Traveller, acted in the same capacity when the Ontario was transferred to Farnsworth, and afterwards when the same vessel was purchased by Eleazer Huntington.

We have, &c.

H. W. MACAULAY.
W. W. LEWIS.

Rt. Hon. Viscount PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

Abstract of the papers of the schooner Ontario, Eleazer Huntington, master.

No. 1. The principal papers of the vessel are attached together, and endorsed in the following words by Mr. N. P. Trist, the American consul at the Havana:

"I, N. P. Trist, consul, &c., do hereby certify that the documents hereunto attached are the true and proper title papers of the schooner Ontario, of Baltimore, in the place of the original register granted her at the port of Baltimore; which register has been duly cancelled at this office, upon the sale and transfer of the said schooner from the owners therein named. In testimony whereof, &c. Signed and sealed with the consular seal on the 23d of June, 1838."

The papers referred to in the above certificate of Mr. Consul Trist were, first, a copy of an American register granted at Baltimore, on the 20th of

October, 1837, to William Hooper, William Cobb, Andronicus Cheeseborough, and Thomas Whitridge, owners of the Ontario, stating that the said vessel was a schooner of the burden of 95½ tons, and that she had been built in Dorchester, in the year 1839.

A power of attorney, prepared at the same time that the above American register was taken out, and signed by the four owners above mentioned, authorized Thomas Wingate, the master of the schooner, to sell her. The execution of this deed was witnessed by Samuel Fernandez and John Powers; the former of these witnesses having been employed as a notary public to prepare the power of attorney.

Wingate accordingly carried the Ontario to Havana, and there sold and transferred her on the 31st of May, 1838, to Nathan Farnsworth; the transfer having been witnessed by Peter Crusoe, and its acknowledgment certified by Mr. Consul Trist on the same day.

Three weeks afterwards, Farnsworth transferred his newly bought vessel at Havana to Eleazer Huntington, for the sum of \$3,800. The bill of sale was, as before, witnessed by Peter Crusoe, and its acknowledgment attested by the consular signature and seal of Mr. N. P. Trist, on the 22d of June, 1838.

The Ontario then sailed for the coast of Africa, and there continued under the American flag until the day when the cargo of slaves (which had been prepared for the return voyage) was ready for shipment; when Eleazer Huntington executed a bill of sale, in the river Nun, in favor of a Spaniard named Mendez; who, however, it afterwards appeared, had been the real owner of the schooner from the time when she first arrived at Havana.

SIERRA LEONE, *May 13, 1839.*

[Enclosure No. 2.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET,

August 3, 1840.

MY LORD: I have had the honor to receive your lordship's note of the 31st ultimo, communicating copies of two despatches from Her Majesty's commissioners at Sierra Leone, in relation to the schooner Ontario, captured, while sailing under Spanish colors, with slaves on board, and condemned in the British and Spanish court of justice at Sierra Leone, which I will transmit by the earliest opportunity to my Government.

I have the honor to be your lordship's obedient servant,

A. STEVENSON.

Lord PALMERSTON, &c.

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 103.]

LEGATION OF THE UNITED STATES,

London, August 12, 1840.

SIR: I herewith transmit the copy of another communication from Lord Palmerston, on the subject of the slave trade, together with sundry original papers and printed forms which accompanied it, connected with the charges

which have been made by this Government against Mr. Trist, our consul at the Havana. You will see, from Lord Palmerston's note, that I am particularly requested to draw the attention of the President to the observations contained in the despatch of the British commissioners at the Havana, upon the subject of these papers.

[Enclosure No. 1.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, August 5, 1840.

SIR: With reference to the desire which you expressed in your letter of the 27th February, 1840, to be furnished with certain printed forms, which it was represented that Mr. Trist, United States consul at the Havana, had given, in blank, to the owners or commandants of slave ships, to be filled up by them at pleasure, I have now to transmit to you, for communication to the United States Government, the accompanying copy of a despatch from Her Majesty's commissioners at Sierra Leone, together with the authenticated documents enclosed in that despatch, containing, in original, 1st, the muster roll of the slave vessel "Constituição;" 2d, a certificate of the shipment of slave equipment for lawful purposes; and, furthermore, three certificates of the disembarkation of seamen from the vessel in question. And I have to request that you will draw the attention of the President of the United States to the observations contained in the despatch from Her Majesty's commissioners at Sierra Leone, upon the subject of these papers.

I have the honor to be, sir, your most obedient, humble servant,
PALMERSTON.

A. STEVENSON, Esq., &c.

[Sub-enclosure.]

Her Majesty's commissioners to Viscount Palmerston.

[PORTUGAL, No. 41.]

SIERRA LEONE, May 12, 1840.

MY LORD: We have the honor to acknowledge the receipt of your lordship's despatch No. 6, of the 17th May last, respecting certain papers stated to have been furnished to the owners of vessels about to be engaged in the slave trade, by Mr. Trist, the United States consul at Havana, who was lately acting as Portuguese consul in that city.

In compliance with your lordship's directions, we transmit, herewith, the two documents alluded to by Her Majesty's commissioners in the report of the case of the Portuguese vessel "Constituição," on the 20th October, 1838, and which are the muster roll, and a custom-house certificate of the lawful objects with which an extraordinary number of water casks, a boiler of large dimensions, and plank, had been embarked in that vessel. The former of these documents have been authenticated by Mr. Trist's certifi-

case, dated the day previous to that on which the muster roll itself bears date; whilst a similar paper from Mr. Trist, respecting the custom-house certificate, is wanting that gentleman's signature, though having his seal of office.

With respect to the blank forms bearing the signature of Mr. Trist, stated by Lieutenant Oliver, the captor of the above-mentioned "Constituição," to have been found, at the time of her seizure, in the desk of a Spanish passenger, who represented himself to be the owner of that vessel and her cargo, we beg leave to state that we have not been able to discover any papers exactly answering the description in question among those lodged in the archives of the court.

In the papers of the "Constituição" we found the enclosed certificates for three sailors, said to have been disembarked from that vessel at Havana; in each of which the description of the man named has been omitted by Mr. Trist, and the space for this purpose left open. In handing these certificates to your lordship, we would beg to draw attention to the fact of the names of two only of the three seamen, stated to have been landed from the "Constituição," being mentioned in the muster roll, (enclosure No. 1,) although Mr. Trist granted the certificates in question on the day subsequent to that on which he had authenticated the muster roll.

Should the certificates now transmitted to your lordship not be the papers mentioned by Lieutenant Oliver in his report to Admiral Elliot, and alluded to in your lordship's despatch to Mr. Fox of the 22d February, 1839, they cannot have been delivered into the court, as they should have been, when the "Constituição" was presented for adjudication.

We shall take the earliest opportunity of communicating to the senior naval officer on this station your lordship's wishes in respect to the blank forms mentioned by Lieutenant Oliver, or the naval commander-in-chief, that they may be at once transmitted to England for your lordship's information.

We have, &c.

R. DOHERTY.
WALTER W. LEWIS.

Rt. Hon. Viscount PALMERSTON, G. C. B. &c.

[Sub-enclosura.]

Matricula e rol da equipagem da escuna Portugueza denominada Constituição, de que he mestre Eduardo Roberto, a qual segue viagem para São Paulo de Luanda, com a tripulação abaixo mencionada, a saber :

Empregos.	Nomez.	Anos d'idade.	Naturalidade.	Estado.
Capitão -	Eduardo Roberto -	24	Lisboa -	Solteiro
Piloto -	Diego Lopez -	28	Cartagena -	Do.
2º piloto -	Ranão Quirzo -	26	Cadiz -	Do.
Contramestre -	José Pinedo -	28	Manilla -	Cazado.
Carpinteiro -	João São Martino -	30	Cartegena d'Indias -	Do.
Despenseiro -	José Donorena -	29	Do -	Solteiro
Cuzinheiro -	Miguel Marguedal -	28	Do -	Do.
Marinheiro -	Francisco de Goio -	26	Portugal -	Do.
Do -	Vicente Planely -	24	Do -	Do.
Do -	Antonio Silva -	26	Figueira -	Do.
Do -	Antonio Preto -	26	Porto -	Do.
Do -	Francisco do Rey -	30	Do -	Do.
Do -	Modesto Antonio -	24	Madeira -	Do.
Do -	Pedro Simão -	28	Ilha Terceira -	Do.
Do -	João Baptista -	34	Ilha do Maio -	Do.
Do -	Zeferino Fernandez -	25	Porto -	Cazado.
Do -	João Campany -	30	Do -	Do.
Do -	Ignacio Laiolla -	28	Lisboa -	Solteiro.
Moço -	Eusebio Perez -	24	Porto -	Do.
Do -	Miguel Martorany -	24	Lisboa -	Do.
Do -	José Maria Martínez -	24	Ilha do Faiar -	Do.
Do -	Joaquim Gomez -	23	Do -	Do.
Do -	Aleixandre do Rozario -	24	Manilla -	Do.
Page -	Gauthaio Podrão -	15	Do -	Do.

Armamento.

Doze espingardas, doze fraçados, huma colica, duaz gorrenadas, e seis esmeriz.

HAVANA, 8 de Junho de 1838.

O capitão,

EDUARDO ROBERTO.

CONSULATE OF THE UNITED STATES, *Havana* :

I, Nicholas P. Trist, consul of the United States, do hereby certify that on the day of the date hereof, before me personally appeared Don Eduardo Roberto, master of the Portuguese schooner *Constituição*, and declared the document hereunto annexed to be a true and faithful list of the crew (consisting of twenty-four men, all told) and armament of said vessel; which declaration is received and certified to by me, because of there not being here at this time any consul or consular agent of Portugal, to do such acts for vessels of that nation.

In testimony whereof, I have hereunto set my hand, and affixed my seal of office, at Havana, this seventh day of June, in the year of our Lord one thousand eight hundred and thirty-eight, and of the independence of the United States the sixty-second.

N. P. TRIST.

CONSULATE OF THE UNITED STATES, *Havana* :

I, Nicholas P. Trist, consul of the United States, do hereby certify that Don T. Estivez, merchant of this city, has declared to me that, being thereunto authorized and empowered by Don Luis Carvalho, owner of the Portuguese schooner *Constituição*, he has appointed Eduardo Roberto as master thereof, in the place of Antonio Joaquim, late master; which declaration is received and certified to by me, in consequence of there not being here at this time any consul or consular agent of Portugal, to do such acts for vessels of that nation.

In testimony whereof, I hereunto set my hand, and affix my seal of office, at Havana, this seventh day of June, in the year of our Lord one thousand eight hundred and thirty-eight, and of the independence of the United States the sixty-second.

N. P. TRIST.

[Sub-enclosure.]

[STAMP.]	Sello 3o. 2 Rs.	[L. s.]	Años de 1838 y 39.	[STAMP.]
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DON TOMAS RODRIGUEZ DE YURRE Y ECHAVARRI, contador de ejercito honorable y principal de la aduana de este puerto por S. M.

Certifico : Que en el registro de la goleta Portuguesa *Constitucion* acierto con destino á San Pablo de Loando al cargo de su capitan Don Eduardo Roberto, existe una poliza con el No. 4, corrida por el propio capitan cuyo tenor es el siguiente : Ocho bocoyes de cuatro pipas ; diez y seis iden de tres ; doce de sesenta y de cien galones para la aguade y conducion de aciete de palmas al regreso ; un mil seis cientos pies de tablas ; trescientos sesenta y ocho pies de alfardas, todo para formar barraca ; un caldero grande para clarificar aceite ; y á los efectos consiguientes doy la presente, en virtud de decreto del senor administrador general del dia hoy, en la Habana, á nueve de Junio de mil ochocientos treinta y ocho.

TOMAS DE YURRE.

CONSULATE OF THE UNITED STATES, *Havana* :

I, Nicholas P. Trist, consul of the United States, do hereby certify that the signature to the document hereunto annexed is in the handwriting of Don Tomas de Yurre, contador of the royal customs of this place, to whose acts as such full faith and credit are due.

In testimony whereof, I hereunto set my hand, and affix my seal of office, at Havana, this eighth day of June, in the year of our Lord one thousand eight hundred and thirty-eight, and of the independence of the United States the sixty-second.

[Without signature.]

CONSULADO DE LOS ESTADOS UNIDOS DE AMERICA.

Filiacion.

Cuerpo
Carnes
Cabello
Ojos
Cara
Color
Boca
Barba
Nariz
Edad

El marinero Eusebio Perez, qui pertenecia á la goleta Portuguesa Constituição, ha sido desembarcado legalmente de dicho buque, y está ahora al cargo de este consulado.

Habaña, 8 de Junio de 1838.

N. P. TRIST.

No. 66.

Señales particulares.

CONSULADO DE LOS ESTADOS UNIDOS DE AMERICA.

Filiacion.

Cuerpo
Carnes
Cabello
Ojos
Cara
Color
Boca
Barba
Nariz
Edad

El marinero José Maria Martínez, qui pertenecia á la goleta Portuguesa Constituição, ha sido desembarcado legalmente de dicho buque, y está ahora al cargo de este consulado.

Habaña, 8 de Junio de 18

N. P. TRIST.

No. 65.

Señales particulares.

CONSULADO DE LOS ESTADOS UNIDOS DE AMERICA.

Filiacion.

Cuerpo
Carnes
Cabello
Ojos
Cara
Color
Boca
Barba
Nariz
Edad

El marinero Miguel Maristany, qui pertenecia á la goleta Portuguesa Constituição, ha sido desembarcado legalmente de dicho buque, y está ahora al cargo de este consulado.

Habaña, 8 de Junio de 1838.

N. P. TRIST.

No. 62.

Señales particulares.

[Enclosure No. 12.]

Mr. Stevenson to Lord Palmerston.

32, UPPER GROSVENOR STREET,

August 6, 1840.

MY LORD: I have the honor to acknowledge the receipt of your lordship's note of yesterday, enclosing the copy of a despatch from Her Majesty's commissioners at Sierra Leone on the subject of the slave trade, together with certain authenticated documents therein enclosed, which I will take the earliest opportunity of communicating to my Government, and calling its attention to those parts of the commissioners' despatch which your lordship desires.

I have the honor to be your lordship's obedient servant,

A. STEVENSON.

Rt. Hon. Lord Viscount PALMERSTON, &c.

Mr. Forsyth to Mr. Stevenson.

[No. 75.]

DEPARTMENT OF STATE,

Washington, August 19, 1840.

SIR: Your despatch of the 24th ultimo, (No. 101,) relating, in part, to the case of the American schooner "Euphrates," was received some days since. The President, solicitous to contribute, as far as in his power, to promote the wishes of the British Government for the suppression of the African slave trade, has, with this view, directed me to transmit to you the accompanying extract of a letter received at this Department from the consul of the United States at Tripoli, dated October 3, 1839; and the copy of a letter addressed to the Secretary of the Navy, on the 28th ultimo, by an officer of our navy lately from the coast of Africa, in whose character for integrity and good sense the most perfect confidence is reposed. Some of the facts and suggestions contained in these papers may, it is presumed, prove useful to the British Government in her efforts to repress this odious traffic; and you are accordingly authorized to communicate them, or the substance of them, to Lord Palmerston, in such manner as you may think best calculated to effect that object.

I am, sir, your obedient servant,

JOHN FORSYTH.

ANDREW STEVENSON, Esq., &c.

[Enclosure No. 1.]

Consul McCauley to Mr. Forsyth.—[EXTRACT.]

CONSULATE OF THE UNITED STATES OF AMERICA,

Tripoli, Barbary, October 3, 1839.

* * * * *

Being aware of the great interest the Government, in common with an immense majority of the American people, take in the suppression of the

slave trade, I beg leave to suggest to the Department the possibility of ameliorating, if not exterminating, that branch of the odious traffic which flourishes in the Barbary States, and which apparently escapes the searching observation and attention of European philanthropists.

In some of my former despatches I have noted the arrival of negro slaves by the kafilas, or caravans, from the interior; and I have endeavored to ascertain the exact number they annually imported. But the ill success that has attended all my endeavors to obtain correct statistical information from the Turkish authorities has also attended me in this instance; yet I am disposed to believe that the number of 2,000 to 2,500 slaves, arriving at this port and Bergasi, is an approximation within the truth; and, though the trade to this regency (the most convenient maritime mart of the interior) for a number of years past has, owing to the civil war and unsettled state of the country, been greatly diminished, still it is probable that the numbers carried to Egypt and Tunis have proportionably increased, and perhaps very nearly average in each of those States the number imported into this.

Of these slaves, but very few are required for the supply of Tripoli; the great proportion is exported, principally in Turkish and *Greek* vessels, to the Levant, where they find a ready sale.

[Enclosure No. 2.]

UNITED STATES BRIG DOLPHIN,

New York, July 28, 1840.

SIR: Since my arrival in the United States I have seen, through the papers, accounts of public meetings in England, in which a contrast is drawn between the United States and Great Britain, on the subject of slavery, in which our country has been most shamefully denounced, and great praise given to the British for their philanthropy and humanity in their exertions to extinguish slavery and the slave trade.

Under these circumstances, I feel it my duty, as an American and public servant, to state what came under my own observation, and the reports of others in whom I have confidence, (the British officers themselves,) during my late cruise on the coast of Africa.

On my arrival at Sierra Leone, I was informed by Governor Doherty, the British Governor of that colony, that during the last year sixty-two slavers had been sent into that place; that not more than *one* vessel in *six* was captured by the British cruisers; and that upwards of three hundred thousand slaves were sent from Africa yearly. There are twenty cruisers employed on the coast between the Cape of Good Hope and Cape de Verd, who usually cruise *outsight* of land.

Between Cape St. Anne and Cape Palmas there are two slave stations—one at the mouth of the river Gallinas, and the other at New Cess. There were collected and confined in the barracoons or slave prisons of the former, five thousand slaves; and the latter, fifteen hundred; waiting for an opportunity to ship them across the Atlantic.

It is customary for the slavers to run into one of these stations in the evening, take on board three or four hundred negroes during the night, and run off with the land breeze the next morning. If they do not meet with a cruiser after running thirty miles, they are safe until they get to the West

Indies; where there is again some slight chance of capture before they have an opportunity of landing their cargoes. I therefore proposed to three of the British commanders I fell in with to blockade these two stations, instead of cruising so far off the coast. The anchorage is good and safe, and one vessel at each station could lie in such a position as to intercept any slaver coming in. The invariable reply to this proposition was: "This is an unhealthy climate; we come out here to make prize money; if a slaver is captured without her cargo, she is sent to Sierra Leone, where the expense of condemnation amounts to nearly the whole value of the vessel, which is the perquisite of those in the employ of the Government at that place; and we, who have all the labor and exposure, get nothing; whereas, if we capture a vessel with slaves on board, we receive five pounds sterling a head for each of them, without any deduction. Therefore, it is not our interest to capture these vessels without their cargoes."

Most of the slavers sent into Sierra Leone have such articles on board as are used in trafficking for slaves. When the vessels are condemned, these articles are sold at public auction—are purchased by an Englishman there who is said to be the agent of Pedro Blanco, the great slave dealer at Gallinas. Whether this is the case or not, is of little consequence; they are put on board of an English cutter belonging to this man, who carries them to Gallinas, and lands them at his pleasure. This is well known to every person at Sierra Leone; and, in conversation with the Governor, when he made some remarks on the shameful use of our flag in this trade, I spoke to him on the subject; stated that the slave trade was encouraged and abetted by such proceedings under the very eye of his Government. He said he was sensible of it; but, as this was a *legal* traffic, he could not prevent it. British as well as American and French merchant vessels are also engaged in supplying these slave stations with provisions, and even luxuries, for which they are well paid, and for want of which they could not exist.

"Under these circumstances, I say the British Government is *not sincere in its attempts to put down the slave trade*. Pedro Blanco and others engaged in this business say, if they can save *one* vessel out of *three* from capture, they find the trade profitable. This can easily be believed when slaves can be purchased at Gallinas for less than twenty dollars in *trade*, and sold for cash in Cuba for three hundred and fifty. A few months before I came on the coast, the ship *Venus* took away from there a cargo of slaves, and landed in Cuba upwards of eight hundred; by which she cleared two hundred thousand dollars, after paying for the vessel and her whole expenses during the voyage.

The question now naturally arises, "How is this trade to be stopped?" With regard to Gallinas and New Cess, I think the course to be pursued is very simple and effectual. A short distance above the mouth of the Gallinas are a number of small islands, on which are situated the barracoons. These are badly fortified with a few pieces of cannon, and worse manned. One hundred men sent in a frigate's boats would be more than an ample force to break it up, and capture or disperse all the slaves and burn the town in the course of a few hours. One-third of this force would be sufficient to destroy New Cess. As it takes some time to collect slaves on the coast for transportation, other stations would have to be established, which could be again destroyed. And, to prevent those men who are now in this business from again engaging in it, they should be either sent

away from the coast; or (as they are outlaws) and to make a dreadful example) put to the sword.

I trust, sir, the motive which induced me to make this communication will be a sufficient excuse for troubling the Department at the present time.

What I have stated cannot be denied by any disinterested man on the coast; and the inferences I have drawn I believe are such as would be made by any one conversant with the subject.

I have the honor to be, sir, very respectfully, your obedient servant,

CHARLES H. BELL,

Lieut. Com. U. S. Brig *Dolphin*.

HON. JAMES K. PAULDING,

Secretary of the Navy, Washington.

Mr. Stevenson to Mr. Forsyth.

[No. 1041]

LEGATION OF THE UNITED STATES,

London, August 26, 1840.

SIR: I received on the 13th instant your despatch of the 8th of July, (No. 73,) in relation to the outrage committed on the barque *Susan*, of Boston; and the next day I addressed to Lord Palmerston an official note, a copy of which I have the honor herewith to transmit. No answer to it has yet been received.

I also enclose copies of a note from Lord Palmerston, with the documents accompanying it, purporting to give an explanation of the conduct of Commander Elliot and Lieutenant Tatham, in relation to their proceedings towards the sloop *Edwin*, of New York. I acknowledged simply the receipt of the papers, with an assurance that they would be forwarded to my Government, with whom it alone rested to decide on the sufficiency of the explanation given. A copy of my note is also enclosed.

I am, sir, very respectfully, your obedient servant,

A. STEVENSON.

HON. J. FORSYTH, Secretary of State, &c.

[Enclosure No. 1.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET, August 14, 1840.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to acquaint Lord Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, that, having lost no time in transmitting to his Government the note of his lordship, under date of the 23d of April last, in reply to that of the undersigned of the 26th of August preceding, complaining of the outrage committed by the officers of the British schooner the *Grecian* upon the barque *Susan*, of Boston; he has been specially instructed to make the following communication in answer to Lord Palmerston's note: The President has read with feelings of surprise and regret the answer returned by Her Majesty's Government to

the complaint preferred on the part of the United States in the affair of the barque Susan. That answer cannot be considered as otherwise than unsatisfactory. The conduct of the British officers is attempted to be justified on their bare and unsupported statements, totally at variance with, and in entire disregard of, the facts registered with every formality usual on such occasions, in the log book of the Susan; supported as they are by the asseverations of persons of respectability, then passengers on board the vessel. In justice to the rights of their citizens, and in pursuance of the principles which the United States have assumed, such an occurrence as that under consideration cannot be allowed to pass over in the manner in which it has been treated by Her Majesty's Government. It would be foreign to the purposes of this communication to raise questions of law out of the occurrence which gave rise to the complaint of the United States. The circumstances under which the right of boarding and visiting vessels at sea is usually enforced are defined with sufficient clearness; and even where the right is admitted, usage among civilized nations has prescribed with equal precision the manner in which it is to be exercised. The motive of this communication is, that the British Government should be clearly made sensible that the United States cannot, in justice to their own citizens, permit the recurrence of such causes of complaint. If in the treaties concluded between Great Britain and other Powers the latter have thought fit, for the attainment of a particular object, to surrender to British cruisers certain rights and authority not recognised by maritime law, the officers charged with the execution of those treaties must bear in mind that their operation cannot give a right to interfere in any manner with the flag of nations not parties to them. The United States not being such a party, vessels legally sailing under their flag can in no case be called upon to submit to the operation of said treaties; and it behooves their Government to protect and sustain its citizens in every justifiable effort to resist all attempts to subject them to the rules therein established, or to any consequent deductions therefrom. The United States cannot look with indifference upon the laudable exertions made by Great Britain and her allies in the suppression of the slave trade, towards the attainment of the great object in view; and so long as those efforts are confined within their proper sphere they will command applause and good wishes from the people and Government of the United States. But they must be considered as exceeding their appropriate limits whenever they shall lead to such acts as those which form the subject of this communication. The President has been advised that on frequent occasions the flag of the United States, as well as those of other nations, has been fraudulently used by the subjects of other countries to cover illicit commerce, and elude the pursuit of British and other cruisers employed in the suppression of the African slave trade; and that a pretext has thereby been afforded for boarding, visiting, and interrupting vessels bearing the American flag. The several complaints to which the subject has given rise should convince Her Majesty's Government of the great abuse to which the practice is liable, and make it sensible of the propriety of its immediate discontinuance. It is a matter of regret that this practice has not already been abandoned. The President, on learning the abuses which had grown out of it, and with a view to do away every cause for its longer continuance, having now directed the establishment of a competent naval force to cruise along those parts of the African coast which American vessels are in the habit of visiting in the pursuit of

their lawful commerce, and where it is alleged that the slave trade has been carried on under an illegal use of the flag of the United States, has a right to expect that positive instructions will be given to all Her Majesty's officers to forbear from boarding or visiting vessels under the American flag. This expectation is now distinctly signified to Her Majesty's Government, in the belief that it will see the propriety of confining the action of its agents to the vessels of nations with whom Her Majesty's Government has formed stipulations authorizing a departure from the rules prescribed by the public law, and thereby prevent the recurrence of circumstances inevitably productive of causes of irritation, and deeply endangering the good understanding now existing between the two nations, and which it is so much the interest of both to maintain unimpaired.

The undersigned renews to Lord Palmerston the assurances of his distinguished consideration.

A. STEVENSON.

[Enclosure No. 2.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, *August 17, 1840.*

SIR: With reference to the representations which I have received from you, upon the subject of the conduct pursued towards the American sloop "Edwin," by officers in Her Majesty's naval service, I have to acquaint you that Her Majesty's Government have now received from Commander Elliot, of Her Majesty's sloop "Columbine," a detailed statement of the circumstances under which the American brig in question was visited by the "Columbine," and of the events which took place on that occasion; and I do myself the honor to transmit to you, for communication to the United States Government, a copy of that statement, together with a copy of the statement of Lieutenant Tatham, the officer who executed the orders of Commodore Tucker to visit the "Edwin."

It appears to Her Majesty's Government, and Her Majesty's Government hope that it will also appear to the United States Government, that these papers give a satisfactory explanation of the conduct of Commander Elliot and of Lieutenant Tatham, on the occasion referred to.

I have the honor to be, sir, your most obedient, humble servant,

PALMERSTON.

A. STEVENSON, Esq., &c.

[Sub-enclosure.]

SIMON'S BAY, *April 22, 1840.*

SIR: In obedience to your orders, and in reply to the documents forwarded by their lordships of the Admiralty, in reference to the circumstances under which the American brig Edwin was boarded by Her Majesty's sloop Columbine, I have the honor to state the following facts:

On July 22d, 1839, Her Majesty's sloop was standing in for the slaving port of Ambrise, when a sail was seen on the lee bow, and, the weather being hazy, all sail was made to close. On nearing her, we perceived she was a brig, standing on a wind; and when close to her, as she hoisted no colors, a gun was fired.

After a time, the brig hoisted the American flag, but continued on her

course, carrying all sail. This disinclination to show colors, or heave to, excited strong suspicions that the vessel was engaged in the slave trade, and not entitled to the protection of the flag she hoisted.

Sufficient sail was kept on Her Majesty's sloop to close her, and, on getting alongside, Captain Elliot hailed, and desired the master to heave to. "Heave to?" was the reply of the master; "I'll see you damned first, you no nation bugger," was the second reply. The language of the American which followed was of the lowest and grossest description, much of which I do not now retain in memory. I remember, however, his hailing, and saying "my flag is as good as your bloody piratical one," and some reference to a lesson he stated we had already received on the right of search, and which we should have again.

The language and conduct of the master giving additional suspicion of his vessel not being American, Captain Elliot continued running abreast by her, and urging, by every argument, the necessity of his ascertaining that he had a right to the flag he hoisted, and that he had no slaves on board; adding, "You are aware I can compel you, by firing; but while you hoist that flag I shall abstain, if possible; but board your vessel I am determined to do."

This was replied to by the most violent and abusive language. Captain Elliot now said, "Come on board, then, yourself, and bring your papers;" which the master of the brig replied to with these words: "I'll see you buggered first."

Soon after which, the crew of the brig hove her to, apparently without any orders from the master.

Captain Elliot now ordered me to bring the master on board, with his papers, to ascertain if he was American; leaving Mr. Wells (master of her Majesty's sloop Columbine) on board the Edwin.

On boarding the brig, I told the master the orders I had received. He, however, was most violent and abusive—declaring no one should see his papers, and no one should force him from his vessel. I told him I had no wish to use any force; but that his conduct had excited suspicions, which he, as an American citizen, should be anxious to disprove.

With the assistance of the mate, he was at last persuaded, and got into the boat with his papers. On our way to Her Majesty's sloop, I recognised the master as a person I had seen at the factories of Ambrise; and on this recognition, he gave me his papers, and appeared more tranquil. I now told him I was sure Captain Elliot would allow him to return immediately he ascertained he was an American.

On gaining the Columbine's quarter deck, I delivered the papers to Captain Elliot immediately, followed by the master of the Edwin, who advanced, shaking his fist, and grasping at the papers in Captain Elliot's hands—making use of the most abusive language. Mr. Carpenter, (first lieutenant,) as also myself, stepped in between him and Captain Elliot, to prevent the personal violence and indignities threatened by the master of the Edwin to the commander of Her Majesty's sloop, on Her Majesty's quarter deck.

So violent, however, was his conduct, that Captain Elliot ordered two marines to stand between him and the master of the Edwin, who even then pushed forward in the most outrageous manner to grasp his papers, or to strike Captain Elliot, but was prevented by the marines.

Captain Elliot having satisfied himself that he was entitled to the pro-

tection of the flag he hoisted, explained that he regretted the steps forced on him, to disprove suspicions, principally founded on the conduct he (the master of the Edwin) had pursued; and giving him his papers, he returned to his brig. Soon after which, Her Majesty's sloop made sail and anchored at Ambrise.

Captain Elliot and myself immediately landed, and repaired to the American factory, where we were received by a Mr. Cox, who stated he was in the same employ with Mr. Dayley, the master of the Edwin, and expressed much concern at what had happened, remarking that he must have been drunk or mad.

Mr. Cox suffering under a bad case of African fever, attended with most serious symptoms, our surgeon attended him, by order of Captain Elliot, who, in his anxiety to show, by every possible means, the feeling which he held towards American citizens, sat by his bedside several hours, and paid him every possible attention during our stay. Under the advice of our surgeon, Mr. Cox recovered; and nothing could surpass the anxiety shown by him to evince his gratitude.

I further beg to state, that during the past year it has been my duty, as boarding officer, to visit several American vessels; and on no occasion have they shown the least objection to produce their papers. On the contrary, the very best feeling possible has existed; and the case now referred to was alike deplored by ourselves as by the American citizens trading at Ambrise.

It is further my duty, in explanation, to state that an additional reason for suspicion in this case was excited from the ascertained fact that many of the slavers, sailing from Ambrise and the coast near, have American papers, and are under the American flag. In the month of June last, I boarded the "George Crooks," of Baltimore, a schooner anchored at Cabinda, and in every way prepared to receive a cargo of slaves.

This vessel produced papers signed by the American consul at Havana, from which place she last sailed. On mustering her crew, they were found all Spaniards but the master.

On the 6th July, only a fortnight previous to meeting the "Edwin," I again boarded the "George Crooks," which I found still in the same state of preparation; but the papers produced as an American prevented further steps being taken.

On our return to Cabinda, we were informed that the schooner "George Crooks" had sailed with a cargo of slaves.

I have, &c.

ED. TATHAM,

Second Lieutenant of Her Majesty's sloop Columbine.

Real Admiral GEORGE ELLIOT, C. B., &c.

[Sub-enclosure.]

HER MAJESTY'S SLOOP COLUMBINE,

Simon's Bay, April 30, 1840.

Sir: In obedience to directions from the Hon. George Elliot, dated April 25, forwarding to me your letter of February 20 and its enclosures, relative to the American brig Edwin, I have to acquaint you, for the information of the Lords Commissioners of the Admiralty, that on the 22d of July,

1839, a vessel was reported to me, and chased, which vessel proved to be the Edwin, of New York. Her evident desire to avoid us, her disinclination to exchange colors, and her being found off the slave port of Ambrise, induced me to suspect her having no claim to the protection of the American flag; and having had ocular proof that the American flag was unlawfully made use of by the Portuguese on the coast, in order to carry on the slave trade, I, on closing her, hailed her, and expressed my suspicions, and demanded that she should be hove to, and submit to a search. This was refused; and the gross and insulting language of her master more fully confirmed my suspicions about her. I was about to enforce a search, when he hove to. I then sent a boat, with Lieutenant Tatham, on board her, and ordered him to demand his papers, and to bring the master on board to me. The conduct of this master was so outrageous, that I was obliged to place two marines, to prevent his carrying his threats into execution. His language was of the grossest nature, and without the slightest provocation, as I did not use one insulting word to him. I forward a corroboration of the above facts, detailed by Lieutenant Tatham.

I have the honor to inform you, that were the American flag to be a security to all vessels on that coast that might hoist it, it would be impossible to suppress the slave trade and acts of piracy. The American schooner George Crooks, of Baltimore, was twice boarded, whilst lying in Cabinda bay, by boats of Her Majesty's sloop; only one American on board, and fitted for the reception of slaves. She afterwards sailed, to my certain knowledge, with a cargo of slaves, under the Portuguese flag.

I have, &c.

GEORGE ELLIOT, *Commander.*

The SECRETARY of the Admiralty.

[Enclosure No. 3.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET,

August 24, 1840.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States of America, begs leave to inform Lord Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, that he had the honor to receive, on his return to town, his lordship's note of the 17th instant, transmitting to the undersigned, for communication to his Government, sundry documents, containing a detailed statement of the circumstances under which the American brig Edwin, of New York, was boarded and searched on the coast of Africa, by the officers of Her Majesty's sloop of war the Columbine, and which had been made the subject of complaint to Her Majesty's Government in February last.

The undersigned will take an early opportunity of transmitting these papers to his Government, with whom it alone rests to decide upon the sufficiency of the explanation which has been given of this transaction by Her Majesty's naval officers.

The undersigned renews to Lord Palmerston the assurances of his distinguished consideration.

A. STEVENSON.

Right Hon. Lord PALMERSTON, &c.

Mr. Martin to Mr. Stevenson.

[No. 76.]

DEPARTMENT OF STATE,

Washington, August 28, 1840.

SIR: By direction of the President, I herewith transmit you copies of the papers in the case of the brig Douglas, of Duxbury, Massachusetts, Alvin Baker, master, with instructions to make it the subject of an immediate demand upon the British Government for redress, and indemnity to the owners and sufferers. The despatches which you have already received from this Department on kindred subjects render it unnecessary that I should say any thing in elucidation of the principles involved in this case. You will perceive, however, from the accompanying papers, that the circumstances of unwarrantable search, detention, ill usage, and consequent injury to property and life, are of peculiar aggravation; and the President therefore indulges the hope that the British Government will at once recognise the propriety and justice of prompt and satisfactory retribution for these unjustifiable acts of its officers, which have not only inflicted great private wrong, but are calculated to interrupt that harmony which it is for the advantage, as it is no doubt the desire, of both Governments to preserve.

I have the honor to be, sir, your obedient servant,

J. L. MARTIN,

Acting Secretary.

ANDREW STEVENSON, Esq., &c.

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 106.]

LEGATION OF THE UNITED STATES,

London, November 6, 1840.

I herewith transmit the copy of a note from Lord Palmerston, with an extract from a despatch of Her Majesty's commissioners at the Havana, relative to three American vessels, supposed to have been engaged in the slave trade on the coast of Africa. I contented myself with a simple acknowledgment of the papers, and that they would be forwarded for the information of the President.

[Enclosure.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, *September 10, 1840.*

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has the honor to transmit to Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the United States of America, the accompanying extract of a despatch from Her Majesty's commissioners at the Havana, by which it appears that on the 12th of June the American brig "Caballero," on the 13th of June the American brig "Hudson," and on

the 24th of June the American ship "Crawford," arrived at the Havana, in ballast, from the coast of Africa, supposed to have been there engaged in slave trade.

The undersigned requests that Mr. Stevenson will communicate this paper to the Government of the United States.

The undersigned avails himself of this opportunity to renew to Mr. Stevenson the assurance of his distinguished consideration.

PALMERSTON.

[Sub-enclosure.]

Extract of a despatch from Her Majesty's commissioners at the Havana to Viscount Palmerston, dated

HAVANA, July 18, 1840.

During the month of June the following vessels arrived from the coast of Africa; the two first, it is reported, having landed slaves at Puerto Rico.

June 2.—Spanish schooner *Constancia*, in thirteen days from Puerto Rico. Master's name, *Pefasco*, consigned to Messrs. *Manzanedo* and *Abrisqueta*, notorious slave dealers.

June 10.—Spanish schooner *Feliza*, likewise last from Puerto Rico; master's name, *Sanchez*.

June 12.—American brig *Caballero*, in thirty-three days from *Corisco*, in ballast; *Huffington*, master.

June 13.—American brig *Hudson*, in thirty-seven days from *Cabinda*, in ballast; master's name, *Clift*.

June 17.—Portuguese schooner, name unknown.

June 24.—American ship *Crawford*, in thirty-four days from *Gallinas*, in ballast; consigned to the great slave dealer, *Don Pedro Blanco*; master's name, *Brown*.

We may observe that the arrivals of the American vessels are published, without scruple, even in the "Diario."

Mr. Stevenson to Mr. Forsyth.—[EXTRACT.]

[No. 108.]

LEGATION OF THE UNITED STATES,

London, December 1, 1840.

SIR: I herewith transmit a copy of the note which I addressed to Lord Palmerston on the 13th ultimo, in relation to the seizure and detention of the brig "Douglas," of Massachusetts, on the coast of Africa, by the British cruiser "Termagant," with Lord Palmerston's reply to it. You will see that I presented the case as one of a highly offensive and unwarrantable character, and calling for the immediate action of Her Majesty's Government. The answer of Lord Palmerston was prompt, but confined to an assurance of an immediate and searching inquiry into the facts of the case.

I likewise forward copies of two other notes to this Government; one in relation, &c., * * * * and the other communicating the documents transmitted in your despatch (No. 75) on the subject of the African slave trade.

[Enclosure No. 1.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET,

November 13, 1840.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has been instructed by his Government to transmit to Lord Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, the accompanying papers, containing the evidence of another unwarrantable search, detention, and ill usage of an American vessel and her crew, on the coast of Africa, by one of Her Majesty's cruisers employed for the suppression of the slave trade, and which, in the opinion of the President, forms a proper subject for complaint and satisfactory retribution.

The following are the prominent facts of the case :

The American brig "Douglas," of Duxbury, in Massachusetts, of 210 tons burden, and commanded by Alvin Baker, master, and William Arnold, mate, sailed from the Havana on the 5th of August, 1839, laden with a cargo of merchandise, and having sundry passengers on board, bound for the port of the river Bras.

That, on the 21st of October, this brig, whilst pursuing her voyage, was boarded by Lieutenant Seagram, from Her Majesty's brigantine cruiser the "Termagant," with some of her crew, who proceeded forthwith to overhaul the ship's papers and passengers' passports—ordered the hatches, which were closed, to be broken open; the American flag, which was then flying, to be hauled down, and the vessel seized as a slaver. That the captain's papers and log book were then demanded, and taken on board the "Termagant," and the "Douglas" committed to the charge of a master and crew from the British cruiser, who immediately ordered the sails to be set, and proceeded to sea. At six o'clock, P. M., ten men were sent on board with arms and provisions, and the passengers taken to the "Termagant"; and both vessels then made sail, and stood to the westward.

That, on the 23d of October, about daylight, a boat from the "Termagant" came alongside of the "Douglas," with the purser and one of her passengers, for stores and provisions, and then returned to the cruiser.

That, from the 21st to the 26th of October, the American brig continued in charge of Her Majesty's cruiser, when they parted and lost sight of each other; the brig, however, still continuing in possession of the officer and men from the "Termagant."

That, on the 29th, and to the westward of Popoe, on the African coast, the "Termagant" again appeared alongside of the "Douglas," and hove to; sent the supercargo and purser on board, ordered Captain Baker on board the cruiser, and Lieutenant Seagram then delivered to him his papers, with permission to proceed on his voyage.

The passengers were also permitted to return to the "Douglas," and the "Termagant" having taken her prize crew and officer on board, the "Douglas" made all sail for the river Bras.

That, on the 6th of November, the "Douglas" anchored in the Nun, (a river on the African coast,) which she left on the 14th of December, and proceeded, in ballast, to Curaçoa, where she arrived on the 22d of January, 1840.

That, on the 6th of February, she sailed from Curaçoa, with a cargo of salt, for the Havana, which she reached on the 21st of that month.

That, in the passage from the pestilential coast of Africa to Curaçoa, the "Douglas" lost three of her crew, (two American seamen, viz: Hamilton Day, of Providence, and Andrew Clough, of Boston, and Frederick Walton, a British subject,) who were taken ill, and died.

That the "Douglas," at the time of her sailing from the Havana, was tight, staunch, and strong, ; had her hatches well corked and covered, and was well and sufficiently manned, and provided with all things needful for her voyage, and was in that state when she was boarded, and literally captured, by the British cruiser.

Such are the facts detailed in the protest of the captain and mate, herewith transmitted, and which, it is presumed, can leave no doubt as to the unprovoked and flagrant character of the proceeding, or the reparation due to the rights of the United States and the honor of their flag. In presenting the subject to the notice of Her Majesty's Government, it cannot be needful that the undersigned should do more than refer Lord Palmerston to the correspondence which has heretofore taken place between the two Governments, and more especially to the three notes which the undersigned had the honor of addressing to his lordship under dates of the 5th of February, 15th of May, and the 11th of August last, and to express the painful regret which the Government of the United States feel, that the remonstrances which have been heretofore made should have proved unavailing in preventing the repetition of such abuses as those which have so repeatedly been made the subject of complaint against Her Majesty's naval officers.

Her Majesty's Government cannot be insensible of the strong desire which the Government of the United States, and the nation at large, feel in the complete annihilation of the African slave trade. The course pursued for the last thirty years is best calculated to mark the feelings and opinions of the Government and people of the United States in relation to a traffic now properly regarded, by most civilized nations, as alike repugnant to justice and humanity, and which, in relation to the United States, is not the less so to all the dictates of a sound policy.

It is true that the American Government have declined to become a party in treaties with other nations for the suppression of the slave trade. Although repeatedly urged by Her Majesty's Government to do so, the United States have been forced to decline all conventional arrangements by which the officers of ships of war of either country should have the right to board, search, or capture, or carry into foreign ports for adjudication, the vessels of each other engaged in the slave trade. Indeed, it may be well doubted, apart from other considerations, whether the constitutional powers of the American Government would be competent to carry into effect those portions of the existing system so indispensably necessary to give it the character of just reciprocity.

These objections on the part of the United States have been repeatedly and frankly made known to Her Majesty's Government, and are, doubtless, well understood by the British cabinet; and the more especially so, as it was an obstacle proceeding from the same principle, which, it is presumed, prevented Great Britain herself from becoming, formally, a party to the Holy Alliance. It will not, however, be understood that the United States have been insensible to the friendly spirit of confidence with which these

applications have been made on the part of Her Majesty's Government, or that they have ceased to feel that strong solicitude for the total annihilation of the traffic which has distinguished the whole course of their policy. On the contrary, having been the first to abolish, within the extent of their authority, the transportation of the natives of Africa into slavery, by prohibiting the introduction of slaves, and by punishing their own citizens for participating in the traffic; and having, moreover, taken the steps which it deemed to be proper to prevent the abuse of their flag by the subjects of other Powers, the Government of the United States cannot but feel sincere gratification at the progress made by the efforts of other nations for the general extinction of this odious traffic, and, consequently, undiminished solicitude to give the fullest efficacy to their own laws and regulations on the subject.

They cannot, however, consent that the provisions of the treaties in force between Great Britain and other Powers, for its abolition, and to which they are not a party, shall be made to operate upon the commerce and citizens of the United States. It cannot but be apparent to Her Majesty's Government that these treaties are of a nature which cannot and ought not to be applied to the United States, under any restrictions or modifications whatever; and the more especially, as they have neither colonies nor the means of carrying out those measures of maritime policy and surveillance which form the basis of these treaties, and are so indispensably necessary to their execution.

In withholding its assent, therefore, from the existing system, and abstaining from all conventional arrangements yielding the right of search to the armed vessels and cruisers of each other, Her Majesty's Government must be sensible that the United States have been influenced alone by considerations arising out of the character of their institutions and policy; and that, having taken the measures which it deemed to be expedient and proper in relation to this subject, the Government of the United States can only leave to other nations to pursue freely the course which their judgment or policy may dictate, and in relation to which the United States certainly can have no disposition to interfere.

The undersigned has therefore been instructed, in presenting this case to Lord Palmerston's notice again, in the most earnest manner to assure his lordship that these continued violations of the flag of the United States, and unprovoked wrongs inflicted by British cruisers upon the rights and property of its citizens, under whatever color or pretext, cannot longer be permitted by the Government of the United States; and that he has accordingly been instructed to express to his lordship the confident expectation of the President that Her Majesty's Government will not only at once recognise the propriety and justice of making prompt retribution for the unwarrantable conduct of Lieutenant Seagram in the present case, but that it will take suitable and efficient means to prevent future recurrence of all such abuses, involving, as they too often do, not only great private wrong, and consequent injury to property and life, but calculated to interrupt that harmony which is for the advantage, as it is no doubt the desire, of both Governments to preserve.

The undersigned prays Lord Palmerston to accept assurances of his distinguished consideration.

A. STEVENSON

[Enclosure No. 2.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, November 19, 1840.

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has received the note which Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the United States of America at this court, addressed to him on the 13th instant, complaining, on the part of the United States Government, of the conduct of Lieutenant Seagram, of Her Majesty's brigantine "Termagant," in having detained the United States brig "Douglas." The undersigned has to assure Mr. Stevenson that Her Majesty's Government will at all times be desirous of repressing and preventing any violation of the flag of the United States by officers of the British navy. With this view, indeed, Her Majesty's Government, previously to the receipt of Mr. Stevenson's note of the 13th instant, had, on receiving from Lieutenant Seagram an account of the transaction referred to, called upon that officer to explain more fully and particularly the grounds upon which he had considered himself justified in detaining a ship under American colors, and with papers showing her to be American property.

Her Majesty's Government have now directed a prompt and searching inquiry to be made into the facts of the case, as stated in Mr. Stevenson's note; and the undersigned will not fail to communicate further with Mr. Stevenson upon the subject, so soon as Her Majesty's Government shall have learnt the result of the inquiries instituted.

The undersigned avails himself of this occasion to renew to Mr. Stevenson the assurances of his distinguished consideration.

PALMERSTON.

[Enclosure No. 3.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET,

November 20, 1840.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to acknowledge the receipt of the note which Lord Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, addressed to him yesterday, in reply to that of the undersigned of the 13th instant, complaining of the conduct of Lieutenant Seagram, of Her Majesty's brigantine "Termagant," in relation to the American brig "Douglas," off the coast of Africa, and will take an early opportunity of transmitting it for the information of his Government.

The undersigned derives, in the mean time, much satisfaction from the prompt and friendly assurance of Lord Palmerston, that, previously to the receipt of the note of the undersigned, Lieutenant Seagram had been called upon to explain fully and particularly the grounds upon which he had considered himself justified in detaining a ship under American colors and with American papers; and that Her Majesty's Government had further directed a prompt and searching inquiry to be made into all the facts of the case.

The undersigned renews to Lord Palmerston assurances of his distinguished consideration.

A. STEVENSON.

[Enclosure. No. 4.]

Mr. Stevenson to Lord Palmerston.

32 UPPER GROSVENOR STREET,

November 10, 1840.

MY LORD: The President of the United States, solicitous to contribute, as far as in his power, to promote the wishes of Her Majesty's Government for the suppression of the slave trade, has authorized me to communicate to your lordship, in such manner as I might deem most suitable, extracts from two communications which have been received by the American Government from their consul in Tripoli, and one of their naval officers, who has recently returned to the United States from the coast of Africa.

As many of the facts and suggestions contained in these papers may be regarded as of an interesting and important character, and of which your lordship may not be fully apprized, I have deemed it best to communicate them *in extenso*, and with that view I have now the honor of doing so. Your lordship will permit me to add my earnest hope that they may prove serviceable in the efforts which Her Majesty's Government are making for the extinction of this inhuman and intolerable scourge.

I deem it proper also to state to your lordship that the characters of the individuals by whom these communications have been made, for integrity and good sense, entitle their statements to implicit confidence.

With sentiments of high respect and esteem, I have the honor to be your lordship's obedient and faithful servant,

A. STEVENSON.

Mr. Forsyth to Mr. Stevenson.

[No. 82.]

DEPARTMENT OF STATE,

Washington, December 3, 1840.

SIR: The accompanying papers were transmitted to the Department, through the honorable James Buchanan, by Messrs. Eldridge, Ramsey, & Co., merchants of St. Thomas, West Indies. They relate to the seizure, detention, and consequent pillage of the schooner Iago, of New Orleans, by Her Britannic Majesty's brigantine Termagant, Lieutenant Seagram, master. I am directed by the President to instruct you to bring the circumstances to the attention of the British Government, and to found thereon a demand of redress for the outrage and damage suffered through these unjustifiable acts.

I am, &c.

JOHN FORSYTH.

ANDREW STEVENSON, Esq., &c.

[Enclosures.]

LANCASTER, October 9, 1840.

DEAR SIR: I take the liberty of transmitting to you a package of papers which has been forwarded to me from St. Thomas, by Eldridge, Ramsey,

& Co., merchants of that port. Those papers relate to the alleged capture and robbery of the American schooner Iago, by the authority of the British Government; and it is the desire of these gentlemen that the American Government should interpose, through their minister at London, and obtain an indemnity for them.

I am neither acquainted with Eldridge, Ramsey, & Co., nor the merits of the claim; but they have been introduced to me by letter from Josiah Lockhart, of St. Thomas, with whom I was formerly acquainted.

I address you, because I do not know whether Mr. Forsyth is in Washington. Please to drop me such an answer as I may forward to St. Thomas.

Yours, very respectfully,

JAMES BUCHANAN.

J. L. MARTIN, Esq.,

Chief Clerk of the Department of State.

ST. THOMAS, *September 19, 1840.*

SIR: We have the pleasure herewith to forward an introductory letter from our friend Josiah Lockhart, Esq., as also a parcel of documents relative to the American schooner Iago, which was illegally captured and robbed (as will fully appear) by the authority of the British Government.

We shall feel particularly obliged, would you forward the same in its proper course for adjustment; and are, dear sir, your obedient servants,

ELDRIDGE, RAMSEY, & CO.

HON. JAMES BUCHANAN,

Washington city, D. C.

By this public instrument of declaration and protest, be it known, that on the 5th day of April, 1839, before me, Edward Power, Queen's advocate and notary public, duly authorized and practising in this colony of Sierra Leone, personally came and appeared Adolphe Dupony, master of the American schooner or vessel called Iago, of the measurement of 53½ tons, or thereabouts, belonging to the city of New Orleans, in the United States of America, who, being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith: That he was master of the American schooner or vessel called Iago; and that he set sail from Matanzas, in the island of Cuba, on or about the 12th day of November, 1838, to go to Cape Mesurado, on the coast of Africa, to trade in palm oil, camwood, and other African produce; and that, after pursuing his voyage to different parts of the coast, he arrived at Cape St. Paul, where he landed his cargo, and whence he was preparing to go into the interior of the country to trade, and that he had already bought a quantity of palm oil and other African produce. And this deponent further makes oath and says, that on or about the 21st day of February, 1839, and whilst within 5° 46' north latitude, and 0° 55' east, and whilst this deponent was on shore as aforesaid, the said American schooner or vessel called Iago, whereof this deponent was master, was boarded by Lieutenant S. Seagram, commanding Her Britannic Majesty's brigantine of war Termagant, and that, during such absence as aforesaid, this deponent's trunk was broken open, and a sum of money, amounting to 116 Spanish doubloons and 54 dollars, was taken therefrom, and that this deponent's chronometer and his watch were also taken away; and that the hold of his vessel was opened, and a large quantity of wine was drunk, destroyed, and

lost; and that when this deponent went on board the said American schooner or vessel called Iago, he found that all his men had been conveyed on board Her Britannic Majesty's brigantine of war Termagant, except the mate, and that this deponent asked permission from the commander of the said brigantine to search the said sailors; and that, upon doing so, he found upon them a sum of money amounting to 114 doubloons and 19 dollars; and that the said sailors informed him that they had taken the said money because they were afraid that they would be set on shore, and abandoned, and that the said schooner or vessel called Iago would be destroyed; and that they tried to secure the said money for the said Adolphe Dupony, this deponent, and also to procure necessaries of life when so left on shore. And this deponent further makes oath and says, that all his clothes were left on shore, and that they have been entirely lost; and, further, that all his crew, and a passenger named Bourjolli, a native of Baltimore, were put on shore at Cape St. Paul, and that this deponent was detained and brought to Sierra Leone, where he arrived on or about the 15th-day of March, 1839; and, further, that Lieutenant Henry S. Seagram, the commander of Her Britannic Majesty's brigantine Termagant, endeavored to proceed against this deponent in the British and Spanish mixed court of justice, established in this colony for the prevention of an illicit traffic in slaves, but that the said court would not allow such a proceeding; and on or about the 30th day of March, 1839, the said deponent was again put into possession of the said schooner or vessel called Iago, and that this was done in the presence of four masters of vessels, who signed the receipt for the said vessel, and who were present when an inventory was made of the articles on board the said schooner or vessel called Iago: Therefore, the said Adolphe Dupony, master of the said American schooner or vessel called Iago, on his own behalf, and on the part and behalf of every one interested in, or in any respect concerned in, the said American schooner or vessel called Iago, doth hereby protest against the said Lieutenant Henry S. Seagram, commander of Her Britannic Majesty's brigantine of war Termagant, and for all losses, costs, damages, demurrage, and expenses already incurred and suffered, or which may hereafter accrue, by reason of the illegal detention of the said American schooner or vessel called Iago; and I do further, on the part of the said master, Adolphe Dupony, protest against the said Lieutenant Henry S. Seagram, for the loss of cargo, clothes, a chronometer, and other things, amounting in value to the sum of £2,167, which were suffered by the said master, Adolphe Dupony, by reason of the illegal detention of the said schooner or vessel called Iago.

And I, the said notary public, at the request of the said master, Adolphe Dupony, do hereby solemnly protest in form aforesaid; and I have granted these presents under my seal of office, to serve and avail as occasion shall or may require.

EDWARD POWER,
Queen's Advocate and Notary Public.

Sworn by the said Adolphe Dupony the day on which it bears date,
by me,

EDWARD POWER,
Notary Public.
A. DUPONY.

Witness:

CHARLES FRENCH. [L. s.]

Before me, the undersigned, Conrad C. Moe, counsellor of justice, and notary public and royal for the island of St. Thomas, in America, personally came and appeared, this twelfth day of February, eighteen hundred and forty, Mr. Adolphus Dupony; and after having been duly identified to me, the said notary, by persons of respectability of this place, as a native of Leghorn, in Tuscany, and citizen of the United States of America, naturalized in New Orleans, and formerly captain of the American schooner "Yago," of and from said place, trading from Matanzas, island of Cuba, to Cape Mesurado and lower coast of Africa, for palm oil and other African produce, declaring hereby, *in optima forma juris*, to nominate, constitute, authorize, and appoint the commercial house of Eldridge, Ramsey, & Co., of this place, his true, certain, and lawful attorney, for the special purpose to claim, demand, recover, and receive, of and from all and every person or persons authorized, or Governments, whom it doth, shall, or may concern, all and whatsoever is or may become due, owing, and payable unto the appearer, on account of the unlawful seizure of the American schooner "Yago" by Her Britannic Majesty's ship "Termagant;" and on recovery and receipt of the whole, or any part thereof, to give and to grant acquittance and discharge, and generally to do, negotiate, perform, decree, and sign all acts, matters, and things, as well judicially as extra-judicially, that circumstances may require, and the said house of Eldridge, Ramsey, & Co. should find requisite or necessary, for the effectual security and support of the appearer's right and interest, and the recovery of his said just claim and demand for the unlawful seizure of the American schooner "Yago" by Her Britannic Majesty's ship "Termagant," and whatever is dependent thereupon or incident thereto, as fully and effectually, to all intents and purposes, as the appearer himself might or could do if personally present; the appearer hereby giving and granting his said attorney (the commercial house of Eldridge, Ramsey, & Co.) *facultatem substituendi et revocandi quoties opus* in and touching the premises, and promising and hereby binding himself to ratify, confirm, and hold for valid, all and whatsoever the said commercial house of Eldridge, Ramsey, & Co., or their legal substitutes, shall do or cause to be done by virtue of the present power: which he thereupon ratified and signed, before me, the said notary, in presence of the subscribing witnesses, in St. Thomas.

A. DUPONY.

Datum ut supra.

Actum presentibus testibus:

E. B. STEPHENS.
McWEGILLERUSS.

Quod attestor:

C. C. MOE, [L. s.]
Not. Pub. Reg.

I, Henry F. Seagram, lieutenant and commander of Her Majesty's brigantine "Termagant," hereby declare, that on this 21st day of February, 1839, being in about latitude 5° 46' north, longitude 0° 55' east, I detained the schooner named the "Iago," (Spanish property,) sailing under American colors, not armed, commanded by A. Dupony, who was on shore; and the mate (Gayetano Bru) declared her to be bound from Matanzas, island of Cuba, to Cape Mesurado, and back to Matanzas, with a crew consisting of

one master, one mate, six men, and one passenger, equipped for the traffic in slaves, contrary to the treaty with the Queen Regent of Spain, signed at Madrid, June 25, 1835; and that the papers and documents seized by me on board the said schooner, being marked from No. 1 to No. 4, are enumerated in the following list:

1. Log of proceedings, in Spanish.
2. Register.
3. List of crew.
4. Parcel containing letters, &c.

H. F. SEAGRAM,
Lieutenant and Commander.

H. M. SHIP Viper, *May 19, 1839.*

These are to certify that the "Iago" schooner gave us a long chase, and, when boarded, refused to open her hatches until he had seen Lieutenant Mullen, and was inclined to be very insolent, both to the commander and myself. He was only detained until we had boarded him. It was after firing four guns before he hove to, and three before he hoisted his colors.

H. S. JULIAN, *Mate, at sea.*

Cet officier ment; il ne m'a tiré que deux coups de canon, et le second après que j'avais mis en pâne. Si le capitaine me parle le chapeau sur la tête c'est un malhonnête, et je ne dois pas oter la mien.—19 Mai, 1839.

A. DUPONY.

Le pavillon était hissé depuis le matin, et c'est un infame meusonge.

A. D.

Adolphus Dupony, from Leghorn, in Tuscany, citizen of the United States, naturalized in New Orleans, formerly captain of the schooner "Yago," from the same city, bound from Matanzas, island of Cuba, for Cape Mesurado and lower coast of Africa, for trading palm oil and other African produce, arrested in Cape St. Paul by an English vessel.

The following sums, having been found in the possession of the crew belonging to the schooner "Iago," I left in charge of Mr. Stevens, the prize master, viz: to be given into the possession of the mixed commission court at Sierra Leone:

One bag containing 58 doubloons.

One " " 56 "

29 mixed dollars.

H. F. SEAGRAM,
Lieutenant and Commander.

[No. 26.]

SECRETARY'S OFFICE,

Colony of Sierra Leone.

Permit to depart on their voyage from this colony to the leeward coast the undermentioned individuals, passengers on board the "Iago," Dupony, commander, and bound to the leeward coast :

José Dolores,	} In all, four passports.
Francisco Gomez,	
Ramon Mora,	
Antonio Rodriguez,	

[L. s.] Given under my hand and the seal of office, at Freetown, this 6th day of April, 1839.

J. KRULE,
Colonial Secretary.

MAY 14, 1839.

This is to certify that the American schooner Iago, Captain A. Dupony, was lying at anchor at the port of Away, on the coast of Africa, Cape St. Paul's; and, as said captain says to me, has come from Sierra Leone to this place for the purpose of taking his people on board again, but could not find them; and, also, to take his cargo on board, but, as he tells me, could find nothing.

S. SMITH,
Captain of brig Morris Cooper.

In pursuance of an act of Congress of the United States of America, entitled "An act concerning the registering and recording of ships or vessels," Adolphus Dupony, of the city of New Orleans, and State of Louisiana, having taken or subscribed the oath required by the said act, and having sworn that he is the true and only owner of the ship or vessel called the Iago, of New Orleans, whereof he (Adolphus Dupony) is at present master, and is a citizen of the United States, as he hath sworn, and that the said ship or vessel was built at Hampton, State of Virginia, in the year 1836, as it also appears from a certificate of registry (No. 96) issued at this port on the 6th day of December, 1836, now surrendered—property changed; and said certificate of registry having certified that the said ship or vessel has one deck and two masts, and that her length is fifty-eight feet three inches, and her breadth sixteen feet nine inches, her depth six feet three inches, and that she measures fifty-three and sixteen ninety-fifths tons; that she is a schooner—has a square stern, no galleries, and a billet head; and the said Adolphus Dupony having agreed to the description and admeasurement above specified, and sufficient security having been given, according to the said act, the said schooner has been duly registered at the port of New Orleans.

[L. s.] Given under our hand and seal, at the port of New Orleans, this 3d day of November, in the year one thousand eight hundred and thirty-seven.

J. W. BREEDLOVE, *Collector.*
H. D. PEIRE, *Naval Officer.*

List of persons composing the crew of the schooner "Iago," of New Orleans, whereof is master A. Dupony, bound for Malanzas.

Names.	Places of birth.	Places of residence.	Of what country citizens or subjects.	Description of their persons.				
				Aged.	Height.		Complexion.	Hair.
					Feet.	Inches.		
Frederick Gadepaille	New Orleans	New Orleans	United States of America	27	-	-	Regular	Brown.
Gayetan Bru - -	Pensacola	Pensacola	Do.	22	-	-	White	Do.
Joseph Flores - -	Do.	Do.	Do.	29	-	-	Dark	Black.
John Pach - -	Do.	Do.	Do.	28	-	-	Do.	Do.
John Brown - -	New Orleans	New Orleans	Do.	26	-	-	Do.	Do.
Alous Jayen - -	Do.	Do.	Do.	12	-	-	Do.	Do.

HAVANA, September 3, 1838.

A. DUPONY.

554
Reg. No. 2831

CONSULATE OF THE UNITED STATES OF AMERICA, *Havana* :

I, John A. Smith, vice consul of the United States of America, do hereby certify, that on the day of the date hereof, before me personally appeared A. Dupony, master of the schooner "Iago," of New Orleans, and, being duly sworn, did declare that the list hereto attached contains the names of the persons composing the crew of said vessel, together with the places of their birth and residence, so far as he can ascertain the same.

In testimony whereof, I hereunto set my hand and affix my seal of office, at Havana, this third day of September, in the year of our [L. s.] Lord one thousand eight hundred and thirty-eight, and of the independence of the United States the sixty-third.

JOHN A. SMITH.

CONSULATE OF THE UNITED STATES OF AMERICA,

Matanzas, November 9, 1839.

I, Charles P. Traut, vice consul of the United States of America at this port, and residing within the same, do certify that on this day before me personally appeared A. Dupony, master of the schooner "Iago," of New Orleans, and, being duly sworn, did declare that John Pach, John Brown, and Alous Jayen, seamen named and described in the above list, have deserted and left said vessel while lying in this port; and that he has shipped Antonio Dias, José Monso Abascal, Ramon Garcia, Bartolo Seguins, Geronimo Dias, José Garcia, Francisco Anton, and Manuel Chirombo—said vessel now bound on a voyage to Cape Mesurado.

[L. s.] Witness my hand and seal of office hereto affixed.

CHARLES P. TRAUT,
Vice Consul.

Continuation du journal de la goëlette Américaine Iago de la Nouvelle-Orleans, partie de Matanzas, Isle de Cuba, pour la côte d'Afrique, et Cap Mesurado, arrêtée et envoyée à Sierra Leone, par le brick-goëlette Anglais Termagant.

Du 22 Janvier, 1839, à 2 heures P. M., étant allé à bord pour savoir ce que le commandant désirait, j'ai trouvé le navire plein de matelots Anglais, un officier vêtu en bourgeois, ma malle rompue, mes écuelles ouvertes, mes papiers, mon argent emporté, et mon second m'a dit que dès le matin on avait emmené l'équipage à bord du navire de guerre, que seul il était resté, et avait résisté aux excès criminels des scélérats qui s'étaient emparés du navire, mais que l'on n'avait eu aucun égard à ses représentations; que dès la veille ma malle avait été rompue pour prendre les papiers du navire, et qu'ils avaient été emportés à bord du brick-goëlette, que durant toute la nuit, le navire avait été à la merci des matelots Anglais, qui s'étaient comportés de la manière la plus éfrée, s'enivrant, brisant, et volant, etc. etc. A 2^o 30^o P. M., le commandant est venu à mon bord et m'a remis un papier signé de sa main; je lui ai représenté la fausseté et l'iniquité de son contenu, que mon chargement était à terre, et allait être pillé ainsi que mes effets, etc.; que j'allais souffrir des dommages et pertes terribles. Tout a été inutile; il m'a répondu

qu'il serait bon pour le payer, et qu'il fallait que j'aille à Sierra Leone; tout ce que j'ai pu obtenir a été de faire rendre une partie de mon argent qui a été trouvée sur mes matelots et officiers, qui m'ont dit qu'ils l'avaient pris pour me le porter à terre. Tout ce que je lui ai dit pour les laisser venir avec moi n'a servi à rien; je les ai vus crûement jeté à terre, avec leurs effets, et un baril de bœuf et autre de biscuit. Ces gens demandent la mort ainsi que le passager Mr. Bourjoli; je les ai recommandés à l'humanité des négres. Est il possible qu'en temps de paix entre les Etats Unis et le Gouvernement Anglais, il se commette des atrocités de cette espèce, et que l'Angleterre envoie sur cette côte des pirates plus cruels que les négres? C'est une honte et une abomination. Je proteste contre le Gouvernement Anglais pour donner des navires armés à de pareils scélérats, ainsi que contre le commandant pour la perte de mon chargement, et les dommages et intérêts, etc. etc. Dès aujourd'hui étant prisonnier, je n'ai plus tenu de journal jusqu'à mon arrivée à Sierra Leone, où j'ai été détenu à bord, sans communication, pendant trois jours après lesquels j'ai été conduit chez un avocat *mulâtre*, (ces infâmes assassins qui commandent les navires de guerre Anglais ont été choisis pour plaider pour eux contre des blancs un homme de couleur c'est tout dire,) j'observe que mon chronomètre et ma montre m'avaient été enlevées; ce *mulâtre* me dit que l'on allait me rendre mes papiers et mon navire, qu'étant Américain la mixed commission Anglaise et *soi disant Espagnole* n'avait rien à avoir avec moi, et ne voulait pas m'admettre. Je ne pus obtenir aucune justice, on voulut me faire aller à bord par ruse et par force, pour m'emmener je ne sais où, et ensuite, comme cela a été fait à autre navire Américain, m'abandonner au milieu des mers, (voilà comment ces criminels tachent d'ensevelir leurs scélérateesses.) Mr. Duulap, qui s'est dit officier du Termagant, alla jusqu'à me dire qu'il avait la force en main, et que si je ne me rendais pas le lendemain avant midi à bord, il m'y feraient conduire. J'eus recours au Gouverneur pour obtenir les documens et protest dont j'avais besoin, et être enfin jugé. Il me dit que cela ne les regardait pas; que c'était l'affaire de l'amiral, qui est absent; mais qu'il me donnerait sa protection si l'on voulait m'enlever de force. N'est ce pas une infamie, de conduire les navires à Sierra Leone, où ils ne peuvent obtenir justice que de l'amiral, et ce même amiral n'y est jamais, et n'y a pas un représentant? Sierra Leone est le manoir des pirates. Enfin le 30 mois on me rendis mon navire et la partie de l'argent qu'on avait trouvé sur mon équipage, et Mr. Stevens, le capitaine de prise, n'ayant pas comparu quand on fit l'inventaire les 4 capitaines experts y procédèrent. Cet officier s'est tres bien comporté avec moi, ainsi que les matelots, depuis notre depart jusqu'au dernier moment. Au soir j'ai embarqué, un matelot Espagnol, pour garder la goëlette avec le cuisinier, qui est le seul homme qu'on ait laissé m'accompagner de tout l'équipage, les jours suivans j'ai embarqué un maître et deux matelots Espagnols, avec leurs passeports; et après avoir pris les provisions nécessaires, le 10 Avril à 5^o P. M., je me suis mis à la voile pour aller à la recherche de mon équipage et chargement.

Du 10 Avril au Jeudi 11 Avril, 1839, vent à OSO., bon frais; à 7^o P. M., relevé le cap de Sierra Leone au SE. à la distance de 8^o; à 9^o P. M., viré de bord, cap au S.; à 8^o A. M., les îles Baranos à la distance de 1^o à l'E. $\frac{1}{2}$ N.

Du 11 au Vendredi 12 Avril, vent ONO., faible, beau temps; même cap à 12 A. M., cap SSE.; à 8^o A. M., cap à ENE.; à 5^o P. M., mouilli par 7 brasses à la barre de Sherbroo; à 7^o A. M., dérapé pour aller à Gallinas où nous avons mouillé à midi.

Du 12 au Samedi 13 Avril.—J'ai été à terre pour acheter du tabac à con-signer des objets que j'ai reçus à Sierra Leone; beau temps; belle brise; le navire en rade.

Du 13 au Dimanche 14 Avril, 1839.—Etant jour de fête, on n'a pu rien débarquer même temps.

Du 14 au Lundi 15 Avril.—Beau temps; la goëlette Gabon est arrivée, et elle a embarqué le tabac et l'eau de vie que je lui ai donnés; à 10° A. M. nous avons fait voile de conserve.

Du 15 au Mardi 16 Avril.—A 6° P. M., nous sommes sur le cap Mont à la distance d'un mille, et nous continuons toute la nuit; à 4° A. M., forte tournade de terre; à 10° A. M. en calme devant le Cap Mesurado; mis le navire en parure et été à terre.

Du 16 au Mercredi 17 Avril.—Fait route pour New Cestre, où j'ai mouilli à 11° A. M.; trouvé Theodore absent.

Du 17 au Jeudi 18 Avril.—Debarqué des grémens et des voiles que j'ai prises à Sierra Leone.

Du 18 au Vendredi 19 Avril, 1839.—Grosse mer; la goëlette a rompu son ancre, et mouillé la grande; le monde occupé à changer les grémens vieux du navire.

Du 19 au Samedi 20 Avril, 1839.—Même temps, sans aucune chose de nouveau; j'ai vu un des gens de l'équipage d'une goëlette Portugaise que le Forester, navire de guerre Anglais, a jettés à terre au grand Corrow, et que les negres ont massacrés et criblés de balles aussitôt qu'ils ont été à terre. Ce commandant est recommandable par son inhumanité, et je ne sais s'il a reçu tels ordres de son Gouvernement. C'est une honneur.

Du 20 au Dimanche 21 Avril.—Aujourd'hui nous avons reçu la nouvelle que Theodore a été conduit à Sierra Leone, à bord d'un brick Russe, où il allait comme passager, et que deux navires Anglais ont pris ce brick.

Du 21 au Lundi 22 Avril, 1839.—Ne pouvant attendre Theodore pour régler mes comptes, j'ai embarqué 6 paquets complets, et à 3° P. M. je me suis mis à la voile, vent au SSE.; nous louvoyons toute la nuit, avec vent et marée contraire; fait jour à Tirton. Nous continuons à louvoyer.

Du 22 au Mardi 23 Avril.—Il fait nuit sur Pestes à 5 milles de l'entrée de la rivière; louvoye toute la nuit; fait jour sur Sinon hill; vent à O.

Du 23 au Mercredi 24 Avril.—Fait nuit sur Badon; à 2° A. M. forte tournade à la cap jusqu'au matin; un brick sous le vent à midi, il me hisse pavillon Anglais; vent frais de SE.

Du 24 au Jeudi 25 Avril.—Peu de vent; fait nuit près de Bocktown; au matin temps couvert, tournade au large à midi; nous montons le Cap Palmas; le temps beau.

Du 25 au Vendredi 26 Avril, 1839.—Un brick Américain en vue; nous mouillons ensemble à la pointe Zalon, où j'ai acheté une pirogue; à 10° A. M. nous derapons et fesons route à l'ESE.; à midi lat. obj. E. 3° 25' N.; et la long. 7° 2' O.

Du 26 Avril au Samedi 27 Avril.

H.	M.	D.	Course.	Vent.	Remarques.
2	-	-	-	-	Beau temps; toutes voilles dessus.
4	28	-	E. S. F.	S. O.	
6					
8	25				
10					
12	18				
2					
4	18				
6					
8	10				
10					
12	20				

Lat. obs. 3° 28' N.; long. 4° 33' O.

Du 27 Avril au Dimanche 28, 1839.

H.	M.	D.	Course.	Vent.	Remarques.
2					Beau temps. Belle mer.—Vent frais.
4	28	-	E. 15° S.	S. O.	
6					
8	32	-	-	-	
10					
12	28				
2					
4	20				
6					
8	20				
10					
12	24				

Lat. obs. 3° 34' N.; long. 1° 33'.

Du 28 au Lundi 29 Avril.

H.	M.	D.	Course.	Vent.	Remarques.
2					
4	24	-	N. E. ± E.	S. O.	Tournade violente. Amenées toutes nos voiles.
6					
8	24	-	-	-	A terre sur Tantumquery.
10	8				
12	8	-	O. S. O.	-	Tournade que je relève au N. 20° E.; nous continuons en vue de terre.
2					
4					
6					
8					
10					
12	-	-	-	-	A midi nous sommes sur terre.

Du 29 au Mardi 30 Avril, 1839.—A 6° P. M., mouillé entre Ningo et Toupar, six brasses; le temps menaçant une tournade; à minuit forte tournade, avec tonnerres terribles. A 6° A. M., dérapé et fait route pour le Cap St. Paul; peu de vent de terre.

Du 30 Avril au 1er Mai, 1839.—A 1° 30' P. M., monté le Cap St. Paul; et mouillé à Agwai à 2° 30' P. M. A 4° P. M., une pirogue est venue à bord, et j'ai appris que tout mon équipage s'en est allé je me suis embarqué pour aller à terre, où l'on m'a remis une lettre du second, qui me fait savoir qu'il est parti, ainsi que le passager et tout l'équipage. J'ai été voir le Cabezera pour obtenir raison de mon chargement; il m'a répondu qu'il n'en était pas responsable; que le navire ayant été pris, cela était considéré comme un naufrage, et qu'il n'avait pu s'en sauver de mon chargement; que l'on avait fourni à mon équipage tout ce dont ils avaient besoin pour vivre, et qu'il fallait que je payasse ces dépenses.

Au matin j'ai fait toutes les recherches, et je vois des nègres avec les chemises et le corail de mon chargement. C'est fini; tout est perdu pour moi. Je proteste de nouveau contre le Gouvernement Anglais et le navire capteur pour la valeur de mon chargement, les dommages et intérêts, &c.

Du 1er Mai au Jeudi 2 Mai, 1839.—A 3° P. M. est arrivé le nègre nommé Popo, venant de l'intérieur; je lui ai demandé compte de mes effets et de mes comptes papiers, et journal que j'ai laissés chez lui; il m'a dit qu'il avait consignés tout à mon équipage au moment où il fut jeté à terre; et que ceux-ci étant partis, ils ne lui ont rien laissé; le temps je met à la pluie qui dure toute nuit. A 6° A. M., depeché un exprès à Francisco dans l'intérieur, et envoyé la pirogue à bord.

Du 2 Mai au Vendredi 3 Mai.—A 4° P. M. reçu du bord deux paquets et une demi pipe de rhum; commencé à payer les frais de mon équipage; un palabre a commencé et a duré jusqu'à la nuit, qui a été belle; au matin envoyé de l'eau et du bois.

Du 3 Mai au Samedi 4 Mai.—Le palabre a continué; acheté des provisions fraîches; reçus des nouvelles du bord; tout l'équipage est malade; forte tournade sur le faire du jour; continué à faire de l'eau.

Du 4 Mai au Dimanche 5 Mai.—Grosse mer; les pirogues ne peuvent aller à bord. Une goëlette à hunier en vue allant à N. O.

Du 5 au Lundi 6 Mai, 1839.—Même mer et pluie; la fièvre m'ayant pris, je suis obligé de garder le lit et me soigner; débarqué 4 barils d'eau de vie, et payé le compte de l'équipage.

Du 6 Mai au Mardi 7 Mai.—Francisco m'ayant envoyé dire qu'il va venir, je me suis déterminé à l'attendre; même temps, même mer.

Du 7 au Mercredi 8 Mai.—Un brick a mouillé à Quita, et une goëlette à Zebé; envoyé de l'eau et du bois à bord, ainsi que des provisions; beau temps.

Du 8 au Jeudi 9 Mai.—Tournade durant le nuit, la fièvre m'a lassé; le jour beau temps.

Du 9 au Vendredi 10 Mai.—La nuit belle; le brick s'est mis à la voile et louvoie.

Du 10 au Samedi 11 Mai, 1839.—A 4^o P. M., le brick a mouillé et brisé le pavillon Américain. A 10^o A. M., j'ai été à son bord, et le capitaine m'a promis de venir à terre demain; le brick est le Moris, Coper, de Philadelphie.

Du Samedi 11 au Dimanche 12 Mai.—Pluie et tournade toute le nuit. A 11 A. M., le capitaine Américain n'a pu venir à terre, et me l'a envoyé dire.

Du Dimanche 12 au Lundi 13 Mai.—Beau temps; achevé de faire mes provisions et mes affaires.

Du Lundi 13 au Mardi 14 Mai.—Brise très fraîche; la nuit calme; le capitaine Américain m'a donné le certificat de la perte de mon chargement.

Du Mardi 14 au Mercredi 15 Mai, 1839.

2	6	—	S. S. E.	S. O.	A 1 ^o P. M. fait voile.
4	4	5			
6	5	—	—	—	Variables.
8	3	5			
10	4				
12	4				
2	3	—	—	—	Tournades très fortes.
4	2				
6	2				
8	1				
10	2				
12	6				

Lat. obs. 4^o 52' N.; long. 2^o 50' E.

Du 15 au Jeudi 16 Mai.

2	6	5	S. S. E.	S. O.	Tournade.
4	3	5	O.	-	
6					
8	6	5	S. S. E.		
10	3				
12	2	5			
2	2				
4	1				
6					
8					
10	1				
12	2	5			

Lat. obs. 4° 24' N.; long. 3° 7' E.

Du 16 Mai au Vendredi 17 Mai, 1839.

2	1	5	S. S. E.	S. O.	
4	1	5			
6					
8					
10					
12					
2	1	-	S. O.		
4	-	5			
6					
8	1	-	S. S. E.		
10	5				
12	5	5			

Lat. obs. 3° 49' N.; long. 3° 7' E.

Du 17 au Samedi 18 Mai.

2	6	5	S. E.	S. S. O.	Pluie et tournades.
4	6	5			
6	7				
8	8	-	-	-	
10	10				
12	10	-	S. E. & S.		
2	11				
4	7	-	S. S. E.		
6	7				
8	7				
10	5				
12	3				

Lat. obs. 2° 42' N.; long. 0° 47' E.

Du 18 au Dimanche 19 Mai, 1839.

2	4	-	S. S. E.	S. O.	Au jour une goëlette venant sur nous, nous prenons chasse.
4	4				
6	3				
8	5				
10	4	-	S. E. 15° S.		
12	4				
2	2	-	-	-	
4	3	5	S. E. 5° S.		
6	4				
8	2	5			
10	4				
12	4				

Lat. obs. 2° 31' N.; long. 6° 7' E.

Du 19 au Lundi 20 Mai, 1839.

2	5	-	S. E.	-	A 3° P. M. un officier de la goëlette est venu à bord, après avoir mis en paune au second coup de canon qu'elle a tiré, et après avoir vu les papiers, il m'a conduit à bord. C'est alors que j'ai su que cette goëlette était le Viper, et le commandant a ordonné qu'on ouvre mes écouteilles; j'ai protesté, et il m'a fait donner le certificat ci-joint.
4	-	-	-	Vent à risées variables.	
6	4	-	S. S. E.		
8	4				
10	4				
12	5				
2	3	-	-	Grossemers	
4	3				
6	2	5			
8	2	5			
10	2	5	S. E.		
12	3				

Lat. obs. 1° 55' N.; long. 7° 13' E.

Du 20 au Lundi 21 Mai, 1839.

2	3	-	S. E. † S.	S. O. † S.	A 4° P. M., la pointe N. de l'île du Prince nous reste S. S. E., et celle de l'O. au S. 16° O. Nous sommes éloignés 8° de la roche du Galle.
4	3				
6					
8					
10					
12					
2	2				
4	2	5	-	-	
6	2	5			
8	3	5			
10	3	5			
12	4				

Lat. obs. 1° 31' N.; long. 7° 52' E.

Du 21 au Mardi 22 Mai.

			S. E. † E.	S. † O.	
2	4	-			
4	4				
6	4	-	-	-	A 8° A. M. l'île de Corsico
8	3				au S. E. Le vent vient de
10	3				terre.
12	3	-	-	-	A midi vue de bord au milieu
2	3				de canal.
4	3				
6	3				
8					
10					
12					

Du 22 au Mercredi 23 Mai, 1839.—Mouillé à Corisco par cinq brasses ; beau temps ; été à terre.

Du 23 au Jeudi 24 Mai.—Je suis resté à terre avec la fièvre la plus violente ; à 6° A. M., mis à la voile pour la rivière du Gabon.

Du 24 au Vendredi 25 Mai.—Nous louvoyons ; à 2° P. M., un brick-goëlette Anglais vient en nous tirant des coups de fusil ; ces messieurs sont de la dernière insolence et lacheté ; un officier est venu à bord, et a visité le navire, et m'a conduit à bord, où j'ai eu à faire à un capitaine qui m'a fait des menaces.

Du 25 au 26 Mai.—Le brick-goëlette nous suit, et je mets à le cap la nuit ; il veut que je le pilote, et je l'envoie à tous les diables.

Devant nous, soussignés, capitaines de navire, ont été rendu au Capitaine Dupony, de la goëlette Américaine Iago, de la Nouvelle Orléans, par le capitaine de prise, M. Thomas Stevens, les objets suivants : Primo. Les papiers contenant, No. 1, un journal d'habitable ; No. 2, le rôle d'équipage ; No. 3, le registre, ou patente ; No. 4, une patente de pilote de Gaetano Bru, et deux reçus de la douane de la Havane ; et trois lettres, deux pour Montevideo et une pour Bordeaux, qui ont été recachetées avec de la cire rouge. Secundo. Cent quatorze doublons et vingt-neuf piastres portes monnaie Espagnol, en tout, (114 doublons 29 piastres fortes.) Tercio. Le navire dans l'état dans lequel il se trouve, conformément à l'inventaire auquel nous allons proceder, et auquel nous le summons d'assister l'avertissement que s'il s'y refuse, nous l'assurerons dans le protest du Capitaine Dupony.

En foi de quoi, nous signons le présent à Sierra Leone, ce 30 Mai, 1839. Fait en double original.

Como capitan de buque :

VICTOIRE SANCHEZ.

Como capitan Italiano de barto. marcante :

MARIANO IGITCOVICH.

Como capitan de navios :

MANUEL DE NACIMTO MOMA.

Como capitan au Longcours :

J. E. LAMAR.

THOMAS STEVENS,

Gunner H. M. B. Termagant, in charge of the Schooner Iago.

Ndo. Habana, Libro II de 3os Pilotos, folio 268.

Don JUAN BAUTISTA TOPETE Y VIANA, caballero de la real orden Americana de Isabel la Católica y de la militar de San Hermenegildo, condecorado con la cruz de diadema real de la marina, y con el escudo de la retirada de Vera Cruz al castillo de San Juan de Ulloa, brigadier de la real armada, comandante general interino de este apostadero, y de las fuerzas navales de él, &c., &c.

Por cuanto concurren en D. Cayetano Bru, natural de New Orleans, la suficiencia y demas buenas circunstancias, que previenen los articulos 2 y 3 del titulo 8º de la ordenanza, para ejercer la plaza de tercer piloto particular en los buques mercantes: por tanto, nombro al referido D. Cayetano Bru por tal tercer piloto particular. Y en virtud de este nombramiento, firmado de mi mano, sellado con el escudo de mis armas, y refrendado por el secretario de esta comandancia general, tomada, que sea su razon en la principal de matriculas de esta provincia, podra ejercer esta plaza, y se guardaran los privilegios y exenciones, que con arreglo á la citada ordenanza deben gozarlos de esta clase.

Dado en la Habana á diez y seis de Enero, de mil ochocientos treinta y seis.

JUAN B. TOPETE.

Francisco de Yrigoyen, nombramiento de tercer piloto particular, para D. Cayetano Bru.

COMANDANCIA DE MATRICULAS.

Se le formó aciento en esta fecha, y en la lista corriente de los de un clase al f. 170.

HABANA, y Enero 18 de 1836.

TOPETE.

Notado en el detalle fecha ut supra de los Andes.

Vto. Bno. Para hacer viage á Calcutta con el bergantin General Mina, en clase de 2º piloto.

HABANA, 30 de Abril de 1836.

TOPETE.

Vto. Bno. Para hacer viage á New Orleans en la balanda Asturiana de 1º piloto de Derrotas segun examen que há sufrido por decreto de V. S. en 13 del presente mes.

HABANA, 20 de Junio de 1838.

TOPETE.

Nous, soussignés, capitaines de navire, déclarons: Qu'ayant été appelés par le Capitaine Dupony, de la goëlette Américaine Iago, pour constater l'état dans lequel se trouve la dite goëlette, telle quelle lui a été remis par le capitaine de prise, M. Stevens, devant nous, et en notre présence, ainsi que l'inventaire des objets que lui ont été laissés à bord, nous nous sommes transportés à bord de la dite goëlette, et le capitaine de prise ne se trouvant

pas à bord malgré l'intimation qui lui en a été faite de se présenter, avons procédé comme experts, conformément à la loi au reconnaissance et à l'inventaire; et jurons devant Dieu, et sur la Bible, avoir trouvé que la dite goëlette a besoin d'être calfatée, et a perdu plusieurs, feuilles de cuivre; que nous font craindre qu'elle soit piquée dans ses fonds; que les écoutes de mizaine, et de foc lui manque, que divers morceaux des plabords ont été cassées. Dans le chambre a été présenté devant nous la malle du capitaine, dont les pitons du cadenats ont été brisé. Nous avons ensuite fait l'inventaire des objets suivants : La coque du navire, avec son gouvernail, les deux mats, et la beaupré, et bouts dehors, avec leurs cordages et haubans. Deux vergues de fortune et deux matereauts de hune. Deux chaînes et leurs ancres, une cabane compue, et une cuisine une abitacle. La grande voile neuve avec sa baume et écoute le foc, et petit foc sans écoutes.

La mizaine neuve sans écoutes.

Une voile de fortune neuve.

Un peu de voiles vieilles.

Vingt-six avirons de diverses grandeurs.

13 caisses.

10 planches et bouts de planches de pin.

5 planches et bouts de planches de cède.

24 pipes d'eau de vie.

1 pipe de vin.

1 baril huile de palme.

1 baril vinaigre.

4 pipes pleins d'eau salée.

2 barils de pain.

6 paquets de batais.

3 petits barils de vins.

8 demijames vides.

Une portion de caisses de vins et d'autres choses rompues.

Un baril de lard entamé.

Dans la chambre :

Un baril de sucre entamé.

Un sac de café.

Trois compas.

Une caisse servant de table, et contenant des assiettes et tasses à café, &c.

Divers pots de fer blanc, et trois fanaux.

Diverse provisions.

4 pavillons différents.

Une portion de charbon de terre.

Les objets ci-dessus indiquées étant les seuls que nous avons trouvés à bord, nous avons signé le présent, et l'avons delivré au Capitaine Dupony pour lui servir. Et valoir ce que de raison à Sierra Leone, à 31 Mars, 1839.

Como capitau de navios mercantes :

MANUEL DE NACIM'TO MOMA.

Como capitau :

VICTOIRE SANCHEZ.

Como capitau :

MARIANO IGITCOVICH.

Capitaine au Longcours Français :

J. E. LAMAR.

Mr. Stevenson to Mr. Forsyth.

[No. 109.]

LEGATION OF THE UNITED STATES,

London, December 12, 1840.

SIR : I have the honor herewith to transmit the copy of a note from Lord Palmerston, under date of the 8th instant, in reply to the one from myself of the 10th of November, communicating the documents and information received by the American Government in relation to the African slave trade.

I am, sir, very respectfully, your obedient servant,

A. STEVENSON.

HON. JOHN FORSYTH,

Secretary of State, Washington.

[Enclosure.]

Lord Palmerston to Mr. Stevenson.

FOREIGN OFFICE, *December 8, 1840.*

SIR : I have to acknowledge the receipt of your letter of the 10th ultimo, together with its enclosures, on the subject of the African slave trade ; and I beg to express my thanks to you for that communication, and for the information which it contains.

With reference to the suggestion contained in the papers enclosed by you, that a blockade should be instituted at the Gallinas and at New Cess, as an effectual means of putting down the slave trade, I have much pleasure in acquainting you that a blockade has for some time past been regularly maintained at the Gallinas, by Her Majesty's ship "Wanderer," and by other vessels, under the direction of its commander ; and at New Cess, by Her Majesty's ship "Forester."

With reference to the supposition of the writer of the paper which you have sent me, that British cruisers abstain from taking vessels before they have slaves on board, in order that, by capturing such vessels after they have taken their slaves on board, the captors may get more prize money, I have to explain to you that it is only since the passing of the act 2d and 3d Victoria, cap. 73, that there has existed any legal authority to condemn Portuguese ships detained for being equipped for slave trade, and not having slaves actually on board ; and therefore, until that act came into operation on the coast of Africa, Her Majesty's cruisers could not detain Portuguese slave vessels till they had actually taken their slaves on board : but with regard to Spanish vessels, the treaty of 1835 between Great Britain and Spain gave to the mixed British and Spanish commissioners a power to condemn slave vessels under the Spanish flag, if found equipped for slave trade, even though they might have no slaves actually on board ; and during the period which has elapsed since that treaty has been in operation Her Majesty's cruisers have taken, and sent in for adjudication, eighty-five Spanish slavers without slaves on board, and only eighteen with slaves on board. And since the year 1835 Her Majesty's cruisers on the coast of Africa have detained, and sent in for adjudication, fourteen Brazilian vessels without slaves on board, and only two with slaves.

You will see, therefore, from these facts, that the writer of the paper in question is entirely mistaken in supposing that the British cruisers on the coast of Africa look to profit instead of to the zealous performance of their duty. And I have further to state, in proof of the zealous activity of British cruisers, that all the slave vessels sent in for adjudication before any of the mixed commissions in Africa or the West Indies have been detained and sent in by British cruisers, not one of those slave vessels having been detained by the cruisers of any of the other contracting parties to the treaties under the stipulations of which those slave vessels were condemned.

I am, sir, your most obedient, humble servant,

PALMERSTON.

Mr. Forsyth to Mr. Stevenson.

[No. 82.]

DEPARTMENT OF STATE,

Washington, December 26, 1840.

SIR: I transmit to you, herewith, an extract from a letter addressed to this Department on the 28th ultimo, by the consul of the United States for Havana, and a copy of the accompanying protest of the master of the schooner "Hero," of New Orleans, against an outrage perpetrated upon this vessel by Her Britannic Majesty's brig "Lynx," in August last, on the coast of Africa.

The circumstances attending this violation of our flag, as set forth under oath by the captain, mate, and a portion of the crew of the American schooner, are of a character so wantonly insulting and injurious as to demand prompt redress. It is the President's wish, therefore, that you lose no time in making a representation of this case to Her Britannic Majesty's Government, with a view to the punishment of the officer in command of the "Lynx" at the time of the detention and robbery of the schooner "Hero," and to the indemnification of her master and owners for the losses and damages they have sustained by the acts of violence committed.

I am, sir, your obedient servant,

JOHN FORSYTH.

ANDREW STEVENSON, Esq., &c.

Mr. Forsyth to Mr. Stevenson.

[No. 85.]

DEPARTMENT OF STATE,

Washington, January 6, 1841.

SIR: I transmit to you, enclosed, the copy of a letter dated the 22d ultimo, addressed to me by Mr. A. A. Frazar, the claimant in the case of the brig "Douglas," of Duxbury, Massachusetts, which formed the subject of my despatch to you, numbered 76, together with one of the papers referred to in his communication. The other, being an authenticated copy of the protest extended by the master, &c., at the United States consulate at Havana, in March last, is an instrument with which you have already been furnished. This letter and accompanying memorandum of Lieuten-

ant Seagram are placed at your disposal, to be used at your discretion, either in the prosecution or in the ultimate arrangement of this claim on the British Government.

I am, sir, your obedient servant,

JOHN FORSYTH,

ANDREW STEVENSON, Esq., &c.

[Enclosure No. 1.]

BOSTON, December 22, 1840.

SIR: I beg leave to transmit to you the accompanying documents relating to the seizure and detention, by Lieutenant Seagram, the commanding officer of Her Britannic Majesty's brigantine "Termagant," of the brig "Douglas," of Duxbury, in this Commonwealth, Baker, master, on the coast of Africa, in October last; and to ask the interposition of the Government of the United States to obtain from the British authorities a proper indemnity therefor.

The brig was engaged in a perfectly lawful trade, without the most remote participation in, or connexion with, traffic in slaves; and there was no just ground to suppose that she was in pursuit of any unlawful object. All the proceedings of Lieutenant Seagram, in this respect, were, if not a wanton, at least a reckless violation of private rights and of the American flag.

Though the brig was held in custody but three days, she was, during that time, kept sailing down the coast, where she was borne along by a strong current, at so rapid a rate that it took her twenty-eight days after her release to return to the place of her seizure. In the mean time, the officers and crew of the brig were taken sick, in consequence of their long exposure under the burning suns of that region; from which sickness, three of the crew died on their homeward passage, and the captain still remains an invalid, and probably will so remain during his life. The loss occasioned by the detention of the brig was much more than the mere loss of time and expenses, during thirty-one days; as the purposes and objects of the voyage were much deranged, and finally partially defeated.

It is difficult to say what sum, under the circumstances, would be a just and proper indemnification for the injuries sustained; and I do not suppose that a full remuneration can be obtained, without wearisome delay and much inconvenience, by going into the details and more remote consequences of the transaction. I would prefer that the matter should be adjusted speedily, and at a loss, rather than that a protracted negotiation should be entered into, though a larger amount should be ultimately obtained.

With these views, I would relinquish my claim to the British Government for five thousand dollars, though a considerably larger sum would not fully repair the damages I have sustained in the premises.

If any further information or proof shall be needed by your Department in the case, may I ask of you the favor to inform me what it is? and if it be in my power to do so, I will promptly furnish it.

I have the honor to be, sir, with much respect, your very obedient servant,

A. A. FRAZAR.

HON. JOHN FORSYTH,

Secretary of State of the United States.

[Enclosure No. 2.]

The American brig "Douglas," from the Havana, bound to the rivers Bras and Bonney, was detained by Her Majesty's brigantine "Termagant," on the 21st instant, having a suspicious cargo on board.

I have now allowed her to proceed on her voyage, finding that no information is yet received from the United States respecting the American flag.

Given under my hand, on board Her Majesty's brigantine "Termagant," off Popoe, this 29th day of October, 1839.

H. F. SEAGRAM,
Lieutenant and Commander.

Mr. Forsyth to Mr. Stevenson.

[No. 89.]

DEPARTMENT OF STATE,

Washington, March 1, 1841.

SIR: I send you, enclosed, the copy of a letter this day addressed to Mr. Fox, from this Department, and transcripts of the papers therein mentioned, relating to the case of the "Tigris," an American vessel recently brought into the port of Salem, Massachusetts, in the charge of a British officer and prize crew. They are transmitted, to place you in possession of an outline of the transaction, with a view to secure, at the earliest moment practicable, the attention of the British Government to Commander Matson's conduct on the occasion. As Mr. Fox will doubtless immediately present the subject to Her Britannic Majesty's Government, it may be only necessary, before you leave London, to urge prompt attention to it.

I am, sir, your obedient servant,

JOHN FORSYTH.

ANDREW STEVENSON, Esq., &c.

Mr. Fox to the Acting Secretary of State.

WASHINGTON, June 18, 1839.

SIR: I have the honor to acquaint you that Her Britannic Majesty's brig of war "Buzzard," Lieutenant Fitzgerald, commander, arrived in the harbor of New York on the 12th instant, having in charge two vessels, (the "Eagle" and "Clara," of Baltimore,) detained by Commander Fitzgerald on the west coast of Africa, while engaged in the illicit traffic of slaves.

It appears that the said vessels, when detained by Her Majesty's ship "Buzzard," were sailing under American colors, but furnished with fictitious American papers; that both of them are *bona fide* Spanish property, belonging to owners living at the Havana; that the crews were all Spaniards or Portuguese; and that no American citizen was found on board of either vessel, excepting the two persons calling themselves captains—by name, Joshua W. Littig and Samuel B. Hooker; both of whom have confessed that they have no share, part, or property, in the vessels, but had been merely hired for the voyage by the Spanish owners, for the purpose of pro-

tecting the vessels from capture or detention by British cruisers, under cover of the American flag.

Under these circumstances, and with the knowledge that the laws of the United States have pronounced the crime of slave trading by American citizens to be piracy, Commander Fitzgerald rightly determined, in the absence from the coast of Africa of any United States ship of war, himself to conduct the slave vessels "Eagle" and "Clara," together with their reputed captains, to an American port, to be there delivered over to the judicial authorities of the United States, and dealt with according to law.

The two individuals above named, Littig and Hooker, have already been delivered by Commander Fitzgerald into the custody of the United States district attorney at New York. The vessels "Eagle" and "Clara" will likewise be delivered over to the authorities of the United States, if the courts of the United States can legally take cognizance of them as captured American slave vessels. If, on the contrary, the Spanish character of the ownership and property of the vessels shall be found to stand in the way of their condemnation by the courts of the United States, Commander Fitzgerald will, in that case, carry the said vessels to Sierra Leone for trial before the British and Spanish court of mixed commission there established.

I have the honor herewith to enclose, for the information of the United States Government, a copy of the letter, addressed to me from New York by Commander Fitzgerald; a copy of the instruction addressed to Commander Fitzgerald by Captain Tucker, Her Majesty's senior naval officer on the coast of Africa; also, copies of two official declarations by Commander Fitzgerald, respecting the detention of the slave vessels; to which declarations are annexed the confessions, signed by themselves, of the American citizens "Littig" and "Hooker." These different papers contain, together, full and circumstantial details of the important case of which I have had the honor to state to you the outline.

Having thus placed the whole matter before you, for the consideration of the President's Government, I have only to request that you will favor me with as early an intimation as may be possible of the course which the United States authorities will find themselves justified in pursuing, in order that the commander of Her Majesty's ship may regulate his proceedings accordingly.

I have the honor to be, with great respect and consideration, your most obedient and humble servant,

H. S. FOX.

AARON VAIL, Esq., &c.

[Enclosure No. 1.]

HER MAJESTY'S BRIGANTINE "BUZZARD,"

New York, June 12, 1839.

SIR: I have the honor of reporting to you the arrival, at this anchorage, of Her Majesty's brigantine under my command, with two vessels, named the "Eagle" and "Clara," of Baltimore, detained by me on the west coast of Africa, under American colors, but with *feilinus* American papers; both vessels being *bona fide* Spanish property, owners living in the Havana, and the crews all Spaniards or Portuguese—there not being one citizen

of the United States on board either vessel, saving the two persons calling themselves captains, by name "Joshua W. Littig" and "Samuel B. Hooker," both of whom, immediately on detention by me, admitted that they have no share, part, or property, in the vessels, notwithstanding they are called *owners* in the American bills of sale; that they were merely *hired* for the voyage (by the Spanish owners) with the view of covering these vessels from capture or detention by British cruisers, by the mere display of the American flag. They both further admit that the vessels were intended for a slave cargo, and were fitted up, and are now in every way ready and provisioned, for the reception of slaves; the captain of the "Clara," S. B. Hooker, acknowledging that he belongs to the house of Forcade & Co., of Havana; and that, had I taken her a week later, it would have been with a living cargo of upwards of three hundred human beings on board, bound to Cuba.

With depositions so strong, and such convincing proofs of the false character of these vessels, and knowing that the act of aiding in the transport of slaves by any of its citizens is by the laws of the United States made piracy, I did not hesitate to detain both vessels; determined, in the absence of any American vessel of war on that coast, in this instance, to take under my protection the honor of the American flag, and save it from the stigma that would attach, were its mere display to be permitted for a moment longer to protect those engaged in this iniquitous and inhuman traffic.

On joining Captain Tucker, the officer in immediate command of Her Majesty's squadron on the west coast of Africa, and stating to him all the above circumstances, he did not hesitate in ordering me here: enjoining me to lay the whole case, through your excellency, before the American Government, confident that so wicked an attempt to basely prostitute the flag of a nation distinguished by its *early* repudiation of the slave trade had only to be made known to its Government, to ensure the promptest measures to crush a proceeding alike injurious to the great cause of humanity as disgraceful to the parties engaged in it; and a proceeding that, if persisted in, would completely nullify *all* the treaties that Great Britain has interchanged with Spain and Portugal on the slave trade—treaties, for the fulfilment of which I trust the whole civilized world feel deeply interested.

Suffer me, therefore, through your excellency, to call the attention of the United States Government to the circumstance of both these vessels, and also to make known the profligate conduct pursued by many of its citizens on the west coast of Africa, in repeated attempts, similar to the present, to bring disgrace on the flag of their nation. I have brought with me the two American citizens, or (so called) captains of these vessels, and have this day surrendered them to the civil authorities of this city. Both vessels I am prepared to deliver to the American Government, if claimed as American property; if not, I intend returning with them to Sierra Leone, and there give them in, as Spanish vessels, for adjudication in the court of mixed commission, under the late treaty between Great Britain and Spain, dated 26th June, 1835.

I have the honor to be &c.

CHARLES FITZGERALD,
Lieutenant and Commander.

HENRY STEPHEN FOX, Esq., &c.

[Enclosure No. 2.]

HER MAJESTY'S SHIP "WOLVERINE,"

Prince's Island, April 5, 1839.

SIR: Having, as the senior commander employed on this station, assumed, on the 3d instant, the duties of senior officer of Her Majesty's ships and vessels employed on the west coast of Africa for the suppression of the illicit traffic in slaves, and having received from Commander Craigie, of Her Majesty's sloop "Scout," the late senior officer, the reports and documents accompanying this, and your reports relating to the detention of the two vessels named "Eagle" and "Clara," which, on my arrival, I found riding here under Spanish colors, and which were delivered up to you (for being Spanish property, owned by Spaniards residing at Havana, and fitted for the illicit and inhuman traffic in slaves) by Mr. Joshua W. Littig of the "Eagle," and Mr. S. B. Hooker of the "Clara," who have stated themselves to be citizens of the United States, and to have been engaged as masters or commanders of these vessels, to cover, by their presence and the use of the American flag and papers, the traffic in slaves, contrary to the navigation laws of the United States; and being convinced that the Government of that country cannot, and will not, in any way sanction the abuse of their national colors and papers, however they may be obtained—I feel it a duty incumbent on me, as the senior officer on this coast, as much out of respect to the American Government as in duty to my own, to represent and forward by you, as the principal in this instance, the said vessels, with their masters and papers, to the seat of Government in the United States, to be dealt with as the authorities of that country may deem fit; trusting it will be considered that my only motive for taking upon myself this delicate interference can be but that of zeal for a strict discharge of my duty, which renders it imperative on me to take the earliest opportunity of laying before the Government of a friendly Power (with proofs) the abuse to which its national flag is subjected on this coast, in covering and protecting the property of persons (not citizens of the United States) concerned in this inhuman traffic in slaves, which I am employed to suppress, as proved in the instance of the capture of the "Mary Ann Cassade," with a full cargo of slaves, by Her Majesty's brig "Brisk."

It will be proved, by some of the documents accompanying this, that the officers in command of Her Majesty's ships and vessels employed on this station have at all times observed the greatest delicacy in visiting vessels carrying the American flag.

And being convinced it will also be proved that the greatest attention has at all times been paid to the citizens of the United States, and assistance rendered to their vessels whenever an opportunity has offered, or it has been required, (as in the case of the "Rosalba," the papers relating to which are in your possession,) I trust it will be considered by the Governments of the United States and Great Britain that I have acted correctly, and discharged this duty in such a manner as will meet their approbation; and tend to increase, if possible, the friendly feelings existing between them. I therefore forward the accompanying order and documents for your authority and guidance.

I am, &c.

WILLIAM TUCKER,
Commander and Senior Officer.

Lieutenant CHARLES FITZGERALD,
Commanding Her Majesty's Brigantine "Buzzard."

[Enclosure No. 3.]

I, Lieutenant Charles Fitzgerald, commanding Her Britannic Majesty's brigantine "Buzzard," hereby declare: That on the 12th day of March, 1839, being in Clarence cove, Fernando Po, I detained the brigantine named the "Eagle," commanded by Joshua Wells Littig, who declared himself to be a citizen of the United States, and that he was not the bona fide owner of the said brigantine, as set forth in the bill of sale found amongst her papers; and that the said brigantine and cargo are Spanish property; and that she was equipped in the port of Havana, for the purpose of carrying on the slave trade, in May of last year; and that the two persons (whose names are declared by them, respectively, as set forth in a list at foot hereof) now on board the said brigantine, are part of the crew shipped on board at Havana at that time; that the other seamen composing her crew were landed at Lagos, in the bight of Benin, by Commander Reeves, of Her Britannic Majesty's sloop "Lily," when that officer detained the said brigantine "Eagle," while she was riding at anchor in the said road of Lagos, on the 14th day of January, 1839; that Commander Reeves sent the said brigantine to Sierra Leone for adjudication in the court of mixed commission at that place, under the charge of Mr. George Sayer Boys, a mate in Her Majesty's sloop, (at that time a passenger in the "Lily," in order to join the vessel he had been appointed to,) and a prize crew; that the said court refused to take cognizance of the charge laid by Commander Reeves against the said brigantine "Eagle;" and that, thereupon, Mr. George S. Boys, the prize master, proceeded with her from Sierra Leone back to Lagos and to this island, where, upon my boarding the said brigantine this day, he, the said Joshua Wells Littig, feeling that he could no longer disguise the true character of the said brigantine "Eagle," frankly and voluntarily declared to me, in the presence of the said Mr. George S. Boys, mate, and other witnesses, that he surrendered her to me as Spanish property, both on account of Her Majesty's brigantine, under my command, being present, and that because he was boarded by the boats of the "Buzzard," in the road of Lagos, and himself and papers strictly examined, on the night of the 31st of December, 1838, when he, the said Joshua Wells Littig, refused to acknowledge what he has now voluntarily stated to me.

The said Joshua Wells Littig also declares: That he was engaged by Don Francisco Morales, at Havana, as a citizen of the United States, in order to cover the said Spanish brigantine "Eagle" with the flag of the nation of which he is a citizen; and that he hath no interest, nor expected interest, in the said brigantine "Eagle," further than what his wages might have amounted to at the termination of his expected voyage.

The said Joshua W. Littig also declares: That, when first boarded by Her Majesty's brigantine "Buzzard," and subsequently by Her Majesty's sloop "Lily," he was engaged in taking in provisions for the expected cargo of slaves for the said brigantine "Eagle;" and that, when the slaves might have been ready for embarkation, he should have gone ashore at Lagos, and the Spanish flag would have been hoisted by the said brigantine.

The said Joshua W. Littig further declares: That the said bill of sale, found amongst the said brigantine's papers, was drawn out without his being at all a party to it; and that he gave no consideration money, or

other value, for the said brigantine being transferred or sold to him; and that he supposes the whole was transacted in the United States consul's office at Havana, without his being privy to it; and that, having sworn to nothing, he does not consider that he is at all a perjured man.

The said Joshua W. Littig further declares: That an agreement was drawn up at Havana, before the said brigantine "Eagle" left that port, between himself and Don Francisco Morales, a Spaniard residing in Havana, (but believed to have come across to the coast of Africa in the said brigantine, and to be now on shore at Lagos,) by which he, the said Joshua W. Littig, bound himself to obey the orders of the said Don Francisco Morales on board the "Eagle," but which document is not now to be found amongst the papers of the said brigantine "Eagle," although I found and read it when I examined that vessel's papers on the morning of the 1st of January, 1839.

Given under my hand, on board Her Britannic Majesty's brigantine "Buzzard," in Clarence cove, island of Fernando Po, this 12th day of March, 1839.

CHARLES FITZGERALD,
Lieutenant and Commander.

In witness and testimony to the truth of the above declaration, Joshua W. Littig has hereunto set his hand, this 12th March, 1839.

JOSHUA W. LITTIG.

In my presence :

WALTER SCOTT,
Clerk in charge.

List of the crew of the "Eagle," 12th March, 1839.

Names.	Quality.
José Mejores - - -	First pilot.
Benito Cojegar - - -	Majordomo.

[Enclosure No. 4.]

I, Lieutenant Charles Fitzgerald, commanding Her Britannic Majesty's brigantine "Buzzard," hereby declare: That on this 18th day of March, 1839, being off the mouth of the river Nun, longitude 6° 5' east, latitude 4° 23' north, I detained the Spanish schooner named the "Clara," commanded by Samuel B. Hooker, who declared himself to be a citizen of the United States, and that he is not the bona fide owner of the said schooner, as set forth in the bill of sale found amongst her papers; and that the said schooner and cargo are Spanish property, and was equipped in Havana for the slave trade, in November of last year; and that the three persons now on board her are Spanish subjects, (their names, as declared by them, respectively, are set forth in a list at foot hereof,) and were entered in Havana as part of the said schooner's crew.

The said Samuel B. Hooker also declares: That he was engaged by

Don Pedro Forcade & Co., (Spanish merchants residing in Havana,) as a citizen of the United States, in order to cover the said Spanish schooner and her cargo with the flag of the nation of which he is a citizen; and that he hath no interest, nor expected interest, in the said Spanish schooner, further than what his wages might have amounted to at the termination of his destined voyage.

The said Samuel B. Hooker also declares: That the said Spanish schooner "Clara" was lying in the river Nun, taking in provisions for her expected cargo of slaves; and that about 80 slaves had been bought, and are now in the barracoon, near to where the schooner was lying; and that the said schooner would have sailed out of the river Nun in the course of a week or ten days, with at least 300 slaves on board, destined for the island of Cuba.

Given under my hand, on board Her Britannic Majesty's brigantine "Buzzard," at sea, this 18th day of March, 1839.

CHARLES FITZGERALD,
Lieutenant Commanding.

In testimony of the truth of the above declaration, the before-mentioned Samuel B. Hooker hath hereunto set his hand, this 18th day of March, 1839.

SAMUEL B. HOOKER.

In my presence

WALTER SCOTT,
Clerk in charge.

Names of the Spanish crew on board the "Clara."

Names.	Quality.
Thomas Gea. Panasco - -	Spanish mate.
Christoval - -	Boatswain.

Mr. Vail to Mr. Fox.

DEPARTMENT OF STATE,

Washington, June 20, 1839.

SIR: I have the honor to acknowledge the receipt of your note of the 18th instant, with enclosures, apprizing me of the arrival at New York of Her Britannic Majesty's brig of war Buzzard, Lieutenant Fitzgerald, commander, having in charge two vessels, the "Clara" and "Eagle," Spanish property, though found sailing under American colors and fictitious American papers, detained by Lieutenant Fitzgerald, on the coast of Africa, while engaged in the illicit traffic in slaves, and, with two American citizens found on board of said vessels, brought to this country to be delivered over to the judicial authorities of the United States, and dealt with according to law.

Having laid your communication before the President, I have by him been directed to state to you, that, impelled by the same feelings of abhor-

rence of the inhuman traffic these men are alleged to have been engaged in, which appear to have induced their detention by Her Britannic Majesty's naval officers, and anxious that no means within his reach shall be left untried to prevent or punish infractions of the laws of the United States for the suppression of the slave trade, the President has directed that copies of your note, and the documents accompanying it, be transmitted to the public prosecutor, with orders to institute, before the proper tribunal, such proceedings against the individuals referred to as existing laws and the circumstances of the case shall authorize.

With regard to the vessels, the attorney of the United States is further instructed, that if, upon the papers being submitted to him, it shall appear that they are fictitious, and that the courts of this country cannot take cognizance of the property as vessels of the United States engaged in the slave trade, the officers having them in charge may proceed with them as they shall think proper.

I avail myself of this opportunity to offer you assurances of my distinguished consideration.

A. VAIL,
Acting Secretary of State.

H. S. Fox, Esq., &c.

Mr. Fox to Mr. Vail.

WASHINGTON, July 5, 1839.

SIR: I have the honor to acquaint you, that, subsequently to the date of my last letter, relating to the cases of the slave vessels "Eagle" and "Clara," a third vessel, the "Wyoming," has been brought into New York, in charge of a British officer and prize crew, under nearly similar circumstances.

It appears that the brigantine "Wyoming," John Edwards, (an American,) master, sailing under American colors, but navigated by a Spanish crew, and fitted for the illicit Spanish traffic in slaves, was detained, on the 17th of May last, in the river Gallinas, on the west coast of Africa, by Commander Lord Francis Russell, of Her Majesty's ship "Harlequin," and was by him ordered to be conveyed direct to a port of the United States, to be there delivered over to the judicial authorities of the United States, and, if claimed as American property, to be dealt with according to law.

I herewith enclose a letter addressed to me by Lieutenant Beddoes, the British officer in charge of the Wyoming.

I presume that the United States Government will see fit to place this case, in like manner with those of the "Clara" and "Eagle," in the hands of the competent judicial authorities of the republic.

As it appears that, in the present instance of the "Wyoming," the American reputed master, John Edwards, died shortly after the detention of the vessel, it is the case of the vessel only that will be to be dealt with.

I conceive that the main object gained, for the vindication of public justice, will be this: the British and foreign courts of mixed commission, established at Sierra Leone and at other stations, for the adjudication of cases of illicit slave trade, are, in the unfortunate absence of any convention for such object between Great Britain and the United States, obliged to refuse

to take cognizance of slave-trading vessels detained under the American flag; but if it be legally substantiated that a vessel detained under those circumstances, after being brought into an American port, and full notice given, has not been claimed as American, it is to be hoped that the courts of mixed commission will be enabled to deal with such vessel as the property of Spaniards, or as the property of the subjects of whatever other nation, having a slave-trade convention with Great Britain, the vessel may be found, upon sufficient evidence, really to belong to.

I avail myself of this occasion to renew to you the assurance of my high consideration.

H. S. FOX.

AARON VAIL, Esq.,
Acting Secretary of State.

[Enclosure.]

BRITISH CONSULATE,

New York, June 29, 1839.

SIR: Having been ordered by the Right Hon. Lord Francis Russell, commander of Her Majesty's sloop Harlequin, to take charge of and bring direct to New York the American brigantine Wyoming, detained by the Harlequin, in the river Gallinas, on the west coast of Africa, on the 17th of May last, on suspicion of her being engaged in the illicit traffic of slaves, I have the honor to acquaint you that I arrived with the said brigantine Wyoming in this port last night.

The Wyoming had on board, at the time of her capture, besides her captain (an American) and ten Spaniards, (her crew,) fourteen Spanish passengers from the Havana—by the captain's report, slave factors.

Her fittings are in all respects similar to those of other vessels engaged in the slave trade, she having on board enormous casks for water, (capable of containing three tuns each,) a slave deck marked and numbered, and a very large quantity of rice.

The captain, John Edwards, died suddenly, from the bursting of a blood-vessel, the day following the sailing of the Wyoming. I was unable, therefore, to obtain any declaration from him.

I have delivered such papers as were in my possession relative to the detained vessel, to the British consul at this port, who has laid them before the attorney general.

Should it be necessary for me to proceed to Washington, I am prepared to do so instantly.

I have the honor, &c.

J. W. BEDDOES,

Lieutenant H. M. ship Harlequin.

H. S. Fox, Esq., *Envoy Extraordinary
and Minister Plenipotentiary, &c., Washington.*

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,

Washington, July 16, 1839.

SIR: I have the honor to acknowledge the receipt of your note of the 5th instant, and its enclosure, in relation to the vessel Wyoming, which has been recently brought into the port of New York, in charge of a British officer and prize crew, under circumstances nearly similar to those connected with the cases of the slave ships Eagle and Clara, the subject of your communication of the 18th ultimo, and to inform you that copies of those papers have been transmitted, with the necessary instructions, to the district attorney of the United States at New York.

I have the honor to be, sir, with high consideration, your obedient servant,

JOHN FORSYTH.

HENRY S. FOX, Esq., &c.

Mr. Vail to Mr. Fox.

DEPARTMENT OF STATE,

Washington, August 14, 1839.

SIR: I have the honor to enclose the copy of a letter from the attorney of the United States for the district of New York, communicating to this Department the result of his examination of the cases of the vessels called the "Eagle" and "Clara," which formed the subject of your note of the 18th of June last, and of my answer to it, dated the 20th of the same month.

With very high consideration, I am, sir, your obedient servant,

A. VAIL, *Acting Secretary.*

HENRY S. FOX, Esq., &c.

[Enclosure.]

UNITED STATES DISTRICT ATTORNEY'S OFFICE,

New York, August 9, 1839.

SIR: I have had the honor to receive your letter of the 20th of June last, in relation to the two vessels called the "Eagle" and the "Clara," shortly before brought into this port by the British brig of war "Buzzard," under the command of Lieutenant Fitzgerald, together with the copies of correspondence enclosed therein.

The papers found in each of these vessels have been placed in my hands by Lieutenant Commandant Fitzgerald; and I have examined the same, for the purpose of ascertaining the real character of the property. The following matters appear on these papers:

1. That the vessels were built and registered at Baltimore. The register of the "Eagle" is dated December 1, 1837, and that of the "Clara" July 27, 1838.

2. That the vessels being afterwards in the port of Havana, they were transferred, at the office of the American consul in that port—the “Eagle” to Joshua W. Littig, and the “Clara” to Samuel B. Hooker; the bill of sale, in each case, being executed by the master of the vessel named in the register, acting by virtue of a power of attorney from the owners.

3. Littig and Hooker are represented by the papers to be American citizens. They respectively assumed the command of the vessels transferred to them, as the masters thereof; and they were in command when the vessels were examined and detained by the British cruisers.

4. Although, on the face of the papers, the vessels are thus represented as American property, there is the best reason to believe that they were really owned by Spanish subjects, and that the names of the American citizens were used as a mere cover to conceal the true ownership; and such, after a careful and deliberate examination of the subject, is my own decided belief.

This conclusion is founded, not only on the full acknowledgments made by Littig and Hooker to Lieutenant Commandant Fitzgerald, and the other facts set forth in the documents laid before the State Department, (the particulars of which need not be repeated by me,) but on an inspection of various memoranda and other documents, in the Spanish language, laid before me with the ship’s papers, and which strongly confirm the Spanish ownership. I have therefore the honor to report, as the result of my examination and inquiries, that the documents by which these vessels are represented to be American property are, in fact, *fititious*; and that each of the vessels is really Spanish property.

Under these circumstances, I do not think myself authorized by your instructions to proceed against the vessels, and have so intimated to the British consul and to Lieutenant Commandant Fitzgerald; but I have as yet made no formal communication on the subject to either, partly because I am not instructed to do so, and partly from an impression that the Department may itself prefer to communicate to the British minister the decision which shall have been made.

Hooker, one of the American citizens found in these vessels, died soon after their arrival in this port. Against the other (Littig) I have obtained an indictment, founded on the 2d and 3d sections of the act of the 10th of May, 1800. In the view which I first took of the case, I did not believe that this act applied, because no slaves were ever *actually* transported in or brought on board of, or procured for, Littig’s vessel; and I am yet strongly inclined to this opinion. But as it has been held by Mr. Justice Story, in an information against a vessel under the 1st section of this act, that it is not necessary, to constitute an offence against that section, that slaves should have been taken on board, I have so far changed this opinion as to procure the indictment. Previously to this, I had instituted a civil suit against Littig, for the penalty imposed by the act of 1794, which applies where vessels are fitted out in the United States, *with intent* to engage in the slave trade; which act, and the like one of 1818, I had supposed the only ones applicable to the case, and that only in the event of its being proved that the “Eagle” had been prepared in Baltimore with the *express design* of being employed as a slaver—a fact which it very soon appeared could not be proved. As Littig was discharged on bail, in the penal action, before I

thought of preferring an indictment against him, he is not now in custody, but a warrant has been issued for his arrest.

I am, sir, very respectfully, your obedient servant,

B. F. BUTLER,
U. S. District Attorney.

AARON VAIL, Esq.,

Act'g Secretary of State U. S., Washington city.

Mr. Vail to Mr. Fox.

DEPARTMENT OF STATE,

Washington, August 19, 1839.

SIR: I have the honor to enclose the copy of a letter from the attorney of the United States for the southern district of New York, communicating the result of an investigation of the case of the brigantine "Wyoming;" which, as you were informed by a letter from the Secretary of State of the 16th ultimo, he had been directed to institute.

I am, sir, with very high consideration, your obedient servant,

A. VAIL.

H. S. Fox, Esq., &c.

[Enclosure.]

UNITED STATES DISTRICT ATTORNEY'S OFFICE,

New York, August 15, 1839.

SIR: Pursuant to the instructions contained in your letter of the 9th ultimo, I have examined the case of the brigantine "Wyoming," recently brought into this port in charge of a British naval officer and prize crew; and have the honor to report, that although the only papers found on board the vessel are an American register and a list of persons composing her crew, in which she is described, in accordance with the register, as "the brig Wyoming, of New York," I am yet entirely satisfied that the vessel was, in point of fact, owned by a Spanish subject or subjects resident in the island of Cuba.

The register bears date the 22d of December, 1838, and was granted, in the port of New York, to *Joseph A. Scoville*, of this city, as sole owner. *Nicholas Christopher* is described therein as then being master of the vessel. By the certificate of *J. A. Smith*, American vice consul at Havana, dated March 4, 1839, it appears that *John C. Edwards*, an American citizen, took the oaths required by law, and on that day became the master of the vessel, in place of *Christopher*. The crew, as appears by the list made by *Edwards*, on 7th of March, 1839, was composed exclusively of Spanish subjects resident at Havana. In addition to this circumstance, it is stated by Lieutenant *Beddoes*, the British officer in charge of the vessel, that at the time of her detention there were on board fourteen Spanish passengers, from the Havana, stated by the captain to be slave factors.

The facts above mentioned are well calculated to induce the belief that

the vessel had been disposed of, at the time of the change of masters, to some person or persons resident at Havana; and such, as I am informed by Mr. Scoville, of this city, her former owner, was really the case. This gentleman, soon after the arrival of the "Wyoming" at this port, submitted to my inspection sundry letters written from Havana in the beginning of the present year, by Captain Christopher, detailing the particulars of a sale, and of the disposition of its proceeds, of the brig in question, under a letter of attorney from the owner, Mr. Scoville. From these letters, and the other part of the correspondence, and other papers exhibited to me by Mr. Scoville, it appears that the vessel was sent to Havana with a cargo, and that Captain Christopher was instructed, after disposing of his cargo, to sell the vessel, if he should be able to find a purchaser; and that he did, accordingly, as attorney for the owner, make such sale to Francisco Rocosa, a Spanish subject residing at Havana.

In this state of the case, I have not thought it proper to institute any proceedings against the vessel; but, for reasons similar to those mentioned in my letter of the 9th instant, in relation to the "Eagle" and the "Clara," have made no formal communication to Lieutenant Beddoes.

I am, sir, very respectfully, your obedient servant.

B. F. BUTLER.

AARON VAIL, Esq.,

Acting Secretary of State, Washington.

Mr. Fox to Mr. Forsyth.

WASHINGTON, October 30, 1839.

The undersigned, Her Britannic Majesty's envoy extraordinary and minister plenipotentiary, has been instructed by his Government to transmit to the Secretary of State of the United States the enclosed copies of papers, consisting of numerous official reports and despatches received by Her Majesty's Government, which contain evidence of the surprising and deplorable extent to which the American flag is now employed for the protection of the inhuman traffic in African slaves.

Her Majesty's Government are well persuaded that a knowledge of the frauds and evasions of the law which these papers disclose—frauds and evasions practised for the purpose of covering the most cruel and sordid acts of barbarity against a portion of the human race—will excite feelings of as deep sorrow and indignation in the Government of the United States, as the discovery of them has occasioned to Her Majesty's Government; and that the Government of the United States will not delay to take resolute and effectual steps, either singly or in concert with Great Britain, for suppressing this dreadful system of crime, and for rescuing the respected flag of the republic from a reproach which the vilest enemies of mankind are seeking to cast upon it.

It was naturally to be expected that the first information upon facts relating to the African slave trade, although connected with the flag of a foreign nation, should be conveyed through the officers of the British Government. The various and long-continued efforts of Great Britain for the suppression of the trade, the extensive control exerted through the conventions with foreign Powers, and the special courts of commission established

in different quarters of the globe, have given to Her Majesty's Government superior means of intelligence to what can be possessed by the Government of any other country.

It does not appear that the American flag began to be extensively employed for the protection of the slave trade until between two and three years ago; but, from that time to this, the abuse has continued to increase in a regular and terrible proportion. Various circumstances, which are clearly pointed out in the enclosed papers, appear to have contributed to produce this effect; but it is chiefly to be ascribed to the following cause: Through the persevering efforts of Great Britain, nearly all Christian nations, with the exception of the United States, have been induced to engage in a common league for the suppression of the trade. Most of the maritime Powers have now conceded the right of search, under due regulations, to Her Majesty's cruisers; and new conventions negotiated with foreign Governments are every day adding to the extent of the combination. The miscreants who drive the detested traffic in human beings are thus gradually losing their former protections, and are betaking themselves to the remaining flag whose protection can avail them. It will be seen that Spanish, Portuguese, and Brazilian slave traders, with outlaws and pirates of all nations, are now flocking under the cover of the American flag. The great bulk of the trade will soon be carried on under that protection alone; and unless severe measures of repression be adopted, the astonishing sight will be shown to the world, of the flag of that nation, which, to its great honor, was amongst the first to abolish the slave trade, becoming its chief support and protection.

The undersigned will now proceed to point out to the Secretary of State of the United States some of the leading cases, of which the particulars are detailed in the enclosed papers.

In the year 1837, the attention of Her Majesty's officers was excited by the discovery that various vessels, intended for the African slave trade, were built and equipped in the ports of the United States, from whence they had proceeded, under the American flag, either to Havana, or to the Cape Verd islands, or direct to the slave coast of Africa; being there for the first time (and generally by fraudulent means) transferred to some Spanish or Portuguese owner, and making the return voyage, with cargoes of slaves on board, under the Spanish or Portuguese flag.

It will be found by the enclosed reports, that in the month of October, 1837, two vessels of the above description, named the "Washington" and the "Joseph Hand," sailed from Havana for the Cape Verd islands, under the flag of the United States; their ultimate destination being the coast of Africa, and their employment the illicit traffic in slaves. These vessels were followed, in the month of November of the same year, by the American schooner the "Cleopatra," whose destination and character, and the criminal objects of the voyage, proved to be the same as in the cases preceding.

But one of the earliest and most marked cases of illicit slave trading under the protection of the American flag, to which the undersigned is desirous of calling the attention of the United States Government, is the case of the "Venus," of Baltimore. This vessel was built at Baltimore in the beginning of 1838, destined, there is full reason to believe, expressly for the slave trade. In July, 1838, she was despatched from Baltimore to Havana, consigned to a well-known and shameless slave trader of that

place, of the name of Mazorra. On the 4th of August following, she again sailed from Havana, under the American flag, fully equipped for the slave trade, and bound ostensibly to Bahia, in Brazil, where she was to be transferred to the Portuguese flag. Instead of proceeding, however, to Bahia, she sailed to the coast of Africa; and returning, in the short space of four months, to the coast of Cuba, landed a cargo of no less than 860 slaves in the immediate neighborhood of Havana. The name of the vessel had in the mean time been changed to the "Duqueza de Braganza," and upon her return to Cuba she bore the Portuguese flag; but it does not appear that any valid of legal transfer had taken place: in any case, her outward voyage, with equipment for the slave trade, was protected by her American character. The illegal objects for which this vessel was employed, and the fraudulent transfer of ownership and flag, were assisted, there is no doubt (though it is to be hoped unintentionally) by the circumstance of the United States consul at Havana exercising, at the period in question, the functions of Portuguese consul also.

The "Venus" was reported at the time to be one of the fastest sailing vessels ever built, and to be capable of conveying the enormous cargo of 1,100 slaves. The guilty partners in the voyage above recounted are believed to have made a clear profit, by that one voyage, of \$200,000—the fruits of their inhuman crime. Most assuredly, as long as such amazing profit can be acquired, the same crimes will be committed, unless some means can be found to amend and strengthen the law, or unless far more vigilant and strenuous exertions be used to enforce the law as it exists. It will be found that all the above particulars, which were first reported by Her Majesty's authorities at the Havana—namely, the slave-trading adventure of the "Venus" to the African coast; her protection on the outward voyage, though equipped for slave trade, under the American flag; the shipment of 1,100 slaves; and the fraudulent substitution of the Portuguese for the American flag, when the slaves were actually on board—are fully and remarkably confirmed by the statement of a British officer on the African station, (Lieutenant Popham, of Her Majesty's sloop "Pelican,") which will be cited in a subsequent part of the present note.

By referring to the series of correspondence herewith enclosed, it will be seen that Lieutenant Kellett, commanding Her Majesty's brig "Brisk," in a despatch dated the 23d of October, 1838, calls the attention of Rear Admiral Elliot to the case of the United States schooner "Mary Hooper," Charles Bergstian, master and owner, belonging to Philadelphia. This vessel sailed from Havana on the 28th of May, 1838, for Porto Praya, consigned to a notorious slave dealer at the Gallinas. When last boarded by the "Brisk," she was lying off Tradetown, ready to take in a cargo of slaves. "This," observes Lieutenant Kellett, "is not the first instance in which the flag of the United States has been made use of for the purpose of screening offenders from Her Majesty's ships. If this case is successful, I fear the difficulties of Her Majesty's squadron, in suppressing the slave trade on this coast, will be greatly increased; as I feel confident we shall, in the succeeding season, have numerous vessels carrying on the traffic in a similar manner, when it can be done with such impunity. I am satisfied she has also Portuguese papers, which the master partly admitted (when I first boarded her) he had received at Porto Praya. If she were to meet, on her arrival in the West Indies, a United States ship of war, she has Portuguese

papers; and American papers for Her Majesty's ships; which, in all probability, will be the means of her being successful."

It is to be observed, that the United States consul at Havana assisted in clearing out the "Mary Hooper" from that port, when bound upon the voyage of illicit slave trade above denounced.

In a further despatch, addressed to Rear Admiral Elliot, by Lieutenant Kellett, dated Sierra Leone, October 29, 1838, that officer states as follows: "On the 27th instant, latitude 8° 32' N., longitude 13° 30' W., I boarded and seized the schooner 'Mary Anne Cassard,' under American colors. I have to state that this vessel was lately sold by Gilbert Cassard, of Baltimore, by power of attorney, to Messrs. Hernandez and Basden, of Matanzas. The crew are composed of one British subject, (the master, who was formerly in Her Majesty's brigantine 'Lynx,' on this coast, and was paid off in her;) the remainder are all Spaniards. This vessel I have put into the Spanish mixed commission court for adjudication, being clearly of opinion that she is Spanish property, fitted and equipped for the slave trade."

Rear Admiral Elliot, commanding Her Majesty's naval forces on the African station, in a despatch dated 6th February, 1839, calls the attention of Her Majesty's Government "to the protection which slave vessels receive from assuming the flag of the United States;" and in referring to the case of the "Mary Anne Cassard," reported by Lieutenant Kellett, in his despatch of the 29th October, 1838, Rear Admiral Elliot states as follows: "The seaman who passed for the American captain was, I believe, an American by birth, though, wishing to be received on board the 'Lynx,' he had passed himself as an Englishman in that vessel; the man was unable to navigate any vessel, and was merely engaged to pass himself as the American captain, when boarded by a British man-of-war. She (the 'Mary Anne Cassard') had her Portuguese colors on board all the time, as was proved when she was captured, a month afterwards, by the same vessel ('Brisk,') which she mistook for a French brig cruising on the same part of the coast, and consequently assumed the Portuguese character, having her slaves then on board. Several of the slave dealers have declared their intention to have an American sailingmaster in each vessel, and American colors; and some have had the impudence to assert that the Government of the United States would not discountenance such practices by any act or agreement which could prevent such gross abuse of the American flag, and such direct violation of their own laws. Her Majesty's sloop 'Lily' has sent in a Spanish vessel, under American colors, her whole crew Spanish, but with a pretended American captain on board. I was also informed, by the American barque 'Active,' that the 'Saracen' had detained a Spanish slave vessel at the Gallinas, under American colors. The probable object of using the American flag will be to protect the vessels up to the time of the cargo being ready for shipment, then to go through the farce of selling the vessel to a Portuguese or Spaniard. The actual sale of nearly all the slave vessels in question takes place at the Havana, where one man is engaged to personify an American captain; but they seem very indifferent as to having any American papers. The mere flag, in their opinion, is sufficient; and, as they are all provided also with their proper national flag, they are prepared, in case of meeting an American vessel of war. I must crave their lordships' early instructions on this growing evil and

abuse, which I feel is much too disgraceful to meet with any countenance, direct or indirect, from the Government of the United States."

In a further despatch to Her Majesty's Government, dated from the African station, the 13th of February, 1839, Rear Admiral Elliot states: "I have the honor to forward the copy of a letter from Lieutenant J. L. R. Holt, commanding Her Majesty's brigantine 'Bonetta,' from which, and my former letters, it will be observed that the use of the American flag is becoming rapidly more general in the protection of the Spanish slave vessels. Of American flags used for this purpose, there are more than twice as many at present on the coast; and in so barefaced a manner do they proceed, that some have not even an American to personify the captain, but satisfy themselves with furnishing one of the crew with a certificate of naturalization for the occasion. If Her Majesty's ships were at liberty to send some of the pretended Americans to the United States, and the Government of that country were to uphold the honor of their flag, by subjecting such lawless felons to prosecution and punishment, it would soon put an end to the nefarious usurpations of their flag by the most notorious slave dealers belonging to Spain and Portugal."

It will now be seen that similar complaints have been offered, and that similar violations of the laws of the United States, with abuse of the American flag, for the protection of illicit slave trade, have been denounced by Her Majesty's naval officers employed on the Brazilian station. Lieutenant Birch, commanding Her Majesty's brig "Wizard," in a despatch addressed to Commodore Sullivan, senior naval officer at Rio Janeiro, dated off Bahia, November 12, 1838, makes a report to this effect: "I beg to submit to your notice the following statements relative to the extensive share the American flag has in forwarding and covering the traffic in slaves carried on by parties in the port of Bahia. The American brig 'Dido,' of Baltimore, her master, Phillips, and Manuel, supercargo, when under American colors, and *vice versa* when under Portuguese colors, left the Havana about March, 1837, with a general slave cargo, consisting of arms, ammunition, spirits, tobacco, &c., &c.: touched at Port-au-Prince, St. Domingo, also at Bonavista, Cape Verd islands, where it is probable she got Portuguese papers after the usual sham sale had been effected; from thence she proceeded to Oney river, Lagos, in the bight of Benin, and, after leaving there, disposed of her cargo; visited Whydah, where she provisioned, returning to Lagos. She finally sailed with five hundred and seventy-five slaves on board: her crew consisting of Phillips, master; Manuel, supercargo; second mate, (a relation of Phillips,) an American mulatto, a Sicilian, (since murdered at Bahia,) a Norwegian, two Portuguese, and one Englishman. After a three weeks' passage, she made the sand-hills to windward of Bahia. On reconnoitring the port, Her Majesty's sloop 'Sparrowhawk' was observed at anchor; upon which, they hauled off—hoisting, however, their distinguishing flag forward, and American colors abaft, which was acknowledged from the village outside the bar. That same evening, five hundred and seventy slaves (five having died on the passage) were landed close to the point Itaparica, at the village. During the night the 'Dido' was cleared out, and made her appearance in Bahia next day, under American colors. The above confirms what I had before learned from report off Bahia. The Englishman (James Fox) now serving on board the 'Wizard,' states that he would have no objection to make oath to the truth of the above statement, provided security was warranted against his being tried for a mis-

demeanor, or otherwise punished for his share in the transaction. James Fox received seventy-five dollars a month, as wages, and one hundred dollars bounty when slaves were landed. The 'Dido' was under Portuguese colors at Lagos. The 'Dido' left Bahia again on the 27th of July, with a general cargo, for the coast; and was reported by the 'Mary Cushing,' of Baltimore, as having been left by her, in September, in Lagos river, in the bight of Benin."

In a despatch of the same date, also addressed to Commodore Sullivan, Lieutenant Birch further reports as follows: "I boarded, on the 16th of September, off Point St. Antonio, (Bahia,) the 'Eagle,' of Baltimore, a two-top-sail schooner of two hundred and ten tons, under American colors, J. W. Littig, master, with crew and passengers, (in all, twenty-one men,) from St. Thomas on the line, in ballast. Her American papers were produced, and I did not conceive myself warranted in searching her. It was reported in Bahia that she had landed slaves to the northward; and her appearance, on boarding, warranted the suspicion."

The same officer, in a further despatch, dated off Bahia, December 20, 1838, addressed to Commodore Sullivan, states: "I have the honor to report that, on the 9th of November, I boarded, off Bahia, the American schooner 'William Ridgway,' John Chase, jr., master and part owner, with flour for the market. After discharging, she was offered for sale; and would have been sold to parties for the slave trade, but the bills tendered could not be negotiated; and she left Bahia on the 19th December, for Baltimore. John Chase, jr., last voyage, sold the 'Juliana' schooner to parties in Bahia; she sailed for the coast of Africa about the 30th July, with a great cargo: it is said she will take slaves to Havana. John Chase, jr., told me he had on the stocks a vessel to be called the 'Mariana,' nearly ready, but built expressly for the slave trade; and that, by God, he would build as long as he could find purchasers."

Again, in another despatch, dated off Bahia, December 20, 1838, the same officer makes the following report, with respect to the American schooner the Mary Cushing: "I boarded, on the 10th of November, off Bahia, the 'Mary Cushing,' of Baltimore, schooner of one hundred and forty tons, under American colors, Reynolds, master, with a crew of ten men, (all either Portuguese or Spaniards,) from Lagos and Prince's island, in ballast, bound to Bahia. Her master volunteered leave to inspect between decks; four leaguers and about twenty water casks were observed in her hold, and also a quantity of loose plank; her range and coppers were much larger than those generally used in merchant service. In Bahia it was known she had been sold to parties at Havana, for the purpose of slaving; that the former American master remained on board with her register, that she might still bear the flag of the United States. From the Havana she went to Oney river, Lagos, for the purpose of taking in slaves; but, being closely watched by one of Her Majesty's cruisers, she, after a stay of some weeks, sailed, and finally came to Bahia in ballast; she is expected shortly to sail for the coast with a general cargo, and, the first good opportunity that offers, will ship slaves; when the American master will leave with his register, and her first mate take charge, with the sale policy effected in the Havana. The master observed to the boarding officer, upon some allusion being made to the American colors he had flying, that, had he negroes on board, we should not see those colors up."

Upon referring once more to that portion of the enclosed correspondence

which relates to the coast of Africa, it will be found that Captain Popham, commanding Her Majesty's sloop "Pelican," in a despatch addressed to Rear Admiral Elliot, dated 24th December, 1838, states as follows: "The active and undisguised assistance given to the slave trade by citizens of the United States of America, is as notorious as it is disgraceful. The American flag has, in several instances, given protection to Spanish and Portuguese traffickers in human beings. The last instance was too shameful to pass unnoticed. A ship, called the 'Venus,' of 450 tons, built at Baltimore, on the most approved model for swift sailing, arrived at Lagos from Baltimore on or about the 5th of November last. About the 24th of the same month, she sailed from Lagos, with a very large cargo of slaves, said to amount to 1,150. The American flag and papers (in possession of Mr. Phillips, the commander, of Baltimore) protected her until a few days before she sailed; when he left, and the Portuguese flag was substituted for the American. It is therefore evident that, under the American flag, she was perfectly ready for the reception of slaves. On the 28th of November, about a hundred miles south of Lagos, the 'Pelican' chased this ship, and at first gained on her; but she was lightened by throwing her deck cargo and spars overboard, then sailed away from us with ease, although every effort was made to come up with her. On the 30th, somewhat southeast of where our chase commenced, we picked up two spare topmasts, a topsail yard, and main top-gallant mast of very large dimensions, quite new, and evidently but a day or two in the water. This confirmed what I heard in Lagos about the 'Venus.' We boarded then a large American brigantine, discharging a cargo for the purchase of slaves. Mr. Littig, the *soi-disant* owner and commander, said the cargo was Portuguese property, and that he hoped the brigantine soon would be. This is the third vessel brought out (the first and second sold for the slave trade) by the same individual. The 'Pelican' sailed from West Bay, Prince's island, on Saturday, the 15th of December, for Ascension. On Monday, the 17th, at daybreak, a suspicious sail was reported as being very close to us. She immediately tacked. We made all sail in chase, and at 7 P. M., detained the Portuguese slave schooner 'Magdalena,' with a cargo of 320 slaves, from the river Bras, or Nun. Amongst her passengers was a citizen of the United States, (Mr. Huntingdon,) who had, on the 1st of December, made over to a Spaniard the schooner 'Ontario,' of Baltimore. Her sale was, no doubt, effected at Havana, although the bill of sale mentioned it to have taken place in Bras. In this instance, the American flag gave unqualified protection to the slave trade; for the 'Ontario' was boarded by the boats of Her Majesty's ship 'Viper,' in November; and she was then reported as preparing for the reception of slaves, but having American papers and colors. After a little conversation with the Portuguese commander of the 'Magdalena,' he informed me that the 'Ontario' was in company on Sunday afternoon. This information was taken immediate advantage of, and sail was made on a NW. by W. $\frac{1}{2}$ W. course. Tuesday, at daybreak, (after a fine run,) a sail was seen to the westward; the morning was thick and rainy; but at 10 A. M. the weather cleared up, and I despatched Lieutenant Marsh with the two gigs to capture the 'Ontario.' This he did at 11h. 30m., with 220 slaves on board. She was under Spanish colors, but had no papers whatever. 'Ontario, of Baltimore,' was painted in large letters on her stern. Both these vessels I sent to Sierra Leone for adjudication, informing the British commissioners of my intention to detain the American

(Huntingdon) until I received your orders respecting the disposal of him. However, on a careful perusal of the instructions in my possession, and of the correspondence between Great Britain and the United States of America on the subject of the slave trade, I was induced to alter my intention, feeling that I should not be borne out in interfering with a citizen of the United States, which, it appears to me, the American Government evinced no disposition to tolerate, *even in very extreme case*. I do not doubt, from all I hear, that the citizens of the United States (generally of Baltimore) are more deeply interested in the slave trade to the Havana and Brazil than is generally supposed."

In a despatch addressed to Her Majesty's Government by the British commissioners at Havana, on the 1st of January, 1839, of which an extract is enclosed, it will be found reported, that in the year 1837 eleven American vessels, and that in the year 1838 no fewer than nineteen American vessels, were employed in the illicit slave trade between Cuba and the African coast. It is also stated in the same despatch (and the fact is deeply to be regretted) that the demand for newly imported slaves from Africa had been enhanced, and the temptation to violate the law in like proportion heightened, by the large increase in the number of sugar plantations which has recently taken place in the island of Cuba, chiefly through the investment therein of American capital and American industry. A due consideration of this fact will assuredly prompt the United States Government to exert unremitting efforts for preventing the abuse of the national flag; for it is impossible to suppose that any portion of the American people, who have so often and so solemnly pronounced their abhorrence of the slave trade, should desire to be allowed, either directly or indirectly, to reap benefit from the continuance of it.

Some of the remaining cases to which the undersigned will now direct the attention of the United States Government, not only contain evidence of the audacious abuse of the American flag by reckless and unauthorized men, the outcasts of society, who follow the profession of the slave trade after the manner of public robbers and pirates; but they disclose circumstances of a painfully suspicious character, with respect to the practices followed in the consulate of the United States at the Havana—practices which have no doubt had the effect of affording material assistance to the detested traffic, and which have a moral tendency, still more deplorable, of inducing the world to believe that the authorities and Government of the republic are not in earnest resolved to labor for its extinction. Her Majesty's Government are unwilling to believe that any authorized agent of the United States would intentionally aid or favor the prohibited African slave trade. But, in cases like these, where the temptations that urge men to violate the law are so powerful; where the devices resorted to are so variously and artfully contrived; and where a system of crime is to be dealt with, of such extreme and barbarous atrocity, it is clear that an habitual carelessness and want of vigilance on the part of public functionaries may produce nearly the same degree of mischief as the sin of actual connivance.

Rear Admiral Elliot, in a despatch dated from the island of Ascension, January 1, 1839, addresses the Lords Commissioners of the Admiralty as follows: "I beg leave to call their lordship's attention to the circumstance of the American consul at the Havana affixing his signature to the papers of vessels about to be engaged in the slave traffic under the Portuguese flag, as stated by Lieutenant Kellett, of Her Majesty's brig 'Brisk;' and in

the report of Lieutenant Oliver, of the 'Fair Rosamond;' as well as to *the said consul signing blank forms*, to be filled up at the pleasure of persons in command of these vessels."

Lieutenant Kellett, in a despatch dated Sierra Leone, August 8, 1838, makes the following report to Rear Admiral Elliot: "I have to inform you that, during my late cruise to the Gambia, I boarded the Portuguese schooner 'Senhora de Bom Viagem,' from the Havana, at which place she cleared out for Porto Praya, but did not call there, and was on her way to the island of St. Thomas. I beg to state that I examined her papers, and found that the American consul at the Havana had signed all her papers, his reason for so doing being expressed in them; namely, there being no Portuguese consul, or other authorized agent there, from the Portuguese Government, to do so."

It will be further seen that Lieutenant Oliver, commanding Her Majesty's sloop "Fair Rosamond," on the African coast, reports: "That, on the 19th of July, 1838, he boarded the Portuguese slave schooner the 'Constituição,' lying in Acara roads, where the captain produced a Cape Verd island paper, dated the 10th of December, stating the vessel to be American built, in which the name of the captain differed from that on the muster roll; and there were likewise found Spanish custom-house clearances, to which were affixed the name of Mr. Trist, the American consul, there being no Portuguese at the Havana. Her passengers, 11 in number, had Spanish passports, and evidently held the highest offices on board. One stated himself to be the owner of both vessel and cargo. In his desk was found a certificate of his birth as a Spaniard, and several *printed forms, signed by Mr. Trist, left blank*, for them to fill up at pleasure."

Commander Reeve, of Her Majesty's sloop "Lily," in a despatch to Her Majesty's Government, dated Gambia, April 2, 1839, makes the following statement: "Having captured a vessel under American colors, lying at Lagos, called the 'Eagle,' the entire crew of which were Spaniards, with the exception of a man calling himself both master and owner, I sent her to Sierra Leone for adjudication; but the mixed commission court have refused to decide, on the ground that the ship's papers produced set forth that she is an American vessel. When captured, she was last from Havana, and answered the description (sent by the Admiralty to the commander-in-chief) of a vessel employed in the slave trade, called the 'Tres Amigos,' under Portuguese colors, about to sail from Maranham. She was sold at the Havana, and the American vice consul attested the sale and granted American papers. Three other vessels had been captured under like circumstances by the 'Brisk,' 'Saracen,' and 'Forester,' and the court has acted in like manner; one of which was afterwards taken with slaves on board: she then hoisted Portuguese colors. I have to request you will be pleased to acquaint my Lords Commissioners of Her Majesty's Admiralty with the circumstance, that immediate steps may be taken to check the protection of that flag to the slaver, or it will be useless for Her Majesty's cruisers to be employed in the suppression of that inhuman traffic."

The case of the schooner "Florida," which occurred in the beginning of the present year, offers a glaring example of the systematic abuse of the American flag, and of the facilities which are afforded for the continuance of this scandal, by a want of proper caution in the office of the United States consulate at Havana, where it might have been hoped that the utmost

vigilance would be exercised to prevent the flag of the republic from being lent to such vile and criminal purposes.

The "Florida" was visited in the river Gallinas, on the 13th of January, 1839, by Lieutenant Hill, of Her Majesty's brig "Saracen," and found to be completely fitted up for the slave trade. The papers which were found on board showed that an American register had been taken out for the vessel at Baltimore, in June, 1838, by G. Elvear; that she was despatched from Baltimore to the Havana, and made over to a partner of the notorious slave-trading firm of Manzaneda; that a fictitious sale was executed at the Havana to one Williamson, who was to assume the character of owner and the duties of master, and who was to receive a small monthly stipend for assisting, by his name and presence, in concealing a Spanish slave-trade adventure under an American cover. The British and Spanish mixed commission at Sierra Leone declined to take cognizance of the case of the "Florida," because the papers, although upon the strongest grounds believed to be fictitious, gave an apparent American character to the vessel. The subsequent fate of the "Florida" is remarkable, and serves to confirm the suspicion of fraud. The reputed American master, (Williamson,) after soliciting and obtaining from the British captor personal protection against his own Spanish crew on board the "Florida," who had mutinied, determined, upon his arrival at Sierra Leone, to break up and abandon the "Florida" altogether. He accordingly removed on board an American merchant vessel lying in the port, and then caused the Florida to be hauled on shore, dismantled, broken up, and sold; declaring his intention to apply the proceeds, in the first instance, to pay himself the wages due to him, and then to hand over the balance to the real owners of the vessel whenever he should meet with them.

The British commission at Sierra Leone, in reporting to Her Majesty's Government the above case of the "Florida," in their despatch of the 31st January, 1839, offer the following important observations: "It will be seen that George Elvear, of Baltimore, took out an American register for his schooner 'Florida,' in June, 1838, and immediately despatched her to Havana for sale, under the charge of the captain, (Matthew Kelly,) who was appointed the agent of the owner, with a power of substitution. Kelly appointed Don Juan Manzaneda, of the firm of Manzaneda & Abusqueta, his substitute; and within three months and a half from the date of the American register, a bill of sale of the 'Florida' was executed by Manzaneda to D. B. Williamson, the present master. Such are the representations of the ship's papers; unfortunately, however, for the credit of the bill of sale; another paper was discovered, showing that Williamson, instead of being the owner, was to receive from the well-known slave-trading firm of Manzaneda & Abusqueta (who, if not themselves the owners of the 'Florida,' were, at any rate, the agents of the owners) a small monthly stipend for assisting, by his name and presence, in concealing a Spanish slave-trade adventure under an American cover. The pay of this man was only to continue until the vessel should be ready to receive her return cargo, when, owing we presume to an intention to change the flag to Portuguese or Spanish, his services would be no longer of use; but even then he was to be allowed his passage back to Havana, free of expense. The equipment of the 'Florida' for the slave trade was complete, and the captor would have possessed ample means of convicting his prize of being an essentially Spanish vessel engaged in the illicit traffic, had he been permit-

ted to take advantage of the information acquired by his unauthorized search. The aforesaid Williamson acknowledged that, so far as the bill of sale related to himself, it was false, and that he had no claim whatever to the character of owner; and he attempted to clear himself of being a party to the fraud, by declaring that he had not been aware of the existence of this false document until some time after he had left Havana. We have little doubt that the American register and muster roll are as fictitious as the paper the falsehood of which is admitted; they are, however, recognised by American authorities as true and valid, entitling the vessel which carries them to all the privileges of an American character; and, in our view of the matter, the fact of such a recognition is sufficient to protect from search and detention an apparent American vessel, so long as America persists in refusing to our cruisers the right of visitation. The tenderness with which the independence of the flag of the United States has been treated under so much provocation will, we trust, have its proper effect. Of the actual existence of the evils which were anticipated from America's determined denial of the privilege of search, no doubt can now be entertained; and it is to be hoped that some remedial measures will at any rate be adopted by herself to check and punish the abuse which has clearly resulted from her retention of a right which other nations have consented, under certain circumstances, and for a well-defined and humane object, to waive, without any injury to their national honor. We will here only recommend one measure, to which America can offer no reasonable objection. It is, that a force of small brigs, brigantines, or schooners of war, should be sent on this coast by the American Government, each of which should cruise and visit the slave-trading rivers and stations in company with one of our own vessels. Cruising singly would have comparatively little effect, as the same vessel which would show American colors and papers to a British officer might show Portuguese or Spanish colors and papers to an American officer. The crews of such vessels are always composed of Spaniards, with the exception of one American, who, in the presence of the British cruiser, would figure as the American captain, and, before the cruiser of his own nation, would declare himself a passenger, and would probably produce a passenger's passport from Havana. Cruising in couples, on the contrary, would remove the possibility of such evasion. If the American flag and pass were assumed by a slaver, she would be taken charge of by the one; and if she declared herself, or if she could be proved, to be Spanish, Portuguese, or Brazilian, she would be a prize to the other man of war. At present, however, the coast swarms with vessels, apparently American; and a rich harvest of prizes would follow the arrival of a squadron of American cruisers, armed with authority to capture on the ground of equipment."

The undersigned earnestly invites the attention of the United States Government to the remarks and suggestions of the British commissioners above cited. Those gentlemen possess a thorough knowledge of the frauds and devices resorted to by the miscreants who now carry on the illicit slave trade; and they are the best possible judges of the means which ought to be employed to counteract them. The earnest wish of Her Majesty's Government to obtain the concurrence of the Government of the United States in an agreement for the exercise of a mutual right of search, under proper regulations, is sufficiently well known. If this concurrence cannot be obtained, the employment of a combined force of British and American cruisers

along the slave coast, upon the plan above suggested by the British commissioners, would no doubt effect a speedy and material diminution of the trade.

The undersigned, however, would respectfully suggest that no time ought to be lost in amending the United States law against slave trade, to the extent of making that law applicable to vessels manifestly equipped for the slave trade, even when no slaves are found actually on board. The addition of this clause to the British law, and the insertion of an analogous article in many of the recent slave-trade conventions concluded between Great Britain and foreign Powers, have been found of material service in repressing the trade. By means of the equipment article and law, not only are many slave traders punished by the loss of their vessels, which they would otherwise save from condemnation, but (what is of far more importance to the cause of humanity) slave-trade adventures are thereby frustrated before the fulness of the crime has been committed, and, consequently, before the unfortunate Africans, the destined victims of the crime, have been doomed to the horrors of embarkation as slaves, and to the chances of misery and destruction that follow.

The same despatch from the British commissioners contains also, with reference to the case of the "Florida," the following remarks upon the conduct of the United States vice consul at Havana, as exhibited by the papers found on board the vessel: "He (the American vice consul) recognised as a valid document a register which had apparently been cancelled, and of which only the left half was produced to him; and he acknowledged Williamson as owner of the 'Florida,' and the purchaser of that vessel, although no power of attorney or power of substitution was forthcoming, to prove the right which either Kelly, the alleged agent, or Manzaneda, the alleged substitute and seller, had received from Elvear, the original named in the mutilated register, to dispose of the property in question. Nor does it seem to have excited any doubt in the mind of Smith, that a vessel fully equipped for the slave trade, and bound for the most notorious slave mart on the coast of Africa, should be cleared out from Havana by one of the most extensive slave merchants of Cuba, with a crew of which the captain of the flag was the only person who professed to be an American citizen." A reference to the abstract of papers found on board the Florida, which is annexed to the despatch of the British commissioners, will satisfy the United States Government that the above remarks are neither unjust nor unnecessarily severe.

Another gross and flagrant instance of the abuse of the flag of the United States for purposes of illicit slave trade, is furnished by the case of the schooner "Hazard," of Baltimore, Russell Barber, master; which vessel was fallen in with on the coast of Africa, under American colors, by Her Majesty's brigantine Forester, and detained, on the ground that she was equipped for slave trade, and that there were sufficient reasons for believing her to be a Spanish vessel. The "Hazard" was brought for trial before the British and Spanish mixed court of commission at Sierra Leone; but the fact of the vessel having been detained while sailing under the flag and pass of the United States rendered it improper, in the opinion of the court, to sanction the prosecution. The British commissioners at Sierra Leone, in reporting this case to Her Majesty's Government, in their despatch of the 31st of January, 1839, (to which despatch is annexed an ab-

stract of the papers found on board the "Hazard,") make the following statement: "The 'Hazard' received an American register, at Baltimore, on the 11th of May, 1838; and, on the following day, she was despatched to Havana for sale. On the 19th of September, Don Francisco Montero, a merchant at Havana, who has since accompanied the vessel in the ostensible character of supercargo, received full power to dispose of the vessel when, where, and how he pleased. There is little doubt Montero had, in fact, become the owner of the property over which he possessed such absolute control, and that the power of attorney under which that control was exercised was a mere blind. Barber, the American, was also, it appears, only 'captain of the flag;' the real master, who cleared out the vessel from the Havana, and whose name was endorsed on the clearance as captain, being Don Benito Sandes, who is described on the muster roll as first mate. Although cleared out for St. Thomas, the destination of the 'Hazard' was the slaving port of Lagos, in Africa, and she carried from Havana letters for various persons at that place; and the fittings of the vessel sufficiently demonstrated the illegal object of the voyage. The American captain died on his passage to this port; and the 'Hazard' was thus left to navigate the seas without having on board one citizen of the nation to which she claimed to belong. The crew were all foreigners; a Spanish merchant exercised over her all the rights of ownership; and she received her outward cargo and her slave-trading equipment in a Spanish port, to which, according to the declaration of the late master, she intends to return when her business on the coast is completed. There is nothing to connect her with America but her Baltimore register, and the recognition of her American character by Mr. Smith, the United States vice consul at the Havana. Nor could she ever have been intended to be employed in the commerce of America; for, on the day after the American register was obtained, she sailed for Havana, with a power of attorney on board to sell her forthwith. Under these circumstances, all that the captor required to procure the condemnation of the 'Hazard' as a Spanish vessel engaged in the slave trade, was the right to avail himself of discoveries produced by his visitation and search."

Annexed to the despatch of the British commissioners, from which the above is an extract, will be found an abstract of the various papers and letters discovered on board the "Hazard." The especial attention of the United States Government is invited to those papers, as not only containing evidence of the nefarious employment of the American flag in this one instance, but as throwing important light upon the constant and regular system of fraud which is now practised for the purpose of covering the African slave trade by the use of the American flag; and for the prevention of which the United States consular agents at the Havana have certainly not exerted the necessary vigilance.

It will be seen, by reference to a correspondence which took place in the month of January last, between Her Majesty's commissioners at the Havana and the United States consul at that port, (copies of which correspondence are among the enclosed papers,) that the United States consul at the Havana continues to receive with reluctance and ill will, and with a singular want of courtesy, whatever useful evidence and information is tendered to him by Her Majesty's commissioners respecting the evasions and violations of the American law for the suppression of the

slave trade. Her Majesty's Government have reason greatly to regret this disposition on the part of an authorized agent of the United States.

It is to be remembered that the two Governments have mutually engaged to each other, by the 10th article of the treaty of Ghent, that they will "use their utmost endeavors to promote the entire abolition of the slave trade;" and it would seem to be no more than was required by the respect which the agents of each country must feel for the other, that they should not only themselves act in strict accordance with the spirit of the engagement which their own Government has contracted, but that they should with readiness and cordiality furnish to, and receive from, the agents of the other Government, any evidence or information which may be calculated to enable that other Government more effectually to accomplish the common purpose.

It will likewise have been observed that the United States consul at the Havana is reported to have been in the habit, during the absence of a regular Portuguese agent, of exercising the functions of Portuguese as well as American consul for that port. The extreme imprudence of this arrangement will surely be acknowledged, when it is considered that the subjects of Portugal are the most inveterate and audacious slave dealers that infest the ocean, and that the port of Havana has long been one of the most notorious and offensive slave marts on the globe.

It also appears, as will have been seen by the official reports above cited, that the United States consul at the Havana, when clearing out vessels notoriously about to be employed in the slave trade, has followed the extraordinary practice of affixing his name to *blank forms*, to be filled up at pleasure by the persons in command of those vessels. Her Majesty's Government would deeply regret to discover that an authorized agent of the United States, possessing apparently the confidence of his Government, had directly and intentionally lent his assistance to the detested traffic in slaves; but the undersigned must repeat, that the extraordinary and unaccountable conduct here reported must inevitably produce the same effect as wilful and criminal connivance.

With reference to this part of the subject, the undersigned will next call the attention of the United States Government to certain facts connected with the conduct pursued in the American consulate at Havana, which transpired upon the trial of the Portuguese slave vessel the "*Dolcinea*," an official report of which trial, furnished by the British commissioners at Sierra Leone, and annexed to their despatch to Her Majesty's Government of the 5th of December, 1838, is placed amongst the enclosed papers.

The "*Dolcinea*" was captured north of the line, under Portuguese colors, with 253 slaves on board, by Commander Popham, of Her Majesty's sloop "*Pelican*," on the 31st of October, 1838; and, being brought for adjudication before the British and Portuguese court of mixed commission at Sierra Leone, was condemned as a good and lawful prize, on the 3d of December of the same year. The papers found on board the vessel showed that she had wrongfully assumed the Portuguese flag; and that the illegal adventure, in the course of which she was captured, was in its character essentially Spanish. Two certificates, signed by Mr. Trist, United States consul at the Havana, acting apparently in the character of Portuguese consul, also were attached to the matricula, or muster roll, of the crew of the "*Dolcinea*." One of these certificates declared that the individual who acted as master of the vessel had received his appointment to

that office from the agent of Mr. Caldas, the person who was named in the register of the "Dolcinea" as Portuguese owner of the vessel; and the other certificate stated that the schooner "Dolcinea" carried a crew of sixteen men. In contradiction to the first-mentioned certificate, the master himself declared that he had received his appointment from Mr. Silva, a Brazilian subject settled at the Havana; and the master declared, further, that Mr. Silva was sole owner of the vessel, and owner of the greater part of the cargo. The other certificate seems to have been framed for the purpose of supporting the matricula or muster roll; but that document was very irregular and suspicious, since it was drawn up according to the form of the muster rolls of slave vessels, without mentioning the name of a single officer of the vessel; and it bore no marks of having been submitted to the Spanish authorities of the port from whence the vessel sailed. It is possible that both the declarations (the one attested in the certificates, and the one sworn to by the master) were equally false; but in any case it appears upon the face of these documents that the seal and signature of the United States consulate was lent to attest gross inaccuracies, and to sanction fraudulent practices devised for covering illicit slave trade. Her Majesty's Government earnestly hope that the Government of the United States will order a strict investigation to be made into the facts here denounced, and will cause such strict regulations to be enforced for the future as may prevent a repetition of such culpable practices.

The undersigned regrets to add, that the case of the "Victoria," a vessel condemned at Sierra Leone, in the month of January last, as a Spanish slaver, although wrongfully and fraudulently assuming the Portuguese flag, furnishes still further and more recent evidence of the extraordinary practices followed in the consulate of the United States at Havana, tending to afford the sanction of the seal and signature of that consulate to notorious and almost avowed undertakings of slave trade and piracy. The details of this case are given in full (among the enclosed papers) in a despatch from Her Majesty's commissioners at Sierra Leone, dated the 31st of January, 1839, with a report of the trial annexed.

With reference to the case of the slave-trading vessel (the "Eagle" of Baltimore) which was recently brought into the harbor of New York, in charge of a British officer and prize crew, and which has finally been delivered back into the hands of the captor, as Spanish property, by the decision of the judicial authorities of the United States, some important additional information respecting the character of that vessel, and respecting her previous slave-trading voyages between Africa and Brazil, under the protection of the American flag, is furnished by the British commissioners at Sierra Leone, in a despatch to Her Majesty's Government of the 12th of February, 1839. Before being finally captured by Her Majesty's ship "Buzzard," the "Eagle" had already (as has been stated in a former part of this note) been visited and detained in Lagos roads, on the coast of Africa, by Her Majesty's ship "Lily," Captain Reeve, commander, upon suspicion of being employed in illicit slave trade on Spanish account. Her protection under the American flag constrained the British and Spanish mixed commission to decline entertaining the case. In transmitting to Her Majesty's Government an abstract of the papers found on board the "Eagle," the British commissioners offer the following statement: "The 'Eagle' obtained an American register at Baltimore on the 1st of December, 1837, and on the same day her owner took measures to effect a sale of her. Being

built and intended for the slave trade, she was at once despatched to Havana, where she was soon after disposed of. Who became the real owner, it is difficult to say; but the ostensible owner was the present master, (Joshua W. Littig,) to whom every assistance for clearing his vessel for the coast was rendered by the consul and vice consul of the United States at Havana. On the 9th of May, 1838, the 'Eagle' was cleared out at the Havana, with a regular slave equipment, for the island of St. Thomas, although Mr. Consul Trist, in a certificate, on the following day, declares that she was bound to Whydah, and the log shows that her real destination was Lagos. The crew shipped at Havana, with the sanction of the American consul, were all Spaniards, and agreed to serve under the American, (Littig,) '*or whoever should go for master,*' on a voyage to Whydah, or '*wherever the master may direct.*' Accordingly, having reached this coast, and having been loaded at Lagos, they proceeded to Brazil, and entered into the port of Bahia on the 16th of September, 1838, after having landed (as there is every reason to believe) a cargo of slaves somewhere in the immediate neighborhood. Mr. Foster, the American consul at Bahia, disregarded the absence of any clearance or authority which would justify the 'Eagle's' appearance at Bahia, as if it were allowable for a vessel to wander over the world, from one quarter of the globe to another, in defiance of her papers. He overlooked the complete slaving equipment which she carried, and the Spanish crew by which she was navigated. Indeed, he added twelve Spanish seamen to her muster roll, and then despatched her to the coast of Africa, ballasted with slave leaguers, and with a cargo of tobacco worth \$20,000, shipped by the oldest slave dealer in Brazil, and consigned to the order of an Havana merchant at Lagos. In addition to the twelve Spaniards added to the former Spanish crew at Bahia, six other Spaniards were there shipped, furnished with passports as passengers bound to the coast of Africa. These persons were, however, in like manner seamen, and were still on board the 'Eagle' when detained by Her Majesty's sloop 'Lily,' two months after their arrival on this coast. A crew of twenty-seven Spaniards and one American on board a vessel so furnished, both from its composition and numbers, sufficiently showed the real character of the expedition for which they were engaged. From some amongst the papers which relate to another American brig, the 'Teazer,' we discover that Joshua W. Littig is no novice in the art of making the American flag subservient to the slave-trading adventures of Spanish and Brazilian merchants. We have been more particular in detailing the facts of these American cases, from the belief that they would be made the subject of representations to the American Government. Although the flag of the United States has been so extensively employed in the slave trade, that it is now met with in every slave haunt on the coast, it is only lately that such has been the case. The immediate causes which have led the slave dealers to invoke its assistance were: first, the expressed determination of America not to be a party to any convention on the subject of the slave trade; secondly, the concession of an equipment article by Spain; and, thirdly, the practical adoption of the principle, that in cases where the right of visitation and search exists, the national character of a vessel may be fixed by the residence of her merchant owner, and by the course of trade in which she is engaged, in opposition to the presumption arising from her flag and register. Three years ago, the abuse which now so universally prevails as to be a matter of every-day occurrence, was only a subject of anxiety and

apprehension. In a despatch which we had the honor to address to your lordship on the 2d of January, 1836, speaking of the various means which, in our opinion, would be used to escape from the operation of the new Spanish treaty, the commissioners remarked: 'It seems probable that the flag of the United States may be made use of for the same purpose, particularly by those vessels intending to trade north of the line.' And, again, in the same despatch: 'American vessels will, we have no doubt, be employed in assisting slave adventures, by conveying to the coast, without fear of detention, all the articles necessary for the outfit of a vessel on her return voyage, and which, if found on board of one of the vessels for whose use they are intended, would at once lead to her condemnation.' At the very same time that the above despatch was written, the commissioners at the Havana expressed, in their despatches to your lordship, similar opinions and apprehensions. Since then, the unfavorable anticipations, which our experience had taught us on both sides of the Atlantic to form, have been too fully realized."

The above extracts sufficiently denounce the open and audacious manner in which the flag of the United States is now assumed by the slave traders of Spain and Brazil; and it is also evident therefrom, that the United States consuls at Havana and at Bahia have not interfered to prevent it.

Mr. Bartlett, British consul general in the Canary islands, states, in a despatch to Her Majesty's Government of the 31st of July, 1839, that on the 15th of that month a vessel, under the American flag, called the "Two Friends," suspected on very strong grounds to be engaged in the slave trade, arrived at the port of Santa Cruz, in Teneriffe. It appears from the evidence contained in the documents annexed to Mr. Bartlett's despatch, that the said vessel (the "Two Friends") left the Havana, bound for New Orleans, with a Spanish captain and a crew of eleven men, and with a Spanish flag flying; that at New Orleans American papers were procured, an American flag hoisted, and a new crew of sixteen men entered as Americans, although none of them were natives of the United States; and the Spanish captain and crew were then, as is customary on slave-trading voyages, entered on the papers of the vessel as passengers. The vessel was navigated under a bill of sale and a custom-house clearance from New Orleans, but she had no log book on board. From New Orleans she proceeded to Cabanas, in Cuba, and shipped at that place leg irons, coppers, bags of rice, and other articles belonging to the notorious equipment of slave traders. She then sailed for Africa, and landed the above slave-trading articles at Gallinas; and thence lastly proceeded, in the month of July of this year, to Santa Cruz, in Teneriffe, where some of her crew, having found that the vessel was engaged in slave trade, left her.

The above is a summary of the evidence regarding the voyage of the "Two Friends," of which the details will be found in the documents annexed to Mr. Consul Bartlett's despatch, which are placed amongst the enclosed papers.

One other important point to which the undersigned is desirous of calling the attention of the United States Government, is the fact of foreign vessels, fully equipped for slave trade, and notoriously destined for that illegal pursuit, being permitted to enter ports of the United States, refit, and again clear out, for the prosecution of their criminal enterprise.

It will be seen by referring to a despatch, herewith enclosed, from Her

Majesty's commissioners at Sierra Leone, dated July 31, 1838; that after reporting the case of the Portuguese slave vessel, the "Prova," a short while before captured on the African coast with a cargo of two hundred and twenty-five slaves on board, and condemned by the mixed commission, those gentlemen state as follows: "Stress of weather and damage received at sea compelled the 'Prova,' soon after she left the Havana, to put into Charleston to refit, and she remained there for nearly three months. The outward appearance alone of this vessel would, it might be supposed, have excited suspicion as to the real object of her voyage; but it is surprising that, fitted and equipped as she was for the slave trade, and with her leaguers and slave deck on board, she should have been permitted to clear out from an American port for the coast of Africa. Francisco José Dias, the master of the 'Prova,' deposed that the voyage commenced, and was to have ended, at Havana; that the last clearing port was Charleston; that the vessel was proceeding on her voyage from Havana to the African coast, when she carried away her jibboom, and received other considerable damage, which compelled her to go to Charleston, where she remained about *three months refitting*, and thence sailed direct to the Calabar, where her slaves were shipped."

Her Majesty's Government entertain a confident hope that the Government of the United States will adopt such measures as may be calculated to preclude, for the future, the possibility of vessels evidently employed in illicit slave trade refitting at their leisure, and again publicly clearing out from a port of the United States.

With a desire to avoid carrying the present note to an inconvenient length, the undersigned has limited himself to a consideration of the leading points contained in the enclosed papers. A number of further details will be found in those papers, well deserving the attention of the United States Government.

It would also be a superfluous duty for the undersigned to offer any lengthened observations on the remarkable manner in which the statements and arguments above recapitulated have been recently confirmed by the cases of the four vessels, the "Eagle," "Clara," "Wyoming," and "Catharine," captured under American colors, while engaged in illicit slave trade, and brought into the harbor of New York, in charge of British officers and prize crews. The whole details relating to these cases are already in the possession of the Government of the United States.

In conclusion, the undersigned has to state, that it remains the settled opinion of Her Majesty's Government, that the most sure and effectual means of checking the African slave trade would be afforded by a conventional agreement between Great Britain and the United States for the mutual exercise of the right of search, under due regulations, by the cruisers of the two nations; and the undersigned is instructed once more to urge this proposal upon the serious attention of the President of the United States. The regular, rapid, and frightful increase of the African slave trade, under the abuse of the American flag, which has been observed to take place since the period when the above proposal was last discussed, appears to Her Majesty's Government to offer a very strong argument in favor of a reconsideration by the United States of the decision then formed. If obstacles, which Her Majesty's Government are unwilling to anticipate, should still prevent the concurrence of the United States in such an agreement, Her Majesty's Government have only to express their anxious hope that the

Government of the United States may be able to devise some other effectual method, either singly, or in concert with Great Britain, for arresting the progress of a guilty and sinful traffic, which Her Majesty's Government are well convinced the Government of the United State do, equally with the Government of Great Britain, abhor, reprobate, and detest.

The undersigned avails himself of this occasion to renew to the Secretary of State of the United States the assurance of his distinguished consideration.

H. S. FOX.

Hon. JOHN FORSYTH,
Secretary of State of the United States.

SCHEDULE OF DOCUMENTS.

No. 1. Her Majesty's Commissioners to Viscount Palmerston. Havana, October 31, 1837.

No. 2. Her Majesty's Commissioners to Viscount Palmerston. Havana, December 20, 1837.

No. 3. Extract from a despatch from Her Majesty's judge at the Havana, dated August 22, 1838.

No. 4. Lieut. Kellett, R. N., to Rear Admiral Elliot. H. M. brig Brisk, at sea, October 23, 1838.

No. 5. Lieut. Kellett to Rear Admiral Elliot. H. M. brig Brisk, Sierra Leone, October 29, 1838.

No. 6. Rear Admiral Elliot to Charles Wood, Esq. Melville, at sea, February 6, 1839.

No. 7. Rear Admiral Elliot to Charles Wood, Esq. Melville, at sea, February 13, 1839.

No. 8. Extract from a despatch of Lieut. Holt, R. N., to Rear Admiral Elliot. H. M. brig Bonetta, Prince's Island, February 11, 1839.

No. 9. Lieut. Birch, R. N., to Commodore Sullivan, C. B. H. M. brig Wizard, off Bahia, November 12, 1838.

No. 10. Lieut. Birch, R. N., to Commodore Sullivan, C. B. H. M. brig Wizard, off Bahia, November 12, 1838.

No. 11. Lieut. Birch, R. N., to Commodore Sullivan, C. B. H. M. brig Wizard, off Bahia, December 20, 1838.

No. 12. Extract from a despatch of Captain Popham, R. N., to Rear Admiral Elliot. H. M. sloop Pelican, at sea, December 24, 1838.

No. 13. Extract from a despatch from Her Majesty's Commissioners at Havana. January 1, 1839.

No. 14. Extract from a despatch from Rear Admiral Elliot to Mr. Wood, dated Melville, Ascension, January 1, 1839.

No. 15. Lieut. Kellett, R. N., to Rear Admiral Elliot. H. M. brig Brisk, at Sierra Leone, August 8, 1838.

No. 16. A return of vessels engaged in the slave trade, searched and detained by Her Majesty's ships and vessels under the orders of Rear Admiral the Hon. George Elliot, C. B., on the Cape and African station, between October 1 and December 31, 1838.

No. 17. Commander Reeve to Charles Wood, Esq. H. M. sloop Lily, Gambia, April 2, 1829.

No. 18. Her Majesty's Commissioners at Sierra Leone to Viscount Palmerston. Sierra Leone, January 31, 1839. Two enclosures. Case of the Florida.

No. 19. Her Majesty's Commissioners at Sierra Leone to Viscount Palmerston. Sierra Leone, January 31, 1839. One enclosure. Case of the Hazard.

No. 20. Her Majesty's Commissioners at Havana to Viscount Palmerston. Havana, January 19, 1839. Four enclosures. Correspondence between the British Commissioners and Mr. Consul Trist.

No. 21. Her Majesty's Commissioners at Sierra Leone to Viscount Palmerston. Sierra Leone, December 5, 1839. One enclosure. Case of the Dolcinea.

No. 22. Her Majesty's Commissioners at Sierra Leone to Viscount Palmerston. Sierra Leone, January 31, 1839. One enclosure. Case of the brig Victoria.

No. 23. Abstract of the papers found on board the brig Eagle, J. W. Littig master.

No. 24. Mr. Consul Bartlett to Viscount Palmerston. Santa Cruz, July 31, 1839. Three enclosures. Case of the Two Friends.

No. 25. Her Majesty's Commissioners at Sierra Leone to Viscount Palmerston. Sierra Leone, July 31, 1839. One enclosure. Case of the Prova.

[Enclosure No. 1.]

HAVANA, *October 31, 1837.*

MY LORD: The following is the list of vessels that have cleared from this port, during the past month, for the coast of Africa, viz:

October 2. Portuguese schooner Felicidad, for San Tomé.

October 3. American schooner Washington, for Buena Vista.

October 18. Spanish schooner Union, for Santiago de Praya.

October 19. Portuguese schooner Estela, for Santiago de Praya.

October 20. American schooner Joseph Hand, for Cape de Verds.

Of the arrivals during the same period, we are only able to name two vessels—the Portuguese schooner Francisca, from San Pablo de Loanda; and the Ligera, from the island of Principe—though we have heard circumstances particularized which left no doubt in our minds of one or two others. It is, however, worthy of remark, that much more caution is now observed respecting vessels from the coast of Africa, as the signals for them at the Moro Castle have ceased to be made; and also the entries in the books of the coffee-houses where the merchants resort.

Of the vessels cleared at the custom-house for the coast of Africa, your lordship will perceive there are two Americans.

We have, &c.

J. KENNEDY.

EDW. W. H. SCHENLEY.

Viscount PALMERSTON, *G. C. B., &c.*

[Enclosure No. 2.]

HAVANA, December 20, 1837.

MY LORD: The following is a list of the vessels that have cleared out from this port for the coast of Africa during the last month:

- November 2. Portuguese schooner *Ligera*, for Isla de Principe.
- November 7. Swedish brig *Victoria*, for Cape de Verds.
- November 18. Portuguese schooner *Vigilanta*, for Loando.
- November 25. American schooner *Cleopatra*, for Cape de Verds.
- November 25. Portuguese schooner *Sies Igual*, for Cape de Verds.
- November 30. Portuguese brig *Triunfo de Loando*, for San Tomé.

Of these, the *Cleopatra* and the *Sies Igual* are entered in the names of the great slave dealers, P. Martinez & Co.

During the month, the following vessels have arrived from the coast of Africa:

- November —. Portuguese schooner *Manuelita*.
- November —. Do *Dos Hermanos*.
- November 16. Do *Olympia*, Silva, master.
- November 25. Do name unknown.
- November 28. Do *Velez*, Leusa, master.
- November 30. Do *Maria Teresa*, Malho.

Your lordship will perceive that all these vessels sail now under the Portuguese flag, though there is no doubt that most, if not all, are manned and owned by Spaniards. In addition to these, it ought to be added, that Lieutenant Jauney, now here in charge of the Spanish schooner *Matilda*, has brought information of the *Arrogante* (a vessel manned entirely by Spaniards, but under the Portuguese flag) having been captured, with 409 negroes on board, off Cape Antonio, by Her Majesty's sloop *Snake*; and it is further reported here, that the *Urmea*, also under Portuguese colors, has been taken by Her Majesty's sloop *Ringdove*, with 518 negroes on board, and sent to Sierra Leone.

We have, &c.

J. KENNEDY.

E. W. H. SCHENLEY.

Viscount PALMERSTON, G. C. B., &c.

[Enclosure No. 3.]

Extract from a despatch from Her Majesty's Judge at the Havana, dated August 22, 1838.

Another vessel of the like character arrived here the 4th instant, and is thus reported in the *Diario* of the 5th.

From Baltimore, in twenty-four days, the American ship "*Venus*," Captain Wallace, tons 460, with bricks to Don José Mazorra—passengers, two. Of this vessel there is the following notice in a Baltimore paper (the *American*) of the 4th of July: "A noble corvette ship, the *Venus*, Captain Wallace, pierced for eighteen guns, built in this city on foreign account, is also ready for sea. She is, we learn, the sharpest clipper-built vessel ever constructed here, and, according to the opinion of nautical men, must out-sail any thing that floats." The consignee's name, (Mazorra,) your lordship

will remember to have had reported several times, and it is said he is half owner of the *Venus*. I have not learned whether she is actually to sail with long guns; but I have heard reports of two other vessels having been prepared during last month with six guns each, and that one was to sail equipped to cope with any cruiser on the coast.

The "*Venus*" is destined for Mozambique, and is arranged to bring as many even as one thousand negroes; in which case, it is said, she would clear to the speculators from \$100,000 to \$200,000 in her first voyage—her cash price being estimated at \$50,000, and the expenses of cargo and slaves at another \$50,000.

On the subject of vessels going equipped under the American flag to the coast of Africa, there to be pretended to be transferred for the first time to some Portuguese or Spanish owner, I have had several conversations with the American consul at this place, a gentleman of high character and of considerable reading and observation. I regret, however, to say, that I have received only the most discouraging replies on every point relating to the prohibited traffic; and to add, that this seems the general feeling here of the American community. They all seem to declare that it would be a question not to be entered on—of inquiring into their equipments—as interfering with their trade, not knowing how far such interferences might be led to extend; and that England may as well think of closing up the workshops of Birmingham, where they say the bolts and shackles are manufactured, as call on America to forbid the sailing of vessels equipped with them. In answer, I have not hesitated to express my disbelief of the shackles coming from Birmingham, and to declare my full conviction that at no port whatever in England would they allow any such articles to be shipped, had they any idea of their being intended for such a purpose.

I regret to have also to inform your lordship, that during the suspension of the Portuguese consul, as I have previously stated, the American consul has been acting *pro tempore* in that character; thus unquestionably giving a certain degree of effect to the abuse of the flag of his republic, under its association with the slave trade, and the pretended transfers to other owners on the coast of Africa.

[Enclosure No. 4.]

HER MAJESTY'S BRIG "*BRISK*," AT SEA,
October 23, 1838.

SIR: I have the honor to call your attention to the case of the brig "*Diligente*," condemned in the Spanish mixed commission court to Her Majesty's brig "*Brisk*," under my command.

This vessel was condemned at Sierra Leone in December, 1836, as the "*Paquete de Cabo Verde*," sold to a Mr. Lake, and transferred by bill of sale of the 2d of January, 1837, to Miguel Bentinotte, (a Spanish slave dealer at the Gallinas,) for £1,000. This notorious character arrived at Sierra Leone for the above purpose, and cleared out under Spanish colors for the Havana in April, 1837. She then visited several ports in old Spain, and ultimately arrived at Cadiz on the 30th September, 1837. It would appear from a fictitious bill of sale, dated the 2d of January, 1837, at Cadiz, that the vessel was sold as the "*Ferroz Africano*," to Gabriel Lopez, attor-

ney to Francisco Cordova de Mello, of Cape Verd islands, who is the nominal owner of all Spanish vessels which, since the treaty with Spain in 1835, have been transferred to the Portuguese flag.

It will appear that this vessel, after a sham bill of sale, received a passport from the Portuguese consul general at Cadiz, dated 5th January, 1837, and her name changed to the "Diligente," at the very time that the vessel and owner were at Sierra Leone, and then only two days in his possession. It has appeared that the master and mate are on the roll dated 5th January, 1837, and the master's name in the passport of the same date; though, in evidence given before the court of mixed commission, they swear they never saw the vessel until 1838.

I beg leave to call your attention to the conduct of the consul of Her Most Faithful Majesty, aiding and assisting in carrying on the slave trade, contrary to the solemn treaty entered into by her Government. This most glaring case of fraud could not have been completed without the assistance and connivance of the authorities of Her Most Christian Majesty at the port of Cadiz.

I beg leave also to call your attention to the case of the American schooner "Mary Hooper," Charles M. Bergstian, master and owner, belonging to Philadelphia. She sailed from Havana the 28th May, 1838, for Port Praya, and was consigned to a notorious slave dealer at the Gallinas. This vessel, when last boarded by the "Brisk," was lying off Tradetown, ready to take on board a cargo of slaves. This I believe is not the first instance in which the American flag has been made use of for the purpose of screening offenders from Her Majesty's ships. If this case is successful, I fear the difficulties of Her Majesty's squadron in suppressing the slave trade on this coast will be multiplied, as I feel confident we shall in the succeeding season have numerous vessels carrying on this abominable traffic in a similar manner, when it can be done with such impunity. I am satisfied she has also Portuguese papers, which the master partly admitted (when I first boarded her) he had received at Port Praya. Did she, on her arrival in the West Indies, meet a United States ship of war, she has Portuguese papers, and American for Her Majesty's ships, which will in all probability be the means of her being successful.

The consul of the United States at the Havana has assisted in clearing this vessel out.

I have, &c.

A. KELLETT,
Lieutenant commanding.

Rear Admiral the Hon. GEORGE ELLIOT, C. B., &c.

[Enclosure No. 5.]

HER MAJESTY'S BRIG "BRISK,"
Sierra Leone, October 29, 1838.

SIR: I have the honor to inform you that on the 27th instant, in latitude 8° 32' north, and longitude 13° 30' west, I boarded and seized the schooner "Mary Anne Cassard," under American colors. I have to state that this vessel was lately sold by Gilbert Cassard, of Baltimore, by power

of attorney, to Messrs. Hernandez and Basden, of Matanzas, and received her cargo there; when sold, the register of the vessel was cancelled. She had no American papers but the roll, which was signed by the United States consul at Matanzas. The crew are composed of one British subject, the master, (who was formerly in Her Majesty's brigantine the "Lynx," on this coast, and was paid off in her;) the remainder are all Spaniards. This vessel I have put into the Spanish mixed commission court for adjudication, being clearly of opinion that she is Spanish property, fitted and equipped for the slave trade.

I have little doubt that, when at Bonavista, on her voyage to the coast, she received Portuguese papers; she has also a Portuguese flag. I propose, when the examinations of the master are taken, to lodge information against and commit him for trial as a British subject engaged in the slave trade. I have on board the "Brisk" an armorer's mate, who formerly served in the "Lynx," and was a messmate of the individual from fifteen to eighteen months.

I think, sir, the case of this vessel will have this good result—that it will prove to the individuals carrying on the nefarious slave traffic that fraud and deception will not always be successful.

I purpose proceeding to-day to the rivers to the northward, having received information that there are slave vessels there.

I have, &c.

ARTHUR KELLETT,

Lieutenant and Commander.

Rear Admiral HON. GEO. ELLIOTT, C. B., &c.

[Enclosure No. 6.]

MELVILLE, AT SEA *February 6, 1839.*

SIR: I beg leave to enclose, for the information of my Lords Commissioners, an extract of a letter from Captain Popham, of Her Majesty's sloop "Pelican," under date the 24th December last, and three letters from Lieutenant Arthur Kellett, commanding the "Brisk;" by which their lordships will see the protection which slave vessels receive from assuming the Portuguese and American flags.

The seaman on board the "Mary Anne Cassard," alluded to in Lieutenant A. Kellett's letter of the 20th October, 1838, who passed for the American captain, was, I believe, an American by birth, though, wishing to be received on board the Lynx, he had passed himself as an Englishman in that vessel; the man was unable to navigate any vessel, and was merely engaged to pass as the American captain when boarded by a British man-of-war; she had her Portuguese papers and colors on board all the time, as was proved when she was captured a month afterwards by the same vessel, ("Brisk,") which she mistook for a French brig cruising on the same part of the coast, and consequently assumed the Portuguese character, having her slaves then on board.

Several of the slave dealers have declared their intention to have an American sailingmaster in each vessel, and American colors; and some have had the impudence to assert that the Government of the United States

would not discountenance such practices by any *act* or agreement which could prevent such gross abuse of the American flag, and such direct violation of their own laws.

Her Majesty's sloop "Lily" has sent in a Spanish vessel under American colors; her whole crew Spanish, but with a pretended American captain on board. I was also informed by the American barque "Active" (and where they seemed delighted at the occurrence) that the "Saracen" had detained a Spanish slave vessel at the Gallinas under American colors.

The probable object of using the American flag will be to protect the vessels up to the time of the cargo being ready for shipment; then to go through the farce of selling the vessel to a Portuguese or Spaniard.

But, in case of the capture of vessels with *slaves on board*, under the *American flag*, I should beg to know what is to be done with the man passing for the American captain.

The actual sale of nearly all the slave vessels in question takes place at the Havana, where one man is engaged to personify an American captain; but they seem very indifferent as to having any American papers. The mere flag, in their opinion, is sufficient; and as they are all provided also with their proper national flag, they are prepared in case of meeting an American vessel of war.

I must crave their lordships' early instructions on this growing evil and abuse, which I feel is much too disgraceful to meet with any countenance, direct or indirect, from the Government of the United States.

I have, &c.

GEORGE ELLIOT,

Rear Admiral and Commander-in-chief.

CHARLES WOOD, Esq., &c.

[Enclosure No. 7.]

[EXTRACT.]

MELVILLE, AT SEA, *February 13, 1839.*

SIR: I have the honor to forward, for the information of my Lords Commissioners of the Admiralty, a copy of a letter from Lieutenant J. L. R. Holt, commanding Her Majesty's brigantine "Bonetta;" by which, and my former letters, it will be observed that the use of the American flag is becoming rapidly more general in the protection of the Spanish slave vessels.

Of American flags used for this purpose, there are more than twice as many at present on the coast; and in so barefaced a manner do they proceed, that some have not even one American to personify the captain, but satisfy themselves with furnishing one of the crew with a certificate of naturalization for the occasion.

If Her Majesty's ships were at liberty to send some of these pretended Americans to the United States, and the Government of that country were to uphold the honor of their flag, by subjecting such lawless felons to prosecution and punishment, it would soon put an end to the nefarious usurpa-

tions of their flag by the most notorious slave dealers belonging to Spain and Portugal.

GEORGE ELLIOT,

Rear Admiral and Commander-in-chief.

CHARLES WOOD, Esq.,
&c., Admiralty.

[Enclosure No. 8.]

[EXTRACT.]

HER MAJESTY'S BRIG BONETTA,

Prince's Island, February 11, 1839.

On my passage to Accoa, with the prize crews of Her Majesty's sloop Pelican, I boarded, on the 23d day of January, a very fast new American Baltimore schooner, in ballast, evidently intended for the slave trade; all his crew Spanish, and her master, I believe, a Frenchman, but declaring himself a naturalized American. Papers correct.

J. L. R. HOLT,

Lieutenant commanding.

[Enclosure No. 9.]

HER MAJESTY'S BRIG WIZARD,

Off Bahia, November 12, 1838.

SIR: I beg to submit to your notice the following statements, relative to the extensive share the American flag has in forwarding and covering the traffic in slaves carried on by parties in the port of Bahia.

The American brig Dido, of Baltimore, (her master, Phillips, and Manuel, supercargo, when under American colors, and *vice versa* when under the Portuguese colors,) left the Havana about March, 1837, with a general slave cargo, consisting of arms, ammunitiⁿ, spirits, tobacco, &c.; touched at Port-au-Prince, St. Domingo, also at Bonavista, Cape Verd islands, where it is probable she got Portuguese papers after the usual sham sale was effected; from thence she proceeded to Oney, river Lagos, in the bight of Benin, and, after having there disposed of her cargo, visited Whydah, where she provisioned. Returning to Lagos, she finally sailed, with five hundred and seventy-five slaves on board; her crew consisting of Phillips, master, Manuel, supercargo, second mate a relation of Phillips, an American mulatto, a Sicilian, (since murdered at Bahia,) a Norwegian, two Portuguese, and an Englishman, James Fox. After a three weeks' passage, she made the sand hills, to windward of Bahia. On reconnoitring the port, Her Majesty's sloop Sparrowhawk was observed at anchor; upon which they hauled off, hoisting, however, their distinguishing flag forward, and American colors abaft, which was acknowledged from the village outside the bar. That same evening five hundred and seventy slaves (five having died on the passage) were landed close to the point Itaparica, at the village.

During the night, the *Dido* was cleared out, and made her appearance in Bahia next day under American colors.

The above confirms what I had before learnt from report off Bahia.

James Fox, now serving in the *Wizard*, states that he would have no objection to make oath to the truth of the above statement, provided security was warranted against his being tried for a misdemeanor, or otherwise punished for his share in the transaction.

James Fox received \$75 a month as wages, and \$100 bounty when the slaves were landed.

The *Dido* was under Portuguese colors at Lagos.

The *Dido* left Bahia again on the 27th of July, with a general cargo, for the coast, and was reported by the *Mary Cushing*, of Baltimore, as having been left by her, in September, in Lagos river, in the bight of Benin.

I have, &c.

THOMAS F. BIRCH,
Lieutenant and Commander.

Commodore SULIVAN, C. B., &c.

[Enclosure No. 10.]

HER MAJESTY'S BRIG *WIZARD*,
Off Bahia, November 12, 1838.

SIR: I have the honor to report that we boarded, on the 16th of September, off Point St. Antonio, Bahia, the *Eagle*, of Baltimore, a two-top-sail schooner of two hundred and ten tons, under American colors, John Littig, master, with a crew and passengers, (in all, twenty-one men,) from St. Thomas on the line, in ballast. Her American papers were produced, and I did not conceive myself warranted in searching her. It was reported in Bahia that she had landed slaves to the northward, and her appearance on boarding warranted the suspicion.

The Brazilian authorities appear to have been satisfied, as, on the 19th of October, she sailed with a general cargo for the coast of Africa.

I have, &c.

T. F. BIRCH,
Lieutenant commanding.

Commodore SULIVAN, C. B., &c.

HER MAJESTY'S BRIG *WIZARD*,
Off Bahia, December 20, 1838.

SIR: I have the honor to report that, on the 9th of November I boarded, off Bahia, the American schooner *William Ridgway*, John Chase, jr., master and part owner, with flour for the market. After discharging, she was offered for sale, and would have been sold to parties for the slave trade, but the bills tendered could not be negotiated, and she left Bahia on the 19th December, for Baltimore.

John Chase, jr., last voyage, sold *Juliana* schooner to parties in Bahia. She sailed for the coast of Africa about the 30th July, with a great cargo. It is said she will take slaves to the Havana. John Chase, jr., told me he had on the stocks a vessel, to be called the *Mariana*, nearly ready, but built

expressly for the slave trade, and that, by God, he would build as long as he could find purchasers.

I have, &c.

T. F. BIRCH,

Lieutenant commanding.

Commodore SULIVAN, &c.

[Enclosure No. 11.]

HER MAJESTY'S BRIG WIZARD,

Off Bahia, December 20, 1838.

SIR: I have the honor to report that Her Majesty's brig boarded, on the 10th of November, off Bahia, the *Mary Cushing*, of Baltimore, schooner of one hundred and forty tons, under American colors, Reynolds, master, with a crew of ten men, all either Portuguese or Spaniards—from Lagos and Prince's island, in ballast, bound to Bahia.

Her master volunteered leave to inspect between decks. Four leaguers, and about twenty water casks, were observed in her hold, and also a quantity of loose planks. Her range and coppers were much larger than those generally used in merchant vessels.

In Bahia, it was known she had been sold to parties at the Havana for the purpose of slaving; that the former American master remained on board with her register, that she might still bear the flag of the United States.

From the Havana, she went to Oney, river Lagos, for the purpose of taking in slaves; but, being closely watched by one of Her Majesty's cruisers, she, after a stay of some weeks, sailed, and finally came to Bahia in ballast. She is expected shortly to sail for the coast with a general cargo, and the first good opportunity that offers will ship slaves, when the American master will leave with his register, and the first mate will take charge, with the sale policy effected in the Havana.

The master observed to the boarding officer, upon some allusion being made to the American colors he had flying, that, had he negroes on board, we should not see those colors up.

I have, &c.

THOMAS F. BIRCH,

Lieutenant and Commander.

Commodore SULIVAN, C. B., &c.

[Enclosure No. 12.]

[EXTRACT.]

HER MAJESTY'S SLOOP PELICAN,

At sea, December 24, 1838.

The active and undisguised assistance given to the slave trade by citizens of the United States of America is as notorious as it is disgraceful. The American flag has in several instances given protection to Spanish and Portuguese traffickers in human beings. The last instance was too shameful to pass unnoticed.

A ship, called the Venus, of four hundred and fifty tons, built at Baltimore, on the most approved model for swift sailing, arrived at Lagos, from Boston, on or about the 5th of November last. About the 24th of the same month, she sailed from Lagos with a very large cargo of slaves, said to amount to eleven hundred and fifty. The American flag and papers (in possession of Mr. Phillips, the commander, of Baltimore) protected her until a few days before she sailed; when he left, and the Portuguese flag was substituted for the American. It is therefore evident that, under the American flag, she was perfectly ready for the reception of slaves.

On the 28th of November, about a hundred miles south of Lagos, the Pelican chased this ship, and at first gained on her; but she was lightened by throwing her deck cargo and spars overboard, then sailed away from us with ease, although every effort was made to come up with her. On the 30th, somewhat southeast of where our chase commenced, we picked up two spare topmasts, a topsail yard, and main topgallant mast of very large dimensions, quite new, and evidently but a day or two in the water. This confirmed what I heard in Lagos respecting the Venus.

We boarded then a large American brigantine, discharging a cargo for the purchase of slaves. Mr. Littig, the *soi-disant* owner and commander, said the cargo was Portuguese property, and that he hoped the brigantine soon would be. This is the third vessel brought out (the first and second sold for the slave trade) by the same individual.

Lieutenant Holland, of the Dolphin, could give you the fullest information respecting the Venus, as he often boarded her at Lagos.

The Pelican sailed from West Bay, Prince's island, on Saturday, the 15th of December, for Ascension. On Monday, the 17th, at daybreak, a suspicious sail was reported as being very close to us. She immediately tacked; we made all sail in chase, and, at 7 o'clock, A. M., detained the Portuguese slave schooner Magdalena, with a cargo of three hundred and twenty slaves, from the river Bras, or Nun. Among her passengers was a citizen of the United States, (Mr. Huntingdon,) who had, on the 1st of December, made over to a Spaniard the schooner Ontario, of Baltimore. Her sale was no doubt effected at Havana, although the bill of sale mentioned it to have taken place in Bras.

In this instance, the American flag gave unqualified protection to the slave trade, for the Ontario was boarded by the boats of Her Majesty's ship Viper, in November; and she was then reported as preparing for the reception of slaves, but having American papers and colors.

After a little conversation with the Portuguese commander of the Magdalena, he informed me that the Ontario was in company on Sunday afternoon. This information was taken immediate advantage of, and sail made on a N. W. by W. $\frac{1}{2}$ W. course. Tuesday, at daybreak, after a fine run, a sail was seen to the westward. The morning was thick and rainy; but, at 10 o'clock, A. M., the weather cleared up, and I despatched Lieutenant Marsh, with the two gigs, to capture the Ontario. This he did at 11 h. 30 m. A. M., with two hundred and twenty slaves on board. She was under Spanish colors, but had no papers whatever. "Ontario, of Baltimore," was painted in large letters on her stern.

Both these vessels I sent to Sierra Leone for adjudication; informing the British commissioners of my intention to detain the American (Huntingdon) until I received your orders respecting the disposal of him. However, on a careful perusal of the instructions in my possession, and of the cor-

And in the past year, the numbers are—

Portuguese	-	-	-	-	-	-	-	42
American	-	-	-	-	-	-	-	19
Spanish	-	-	-	-	-	-	-	6
French	-	-	-	-	-	-	-	1
Brazilian	-	-	-	-	-	-	-	1
								<hr/>
							Total	- 71

So that, while your lordship's efforts have been successful in inducing the Spanish Government to deter their subjects from adventuring under their flag in this traffic, and may be equally successful with the Portuguese, it appears that the American flag will be at the command of whoever chooses to embark in such inhuman speculations.

We have only further to add, and it is with great regret, that, on account of the new plantations, the demand for negroes in the market is as high as ever, and the price, therefore, remains proportionally high also; consequently, the inducement to prosecute the trade will continue the same, so long as those inclined to engage in it may find protection from the Governments which refuse the only co-operation that would be effective to control them.

[Enclosure No. 14.]

Extract from a despatch from Admiral Elliot to Mr. Wood, dated

"MELVILLE," ASCENSION, *January 1, 1839.*

I beg leave again to call their lordships' attention to the circumstance of the American consul at the Havana affixing his signature to the papers of vessels about to be engaged in the detestable traffic alluded to, under the Portuguese flag, as stated by Lieutenant Arthur Kellett, of Her Majesty's brig "Brisk," and in the report of Lieutenant Oliver, of the "Fair Rosamond;" as well as the said consul signing blank forms, to be filled up at the pleasure of the persons in command of these vessels.

[Enclosure No. 15.]

HER MAJESTY'S BRIG "BRISK,"

Sierra Leone, August 8, 1838.

SIR: I have the honor to inform you that I arrived here this day from the river Gambia, where I had been, in obedience to your orders, to put myself in communication with the Governor of that settlement. I remained there twelve hours, and have called in here for information, which I expect to receive, relative to the sailing of slavers from the Shérbro and Gallinas; for which cruising I proceed to-morrow. I have to inform you that, during my late cruise to the Gambia, I boarded the Portuguese schooner "Senhora de Bom Viagem," from the Havana, at which place she cleared out for Porto Praya, but did not call there, and was on her way to

the island of St. Thomas. I beg to state that I examined her papers, and found that the American consul at the Havana had signed all her papers; his reason for so doing being expressed in them, viz: "there being no Portuguese consul or other authorized agent there, from the Portuguese Government, to do so."

I have, &c.

ARTHUR KELLETT,
Lieutenant commanding.

Rear Admiral the Hon. GEORGE ELLIOT, &c.

[Enclosure No. 16.]

A return of vessels engaged in the slave trade searched and detained by Her Majesty's ships and vessels under the orders of Rear Admiral Hon. G. Elliot, C. B., on the Cape and African station, between the 1st Oct. and the 31st Dec., 1838.

Name of prize.	Under what colors.	How rigged.	No. of guns.		No. of slaves on board.	When and where taken; if at sea, latitude and longitude.	Whence.	Whither bound.	No. of days out.	Remarks.
			No. of men.	No. of tons.						
Paquete— 1. "Felis"	Portuguese	Two-topsail brig.	29	115	196	July 19, 1838, lat. 4° 15' N., long. 7° 30' E.	Bonny	St. Jago de Cuba.	1	
2. "Constitucao"	Portuguese	Two-topsail schooner.	24	115	None	Accoa Roads	Havana	St. Paul de Loando and Matanzas.	64 from Havana.	She produced a Cape Verd island paper, dated 10th December, 1837, stating her to be <i>American</i> built, in which the name of the captain differs from that on the muster roll; found Spanish custom-house clearances, to which are affixed the name of Mr. Trist, as American consul, there being no Portuguese at the Havana; all eleven passengers had Spanish passports, and evidently held the highest offices on board; one stated himself to be the owner of both vessel and cargo; found in his desk certificate of his birth as a Spaniard, and several printed forms, signed by Mr. Trist, left blank, for them to fill up at pleasure; found a Spanish log in the main hold, and a Spanish <i>en-sign secreted</i> . She had four men neither accounted for by muster roll nor passports; making a total of thirty-nine. Her cargo is rich, consisting of powder, spirits, silks, Manchester goods, and tobacco; has slave irons, plank for deck, large coppers, and leaguers.
3. "Dolcinea," detained by Pelican.	Portuguese	Schooner	16	80	253	31st October, lat. 4° 16' N., lon. 3° 44' E.	Lago	Havana	-	Six slaves had died; the remainder were healthy; the vessel in good order; her sails new.

MELVILLE, ASCENSION, January 1, 1839.

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[Enclosure No. 17.]

HER MAJESTY'S SLOOP LILY,

Gambia, April 2, 1839.

SIR: Having captured a vessel under American colors, lying at Lagos, called the *Eagle*, (the entire crew of which were Spaniards, with the exception of a man calling himself both master and owner,) I sent her to Sierra Leone for adjudication; but the mixed commission court have refused to decide, on the ground that the ship's papers produced set forth that she is an American vessel; when captured, she was last from Havana, and answered the description sent by the Admiralty to the commander-in-chief, of a vessel employed in the slave trade, called the *Tres Amigos*, under Portuguese colors, about to sail from Maranham; she was sold at the Havana, and the American vice consul attested the sale, and granted American papers. Three other vessels had been captured under like circumstances, by the *Brisk*, *Saracen*, and *Forester*, and the court had acted in like manner; one of which was afterwards taken with slaves on board: she then hoisted Portuguese colors.

I have to request you will be pleased to acquaint my Lords Commissioners of the Admiralty with the circumstance, that immediate steps may be taken to check the protection of that flag to the slaver, or it will be useless for Her Majesty's cruisers to be employed in the suppression of that inhuman traffic.

A day before I left Sierra Leone, a vessel arrived under American colors, captured by the *Termagant*; she will of course be released. No other flag will be seen on the coast in a short time, for it affords all the protection a slaver can require, under the existing laws.

I have, &c.

JOHN REEVE, *Commander.*

CHARLES WOOD, Esq., &c.

[Enclosure No. 18.]

[EXTRACT.]

SIERRA LEONE, *January 31, 1839.*

MY LORD: We have the honor to enclose an abstract of the papers of the schooner *Florida*, David Bell Williamson, master; which vessel was presented to us for admission into the British and Spanish mixed court of justice, on the 26th instant, by Lieutenant Worsley Hill, of Her Majesty's brig *Saracen*. We declined to accede to the captor's application in this respect, on the ground that all the papers of the detained schooner set forth that she was an American vessel.

The reasons for the course which we have thought it our duty to pursue with regard to such seizures have been so fully stated in our despatch (No. 87) of the 30th of November, 1838, that it will be needless now to repeat them; and, incompetent as we feel ourselves to deal with cases of this description, we are proportionally anxious that measures should be taken in the proper quarters to rectify the scandalous and increasing abuse of the flag of the United States.

From the enclosed abstract, hastily made, of the *Florida's* papers, before they were returned to the captor, on his petition being rejected, it will be

seen that George Elvear, of Baltimore, took out an American register for his schooner Florida, in June, 1838, and immediately despatched her to Havana for sale, under the charge of the captain, Matthew Kelly, who was appointed the agent of the owner, with a power of substitution. Kelly appointed Don Juan M. Manzanedo and Abrisqueta his substitute; and, within three months and a half from the date of the American register, a bill of sale of the Florida was executed by Manzanedo to D. B. Williamson, the present master.

Such are the representations of the ship's papers. Unfortunately, however, for the credit of the bill of sale, another paper was discovered, showing that Williamson, instead of being the owner, was to receive from the well-known slave-trading firm of Manzanedo and Abrisqueta (who, if not themselves the owners of the Florida, were at any rate the agents of the owners) a small monthly stipend for assisting, by his name and presence, in concealing a Spanish slave-trade adventure under an American cover. The pay of this man was only to continue until the vessel should be ready to receive her return cargo, when (owing, we presume, to an intention to change the flag to Portuguese or Spanish) his services would be no longer of use; but even then he was to be allowed his passage back to the Havana free of expense. The equipment of the Florida for the slave trade was complete; and the captor would thus have possessed ample means of convicting his prize of being an essentially Spanish vessel engaged in the illicit traffic, had he been permitted to take advantage of the information acquired by his unauthorized search.

The declaration of Lieutenant Hill states, that he boarded the Florida on the 13th instant, in the river Gallinas, in his boat, Her Majesty's brig Saracen lying at anchor off the bar; no colors were hoisted at the time, and Williamson was on board another vessel lying close by; but, on being hailed, he immediately returned to his own schooner, declaring himself master, and that it was an American vessel.

Two days afterwards, Captain Williamson, who appears to have been a silly, timid man, applied to Lieutenant Hill for protection against his own crew, who were all Spaniards, and had threatened his life. He is then represented to have stated that he would not venture again on board the Florida, which he would abandon altogether if he could only procure payment of his wages on the outward voyage from the agent of the vessel at the Gallinas, through Lieutenant Hill's interference. He further acknowledged that, so far as the bill of sale related to himself, it was false, and that he had no claim whatever to the character of the owner; and he attempted to clear himself of being a party to the fraud, by declaring that he had not been aware of the existence of this false document until some time after he left Havana. We have little doubt that the American register and muster roll are as fictitious as the paper, the falsehood of which is admitted; they are, however, recognised by American authorities as true and valid, entitling the vessel which carries them to all the privileges of an American character; and, in our view of the matter, the fact of such a recognition is sufficient to protect from search and detention an apparent American vessel, so long as America persists in refusing to our cruisers the right of visitation.

The tenderness with which the independence of the flag of the United States has been treated, under so much provocation, will, we trust, have its proper effect. Of the actual existence of the evils which were anticipated from America's determined denial of the privilege of search, no doubt can now be entertained; and it is to be hoped that some remedial measures

will at any rate be adopted by herself, to check and punish the abuse which has clearly resulted from her obstinate retention of a right which other nations less jealous and exclusive have consented, under certain circumstances, and for a well defined and humane object, to waive, without any injury to their national honor.

We will here only recommend one measure, to which America can offer no reasonable objection. It is, that a force of small brigs, brigantines, or schooners of war, should be sent on this coast by the American Government; each of which should cruise and visit the slave-trading rivers and stations, in company with one of our own vessels. Cruising singly would have comparatively little effect, as the same vessel which would show American colors and papers to a British officer, might show Portuguese or Spanish colors and papers to an American officer. The crews of such vessels are always composed of Spaniards, with the exception of one American; who, in the presence of the British cruiser, would figure as the American captain; and, before the cruiser of his own nation, would declare himself a passenger, and would probably produce a passenger's passport from Havana. Cruising in couples, on the contrary, would remove the possibility of such evasion. If the American flag and pass were assumed by a slaver, she would be taken charge of by the one; and if she declared herself, or if she could be proved to be Spanish, Portuguese, or Brazilian, she would be a prize to the other man of war. At present, however, the coast swarms with vessels apparently American, and a rich harvest of prizes would follow the immediate arrival of a squadron of American cruisers, armed with authority to capture on the ground of equipment.

The United States consul at the Havana recognised as a valid document a register, which had apparently been cancelled, and of which only the left half was produced to him; and he acknowledged Williamson as owner of the Florida, and the purchaser of that vessel, although no power of attorney, or power of substitution, was forthcoming to prove the right which either Kelly, the alleged agent, or Manzanedo, the alleged substitute and seller, had received from Elvear, the original named in the mutilated register, to dispose of the property in question. Nor does it seem to have excited any doubt in the unsuspecting mind of Mr. J. A. Smith, that a vessel fully equipped for the slave trade, and bound for the most notorious slave mart on the coast of Africa, should be cleared out from Havana by one of the most extensive slave merchants in Cuba, with a crew of which the captain of the flag was the only person who professed to be an American citizen.

We have, &c.

H. W. MACAULAY.
R. DOHERTY.

Viscount PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

Abstract of the papers of the schooner "Florida," David Bell Williamson, master.

No. 1. Part of an American register, which has been cut diagonally from the left corner at the top to the right corner at the bottom. Only the left

side is produced; which, however, contains the endorsement, "Permanent register No. 50, schooner 'Florida,' of Baltimore, 19th June, 1833: tons 384." Beyond this, little information can be obtained, as the absence of the right half of the document prevents our ascertaining its contents.

No. 2. A bill of sale, by which Don Juan M. Manzanedo, a merchant of Havana, in virtue of a power of substitution granted by Matthew Kelly, attorney of George Elvear, of Baltimore, sole owner of the schooner "Florida," transfers all right and title in the said vessel to David Bell Williamson, for the sum of \$6,200. To this document is attached a certificate from the American vice consul, Mr. Smith, on the 4th of October, 1838, that Manzanedo had appeared before him, and acknowledged the transfer as his act and deed. A second certificate by the same functionary, on the same day, declares that "David B. Williamson has taken the oath required by law, and is at present master of the schooner 'Florida,' in place of Matthew Kelly, the late master."

No. 3. The muster roll of the crew, signed by the master, D. B. Williamson, and certified by the American vice consul.

No. 4. The custom-house clearance from Havana, dated on the 9th of October, 1838, stating that the American schooner "Florida" was bound to the Cape Verdes and Gallinas.

No. 5. There is another paper, dated two days before the bill of sale was executed, which proves the latter document to be fictitious.

It is a formal agreement between Messrs. Manzanedo and Abrisqueta, who have lately been so deeply engaged in the Havana slave trade, and the master, (Williamson;) and stipulates that the latter, although the ostensible owner, shall receive \$70 a month during the outward voyage, and until the "Florida" be ready to take on board her return cargo, when his services shall cease; and that a passage back to Havana shall be found for him, free of expense, in the same vessel.

SIERRA LEONE, *January 31, 1839.*

[Sub-enclosure.]

SIERRA LEONE, *February 12, 1839.*

MY LORD: With reference to our despatch marked "separate," of the 31st ultimo, on the subject of the detention of the American schooner "Florida," D. B. Williamson, master, we have now the pleasure to inform you that the object of Lieutenant Hill, the captor, has been fully accomplished by the total destruction of that vessel.

The assertion of the ship's papers, that Williamson was the owner of the "Florida," coupled with the anxiety of that person to obtain the amount due to him for his services on board, and then to free himself from all further connexion with the vessel, induced Mr. Macaulay to suggest to Lieutenant Hill that Williamson's object might be obtained, if, as the acknowledged owner of the "Florida," he would direct her to be treated in all respects as a condemned Spanish vessel, and to be sold at public auction.

The suggestion was approved of by Lieutenant Hill, and was immediately acted upon by Williamson, who had previously removed from the protection of Her Majesty's brig "Saracen" to that of an American merchant vessel lying in the harbor. Accordingly, without the intervention

of Lieutenant Hill, who sailed on a cruise, or of Her Majesty's commissioners, who had no communication whatever with Williamson, but with the assistance of a mercantile agent employed by Williamson for the purpose, the "Florida" was dismantled; her stores, spars, sails, and cargo, were landed; and she was then conveyed to Destruction bay, where the hull was beached and cut into four parts.

The whole was soon after sold by public auction, and the proceeds handed over to Williamson, who declared his intention of paying himself therefrom in the first instance, and of handing over the balance to the real owner of the vessel, whenever he might chance to meet with him.

While the process of dismantling and cutting up the "Florida" was going on, the rage and astonishment of the Spanish officers belonging to her may be imagined. Application was made by them to the principal lawyer of the place, for advice and assistance; and a large sum of money was offered to him, if he would save this new and beautiful vessel from destruction. They declared she was owned by merchants of Havana, and that Williamson was only a seaman on board. But all was in vain. The papers under which the "Florida" sailed, verified and attested as they were by the American vice consul at Havana, proclaimed Williamson to be the true, lawful, and sole owner. He followed his own inclinations with respect to the disposal of his own property, and, having realized the sum which its sale in detached portions produced, he sailed on the following morning for New York, in the American brig which had, for some time previous, afforded him shelter and protection from the vengeance of his late messmates.

We have, &c.

H. W. MACAULAY.
R. DOHERTY.

Viscount PALMERSTON, *G. C. B.*, &c.

[Enclosure No. 19.]

[EXTRACT.]

SIERRA LEONE, *January 31, 1838.*

My LORD: We have the honor to enclose to your lordship, herewith, an abstract of the papers found on board the schooner "Hazard," Russell Barker, master, which was fallen in with on the 4th instant, in 5° 49' north latitude, sailing under American colors, by Her Majesty's brigantine "Forester," Lieutenant Colin Yorke Campbell commanding, and detained, on the ground that she was equipped for the slave trade, and that there were "reasons for supposing her to be a Spanish vessel."

On the 29th instant, an attempt was made to bring the "Hazard" before the British and Spanish mixed commission court of justice; but the fact of the vessel having been taken whilst sailing under the flag and pass of the United States (a fact which is necessarily stated in the preliminary declaration of the captor) rendered it improper, in our opinion, to sanction the prosecution of the vessel in any of the courts of mixed commission.

The "Hazard" received an American register at Baltimore, on the 11th of May, 1838, and on the following day she was despatched to Havana

for sale. On the 19th of September, Don Francisco Montero, a merchant at Havana, who has since accompanied the vessel in the ostensible character of supercargo, received full power to dispose of the vessel when, and where, and how he pleased. There is little doubt Montero had become the owner of the property over which he possessed such absolute control; and the power of attorney, under which that control was exercised, was a mere blind. Barker, the American, was also, it appears, only "*captain of the flag*;" the real master, who cleared out the vessel from Havana, and whose name was endorsed on the clearance as captain, being Don Benito Sandes, who is described on the muster roll as first mate.

Although cleared out for St. Thomas, the destination of the "*Hazard*" was the slaving port of Lagos, as she carried from Havana letters for various persons at that place; and the fittings of the vessel sufficiently demonstrated the illegal object of the voyage. The American captain died on his passage to this port, and the "*Hazard*" was thus left to navigate the seas, without having on board one citizen of the nation to which she claimed to belong. Her crew were all foreigners. A Spanish merchant exercised over her all the rights of ownership; and she received her outward cargo and her slave-trading equipment in a Spanish port, to which, according to the declaration of the late master, she intends to return when her business on the coast is completed. There is nothing to connect her with America, but her Baltimore register, and the recognition of her American character by Mr. Vice Consul Smith. Nor could she ever have been intended to have been employed in the commerce of America; for, on the day after the American register was obtained, she sailed for Havana, with a power of attorney on board to sell her forthwith. Under these circumstances, all that the captor required to procure the condemnation of the "*Hazard*," as a Spanish vessel engaged in the slave trade, was the right to avail himself of discoveries produced by his visitation and search.

In reporting the cases of the "*Mary Anne Cassard*" and the "*Florida*," we remarked that their registers appear to have been cancelled, being cut through diagonally, and only one-half of each being produced. The "*Hazard*," on the contrary, was supplied with an entire document. This difference gives an appearance of probability to our conjecture respecting the invalidity of registers so mutilated.

We have the honor to be, &c.

H. W. MACAULAY.

R. DOHERTY.

Right Hon. Lord Viscount PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

Abstract of the papers found on board the schooner "Hazard," Russell Baker, master.

No. 1. A permanent American register, No. 40, dated and signed at Baltimore on the 11th of May, 1838, setting forth that James Frazier, of Baltimore, in the State of Maryland, had taken the required oath, and was sole owner of the schooner "*Hazard*," of Baltimore, built during the year 1838, and measuring 120 $\frac{1}{2}$ tons; and that Edwin Bailey was the master of the vessel.

An endorsement by Mr. J. A. Smith, the American vice consul at Havana, on the 24th September, 1838, states that Russell Barker was master on that date, and had taken the proper oath as such.

No. 2. On the day after the above American register was granted, a power of attorney was prepared by John Gill, a notary public of Baltimore, by which the owner, James Frazier, authorizes the captain, Edwin Bailey, to sell the "Hazard," or to appoint a substitute for that purpose.

No. 3. Annexed to the last paper is a power of substitution, executed at Havana, by Bailey, on the 19th of September, 1838, which empowers "Don Francisco Montero, of Havana, and supercargo of the 'Hazard,' to dispose of the schooner at his own discretion."

The witness to the execution of this deed was Mr. Smith, the vice consul, who afterwards, in his official capacity, attested its correctness.

No. 4 is a muster roll of the crew, certified, in like manner, by the American vice consul, on the 11th October, 1838. Montero, the supercargo intrusted with the disposal of the vessel, is not mentioned at all; but Russell Barker is named as master, and Benito Sandes and William Pons as first and second mates—the one being called a Portuguese, and the other a Frenchman.

No. 5. The clearance from the Havana shows the following endorsement on the sealed envelope: "The American schooner Hazard, *Captain Don Benito Sandes*, bound from Havana to St. Thomas, despatched the 12th October, 1838."

In the enclosure, also, although Barker is there styled the captain, Don Benito Sandes is again named as the shipper of all those articles of slaving equipment, slave deck, water casks, &c.; the shipment of which is, in these documents, usually assigned to the master.

Nos. 6 to 10 are five private letters, of which one is addressed to Gerónimo Villar, captain of the brigantine "Ligeiro," at Onim; another to Francisco Gallardo, mate of the same vessel, but here called by her Spanish name of "Galgo;" and a third to Don Mathias Baptista de Carvalho, who, it will be recollected, was the consignee at Onim of the "Ligeiro," reported in our despatch of this date, marked Spain, No. 9. The two former gentlemen being at Sierra Leone, received their letters much earlier than they would otherwise have done. The two other letters are addressed to Don Antonio de la Peña and Don Estevão del Castillo. The name of the former of these persons is well known to us in connexion with the slave trade.

Nos. 11 to 14. Four log books were found on board, relating to the present and former voyages made by the persons who kept them. They are all written in Spanish or Portuguese.

SIERRA LEONE, *January 31, 1839.*

[Enclosure No. 20.]

HAVANA, *January 19, 1839.*

MY LORD: In the despatch No. 39 of 1838, dated the 22d August last, from Her Majesty's commissioners at this place, your lordship was informed of the arrival here of the American slave ship "Venus," built at Baltimore expressly for the slave trade, and of her departure shortly after for the coast of Africa. The "Venus" sailed hence under the American flag, with sev-

eral American citizens on board; but in the ship's articles, of which a glance in bravado was afforded Her Majesty's commissary judge, it was expressly stipulated that she was to be taken to Bahia, there to be transferred to the Portuguese flag. This, however, appears not to have been done; for, in the almost incredibly short period of five months, the ship has returned, and in the beginning of this month landed on the coast the extraordinary cargo of not fewer than 860 slaves. At this time the name was changed to the "Duqueza de Braganza," and she bore the Portuguese flag; but it was a matter of doubt whether a valid (if any) transfer of her had taken place, and it was currently believed that the American subjects who had sailed in her from this port had been present at the time when the slaves were taken on board. Indeed, it was reported from the parties themselves that they had been visited on the coast of Africa, when bearing the American flag, by the officers of a British cruiser; and upon being asked what they were doing there, answered the inquiries by saying "it was no business of theirs, and that they were Americans." They boasted, also, that, though one of the cruisers watched and saw them take part of their cargo on board, and attempted afterwards to follow them, yet the chase was made in vain; and, undoubtedly, the wonderfully short time in which this unprecedentedly successful voyage has been made fully warrants the character which the ship brought here with her for her fast-sailing qualities.

Under these circumstances, we felt it our duty to call the attention of the American consul (who is also acting as Portuguese consul) to so gross a violation of the laws, as well as the flag, of the United States; bearing in mind the ungracious reception he gave to a former like communication to him from the British commissioners at this place.—(See Parliamentary papers for 1836, class A, pages 193 and 212.)

To this communication of ours, the answer was returned, (of which we enclose your lordship a copy,) stating, at very considerable length, the opinions which had actuated him (the consul) on the occasion just referred to, as well as his views in the present instance. The answer is worthy of consideration, as an evidence of the feelings held by certain classes of the American community with regard to the slave trade, and the part taken by the British Government to suppress it, and characterized by all the sensitiveness the concomitant of weakness. Altogether, whether clear or obscure, it appears a paper calculated, if not intended, to excite an angry correspondence; but the irritating points of which we carefully forbore to notice in our reply, contenting ourselves with generally asserting our duties, and the grounds on which we exercised them. As we hear the correspondence has been sent to the Government of the United States, we trust your lordship will consider the terms in which we addressed the consul, as well as those in which we answered his reply, to be deserving the support of Her Majesty's Government.

With regard to the ship "Venus," otherwise the "Duqueza de Braganza" we should state that the original cost, we understand, was \$30,000, and that the fitting out and expenses of every description for the voyage, including the value for the return cargo, was estimated at \$60,000 more—say, altogether, \$100,000. The number of negroes brought back, as has been before stated, was 860, and they are said to have been sold at \$340 a head; producing the sum of nearly \$300,000, of which, therefore, two-thirds was nett profit. So long as such returns can be effected, we fear that no efforts whatever will be effectual in suppressing the traffic; and cer-

tainly not, while the dealers have only to meet such a system of corruption as pervades every department of the Government of the island.

We have only further to add, that the ship "Duqueza de Braganza" is principally owned by the slave dealer Mazorra, whom we have so often had occasion to name, and a Frenchman named Gautier; and that she is preparing again for another voyage.

We have, &c.

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

The Viscount PALMERSTON,

G. C. B., &c.

[Sub-enclosure.]

HAVANA, *January 8, 1839.*

SIR: As it may possibly not have come to your knowledge, we think it right to make you acquainted with the report prevalent in this place respecting the ship "Venus," which arrived here the 4th August last, from Baltimore, and sailed shortly after for the coast of Africa.

This vessel, you will no doubt remember, arrived and sailed hence under American colors; under which it is said she took in a cargo of negro slaves, and has landed them, within the last few days, on this coast—about 860 in number. The report further states there are several American citizens implicated in this flagrant violation of the laws of the United States; and as the "Venus" may be hourly expected in the harbor, we would respectfully suggest to you that such immediate steps may be taken, on her arrival, as may lead to the punishment of such offenders.

The peculiar relationship in which the United States are placed with Great Britain induces us more anxiously to hope you will participate in the feelings with which this communication is made.

We have, &c.

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

N. P. TRIST, Esq., &c.

[Sub-enclosure.]

CONSULATE UNITED STATES OF AMERICA,

Havana, January 8, 1839.

GENTLEMEN: I have received, at a late hour this evening, your letter addressed to N. P. Trist, Esq., and dated Havana, January 8, 1839, which the presence of company in my parlor, where it was delivered, has prevented my opening until the night is too far advanced to permit me to engage in the task of a reply, without encroaching on the rest which a long day of unremitted labor demands. Unfitted as this has rendered me for resuming my pen at this moment, I am, however, impelled to do so by the desire to obtain without delay the important information which your letter affords ground for believing that it may be in your power to furnish.

Upon referring to the files of your predecessors in office, you will probably find there a letter addressed by them to me, towards the close of the year 1836, and by me returned, upon the ground that I deemed it incumbent upon me to decline receiving any communication of that nature.

Upon comparing the two, you will perhaps be sensible that the letter now before me, although differing from the other in one material particular, is yet so far of the same nature as to come within the rule which, upon that occasion, I announced as that of my conduct; and my conviction in regard to the indispensableness of which has since been fortified.

Thus viewed by me, it would now impose again the unpleasant duty then discharged, were it not that the essential duty just adverted to leaves me to a certain extent free, in this instance, to avail myself of the information of which you may be possessed, and at the same time to indulge the disposition towards British functionaries which fixed sentiments for the people have long made a part of my character.

In thus departing from the course pursued towards your predecessors, it is necessary that, to preclude misapprehension, I should trouble you with an explanation, which would have been made to them had it not been prevented by the tenor of their communication.

This was of so extraordinary a character, indicating so utter an oblivion, or innate ignorance, of the simplest applications (until then, deemed by me self-evident) of first truths in regard to international independence, that it left me no other alternative to the course of passing it over, as I did, without remark or notice, than that of facing it with a rebuke such as my command of language would have been severely tried in making commensurate with my sense of the insult. It would have accorded as ill with the habitual tone of my feelings towards their nation, as the provocation did with a decent respect for the independence of mine.

From this unwelcome necessity I was spared by the relations, or rather the no relations, in which we stood; a circumstance, no sooner adverted to, than it stripped the communication of every attribute save naked absurdity, rendering it a fit object of derision alone, until, upon the contemplation thus awakened of what was going on around us here, and connected with it in Great Britain, that feeling gave way to the more serious mixture of sorrow and indignation, at the spectacle of such prostitution of the energies of the British people in theatrical playings off, to their delusion, and to the benefit of whomever it might concern, in a cause which, whatever differences of opinion may exist with regard to the justness or the immoderateness of the zeal displayed in it, is sanctified by a sincerity and a self-forgetfulness, in proportion to the intensity of which every empty show got up by self-seekers turning it to profit becomes intensely disgusting and hateful.

Had the case been different, through the existence of any tangible relations between us as agents of the two countries, the necessity would have been forced upon me, and consequently upon the Government of the United States, to demand to know upon which of the principles that govern the relations of States, and in consequence of what event, it might be, that any crimes or misdemeanors, real or assumed, committed by citizens of the United States in this port or elsewhere, except on British territory, had become objects of cognizance to the British Government, so as to justify an agent of that Government, placed here in official relations with an agent of the Government of the United States, in supposing himself entitled to

communicate in formal manner to the latter the results of the supervision exercised by him over the proceedings of American citizens and American vessels, (which proceedings, it may be remarked, were subjects of as little concealment here, and those results matters of as great notoriety, as the recent arrival of the French Prince from Vera Cruz,) accompanied with the information *that it would be his painful duty to report the same to his own Government!*

Such a demand it would, under some circumstances, have been imperative on me to make. But it was not so in the present: and unpleasant as was the alternative which they presented, I deemed myself fortunate, even at that cost, to escape the obligation to be instrumental in forcing upon the British Government a question from which there was no escape but a direct disavowal of an indecency so gross, that its absurdity was the only palliation of which it could be susceptible; while at the same time the circumstances of the case were such as to obviate the necessity of such disavowal, precluding as they did, unless by gross impeachment of its good faith, the supposition that the outrage upon the United States could have been intended by that Government. The persons from whom it had proceeded had, it was to be taken for granted, been sent here by their Government in no other capacity than that in which they had been recognised by the Spanish, under the treaty, which alone entitled them to be here at all; which capacity was purely judicial, or fractionally so, as part of a mixed court, whose functions consisted solely in bringing to adjudication with the least delay and inconvenience such vessels as, under the treaty between the two countries, might be detained for having been engaged in an illicit traffic in slaves.

Such being the sole purpose for which they were permitted to have an official residence upon Spanish territory, and even the form of process for that limited purpose having been strictly and minutely defined by treaty, it could not be conceived that their Government had condescended to abuse the opportunity thus afforded by sending them on any other errand. Above all, was it not to be supposed that, openly trampling under foot the plainest rights of a nation which, however unfortunate, is still recognised as one of the States of Europe, it had intended their conversion into organs for offering unprovoked insult in the same breath to that nation, and to the foreign consuls holding exequaturs from her, and entitled, through decency to her if no other motive, to be respected by all who accepted the right to official dwelling in her territory. The treaty which placed them here, and a decent respect for the good faith of their Government, absolutely precluded then the supposition that it could have been a party to the letter addressed by them to me. Moreover, the functions assigned them were so very limited, and of a nature so extremely simple, as to afford an obvious apology against even the charge of having neglected so to instruct them in relation to their duties as to secure against all such abuses of their situation.

Such instructions are requisite, and the duty to give them imperative, only in proportion as the complexity of the functions intrusted to a public agent, or the haste in which he may be called upon to act, is such as to expose him to doubt or oversights. A perusal of the treaty shows that it afforded neither of these grounds for precautionary instructions. Never were duties, or one single duty rather, (for it consists of a mere decision upon a naked question of fact,) more simple in its nature or more clearly

defined; and it almost transcends belief that persons charged therewith should ever undesignedly (the only mode of transgression which a Government can anticipate on the part of those in whom it puts trust, or provide against by instructions) overlook the boundaries of the field assigned to them; or fancy themselves placed in any official relations whatever towards foreign consuls resident here.

Such were the considerations which governed my course in regard to the communication from your predecessors; and which, unpleasant as was the task of returning, reconciled me thereto, as being, however rude in outward semblance, at bottom by far the least objectionable to all parties of the alternatives forced upon me.

The present communication, I was happy to see, is free from the offensive peculiarities of the former. Still, it is liable to the fundamental objections inseparable from any communication which you could possibly address to me in regard to the conduct of citizens of the United States, one of which, indeed, applies to official communications on any subject whatever. This is, that there exists not any official relation of any kind between us; the other, that, whatever relations might exist, and whatever might be my own functions in regard to offences committed by citizens of the United States against our laws, they could not be such as to allow me to recognise the right of any agent of any foreign Government to interfere in any possible mode or degree in the discharge of my duties, or to forbear repelling such interference if offered.

This is a necessary consequence of the independence of our two countries. You refer to "the peculiar relationship in which the United States are placed with Great Britain." Since the 4th of July, 1776, the only relation in which they stand to each other is that of two independent nations—"enemies in war; in peace, friends." Of that independence, one of the vital parts consists in the exclusive execution, no less than the exclusive enactment by each of its own laws, rigorously excluding and repelling all interference in the one no less than the other. If there be upon earth two nations for whom, above all others, their own welfare and that of the world demand the most scrupulous regard for and watchful observance of this principle, those nations are the two whom you have named. Mine is wedded to it in all its bearings; and if, as I trust, the harmony now happily subsisting between the two Governments is to endure, so as to allow the elements comprised in the bosoms of the two nations a fair opportunity to work out their natural results, it can only be through the cultivation of the same sentiment by your Government towards ours, if no other.

So thoroughly imbued with it is the latter, that no consul or other functionary of the United States, at this place or elsewhere, however full and accurate the information which he might have acquired on the subject, and however sincere his zeal against the slave trade, would ever dream of volunteering an official communication to a functionary of Great Britain in regard to the amount of British fabrics made expressly for the coast of Africa, nor of the number of casks of shackles (the distinctive instrument for carrying on the slave trade) of British manufacture annually exported to this island; some of which I have seen passing through the custom-house here, without attracting any more notice from either officers or bystanders than so many boxes of Dutch cheeses. He might, under instructions from his Government, have traced these things to their sources, so as to be able to designate every British manufacturer, merchant, and ship, from and

through which they had reached thus far on their way to the coast of Africa; and, upon looking into the statutes of their Parliament, he might have discovered that they could not have got here without gross violation of British law. But so great is the silent force of the general national sentiment upon this point, it would never occur to him as a thing proper, or decent, or possible, that he should assume to take part in the administration of those laws, by addressing official communications, in regard to their violation, to British functionaries-charged or not charged with preventing it. If such an American officer were to be found, he would be a very remarkable exception; and whatever might be the force of the motives impelling him to a course so inconsistent with the general sentiment of his country, there is one particular in which that course would be seen to evince the utmost respect for, if not dread of it, if his object in thus trampling upon the principles of national independence were to play off before any portion of his countrymen.

However insensible he might be to other things, the dread of their penetration would effectually deter him from attempting any such game, unless he had furnished himself with better materials for it than rumors. If requested to do so, he would doubtless cheerfully comply, as I trust that you will, with the request I now earnestly make to you—to oblige me, at the earliest possible moment, with all the information, of any kind, regarding persons, occurrences, or things, calculated to be of use to the Government of the United States, in regard to the ship "Venus," or any matter connected with her; and particularly the fact of her having taken in a cargo of negroes whilst under the American flag; and the other fact that there are several American citizens implicated in this violation of our laws, and who those citizens are. One of you, gentlemen, has had the advantage of pursuing his studies at the Temple; and I need not tell you, therefore, that the great object is to obtain such materials, in the shape of facts, or persons, or indications of either, as may be susceptible of use towards the conviction of every individual implicated. If materials of this kind cannot be furnished by you, I would thankfully receive any specific facts, although unconnected with names of persons, should you not be at liberty to divulge them, which your peculiar opportunities and command of time for the purpose may have brought to your knowledge.

I am, &c.

N. P. TRIST.

To J. KENNEDY and
CAMPBELL J. DALRYMPLE, Esqs., &c.

[Sub-enclosure.]

HAVANA, January 10, 1839.

SIR: We have the honor to acknowledge the receipt of your answer of the 8th instant, to our communication of the same date, respecting the ship "Venus," which vessel, we have since heard, entered this harbor at a late hour the evening before. In reply to your request to be furnished "with all the information regarding persons, occurrences, or things, calculated to be of use to the Government of the United States, in regard to the ship 'Venus,' or any matter connected with her; and particularly the fact of her

having taken in a cargo of negroes whilst under the American flag; and the other fact, that there are several American citizens implicated in this violation of your laws, and who those citizens are:” we beg to say we have already communicated as much of the information we possessed as we felt ourselves at liberty to do. We referred you to the reports prevalent in this city upon the subject; and we hoped, as no doubt is entertained of their truth, that you would have thought them deserving of your own immediate investigation, either through the Captain General of the island, or by your own authority, and the intervention of the commander of the American vessel of war now in the harbor. Any such investigation, on your part, by examination of the log book and crew, could not have failed to elicit, much better than any information we could be expected to divulge, whether the following circumstances, as reported, are well founded or not:

1. Whether there were any American citizens on board the “Venus,” during her late voyage to the coast of Africa, and who those citizens are.

2. Whether the “Venus” was visited on the coast of Africa by any British cruiser or cruisers, without being detained, in consequence of her bearing the American flag; but one of which cruisers, having observed her take in some negroes under that flag, afterwards chased her, though without success.

3. Whether any sale or transfer was made of the vessel after leaving this harbor, and when, so as to divest her of her American character.

The ship’s articles, we have heard, provided that she was to be taken to Bahia, where the sale was to take place; but the short time she has been absent (only four months) puts this out of the question; and, whether transferred or not to any other flag, we fear it is indisputable that a gross abuse has been practised of the American flag. It certainly forms no part of our duties at this place to take any steps to vindicate such a violation of your laws; nor have we any wish to interfere in any such cases, further than arises from an anxiety to suppress, if possible, all similar infringements of the rights of humanity. Our objects are too high, and our conviction of their rectitude too strong, to allow us to be turned from our course by taunts of any kind; and, with regard to the United States in particular, we would wish to preserve unimpaired our respect for the laws which have declared the slave trade piracy. But it is in proportion to the respect we would wish to entertain, that we should regret to find those laws a dead letter, and your professions not followed up and carried into effect.

We have, &c.

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

N. P. TRIST, Esq., &c.

[Sub-enclosure.]

FOREIGN OFFICE, *April 16, 1839.*

GENTLEMEN: I have received your despatch (No. 5) of the 19th of January, 1839, containing copies of a correspondence which had taken place between yourselves and Mr. Trist, the United States consul at the Havana, on the occasion of your having communicated to that gentleman information respecting the vessel, the “Venus,” which had sailed from the Havana for Africa, under the flag of the Union, with several Amer-

ican citizens on board, and had returned within four months, with a cargo of 860 slaves from Africa.

With reference to that part of Mr. Trist's letter to you which relates to British fabrics made expressly for Africa, and to shackles of British manufacture, intended for slave trade, exported from England and imported into Cuba, I have to desire that you will state to Mr. Trist that, if he can at any time furnish Her Majesty's Government, through you, with any information which may, directly or indirectly, enable Her Majesty's Government to enforce the penalties of the law against British subjects who may be concerned in slave trade, Her Majesty's Government will feel most sincerely obliged to him.

You will observe to Mr. Trist, that, the two Governments having by the tenth article of the treaty of Ghent mutually engaged to each other that they would "use their utmost endeavors to promote the entire abolition of the slave trade," it seems to me perfectly consistent with the respect which the agents of each country must feel for the other country, that they should not only themselves act in strict accordance with the spirit of the engagement which their own Government has contracted, but that they should furnish to the agents of the other Government any information which may be calculated to enable that other Government more effectually to accomplish the common purpose.

I am, &c.

PALMERSTON.

Her Majesty's COMMISSIONERS, *Havana*.

[Enclosure No. 21.]

SIERRA LEONE, *December 5, 1839.*

MY LORD: We have the honor to forward, enclosed, our report of the case of the Portuguese schooner "Dolcinea," captured on the 31st of October by Her Majesty's sloop "Pelican," Brunswick Pophani, Esq., commander, in latitude 4 degrees 16 minutes north, longitude 3 degrees 44 minutes east, with 253 slaves on board, who had been embarked at Lagos three days previously, and were then on their way to the island of Cuba.

In this as in every other Portuguese case which has lately come before us, it would not have been difficult, even from the evidence of the offending parties, to show that the illegal adventure, in prosecuting which capture and condemnation took place, was especially Spanish.

The Portuguese master altogether the truth of the representations contained in his register and matricula, (the only two papers which he produced to the captor,) although the aid of the American consul was, as usual, called in to support the credit of those fraudulent documents. In opposition to these papers and to the American consul's certificate, which state that a Portuguese subject, named Francisco Caldas, is the owner of the "Dolcinea," and that the agent of Caldas at the Havana, José Mazorra, appointed the present master to the command of the vessel, the master himself declares that he was appointed captain by the notorious Joaquim José Duante Silva, of Bahia, but who has lately settled at Havana,

and who is the sole owner of the detained vessel, and also of the greater part of her outward cargo.

It is, however, only fair to both parties to state that we attach no credit to either statement.

The fact of the "Dolcinea's" capture to the north of the line, with a cargo of slaves on board, having been fully proved, a sentence of condemnation was pronounced against the vessel and cargo on the 3d instant, and the survivors of the slaves were at the same time emancipated.

We have, &c.

H. W. MACAULAY.
R. DOHERTY.

Viscount PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

Report of the case of the Portuguese schooner "Dolcinea," José da Luz Carvalho, master.

This vessel was furnished with a Portuguese passport from the provisional Government of the islands of Prince and St. Thomas, dated at St. Antonio, Prince's island, on the 28th of October, 1836, authorizing her to proceed on a voyage of lawful commerce to the Havana, by way of the coast of Africa. The owner of the vessel, who was master also, is said to have been Francisco Elisbao Correa Caldas.

Three weeks after this time, an endorsement was made on the passport to the following effect: "Boarded by Her Majesty's brig Charybdis, November 21st, 1836, lying at Lagos;" signed "E. B. Power, mate." The "Dolcinea," however, succeeded, both on this and a subsequent voyage, in escaping Her Majesty's cruisers on this coast and on the West India station, and safely landed a cargo of slaves on the island of Cuba.

The next endorsement on the register is made by Fernandez, the Portuguese consul at Havana, on the 20th of April, 1837, on occasion of the "Dolcinea" clearing out again for the coast of Africa, under the command of a new captain, named Fernando Rees Peres.

The only other paper of which the captor could obtain possession was a matricula, dated at Havana, on the 23d of May last, (1836,) and to which two certificates of Mr. Trist, the American consul, are attached; the one declaring the appointment of the present master by Don José Mazorra, a merchant of Havana, the empowered agent of Caldas, the Portuguese owner named in the register, and the other declaring that the schooner carried a crew of sixteen men.

We have no doubt that the "Dolcinea" cleared out from Havana in May last under another name, and is a Spanish vessel. No clearance from the Havana custom-house was produced; and neither of the papers which we have noticed, and in which alone the "Dolcinea" is mentioned as a Portuguese vessel, was submitted, in any way, to the Spanish authorities. It is impossible not to believe that this fact was well known to the American consul, who attested the matricula of the vessel. The matricula, besides, does not contain the name of a single officer; because the Spanish captain and mates embarked, no doubt, according to the general custom, with passports as passengers bound to the same destination as the vessel.

It would appear that Mr. Trist, and his subordinate, Mr. Smith, are willing enough to be deceived on these occasions; otherwise, the prudent and easy course might be followed, of requiring the production of the clearance from the custom-house at the Havana, before they grant their official seal and signature to verify muster rolls of crews, the falsehood of which is evident on the face of them.

The "Dolcinea" having been captured with slaves on board, north of the line, and her condemnation being therefore certain, whether as a Portuguese or Spanish vessel, it was deemed advisable by the captor's proctor to prosecute her under that character which she professed to bear. Accordingly, on the arrival of the "Dolcinea" in this harbor, she was brought into the court of the British and Portuguese mixed commission.

The marshal reported that only four of the slaves had died on their passage to this port; and the surgeon stated their general appearance to be healthy, although several of the number required hospital treatment for dysentery and wounds. No time was lost in landing the unfortunate creatures, and we are happy to say that none subsequently died during the time they were under the superintendence of the court.

On the 26th ultimo, the captor's declaration and the affidavit of Mr. William Rolland, mate of the capturing ship, and prize master, verifying the ship's papers, were received and filed: a monition was published by the marshal, citing all interested parties; and the witnesses in preparatory were examined on the standing interrogatories.

The captor's declaration of capture is to the following effect: "I, Brunswick Popham, commander of Her Britannic Majesty's sloop-of-war 'Pelican,' hereby declare that, on this 31st day of October, 1838, being in or about latitude 4° 16' north, long. 3° 44' east, I detained the schooner named 'Dolcinea,' sailing under Portuguese colors, commanded by José da Luz Carvalho, who declared her to be bound from Lagos to Havana, and having on board 253 slaves, said to have been taken on board at Lagos, on the 27th of October, 1838. Amongst the passengers on board the 'Dolcinea' appears the name of Eduardo Roberto, who commanded the schooner 'Constituição,' the condemnation of which we reported in our despatch No. 71, of 20th of October, 1838.

The master (José da Luz Carvalho) deposed: That he was born at Lisbon; has lived a year and a half at Havana; is a subject of Portugal, is married, and his wife and family reside with him at Havana; that he was appointed to the command of the detained vessel, and possession of her was given to him by Joaquim José Duante Silva, a Portuguese resident at Havana; that he first saw the vessel there about seven months ago; that she is Mexican built; that he was present when the vessel was seized for having slaves on board; that she sailed under Portuguese colors, and had no others; that all the crew were hired and shipped six months and a half ago, at Havana, by Duante Silva; that the last clearing port was Havana, where the voyage began, and where it was to have ended, and whence he came direct to Lagos for a cargo of slaves, and, having obtained it, he was returning direct to Havana at the time of capture; that he was captured on the 31st of last month, after a chase of thirty-two hours; that the owner of the vessel was Joaquim Duante Silva, who has lived eight or nine months at Havana, but previously resided at Bahia; that he saw the said Duante Silva buy her; that the price of the vessel was \$6,000 or \$7,000, which was paid, but witness knows nothing of any bill of sale; that the owner

of the vessel was the lader and principal owner of the cargo, part of which was, however, owned by other merchants.

The second witness, who was a seaman of the detained vessel, pretended ignorance on almost every point involved in the standing interrogatories; and, in other respects, his evidence is of small importance.

The captor's case having closed with an affidavit from the prize master, accounting for the four deaths which had occurred on board the "Dolcinea" on her passage to this port, publication of the evidence in preparatory was decreed; and the monition being returnable into the registry on the 3d instant, the court assembled on that day, and condemned the schooner "Dolcinea" as good and lawful prize to the crowns of Great Britain and Portugal.

It was further decreed that there were on board the said vessel, at the time of her capture by Her Britannic Majesty's sloop "Pelican," Brunswick Popham, Esq., commander, two hundred and fifty-three slaves, of whom four had died previously to the arrival of the vessel in this harbor, and none subsequently; and that the survivors (two hundred and forty-nine in number) should be emancipated from slavery.

H. W. MACAULAY.
R. DOHERTY.

SIERRA LEONE, *December 5, 1838.*

[Enclosure No. 22.]

SIERRA LEONE, *January 31, 1839.*

MY LORD: Herewith we have the honor to transmit to your lordship our report of the case of the brig "Victoria," Antonio José Alfonso, master, captured under Portuguese colors, on the 16th of November, 1838, at anchor in Lagos roads, by Her Majesty's brigantine "Dolphin," Lieutenant Edward Holland commanding, and condemned on the 28th instant, in the British and Spanish mixed court of justice, as a Spanish vessel illegally equipped for the slave trade.

The ostensible but pretended owner of the "Victoria" was the Portuguese merchant, Matheas de Silva Louro, who, the witnesses state, "was born, and has resided all his life, at Lisbon, where he is married, and where his family (Portuguese, like himself,) resided with him." This gentleman should be made to feel the consequences of thus lending his name to further a smuggling adventure.

It would also be desirable that the Government of the United States should discountenance the proceedings of their agents at Havana: Mr. N. P. Trist and Mr. J. A. Smith, who openly assist in the despatch of vessels which, from their armament and force, they are perfectly well aware are intended to act either as slavers or pirates, or both.

We beg leave also to enclose, for your lordship's information, a copy of the translations of some of the letters found on board the "Victoria."

We have, &c.

H. W. MACAULAY.
R. DOHERTY.

Viscount PALMERSTON,
G. C. B., &c.

[Sub-enclosure.]

Report of the case of the brig "Victoria," Antonio José Alfonso, master.

This vessel sailed under a Portuguese passport, obtained at Lisbon, from the Conde de Lumières, Secretary at War and Foreign Secretary *ad interim*, and dated on the 31st October, 1836. In this paper the owner is said to be Matheas de Silva Louro, and the master, José Lopez Ferreira, both Portuguese subjects. The vessel is authorized to make a voyage from Lisbon to Cadiz, thence to Prince's island, and other ports in Africa; to return to Lisbon. No intention, however, existed, either on the first, the second, or the present voyage, of returning to Lisbon; Havana being the port where her real owners resided, and where her subsequent voyages began and ended. The passport was visaed on the 18th of April, 1837, at Prince's island, and was endorsed by Her Majesty's ship "*Union*," *K D.*, off Lagos, on the 22d May, 1837. She was met with again in the same place seven months afterwards, (in December, 1837,) by Her Majesty's brig "*Saracen*;" Cuba having been visited in the mean time.

2. A second successful trip to the island of Cuba was then made, as we find her on the 30th of June, 1838, clearing out from Havana for the island of St. Thomas. In her clearance, signed by Don Tomas Yurra, contador of the royal customs, the water casks, slave boilers, and slave deck, are cleared out as articles employed in lawful traffic; and to the document is attached a certificate, under the hand and seal of Mr. Trist, the American consul, that to these acts of Don Tomas de Yurra "*full faith and credit are due.*"

3 is the muster roll of the crew, to which two certificates of the American consul (Trist) are attached: one setting forth that Don Tomas de la Peña, the agent at the Havana of the owner, (Louro,) had appointed Don Antonio José Alfonso, the present master, in the place of José Lopez Ferreira, the master named in the passport; and the other declaring that Alfonso had appeared and verified the matricula.

This document shows a very large armament, and a crew of 34 men; although the master, it will be observed, subsequently stated that there were thirty-seven persons on board, besides himself. Mr. Trist could not but have known that a small vessel, so manned, must be intended for a slaver or a pirate.

From the papers found on board, it is discovered that the real master of the vessel was a Spaniard named Juan Baptista de Zavala, who was generally addressed as the captain of the brig "*Victoria*," and occasionally as the captain of the brig "*Potanto*;" for in this case, as in that of the "*Ligeiro*," alias "*Galgo*," the former Spanish name of the vessel was considered the true one. Zavala's name does not appear on the muster roll; but it is admitted by the witnesses that he directed all the proceedings of the voyage.

This fact will more fully appear from the translated copies of some of the papers which accompany this report, and which, if they do not convey any new information respecting the plans of slave dealers, serve to show the regularity and system with which the slave trade of Spain, under the flag of Portugal, is now pursued. We learn from them, also, that, as the voyage of the "*Victoria*" commenced at Havana, so it was to have ended at the same port; that the vessel was to carry slaves on the return voyage;

that she had fetters and slave boilers on board, the latter of which she was directed to attach to a buoy and sink; and that the late captures of empty slavers, sailing under Portuguese colors, had filled the slave traders with doubt and dismay. Of the six vessels referred to in these papers, as consigned to Don Emilio Martin, at Lagos, two (the "Dolcinea" and "Liberal") have been condemned as Spanish vessels illegally equipped; and the two others (the "Josefina" and "Catalina") have got away from the coast in safety, with their human cargoes.

4. The log book states that the "Victoria" left Havana on the 1st of July, 1838; arrived at Gallinas on the 11th of August; and left it again on the 25th of the same month. She reached Lagos on the 4th of September; and, after discharging her cargo there, she cruised up and down the coast for rice and provisions, returning to Lagos about the 10th of November. Capture took place on the 16th of that month.

The "Victoria" was accompanied to Sierra Leone by the capturing ship, Her Majesty's brigantine "Dolphin," commanded by Lieutenant Edward Holland, and on the 24th ultimo was presented to the British and Spanish court, as a Spanish vessel violating the 10th article of the treaty of June, 1835.

The captor's proctor petitioned that the declaration of the facts of capture and the ship's papers, verified by affidavit, might be received and filed; that a monition against all interested parties might be issued, and a commission of inspection be directed to the surveyors of the court; and that the witnesses in preparatory might be examined on the standing interrogatories.

Antonio José Alfonso, the captain of the flag, deposed: that he was born at Oporto, where he has generally lived till within the last two years, during which he has had no fixed residence on shore; that he is a subject of Portugal, and never has been a subject of any other State; that he was appointed to the command of the detained vessel at Havana, in the month of June, 1838, by José Silva, a former master, a Portuguese, whose residence is not known; that he was present at the capture, but does not know on what account it took place; that the vessel was sailing under Portuguese colors, and there were no others on board; that the vessel is called "Victoria," and he has never heard of her bearing any other name; that she is about 280 tons burden; that there were thirty-seven officers and mariners, besides witness—ten of whom were Spaniards, and the rest Portuguese; that neither he, nor any of the officers or mariners, had any interest in either the vessel or cargo; that he was master on board; that there were no passengers; that Havana was the last clearing port, where the voyage began, which was to end at Bahia; that the vessel touched, during the voyage, at Gallinas, where part of the cargo was discharged, and then went to Lagos, where the remainder of the cargo was landed; that capture took place on the 16th of November, whilst the "Victoria" was still at anchor at Lagos; that the papers of the vessel were for Prince's island and the coast of Africa; that the sole owner of the vessel was a Portuguese merchant, named Matheas de Silva Louro, who was born, and has resided all his life, at Lisbon, where he is married, and where his wife and family (Portuguese, like himself) reside with him; that the sole owner, lader, and consignee of the cargo, is João Baptista Zavala, a Biscayan, who is also supercargo on board, and with whom rested "the sole direction of the vessel, with regard to her employment in trade."

The evidence of the other witness, Juan Alexandre Garay, is only worthy of mention for the contradiction which it contains to Alfonso's assertion that the "Victoria" was, at the time of capture, on the point of commencing a voyage to Bahia. Garay declares that Lisbon was the place to which she was destined. The two statements are equally false. The surveyors stated, in their report, that they found a slave deck, measuring 1,228 feet, fitted, laid, and numbered; water casks capable of containing upwards of twenty thousand gallons, all filled with fresh water; and a regular slaver's caboose, fitted to receive four small boilers, each capable of containing sixteen gallons of water.

The case for the prosecution being closed, publication of the evidence was decreed on the 27th ultimo; and the monition, issued on the 24th, was returned into the registry on the 31st ultimo, with the certificate of the marshal that it had been properly served.

It became necessary, however, to defer the adjudication for some time, to enable the register to complete the yearly and quarterly returns and accounts, which were due on the day the monition was returned, but which had not been completed, in consequence of the mass of court business which had constantly required his attention.

The case was finally disposed of on the 28th instant, and the proof of Spanish ownership and course of trade, in conjunction with equipment for slave trade, being deemed conclusive, a sentence of condemnation was pronounced upon the "Victoria" and her cargo.

H. W. MACAULAY.
R. DOHERTY.

SIERRA LEONE, *January 31, 1839.*

[Enclosure No. 22.]

Abstract of the papers found on board the brig "Eagle," J. W. Littig, master.

No. 1. A bill of sale, showing that a permanent American register (No. 118) was granted at Baltimore, on the 1st of December, 1837, to the brig "Eagle," of 205 tons, and which had been built at Baltimore during the same year. The original owners are declared to have been W. G. Harrison and W. Price, both resident at Baltimore.

On the same day that the above-named owners obtained an American register for the "Eagle," they executed a power of attorney in favor of Thomas T. Wingate, the master, by which that person was empowered to sell the vessel, and to grant a proper transfer to the purchaser.

Acting on this power of attorney, Wingate sold the "Eagle" at Havana, on the 10th of March, 1838, to the present owner and master, Joshua W. Littig; and the completion of the transfer was witnessed by Mr. J. A. Smith, the American vice consul. To give authenticity to Littig's title, the power of attorney from the original owner to Wingate, and the bill of sale from Wingate to Littig, were both verified by Mr. N. P. Trist, the American consul, under his hand and seal of office. He also certified "that the original register was deposited at the American consulate, to be sent to the collector of the customs at Baltimore." But it is remarkable, that, while the bill of sale is attested by the American consul on the 10th of March,

1838, the power of attorney, in virtue of which alone the bill of sale could have been executed, was not attested by the same party till the 10th of May following.

No. 2. The heading of this paper is as follows: "It is agreed between the masters, seamen, and mariners of the American brig "Eagle," of Baltimore, whereof J. W. Littig is at present master, or *whoever shall go for master*, now bound from the port of Havana to Whydah, a port on the coast of Africa, or *wherever the muster may direct*, not exceeding ten months," &c.

The names of Littig and nine Spaniards are appended to the agreement, which is dated on the 5th of May, 1838, and to which Mr. Trist's certificate is added on the 10th of the same month.

At Bahia, on the 13th of October last, twelve more men were entered on the list, increasing the crew to more than double its former number; and of these twelve, there is only one name which appears to belong to an American citizen. But it is impossible to pronounce positively, as the usual practice of mentioning the birthplaces of the men was not followed. A certificate from Mr. George R. Foster, American vice consul *pro tempore*, dated at Bahia, on the 15th of October, 1838, and affixed to the original muster roll taken out at Havana, states that the crew of the "Eagle" consisted of twenty two men, all told.

No. 3. On the 9th of May, 1838, the "Eagle" was cleared out by the custom-house at the Havana, for the island of St. Thomas, with a regular slave trading cargo and equipment, shipped by Don J. Morales.

No. 4. The log book, in English, shows that on the 14th of May, 1838, the "Eagle" left Havana for the coast of Africa, reaching the Cape de Verds on the 14th of June, and then running south. She was off Cape Palmas on the 28th of June, anchored off St. Paul's on the 1st of July, arrived in Lagos roads on the 5th, and there commenced discharging her cargo on the 7th of July. Here there is a break in the log until the 30th of August, on which day the sea log states the "Eagle" "got under way for Bahia;" and then nothing material is noticed until the 18th of September, when the vessel arrived at her destined port in Brazil.

No. 5 is a certificate from Mr. George R. Foster, American vice consul at Bahia, that the "Eagle," which had arrived shortly before from the coast of Africa, was about to sail again for the same quarter. This we presume to be a notice to the Bahia custom-house; it is dated on the 15th of September, 1838.

No. 6. Another certificate from Mr. Foster, on the same day, states that he had given back to Captain Littig the bill of sale which had been left in his hands.

No. 7. A list of the crew of the "Eagle," independent of, and additional to, the paper No. 2, but an exact copy of it, certified by Mr. Foster, and dated on the same day as the last two papers.

No. 8. A bill for ship's stores, supplied by Messrs. Wilson, Brothers, to the brig "Eagle," dated Bahia, October 16, 1838.

No. 9 is an invoice of tobacco, amounting to \$20,000, shipped by the well-known Joaquim José Duante Silva, on account of Don Joaquim Andreó, of Havana, on board the American brig "Eagle," bound to Lagos.

Nos. 10 to 15 are passports for six Spaniards making a passage to the coast of Africa from Bahia, dated on the 17th of October, 1838.

No. 16. On the 19th of October, 1838, Mr. Foster furnished Captain Littig with a certificate that the latter had been forced to receive on board

the "Eagle" five African convicts, and to give bond that they should be landed on the coast of Africa, before the authorities would allow of the departure of the vessel.

No. 17 is a bill, without date, for the services rendered by the American vice consul at Bahia, in the following words:

Brig Eagle, Captain J. W. Littig, to consulate, Dr.

Deposite and delivery of vessel's papers -	-	-	\$4 00
Certificate attached to shipping articles -	-	-	2 00
Two certificates to clear vessel out -	-	-	4 00
Recording the bill of sale -	-	-	2 00

12 00

Received payment for George R. Foster, vice consul.

CHARLES GREAVES.

No. 18 is a bill for anchorage during thirty-two days.

Nos. 19 and 20 are a fort pass and custom-house clearance, dated at Bahia, on the 19th of October, 1838.

Continuation of log book No. 4.—On the 20th of October begins the sea log, written in English, of a voyage from Bahia to the coast of Africa. The "Eagle" came to anchor in Elmina roads, on the 13th of November, 1838; and, after purchasing beans and corn on the coast, she pursued her route to Lagos, where she arrived about the 26th. On the 28th and 29th of the same month, she was boarded by Her Majesty's sloop "Pelican;" and on the 9th of December, by Her Majesty's sloop "Pylades," but was detained by neither. The "Dido," belonging to Pedro Martinez & Co., is mentioned as having sailed from Lagos on the 23d of December. The "Eagle" was a third time boarded, in the middle of the night of the 1st ultimo, by an officer from Her Majesty's brigantine "Buzzard," but was released on the following morning by the commander of that cruiser. A long and circumstantial account of this affair is given by Littig, and signed by three of the persons on board. The log continues from this time to the 13th ultimo. Capture took place on the following day.

No. 21. An imperfect log book for part of the month of November, written in Spanish.

No. 22 is an agreement, dated on the 23d of December, 1838, between Captain Littig and Isadora Miguel Braza, for the freight of some articles to be shipped on board the "Eagle," at Lagos; but their place of destination is not mentioned.

No. 23 relates to the brig "Dos Amigos," condemned in the British and Spanish mixed court of justice, on the 28th ultimo, and reported in our despatch marked Spain, No. 10. The paper in question is the list of the crew of the American brig "Two Friends," John B. Conner, master, bound to Havana, from New York—the list being dated at the latter place, on the 1st of January, 1837. It is endorsed by Mr. Woodbridge Odlin, the American consul at Bahia, on the 29th of April, 1837, who states that the "Two Friends" had shortly before been sold in that port. In the voyage from Havana to Bahia, it would appear that Conner acted as "captain of the flag," Careira being the real master of the vessel. Our statement of the character originally borne by the "Dos Amigos" is thus completely confirmed.

The next three papers relate to the American brig "Teazer," mentioned in a despatch of Her Majesty's commissioners, dated August 31, 1837, (class A, 1837, page 130,) as having cleared out for this coast on the 21st of that month. In that case, as in the present, Joshua W. Littig appeared as owner and master, and so continued, until it became necessary to change the colors of the "Teazer" to Spanish or Portuguese, on the eve of the shipment of a return cargo of slaves; when both he, and such portion of the crew as were Americans, were discharged from further service.

No. 24. The *first* paper is an American bill of sale for the "Teazer," of Baltimore, transferred to J. W. Littig, by Robert A. Taylor, on the 18th of July, 1837; but the place where the deed was executed is not mentioned.

No. 25. The *second* paper is the muster roll of crew, consisting of eighteen persons, shipped in the American schooner "Teazer," Joshua W. Littig, master, bound to Lagos and Prince's island; and it is certified by Mr. Vice Consul Smith, at Havana, on the 22d of August, 1837.

No. 26. The *third* paper contains, on one sheet, the receipts of Royal Pond, John Moore, John Wilson, John Shields, and Joseph Bramwell, for their wages for two months and twenty-six days' service on board the American brig "Teazer," Captain Littig. The document is dated at Prince's island, on the 19th of November, 1837, when these five American seamen were *apparently* paid off, on the vessel being prepared for her human cargo. It is most probably a colorable paper, intended for use in the event of the "Eagle," under her new name and colors, being boarded on her homeward voyage; and by no means necessarily implies that Littig and the other Americans actually left the vessel at Prince's island in November, but only that, from that time, they wished to have some ground for claiming to be considered as passengers on all necessary occasions.

Nos. 27 to 40 are fourteen unimportant papers.

SIERRA LEONE, *February 12, 1839.*

[Enclosure No. 24.]

SANTA CRUZ, *July 31, 1839.*

My Lord: On the 15th instant, a brig called the "Two Friends," under American colors, anchored in this bay. On the 22d, two seamen, named Francis Cassedy and Joseph Oliver, came to Her Majesty's consular office, and said that they belonged to the brig, and that they did not wish to serve on board any longer. In answer to my inquiries as to their motives; they made a statement, which I took down in writing, and they signed. The enclosure marked No. 1 is a copy. I immediately went to the Marquis of Concordia, the commandant general, and communicated the facts to him; and afterwards sent an official note, dated the 22d of July: a copy contained in enclosure No. 2.

On the 26th of July, another seaman (John Maguire) came to the office. I wrote down his statement, which he signed. The enclosure No. 3 is a copy; and I, in consequence, wrote another letter to the Marquis, dated July 26th: copy contained in enclosure No. 2.

Since the date of the Marquis of Concordia's answer to my letter, dated July 23d, the sails of the brig have been brought on shore, and also the arms that were on board. An official communication also has been made

to the general, by the Swedish consul, in consequence of a representation from a Norwegian sailor, one of the crew of the "Two Friends." Mr. Cullen, the American consul, who usually resides at Port Orotava, has come to Santa Cruz.

There cannot be the slightest doubt that the "Two Friends" was engaged in a slaving voyage; and, in my opinion, after what has occurred, if the vessel should be allowed to go to sea, either with the Spanish or American crew now belonging to the ship, (the Spanish crew are borne as passengers, and the Spanish captain as supercargo,) it is probable that they will become pirates; and so I told the general.

I understand the brig is navigating under the authority of a bill of sale and a custom-house clearance from New Orleans. There is no log book on board.

In my official letter to the general, I entered into details, and stated minute facts, that he might have grounds for ordering a strict investigation of the circumstances of the fitting of the brig, the ownership, and objects of the voyage, if so disposed.

I am, &c.

R. BARTLETT, *Consul.*

Viscount PALMERSTON, *G. C. B., &c.*

I enclose a memorandum respecting the sailors on board the brig "Two Friends," as stated by Francis Cassedy and Joseph Oliver.

[Sub-enclosure.]

Francis Cassedy, native of Newry, in Ireland, shipped at Liverpool on board the "Edward Bonnyfied," of Philadelphia, for New Orleans, John Durkey, master. Joseph Oliver, native of St. Ubes, in Portugal, left London in the ship "Portsea," for New York, and from thence went to New Orleans.

They state that the brig "Two Friends" left Havana with a Spanish captain and crew, and Spanish flag, bound to New Orleans. There (J. Oliver says) the brig arrived about the 31st March or 1st April. He went on board two days afterwards, and there were no Americans on board.

The deponents say, at New Orleans, American papers and flag were obtained, and a crew of sixteen men were shipped as Americans, but are all foreigners except one.

The deponents say that they signed articles to go to a port in Cuba, from thence to port or ports in Europe, thence to the coast of Africa, and from thence to a port of discharge in the West Indies.

The "Two Friends" sailed from New Orleans to Cabanas, in the island of Cuba, and thence shipped small irons for the legs, coppers, and about fifty or sixty bags of rice, which were landed at Gallinas, on the coast of Africa, (and Cassedy says also two Portuguese flags and two French flags,) where the ship proceeded from Cabanas, and remained twenty-four hours only, and arrived at Santa Cruz (Teneriffe) on Monday, the 15th July, after a passage of thirty days.

Francis Cassedy states, that, on his arrival at Cabanas, he asked for his discharge, when he found out the destination of the ship, which was de-

nied; and he is now desirous of leaving the ship, as he does not wish to be employed in the slave trade, which he has no doubt is the object of the voyage. Joseph Oliver states that he also wishes to leave the ship, and refuses to continue the voyage. He (Cassedy) is serving on board the American ship "Two Friends," under the name of Robert Dashiell. A protection for a man of that name was given to him by William Rogers, a seaman on board.

FRANCIS CASSEDY.

his

JOSEPH + OLIVER.

mark.

SANTA CRUZ, July 22, 1839.

[Sub-enclosure.]

Memorandum respecting the sailors on board the brig "Two Friends," under American colors, as stated by Francis Cassedy and Joseph Oliver.

American crew, 13—two Englishmen, two Prussians, three Frenchmen, two Italians, one Norwegian, one Portuguese, one Spaniard, one American.

Spanish crew, 11—six Portuguese, five Spaniards.

NOTE.—Two Englishmen and one Russian went on shore at Cabanas, in Cuba.

[Sub-enclosure.]

John Maguire, native of Liverpool, states that his father was a custom-house officer in Liverpool, and died about six years ago; and a few days before his death he obtained the appointment of landing waiter. The said J. Maguire says, that, being in New Orleans, he went to the office of an agent for ships, named Gibbs, and asked for a ship; that Gibbs told him he had a very good ship, called the "Dos Amigos;" that he shipped at once, without further inquiry; and that he went on board, and, seeing the Spanish crew, he asked who they were, and was told they were passengers; that he (Maguire) shipped in the name of George Anderson, that being the name of a sailor belonging to the American frigate "United States," who, when that ship was paid off, gave him (Maguire) his discharge; and that he has no other American protection; that, when the American ship "Two Friends" arrived at Cabanas, in Cuba, he asked the captain for his discharge, and was told he might go on shore; and when preparing to do so, the mate called him back, and said, "Jack, you had better go with us;" he told him "no;" and the mate then said, "How are you to get on shore?" and there being no means of doing so, he proceeded on the voyage; that, before the ship arrived at Gallinas, the men's names were changed, except

some of those that had American protections; and that the deponent was called Samuel O'Neil.

The circumstances of the voyage, as stated by Cassedy, the deponent confirms. He objects to serve in the "Two Friends."

JOHN MAGUIRE.

SANTA CRUZ, July 26, 1839.

[Enclosure No. 25.]

SIERRA LEONE, July 31, 1839.

MY LORD: We have the honor to inform your lordship that, on the 2d instant, the British and Portuguese court of mixed commission condemned the Portuguese schooner Prova, Francisco José Dias, master, for being engaged in the illicit traffic in slaves; and emancipated the survivors of the slaves found on board of her at the time of her capture by Her Majesty's sloop Pylades, William Langford Castle, Esq., commanding.

The Prova was captured on the 3d ultimo, whilst lying at anchor in the Calabar river, having just before taken on board a cargo of 225 slaves, and being on the point of getting under way for the purpose of conveying those slaves to Havana. She arrived in this harbor on the evening of Saturday, the 23d ultimo; and proceedings, in the usual form, were commenced against her on the following Monday, which were closed on the 2d instant, when she was adjudged to be a good and lawful prize.

Our report in this case we have now the honor to enclose; from which your lordship will perceive that this is one of the ordinary cases of slave traders, owned and freighted at Havana, but sailing under the Portuguese papers obtained at the Cape de Verd islands. The water casks and slave deck were, as usual, cleared out as part of the lawful cargo of the vessel.

Stress of weather and damage received at sea compelled the Prova, soon after she left the Havana, to put into Charleston to refit; and she remained there for nearly three months. The outward appearance alone of this vessel would, it might be supposed, have excited suspicion as to the real object of her voyage; but it is surprising that, fitted and equipped as she was for the slave trade, and with her leaguers (shaken) and slave deck on board, she should have been permitted to clear out from an American port for the coast of Africa.

We have, &c.

H. W. MACAULAY.
R. DOHERTY.

Viscount PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

Report of the case of the Portuguese schooner Prova, Francisco José Dias, master.

This vessel was furnished with a commercial passport, or register, from the Government of the Cape de Verd islands, dated at Villa de Praia, in the island of St. Jago, on the 29th of December, 1835. She is therein stated to be of American build, to be owned by the notorious Luis Pereira

de Mello, and to be commanded by Libano Agostinho de Campo. It does not appear that this passport was made use of for a long period after it was obtained; and the first endorsement upon it is made by Fernandez, the Portuguese consul at Havana, on the 27th of July, 1837, when she cleared out from that place for the island of St. Thomas, under the command of Francisco José Dias, the present master. The passport is again endorsed by the Portuguese vice consul at Charleston, on the 13th of November last—the vessel having been obliged to put into that port in distress, a few days after leaving the Havana. The only other endorsement is in the following words: "Boarded by Her Majesty's brig *G. N. W.*, after a long chase, in latitude 4° N., longitude 3° 30'. He had his guns and muskets loaded; and states he is going to Calabar to land a passenger." This memorandum is without any date; but we have reasons to think that the initials or number is that of her Majesty's schooner *Fair Rosamond*. The passenger, on account of whom it was pretended by the *Prova* that she was running into the Calabar, is presumed to be a person of the name of Andres Cibras, by whom a passport for St. Thomas, which is among the ship's papers, was obtained from Tacon, the Captain General of Havana, on the 26th of July, last year.

In the official manifest and clearance from Havana, 20 bundles of shaken casks for bringing back palm oil, and 2,000 feet of boards, are mentioned as a part of the legitimate cargo; and it is remarkable, as a proof of the utter disregard of even ordinary forms by the authorities at Havana, in despatching slave vessels, that while the custom-house clears out the *Prova* solely for the river Calabar, on the 26th of July, the Portuguese consul certifies, on the following day, that she was cleared out solely for the island of St. Thomas.

From the 24th of August to the 16th of November the *Prova* was detained in Charleston. It does seem somewhat extraordinary, that a vessel, both in appearance and fittings obviously destined for the slave trade, should have been allowed quietly to leave a port of the United States, with her slave-trade equipment on board, after such ample opportunity had been afforded of ascertaining the real object of her voyage. In the documents signed by the American custom-house officers, it is stated that the *Prova* put into Charleston in distress, and that no part of her cargo was landed there. The cargo which she had on board is, however, described; and "twenty bundles of shooks" are included in the description. This circumstance was alone, it would be supposed, calculated to cause suspicion.

From two log books found on board the prize, it appears that she came direct from Charleston, which she left on the 16th of November, 1837, bound to the river Calabar, which she did not reach until the 2d of January, 1838, having been much impeded by calms.

After a lapse of rather more than four months, the guilty intention of the *Prova's* voyage was carried into effect, and a cargo of slaves was taken on board on the morning of the 3d ultimo; immediately after which, she was boarded and taken possession of by the boats of Her Majesty's sloop *Pylades*, W. L. Castle, Esq., commanding. A midshipman and prize crew were then placed on board the prize, and she was despatched to this place for trial.

On the 23d ultimo the *Prova* came to anchor in this harbor; and the clean and comparatively comfortable condition of the slaves and the vessel reflects great credit on Mr. W. G. McPherson, the officer who command-

ed her. The marshal's report stated that 225 slaves had been on board the detained vessel at the time of capture, and that only 20 had died during the passage up. The surgeon represented that the slaves generally were thin and squalid, owing, as was represented to him, to their having been confined in barracoons for several months before their embarkation; that dysentery was prevalent among them, and that fifty-four cases of that disease would require to be treated in hospital; that the size of the vessel was quite inadequate to the number on board; and that it was desirable that the whole of the slaves should be landed as soon as possible. This recommendation was carried into effect on Monday morning, the 25th ultimo; the *Prova* having only arrived on Saturday evening, and it being therefore impossible to receive her into court, or to present a petition for the landing of the slaves, until the following Monday morning.

The vessel was libelled in the British and Portugeuse court, in the usual manner; and, on the petition of the captor's proctor, the affidavit of the prize master, verifying the facts of seizure and the authority of the seizer, and authenticating the ship's papers, was received, together with the captor's declaration and inventory of stores found on board the detained vessel. A monition was issued to the marshal, summoning all interested parties to appear on or before the 2d instant; and the witnesses in preparatory, produced by the captor's proctor, were ordered to give immediate attendance, for the purpose of their being examined on the standing interrogatories.

On this occasion, Francisco José Dias, the master of the detained vessel, deposed, that he was born in Lisbon, and has lived there till within the last two years, and that he now resides at Bonavista, in the Cape de Verd islands; that he has never served any State but Portugal; that he was recently married at Matanzas, where his wife now is—but only temporarily, as witness's house is at Bonavista; that he was appointed to the command of the detained vessel, and possession of her was given him at Havana, about twelve months since, by Don Gregorio Menendes, a resident in Havana—but whether a Spaniard or Portuguese, witness is ignorant; that witness first saw the vessel there about a month previously, and believes she is Brazilian built; that he was present when the vessel was seized for having slaves on board; that she had no colors but Portuguese; that she is 91½ tons burden, and had a crew of 23 officers and mariners, exclusive of witness—all of whom, except two Spaniards, were Portuguese subjects, and all were hired and shipped at Havana, by witness, in July last; that neither he nor any other of the officers or mariners had any interest in either vessel or cargo; that he was master on board; that there was one passenger, a Spaniard, named Pedro Cibras, who was a clerk at Havana, and was taken on board there for a passage to St. Thomas; that witness knows nothing further about him; that he was not taken to St. Thomas, because his health would not permit of it, and that he had no interest or authority respecting the vessel or cargo; that the voyage commenced and was to have ended at Havana; that the last clearing port was Charleston; that the vessel was proceeding on her voyage from Havana to the coast, when she carried away her jib boom, and received other considerable damage, which compelled her to go to Charleston, where she remained about two months refitting, and thence sailed direct to the Calabar, where her slaves were shipped; that the capturing vessel was first

seen outside the Calabar, on the day after the seizure of the *Prova* by her boats; that the capture took place within the bar of that river, on the 3d of June; that the name of the owner of the vessel is in the passport, but witness does not recollect it, being personally unacquainted with him; that the owner resides at St. Jago, Cape Verd, and is a Portuguese by birth; that witness is ignorant of the existence of any bill of sale; that he believes the vessel, if restored, will belong to the party named in the passport, and to no other person; that the consignee of the vessel at Havana, and the lader of the cargo there, was Don Gregorio Menendes, a resident merchant in that place; that witness was the purchaser and lader of the slaves shipped in the Calabar, and who were bought, by order of Menendes, with the goods shipped by that person at Havana; that the slaves were to have been landed at Havana, on account and risk of Menendes, and will belong to that person if restored; that the vessel was under witness's management with regard to her trade, and he corresponds with Menendes only; that he knows nothing of the former voyage of the vessel; that the cargo shipped at Havana was a general trade one; that the present cargo is slaves—of whom 225 were shipped altogether—all from the shore in the old Calabar river; and that, after capture, the vessel was taken to Sierra Leone.

Ramon Peña, the cook of the *Prova*, was the other witness examined; but his deposition is of no consequence, as he pretended ignorance on every point respecting which he was questioned.

The publication of the above evidence was decreed on the 26th ultimo; and on the same day the prize master was allowed to file an affidavit, accounting for the deaths which had occurred amongst the slaves. By this document, it appeared that 24 slaves had died between the 3d ultimo and the landing of the survivors on the 25th ultimo, notwithstanding every care and attention on the part of the officer and seamen composing the prize crew.

A petition for a day of trial was then presented, which was answered by appointing Monday, the 2d instant, for the purpose; the monition issued on the 25th ultimo being made returnable on that day.

When the court met, a return from the liberated African department was presented by the marshal, showing that seven slaves had died in the interval between their landing and the sitting of the court. The evidence taken in the case, of which an abstract has been given above, was read; and the illegal employment of the detained vessel at the moment of her capture being fully admitted by all parties, the *Prova* was pronounced a good and lawful prize to the crowns of Great Britain and Portugal, and the survivors of the slaves captured on board of her (194 in number) were decreed to be emancipated from slavery. It was also declared that sufficient proof had been produced that 225 slaves had been on board the detained vessel when taken possession of by the captors; of whom 24 had died before the vessel could land her slaves in this colony, and 7 subsequently.

H. W. MACAULAY.
R. DOHERTY.

SIERRA LEONE, *July 31, 1839.*

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,

Washington, February 12, 1840.

The President has directed the undersigned, Secretary of State of the United States, to reply to the note of Mr. Fox, Her Britannic Majesty's envoy extraordinary and minister plenipotentiary, of the 30th of October last, on the subject of the African slave trade.

The Government of the United States is animated by as sincere and strong a desire to see the African slave trade annihilated as can possibly actuate that of Her Britannic Majesty, and has, from its foundation to the present hour, pursued a uniform and consistent course for the accomplishment of that end. Its duty to the world, in that respect, has been faithfully performed; and if the traffic still exists as a disgrace to humanity, it is to be imputed to nations with whom Her Majesty's Government has formed and maintained the most intimate connexions, and to whose Governments Great Britain has paid for the right of active intervention, in order to its complete extirpation. It is not, therefore, deemed at all necessary to take a more extended notice of Mr. Fox's general denunciation of the criminality of the traffic, or of the opinion expressed by him, that it is the duty of civilized nations to unite in its destruction. The Government of the United States having taken the steps which it deemed to be the proper ones on its part, leaves to others to imitate or avoid the example it offers, without pretending further to interfere with their right to decide, or with their decision when made. It is not forgotten that this Government at one time contemplated conventional arrangements with other Powers; and that one negotiated with the Government of Great Britain was not ratified, in consequence of an irreconcilable difference of opinion in the two branches of the treaty-making power in this country.

The opposition then manifested, and which compelled great caution and reserve in future dealings with the subject, has, it must be admitted, been strongly fortified by recent events, and especially by the present state of the relations between the different Powers who have entered into conventional arrangements upon the subject.

That a fraudulent use of the American flag has been made by foreigners, was made known to the President by the consul of the United States at Havana, who has pointed the attention of this Government to the defects of the laws regulating the transfer of vessels sold abroad, under which those frauds have been attempted or perpetrated. The President has lost no time in calling the attention of Congress to the subject, by whom it will, without doubt, be fully considered, with a view to the adoption of all necessary amendments.

The state of things on the coast of Africa, as disclosed by Mr. Fox's communication, has rendered necessary the presence for some time of an American naval force, as a measure of precaution, to protect American vessels from improper molestation in that quarter of the globe; and, also, to detect those foreigners who may be found carrying, without proper authority, the flag of the United States.

Mr. Fox suggests, under the instructions of Her Britannic Majesty's Government, that the laws of the United States against the slave trade are insufficient; but, in the several cases detailed by him, there is nothing to sustain a presumption that any practicable change in those laws could reach

the persons who are at the present day engaged in the trade. The United States have no authority to punish the subjects or citizens of other nations for offences committed against the laws of their own country on the high seas or within a foreign jurisdiction; and the President does not understand upon what principle Her Majesty's Government can expect that that of the United States will either refuse admission to the vessel of a friendly nation, which seeks refuge in distress, or establish a scrutiny into the business in which such vessel may be engaged, with a design to deny succor or a clearance if found to be destined for a trade hateful to the United States, or forbidden by the laws of the country to which she belongs. Her Majesty's Government (no doubt inadvertently) overlooked the essential difference in the relative situation towards Portugal, Spain, and Brazil, of the two Governments of Great Britain and the United States. With Spanish, Portuguese, or Brazilian vessels, forced into our ports by misfortune, although engaged in the slave trade, the officers of the customs have no right to interfere. It is the business of the consuls of foreign Powers within the United States to watch over the interests of their countrymen, and to enforce an observance of the laws of their respective nations; and the Government of the United States does not interfere with any supposed infractions of them, except on official application in behalf of the Governments of those nations in each particular case.

The President sees with regret, by the contents of Mr. Fox's note, that Her Britannic Majesty's Government continues to think it important that the United States should become a party to a convention yielding the mutual right of search to the armed vessels of each other, with a view to detect persons engaged in the slave trade. Her Majesty's Government considers such convention as the most sure and effectual mode of checking that trade. After the determination which the position and policy of the United States have required this Government to make, the President would regret extremely to be convinced that in this regard Her Majesty's Government judges correctly. He cannot but think, on a careful examination of the evidence exhibited with Mr. Fox's note, that Her Britannic Majesty's Government has overlooked both the causes of the present shocking condition of the slave trade, and the remedies which are demanded to correct the evil. To do justice to his opinions on this subject, it would be necessary for the undersigned to institute a scrutiny into the proceedings of other friendly nations, which might justly be considered uncalled for and invidious. It will be sufficient to appeal to a few broad facts, well known to Her Majesty's Government, and to apply to them the well-established rules of trade and of criminal law. There are slave markets. In these slave markets, if they can be reached before detection, the profits of the trade are certain and enormous; and impunity is, in that event, unfortunately for the true interests of humanity, quite as certain as profit. Destroy the market, and there is no slave trade. Pursue the criminal into the places where his profit is derived, render punishment there as certain as detection, and detection as certain as just vigilance can make it, and the fear of punishment will be strong enough to overcome the love of gain—the great stimulant under which the laws of humanity are every day violated by worthless members of all human societies. In the largest and most profitable of these markets, Her Britannic Majesty's commissioners of the mixed commission have named vessels employed in the slave trade; mercantile houses as notoriously dealing in that traffic; the number of Africans brought in, contrary

to legal enactments and treaty stipulations. Like statements are made by Her Britannic Majesty's naval officers, and the commissioners of the mixed commission in Sierra Leone. All the evidence furnished points to the source of the mischief, and indicates the only effectual corrective. The President, from all that Mr. Fox has presented, and that which has been furnished through the officers of the United States, sincerely believes that the complete extirpation of the slave trade depends not so much upon the formation of the new convention desired by Mr. Fox, as on the faithful execution of those already existing. But little can be expected from the promulgation of new laws, while those already adopted are treated as dead letters in the criminal code.

The unfavorable constructions placed upon the conduct of the consul of the United States at Havana by the officers of the mixed commission, and communicated to this Government by Mr. Fox, have received from the President the consideration which is due to their character, and to the importance of the subject to which they relate. Fully informed as is Her Majesty's Government of the opinions and wishes of that of the United States upon the subject of the slave trade, it can scarcely be necessary to say that no officer of the United States, who is amenable to the President, would be allowed by him to remain in office for a single day after it was made to appear that he was so recreant to his duty as to countenance, in any way, a traffic in itself so odious, and which is so severely denounced by the laws of his country.

The conduct of the United States consul at Havana in this respect will necessarily undergo investigation, after what has been said of it by Her Majesty's Government; but the President would be unjust to the known reputation of Mr. Trist, if he did not express his confident hope that the result will be such as to satisfy all that great injustice has been done to him upon this subject, and that his public and private character is without reproach. It is very plain that the inferences and suspicions of the officers of the mixed commission, derogatory to the official fidelity of Mr. Trist, have chiefly had their origin in the displeasure which was manifested by him at receiving from them information which they believed calculated to advance the known views of his own Government in relation to the slave trade. The excited feelings of Mr. Trist on the occasion referred to might, unexplained, give cause for unfavorable inferences. But this circumstance loses all its force when it is considered that the displeasure of the American consul arose not from the fact that the communications were made to him, but from the estimate which he formed of the motives by which those who made them were influenced. Their avowed object was to induce him to take steps at Havana to prevent vessels which had once been American from further prosecution of the slave trade, and to bring to punishment certain alleged American citizens for having been parties to it. In the case of the "Venus," it was a prominent point to prevent her leaving the port of Havana, and Mr. Trist was advised to make application to that end to the Captain General. Mr. Trist, it appears, regarded himself not only utterly powerless in respect to the accomplishment of either of the objects proposed to him, but also considered the office which the commissioners undertook to assign to him to be that of arraigning the local authorities of Havana, from the Captain General down, for failing to detect or notice a notorious infraction of laws, to the strictest enforcement of which they are bound, not in the ordinary degree, but in the especial manner arising from the treaty

obligations of their Government to that of Great Britain. Regarding the matter in this light, assuming that the officers of the mixed commission so understood it themselves, and believing an application to the Captain General for his interference, by the commissioners, to be not only the appropriate, but the only one which could promise success, Mr. Trist became impressed with a belief that the commissioners, in making their communication to him, did so under a full conviction that its only effect would be to attach to the Government of the United States a portion of the odium justly due to others for the disreputable scenes which were every day passing under their eyes, without a well grounded expectation that his interference would be at all useful in arresting them. The President does not allow himself to believe that such was their object; but it is certain, as well from the correspondence itself as from the communications of Mr. Trist to his own Government, that he so understood it. Constituting, as this belief undoubtedly did, the paramount motive for his conduct upon the occasion, it effectually repels the construction attempted to be placed upon it by the commissioners. A correspondence between the subordinate officers of the two Governments, in situations like the present, is always permitted for the interchange of reciprocal civilities, and in some cases tolerated upon subjects properly belonging to the Governments themselves, but should never be persisted in when objected to on either side, and more especially when the ground of that objection is, that the correspondence is designed to call in question the acts or good faith of the Government of the objecting officer. It is therefore to be regretted that the officers of the mixed commission did not, after the emphatic refusal of the consul of the United States at Havana to correspond with them upon the subject of the slave trade, in 1838, adopt, on a late occasion, the course now pursued, in communicating with this Government through their own. Much excitement and misconstruction would certainly have been prevented by it, and probably without prejudice to the objects in view.

Her Majesty's Government does not appear to be aware of the nature and extent of the services performed by Mr. Trist for the subjects of Portugal. There being no Portuguese consul at Havana, he did for some time what had for many years been done by his predecessor, Mr. Shaler, and is now understood to be done by the Tuscan consul, at the instance of the Captain General himself—and what was supposed to be due by national comity from the consul of one friendly nation to the subjects of another, who had no consul of their own to call upon—he certified to the execution of the ordinary documents connected with their maritime transactions. He could not be aware that his certification of the execution of a deed of sale, or of the signature to a protest, or affidavit to a manifest or list of crew, was to be taken as higher proof than if given by any other consul, or that he was responsible for the truth of the contents of either of those documents; and the undersigned feels himself bound to say that he cannot comprehend how it could be so regarded by any unprejudiced mind. It is due to the subject further to state, that the moment Mr. Trist found there was reason to apprehend that his so acting was thought capable of being construed to be inconsistent with the duties expected of him by his Government, he at once refused his further agency in the matter, and the Tuscan consul began to act, as has been stated. Since December, 1838, he has performed no services for the Portuguese consulship—a fact which could not but be known to Her Majesty's commissioners, and which

they ought, in justice to Mr. Trist, to have communicated to Her Majesty's Government.

Prior to the receipt of Mr. Fox's note of 30th October, imputations against Mr. Trist appeared in the public journals, and he was immediately induced, upon seeing an article in one of them, purporting to be a compendium of British parliamentary papers, which contained grave charges against him in his official character, to address a letter to the undersigned, requesting that a formal demand might be made on Her Majesty's Government for one or more specimens of certain blank forms, signed by him, to be filled up as occasion might require, which were alleged to have been found on board of vessels engaged in the slave trade, and for all other specific information that could be furnished relative to this matter. Mr. Trist preferred this request with a view to meet the charges; and a compliance with his wish was only postponed because Mr. Fox had, in conversation, intimated his intention of making a communication to this Government regarding the abuse of its flag, connected with a complaint against the American consul at Havana, which, it was supposed, would probably be accompanied by one of the blanks referred to—an expectation which was not realized. With a view to a perfect understanding of the charge against Mr. Trist, and to enable him fairly to meet it, Mr. Stevenson has been instructed to apply to Her Britannic Majesty's Government, in conformity with the wish of the United States consul at Havana.

In closing this answer, the undersigned is instructed to give to Mr. Fox the most explicit assurances that the whole subject will be carefully and deliberately weighed; and the most decisive measures within the competency of the Executive, and in accordance with the principles herein explained, to reach the evil, will be taken, and continued until the necessity for their continuance shall no longer exist.

Availing himself of this occasion, the undersigned renews to Mr. Fox the expressions of his great consideration and respect.

JOHN FORSYTH.

HENRY S. FOX, Esq., &c.

Mr. Fox to Mr. Forsyth.

WASHINGTON, March 30, 1840.

SIR: With reference to a former communication, which the undersigned, Her Britannic Majesty's envoy extraordinary and minister plenipotentiary, had the honor to address to the Secretary of State of the United States, upon the subject of the African slave trade, and the deplorable extent to which the American flag is abused for the protection of that inhuman trade, the undersigned has been further directed by his Government to communicate to the Government of the United States the two enclosed papers, consisting of reports from Her Majesty's commissioners at Sierra Leone upon the case of a schooner, called the "Rebecca," captured by one of Her Majesty's cruisers on the coast of Africa, and condemned by the British and Spanish mixed court of commission at Sierra Leone, for being engaged, on account of Spanish owners residing at Havana, in the illicit traffic of slaves.

It will be seen, by the United States Government, that the papers now communicated disclose, in a clear and remarkable manner, the means to

which the Spanish slave traders of Cuba are accustomed to resort, in order to obtain the protection of the flag of the United States in aid of their barbarous and abominable system of crime.

The undersigned avails himself of this occasion to renew to the Secretary of State of the United States the assurance of his distinguished consideration.

H. S. FOX.

HON. JOHN FORSYTH,
Secretary of State, &c.

[Enclosure No. 1.]

SIERRA LEONE, *April 10, 1839.*

MY LORD: On the 22d ultimo, Her Majesty's brigantine "Forester," Lieutenant Campbell, commander, visited the Gallinas, where she found the schooner "Rebecca," without any official papers on board, and under no national flag. The mate of the Rebecca, Nicolas Echevarria, was in charge of her, and represented to the seizor that the master of the schooner, whom he described as Domingo Artata, had carried on shore with him the papers of the vessel, which he said were Portuguese. The mate further stated that the schooner had come from Havana to Gallinas under the command of George Watson, an American, (who was then on board,) and that she was owned by a resident of Havana. Lieutenant Campbell, under all the circumstances, considered it to be his duty to detain the Rebecca, as Spanish property illegally equipped, and to send her to this port for trial.

She arrived here on the 27th ultimo, and proceedings were immediately instituted against her on the above charge, in the British and Spanish mixed court of justice.

Our report of this case we have now the honor of transmitting to your lordship.

Although no ship's papers were found on board the "Rebecca," the private documents, in connexion with the evidence of the witnesses, furnish a complete illustration of the mode in which the American flag is at present employed to facilitate the Cuba slave trade.

The American owner of the "Rebecca," after having disposed of her to an Havana slave merchant, allowed the former American papers and master still to remain on board the vessel (no longer his property) on the outward voyage to the coast of Africa, and until her return cargo of slaves should be ready for shipment; when the nominal American master of the vessel was to transmit to the former American owner the American register, cut across the middle, by two separate conveyances, so that the owner "might cancel his bonds at the custom-house."

The flag of America, which the "Rebecca" had no right to bear, was thus used by the Spanish slave merchant to protect the outward voyage of a vessel which would otherwise have been liable to seizure and condemnation under the Spanish treaty, on the ground of equipment; and the nominal American master, the willing agent of the fraud employed to give a specious color to the transaction, was plainly told by his former American employer that he must no longer look to him for a remuneration for his services, but either to Ealo, the owner at Havana, or Alvarez, the consignee at the Gallinas.

This the American (Watson) seems to have been quite willing to do; and in a letter (copy of which was found in his log book) he informs a correspondent that, on a former trip of the same nature he had realized a clear profit of \$880, including his wages, and the nett proceeds of three slaves, who were reserved for him out of the homeward cargo.

On the present voyage, the amount of Watson's wages does not appear; but a passage from Gallinas back to Havana, on board the "Rebecca," was to be found for him; and he was to receive one slave out of the cargo, as his perquisite.

It will be observed, from paper No. 6, that the merchants of Havana rely with confidence on the protection which will be afforded, to a very considerable extent, by the American flag, in carrying on illicit slave trade.

We have, &c.

W. H. MACAULAY.
WALTER W. LEWIS.

Viscount PALMERSTON, &c.

[Enclosure No. 2.]

Report of the case of the schooner "Rebecca," Domingo Artata, master.

At the time of the detention of this vessel at the Gallinas, she had no flag flying, and was unprovided with official papers of any kind which could afford her a national character. The following documents, found on board of the schooner when she was seized, showed that she had cleared out from Havana for Gallinas in January last, as an American vessel, under the command of George Watson, an American citizen; and that, on reaching her destination, she was to be delivered by Watson to Pablo Alvarez, of the Gallinas, who was to ship a cargo of slaves, with which the schooner was to return to Havana, bringing the American master as a passenger.

No. 1. A clearance from the Havana, dated the 25th of January, 1839, stating that the American schooner "Rebecca," Captain Watson, was bound to the Gallinas, with a cargo of spirits, rice, arms, ammunition, and some bales of merchandise, shipped by José de Ealo.

No. 2. A letter to George Watson, from the late American owner of the vessel, F. Neill. It is dated Havana, January 21st, 1839, and is to the following effect:

"You will proceed with the schooner 'Rebecca,' under your command, direct from here to Gallinas, and, on your arrival there, deliver her up to Don Pablo Alvarez, of the said place, agreeably to an arrangement I have made here with Don José Ealo, looking to either of them for any demand you may have for your services, as well as the crew and officers. You will, upon your arrival at Gallinas, after delivery of the schooner 'Rebecca' aforesaid, send her register, in two different vessels, to me at Baltimore, cutting it in the middle, in order that I may cancel my bonds in the custom-house."

"F. NEILL."

No. 3. Instructions for Señor Don Domingo Artata, dated Havana, 21st January, 1839, from Silvestre Iriarte and Tomas Trigoyen. The following is an extract:

"On your arrival at Gallinas, you will place yourself under the orders of Don Pablo Alvarez, and observe those which he may give you with the greatest exactness. You will *both* take care that the American schooner 'Rebecca' keeps her flag *till the moment of putting her cargo on board*. You will bring in the vessel citizen Watson, with a slave which he has our permission to bring with him. When loaded, you will steer directly to this island."

Then follow general directions concerning the different points in the island of Cuba where he might possibly have to land the slaves.

No. 4. A receipt given by the Spanish mate, Echevarria, to the American master, Watson, for the vessel, in the following words:

"SCHOONER 'REBECCA,' GALLINAS, *March 20, 1839.*

"I hereby acknowledge that I this day took charge of the schooner 'Rebecca,' lately under your command, in the name of Don Pablo Alvarez.

"NICOLAS ECHEVARRIA."

No. 5. A parcel of six log books of the voyage of the American schooner "Rebecca" from Havana to the Gallinas. Of these, there is one in English and five in Spanish. Only two of the logs contain a complete account of the voyage: one of these two has apparently been kept by the Spanish master, Domingo Artata, as, in addition to the late voyage to Gallinas, it contains the history of a previous voyage there, and back to Cuba, which he had made on account of Pablo Alvarez, to whom he was again consigned. The log book written in English, apparently by George Watson, is very imperfectly kept, until the "Rebecca" was anchored at the Gallinas, when Watson seems to have considered it necessary to be more particular, and he accordingly entered the hours at which the shore canoes came off to him, and the several articles they each carried away from the vessel. On the 19th of March, he notes the disembarkation of "all the irons and other small packages with them." There is a copy of a letter in this book, in English, dated Havana, May 25, 1837, stating the writer to have made a successful voyage, with 503 negroes; that his wages amounted to \$280, besides three slaves; and his clear profit by the trip was \$880.

No. 6. Two letters, under the same date of January 22, 1839, to Juan Batalla, of Gallinas, from Tomas de Trigoyen, Juan Suris, and Racon & Co., at Havana. In these letters, it is notified to Batalla that his correspondents will despatch to him, from Havana, a vessel to carry from 300 to 350 slaves, as soon as it can be purchased. "The only difficulty," they say, "which has hitherto delayed the carrying our intentions into effect, has been that of the flag—arising from the scarcity of American vessels of the class and burden which we require; for all other impediments are easily surmounted. As vessels of the description required are constantly arriving, and as, amongst several that are expected, it will not be difficult to find one that suits us, you may reckon with all certainty on one sailing for your place about the 25th of February." It is suggested that Batalla may with safety increase his trade to 1,500 slaves annually; and he is recommended to put himself in communication with Pablo Alvarez, of Gallinas, in order to accomplish that object.

There were many other papers found on board, which appeared to be of not much importance.

The detained vessel reached this port on the 27th ultimo, and was duly

reported by the marshal to the courts. On the following day proceedings were instituted against her in the British and Spanish mixed court, on the charge of her being a Spanish vessel illegally equipped. The papers (not ship's papers) seized, having been authenticated by the affidavit of the captor, and his declaration being sworn to, the said papers were filed, and the usual monition was issued. The declaration of Lieutenant Colin Yorke Campbell, commander of Her Majesty's brigantine "Forester," stated that, being off the Gallinas on the 22d of March ultimo, he detained the schooner "Rebecca," having no colors flying, but with a Portuguese ensign on board. The schooner was in custody of Nicolas Echevarria, her first mate, who declared her to have come from Havana to Gallinas, during which voyage she was commanded by George Watson, an American. The said George Watson then stated that he had formally given up the said vessel to Echevarria, on his arrival at Gallinas, agreeably to his orders from F. Neill, the late owner. The mate, Echevarria, further stated that the vessel was owned by José Ealo, of Havana; and that the Portuguese papers belonging to the vessel had been conveyed on shore, on the day previous, by the master of the schooner, Domingo Artata; which statement respecting the carrying away of the papers was confirmed by George Watson, who now described himself as a passenger on board. Lieutenant Campbell, considering the "Rebecca" to be Spanish property, detained her for being illegally equipped.

On the 30th ultimo, the mate, Echevarria, and the passenger, George Watson, were produced by the captor as witnesses in the case, and examined on the standing interrogatories. Echevarria deposed "that the name of the master is Domingo Artata; has known him during one year. He was born in the province of Biscay, in Spain, where he generally resides. He is married, and his wife resides there also. The master was appointed to the command by one Ealo, a Spaniard, residing in Havana; from whom, also, he received possession at that place three months ago. First saw the vessel there and then; does not know where she was built. He was present at the capture; does not know on what pretence it took place. The vessel sailed under Portuguese colors, and there were no others on board. The vessel is called the 'Rebecca;' has never heard of her bearing any other name. She is of 142 tons burden. There were 12 officers and mariners, exclusive of the master, all Spaniards, shipped by the master at Havana; witness does not know at what precise period, as he found them on board when he himself joined the vessel there, three months ago. Neither he nor any of the officers or mariners had any interest in the vessel or her lading; was mate on board. There was one passenger, named Watson, an American by birth, and a seaman by profession. He was taken on board when the vessel left Havana, in order to proceed to Gallinas; witness does not know on what business. He had no concern or authority in or over the vessel or cargo. The voyage began and was to end at Havana, which was the last clearing port. The vessel touched at Gallinas to discharge her cargo; which was done, with the exception of a small part of it. The capturing ship was first seen while the detained vessel was at anchor at the Gallinas, at two o'clock in the evening of the 22d of the month instant; capture took place within an hour. The destination by the papers was Gallinas and Havana; and the course had been at all times directed to the former place. There are no guns mounted on board. There were six cutlasses and two pistols, but no ammunition, save what was contained in

the cargo. No resistance was made to capture, nor were there any instructions for resisting or avoiding capture, or for destroying or concealing the vessel's papers. Ealo, from whom the master received command and possession, was the sole owner of the vessel; knows it, because he cleared out and transacted all the business of the vessel. Does not know if he be married, nor how long he has resided in Havana. He knows nothing of a bill of sale, price, or transfer of the vessel. The owner of the vessel was also sole lader, owner, and consignee of the cargo. He knows nothing of the lading of the last voyage. The cargo brought out on the present was tobacco, aguadilute, dry goods, cutlasses, muskets, and ammunition. The vessel, after capture, was brought direct to Sierra Leone. He knows nothing of the truth and fairness of the passports and other papers; he does not know that any of the papers were destroyed, concealed, or made way with; he knows nothing of any writings relating to vessel or cargo in any other country; he knows nothing of any charter-party; he does not know whether or not the cargo be insured. The vessel, with respect to her employment in trade, was under the direction of one Alvarez, of Gallinas; bulk was broken at Gallinas only. No slave has been put or received on board, for the purpose of the traffic in slaves, during the present voyage."

To the special interrogatories respecting the equipment of this vessel, the mate swore, in reply, that "the hatches are not fitted with open gratings. The coverings of the hatchways are not pierced or otherwise fitted to receive iron bolts or bars, none of which are on board. There are two bulkheads—those of the cabin and forecastle. There are spare planks, fitted and numbered, so as to form a complete slave deck fore and aft. There is no part of a slave deck laid at present. There were eighteen or twenty pairs of shackles, to be used against the crew in the event of mutiny or disobedience, but no bolts or handcuffs. There are leaguers and casks on board capable of receiving eighty pipes of water in all, and containing two pipes of fresh water at the time of capture. There are no tanks or staves. The vessel was supplied with the means of carrying so much water, because it was required for the use of the crew.

"There were four mess kids for the use of the crew. There were three or four iron boilers for the use of the crew. There are two leaguers, capable of containing a puncheon each, which are filled with rice for the use of the crew. There is no flour, and no Indian corn."

The evidence of George Watson, lately the American master of the vessel, was to the effect that he was born in America; Ealo, of Havana, appointed him to be master of the schooner about two months ago, and not Domingo Ariata, as the mate had stated. He gave possession of the vessel to the mate (Echevarria) on the 20th ultimo—a statement which the mate's receipt, found with other papers on board, confirmed. The cause of capture was want of colors and papers for the schooner. Previous to detention, the vessel sailed under the American flag; she had Portuguese colors, and none other, on board. The crew were all Spanish, and shipped at Havana by the owner. He had orders from the American owner (F. Neill) for destroying the vessel's papers, and his instructions on delivering over the vessel to Pablo Alvarez, at Gallinas, according to his directions. He sent away the American register to Havana, on the 20th ultimo, having first divided it into two parts, according to the late American owner's instruction. The papers he burnt. The last voyage of this vessel was with flour from Baltimore; at which time he was mate on board. He believes

there were not any passports or other papers found on board the vessel; and none were, to his knowledge, delivered out of the vessel or carried away.

The evidence of Watson respecting the illegal equipment of the vessel was nearly a repetition of that given by the mate on that subject, and served to establish that portion of the captor's allegations against the schooner.

Publication passed in the cause on the 30th ultimo; and the monition, issued on the 28th, was returned and filed on the 6th instant, on which day the court met for the adjudication of the vessel.

The court, in giving judgment, remarked upon the absence of every official paper which might have enabled the "Rebecca" to claim some national character, her former American ship's papers having been destroyed two days prior to the seizure of the vessel, and no other ship's papers having been substituted for them. It became, therefore, necessary to have recourse to the parol and documentary evidence given in the case, to decide what national character the vessel was entitled to bear. This evidence clearly proved that the "Rebecca" was owned by merchants resident at Cuba; that her American flag had only been worn to conceal the Spanish ownership on the outward voyage, as she had ceased to be an American vessel before the voyage commenced; that her return cargo was to consist of slaves, who were to be delivered at the same Spanish settlement where she was fitted out, on the account of Spanish merchants.

No doubt could therefore exist, that, as a Spanish vessel, the "Rebecca" was liable to the penalties of the Spanish treaty, if a violation of it could be established against her; and, illegal equipment having been admitted by the witnesses, the ship and cargo were condemned.

H. W. MACAULAY.
WALTER W. LEWIS.

SIERRA LEONE, *April 10, 1839.*

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,

Washington, April 1, 1840.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of a note, dated the 30th ultimo, from Mr. Fox, envoy extraordinary and minister plenipotentiary of Great Britain, calling the attention of the Government of the United States to the case of a schooner called the "Rebecca," captured on the coast of Africa by Her Britannic Majesty's cruisers, and alleged to present an instance of resort by Spanish slave traders to the protection of the flag of the United States.

As the papers accompanying Mr. Fox's note disclose circumstances which might lead to prosecutions before the courts of this country, for violation of existing laws, the undersigned requests that Mr. Fox will procure from his Government, with as little delay as practicable, such authentic documentary evidence, touching the case referred to, as may be in its possession, and likely to aid in the attainment of the ends of justice.

The undersigned avails himself, &c.

JOHN FORSYTH.

HENRY S. FOX, Esq., &c.

Mr. Fox to Mr. Forsyth.

WASHINGTON, *August 15, 1840.*

SIR: I have much satisfaction in communicating to you, by direction of Her Majesty's Government, the enclosed report received from Commander Tucker, of Her Majesty's ship "Wolverine," stationed on the coast of Africa, in which are enclosed copies of a correspondence that had passed between that officer and Lieutenant John S. Paine, of the United States navy, commanding the United States schooner "Grampus;" and of an agreement entered into between them for mutual co-operation and assistance in the suppression of the African slave trade.

Her Majesty's Government have been much gratified by the intelligence of this zealous co-operation, on the part of the United States commander, for the attainment of an object which both Governments have equally at heart.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.

HON. JOHN FORSYTH, &c.

[Enclosure No. 1.]

HER MAJESTY'S SLOOP "WOLVERINE,"

Sierra Leone, March 12, 1840.

SIR: I have the honor to transmit the annexed copies of the correspondence between Lieutenant John S. Paine, commanding the United States schooner of war "Grampus," and myself, relating to the suppression of the slave trade; and also a copy of the requisition and agreement made by us for mutual co-operation and assistance, which I trust will be approved of by you and by the Government, and be the means of putting a final stop to the slave trade on this coast.

I beg further to inform you, that the "Grampus" arrived here on the 7th, to be employed for a short time on the western coast of Africa, for the protection of American property, and suppression of the slave trade carried on under the American flag.

Previous to my arrival, the "Dolphin," United States schooner of war, commanded by Lieutenant Bell, had arrived here, and sailed for the leeward coast, on the same duties as the "Grampus," but independent of her.

I have, &c.

WILLIAM TUCKER,

Commander and Senior Officer.

Rear Admiral the Hon. GEORGE ELLIOT,

G. C. B., &c.

[Enclosure No. 2.]

HER MAJESTY'S SLOOP "WOLVERINE,"

Sierra Leone, March 10, 1840.

SIR: Having been informed that the vessel under your command is to be employed on this coast to protect the American mercantile interests, and

to prevent the flag of the United States being used by people engaged in the slave trade, I hasten to offer you the co-operative services of the squadron under my orders, and to assure you I shall be most happy to enter into and make any arrangements with you, to render mutual assistance, that we may be the better able to carry into execution the orders and views of our respective Governments.

I beg to inform you that I lately detained two vessels completely equipped for and engaged in the slave trade, under American colors, with American papers, and commanded and manned by American citizens with American protections. The said vessels were yesterday condemned as good and lawful prizes to the crowns of Great Britain and Spain; it being proved that they were Spanish vessels, belonging to Spanish persons residing in the Havana.

I have further to inform you, that nine more slave vessels are daily expected from the Havana, completely equipped for the slave trade, under the American flag; four of which are bound to the rivers Nun and Bras, near to Cape Formosa; the remaining five being bound to different parts of the coast; making, with the two taken, in all eleven vessels from the Havana under American colors.

I have, &c.

WILLIAM TUCKER,
Commander and Senior Officer.

Lieutenant PAINE,
Commanding the United States schooner "Grampus."

[Enclosure No. 3.]

UNITED STATES SCHOONER "GRAMPUS,"
Sierra Leone, March 10, 1840.

SIR: I have the honor to acknowledge the receipt of your letter of this date, and I can assure you that I can in no way more decidedly meet the views of my Government than by a hearty co-operation for the suppression of the slave trade under the American flag, having proper regard to international relations with other Powers. I accept with pleasure your offer, and will enter into any arrangements that may, on further discussion, seem proper.

With very high respect, I am, &c.

JOHN S. PAINE,
Lieutenant commanding.

Commander WILLIAM TUCKER,
Senior Officer, Coast of Africa.

[Enclosure No. 4.]

Commander William Tucker, of Her Britannic Majesty's sloop "Wolverine," and senior officer on the west coast of Africa, and Lieutenant John S. Paine, commanding the United States schooner "Grampus," in order to carry as far into execution as possible the orders and views of their respect-

ive Governments respecting the suppression of the slave trade, hereby request each other, and agree, to detain all vessels under American colors found to be fully equipped and engaged in the slave trade, that, if proved to be American property, they shall be handed over to the United States schooner "Grampus," or any other American cruiser; and that, if proved to be Spanish, Portuguese, Brazilian, or English property, to any of Her Britannic Majesty's cruisers employed on the west coast of Africa for the suppression of the slave trade, so far as their respective laws and treaties will permit.

Signed and exchanged at Sierra Leone, this 11th day of March, 1840.

WILLIAM TUCKER,

*Commander of Her Majesty's sloop "Wolverine,"
and Senior Officer, west coast of Africa.*

JOHN S. PAINE,

Lt. commanding United States schooner "Grampus."

—
Mr. Fox to Mr. Forsyth.

WASHINGTON, August 16, 1840.

SIR: I have the honor, herewith, to enclose to you the copy of a despatch, with its enclosures, addressed to me by Her Majesty's Secretary of State for Foreign Affairs, upon the subject of the claim of the British captors of the American ship "Wyoming," to receive a due portion of the value accruing from the forfeiture and sale of that vessel—the "Wyoming" having been detained on the coast of Africa by Her Majesty's sloop "Harlequin," Lord Francis Russell, commander, under suspicion of being engaged in the illicit traffic in slaves; and when brought into New York for adjudication by the competent tribunal, having been there condemned and forfeited, upon a separate action for breach of the United States navigation laws.

Her Majesty's Government desire to submit this claim to the consideration of the President, recommending it to his favorable and friendly attention. The merits of the case are fully detailed in the papers which I have the honor to enclose.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.

Hon. JOHN FORSYTH, &c.

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[Enclosure.]

[SLAVE TRADE, No. 7.]

FOREIGN OFFICE, May 30, 1840.

SIR: I transmit to you, herewith, a copy of a communication which I have received from Messrs. Stilwell, agents for the officers and crew of Her Majesty's sloop "Harlequin."

Messrs. Stilwell state that Her Majesty's brig "Harlequin" having met with a United States vessel, named "Wyoming," fitted up for the slave trade, took her to New York, in order that she might be brought before the proper court of law in the United States, to be tried for slave trade; but

that an informality having been discovered in her papers, she was, on the ground of that informality, taken before a district court of New York, and was condemned in that port for a breach of the American navigation laws.

Messrs. Stilwell state that, by the United States law, the officers and crew of the "Harlequin" have, as informers in the case, a just title to one-fourth of the proceeds of the vessel, when sold, after condemnation of the court.

But Messrs. Stilwell solicit that, under the peculiar circumstances of the case, the captors may be allowed not only that fourth share, but also a portion, if not the whole, of the moiety of the proceeds which, by the law of the United States, appertains to the United States Government in cases of vessels condemned, in courts of the Union, for offences similar to that on account of which the "Wyoming" was sentenced.

I have to desire that you will submit this application of Messrs. Stilwell to the United States minister, and that you will express the hope of Her Majesty's Government that the United States Government will judge it worthy of their favorable consideration.

I am, with great truth and regard, sir, your most obedient, humble servant,

PALMERSTON.

H. S. Fox, Esq., &c.

[Sub-enclosure.]

ARUNDEL STREET, STRAND,

London, April 29, 1840.

MY LORD: As agents to Lord Francis Russell, the commander, and the officers and crew of Her Majesty's sloop "Harlequin," we beg to address your lordship on the subject of a capture which was effected by that vessel on the 17th of May, 1839, off the river Gallinas, on the west coast of Africa.

The vessel captured was called the "Wyoming," of New York; and having been evidently fitted out for the traffic in slaves, (as the slave deck was ready for laying,) was despatched to New York, under the command of Lieutenant Beddoes, as prize officer.

Upon her arrival there, it was ascertained that the vessel, which, on reference to her register, (a copy whereof is herewith sent,) had been originally built at Baltimore, in the year 1838, had, on or about the 4th of March, 1839, been sold or transferred at the Havana, and that such transfer or sale had not been made known to the collector of the port of New York, or any other collector of the United States, as required by the act of Congress approved on the 31st of December, 1792, and entitled "An act concerning the registry and recording of ships and vessels."

It being thus apparent that a breach of the American navigation laws had been committed, proceedings were commenced against the said vessel in the district court of the southern district of New York; and the usual moritions having been issued and returned, and libel filed, the Hon. Samuel R. Betts, the judge of the said court, on the 15th October last, decreed that the said brig "Wyoming," together with her tackle, apparel, and furniture, be condemned as forfeited to the United States; and, when sold, that the proceeds arising therefrom should be distributed according to law. A copy of this libel and decree are also herewith left.

We have had reference to the various acts of Congress, for the purpose

of ascertaining what right the captors had, by law, in the said proceeds, and find that, by the 29th section of the said act of 1792, the proceeds are to be distributed as directed by an act of Congress approved on the 4th of August, 1790, entitled "An act to provide more effectually for the collection of the duties imposed by law on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships and vessels."

On reference to that act, we find, by section 69, that the distribution directed to be made is as follows: one moiety to the American Government, and the other between the informer, and the collector, naval officer, and surveyor or surveyors of the district wherein the penalties shall have been incurred.

We have therefore to request that your lordship will, on the part of the captors, intercede with the American Government, not only for the payment of the one-fourth of the proceeds to which they are by law entitled as the informers, but that, under the peculiar circumstances of this capture, the American Government will award to the captors the whole or some portion of the moiety of the proceeds to which they are by law entitled.

We have, &c.

THOMAS STILWELL & SONS.

Right Hon. Lord Viscount PALMERSTON, &c.

[Sub-enclosure.]

[No. 480.]

Four hundred and eighty.—Permanent. In pursuance of an act of the Congress of the United States of America, entitled "An act concerning the registry and recording of ships and vessels:"

Joseph A. Scovill, of the city, county, and State of New York, having taken or subscribed the oath required by the said act, and having sworn that he is the only owner of the vessel called the "Wyoming," of New York, whereof Nicholas Christopher is at present master, and is a citizen of the United States; and that the said ship or vessel was built at Baltimore, State of Maryland, during the year 1838, as per register No. 84, issued at Baltimore, September 14, 1838, now surrendered—property changed; and said register having certified that the said vessel has one deck and two masts, and that her length is 88 feet 5 inches, her breadth 22 feet 2 inches, her depth 8 feet 10 inches, and that she measures 154 $\frac{1}{4}$ tons; that she is a brig, has a square stern, no galleries, and a billet head; and the said Joseph A. Scovill having agreed to the description and admeasurement above mentioned and specified, and sufficient security having been given, according to the said act, the said brig has been duly registered at the port of New York.

[L. s.] Given under our hands and seals, at the port of New York, this 22d day of December, in the year 1838.

JOHN I. MUMFORD,
Deputy Collector.
W. S. COE, *Naval Officer.*

[Sub-enclosure.]

The President of the United States of America to all to whom these presents shall come, greeting :

Know ye, that we, having inspected the records and files of the district court of the United States for the southern district of New York, do find certain writings there remaining of record, in the words and figures following, to wit :

DISTRICT COURT OF THE UNITED STATES OF AMERICA FOR THE SOUTHERN DISTRICT OF NEW YORK.

At a special district court of the United States of America for the southern district of New York, held at the city of New York, in the said district, on the second day of September, in the year of our Lord 1839, comes Benjamin F. Butler, attorney of the said United States for the southern district of New York, who prosecutes in this behalf for the said United States; and being present in this honorable court in his proper person, in the name and on the behalf of the said United States, alleges, propounds, and declares, as follows :

1st. That a certain brig or vessel, called the "Wyoming," was heretofore, that is to say, on the 22d day of December, in the year 1838, at the port of New York, duly registered as a ship or vessel of the United States.

2d. That the said brig or vessel, so registered as aforesaid, was heretofore, to wit, on or about the 4th day of March, in the year of our Lord 1839, at the port of Havana, in the island of Cuba, sold and transferred, in whole or in part, by way of trust, confidence, or otherwise, to some person or persons to the said libellant unknown, said person or persons then being subjects or citizens of some foreign Prince or State to the said libellant unknown.

3d. That although the said brig or vessel was so sold or transferred, as aforesaid, the said sale or transfer thereof was not made known to the collector of the port of New York, nor to any other collector of any collection district of the United States, as required by the act of Congress approved on the 31st day of December, 1792, entitled "An act concerning the registry and recording of ships and vessels."

4th. That the said brig or vessel, called the "Wyoming," is now in the port of New York, in the southern district of New York, and within the jurisdiction of this honorable court.

5th. That by reason of the premises, and by force of the statute in such case made and provided, the said brig or vessel, as aforesaid, her tackle, apparel, and furniture, have become forfeited to the use of the United States.

Lastly. That all and singular the premises are, and were, true, public, and notorious; of which, due proof being made, the said libellant prays the usual process and monition of this honorable court in this behalf to be made; and that all persons interested in the said brig or vessel, or in her tackle, apparel, or furniture, may be cited in general or special to answer the premises; and all due proceedings being had, that the said brig or vessel, with her tackle, apparel, and furniture, may, for the causes aforesaid, and others appearing, be condemned, by the definitive sentence and decree of this honorable court, as forfeited to the use of the United States, according to the form of the statute in such case made and provided.

B. F. BUTLER,

U. S. Dist. Attorney for Southern Dist. N. Y.

[Sub-enclosure.]

At a special term of the district court of the United States of America for the southern district of New York, held in the city of New York, in the said district, on the 15th day of October, in the year of our Lord 1839:

Present—the honorable SAMUEL R. BETTS, district judge.

THE UNITED STATES OF AMERICA,	}	<i>Final decree.</i>
<i>vs.</i>		
THE BRIG "WYOMING," HER TACKLE, &C.		

The monitions issued in this cause having been heretofore returned, and the usual proclamations having been made, and the default of all persons being duly returned, it is therefore, on motion of Benjamin F. Butler, Esq., attorney for the United States, ordered, sentenced, and decreed, by the court now here, and his honor the district judge, by virtue of the power and authority in him vested, doth hereby sentence, order, and decree, that the brig "Wyoming," her tackle, apparel, and furniture, above mentioned, be, and the same accordingly is, condemned and forfeited to the United States.

And upon like motion, it is further ordered, sentenced, and decreed, that the clerk of this court issue a writ of *venditioni exponas* to the marshal of this district, returnable on the first Tuesday of November next; and that, upon the return thereof, he distribute the proceeds according to law.

SAMUEL R. BETTS.

All of which we have caused, by these presents, to be exemplified, and the seal of the said district court to be hereunto affixed.

Witness the honorable Samuel R. Betts, judge of the district court of the United States for the southern district of New York, this 19th day of October, in the year of our Lord 1839, and of our independence the 64th.

FREDERICK J. BETTS, *Clerk.*

I, Samuel R. Betts, judge of the district court of the United States for the southern district of New York, do hereby certify that the foregoing attestation is in due form.

SAMUEL R. BETTS.

NEW YORK, *October 19, 1839.*

Mr. Fox to Mr. Forsyth.

WASHINGTON, *August 18, 1840.*

SIR: With reference to the letter which I had the honor to address to you on the 15th instant, enclosing a correspondence between Commander Tucker, of Her Majesty's ship "Wolverine," and Lieutenant Paine, of the United States schooner "Grampus," with the copy of an agreement entered into between those officers for mutual assistance and co-operation in repressing the slave trade on the coast of Africa, I now further enclose to you, by direction of Her Majesty's Government, copies of additional correspondence from the same quarter, reporting the detention, in the Rio Pongas, by the commander of Her Majesty's ship "Bonetta," of a schooner

under American colors, called the "Sarah Anne," of New Orleans, charged with being engaged in the slave trade, and the delivery of the said vessel by Her Majesty's officers to the commander of the United States schooner "Grampus."

I avail myself of this occasion to renew to you the assurances of my distinguished consideration.

H. S. FOX.

Hon. JOHN FORSYTH, &c.

[Enclosure.]

[SLAVE TRADE, No. 11.]

FOREIGN OFFICE, *June 29, 1840.*

SIR: With reference to my despatch, (Slave Trade, No. 10,) respecting an agreement between Commander Tucker, of Her Majesty's ship "Wolverine," and Lieutenant Paine, of the United States schooner "Grampus," for mutual co-operation in suppressing the slave trade, I herewith transmit to you a copy of a letter and of its enclosures from the Admiralty, stating that Lieutenant Stoll, of Her Majesty's brig "Bonetta," had detained, in the Rio Pongas, a schooner under American colors, called the "Sarah Anne," and had delivered her up to the commander of the United States schooner "Grampus;" and I have to desire that you will communicate these papers to the United States Government.

I am, with great truth and regard, sir, your most obedient, humble servant,

PALMERSTON.

H. S. Fox, Esq., &c.,
Washington.

[Sub-enclosure]

HER MAJESTY'S BRIG "BONETTA,"

Sierra Leone, March 16, 1840.

SIR: In consequence of information I had received that a Spanish slaver was in the river Pongas, I seized, on the 3d instant, the vessel pointed out to me, concealed in an obscure muddy creek, where I could not have found her had not a native of the neighborhood, who was in the boat, led us to the spot. The vessel thus captured proved to be the "Sarah Anne," of New Orleans. On boarding, we found only three persons on deck, (two of them Spaniards, and one a Sardinian,) who stated that they knew not under what colors the vessel sailed; that the captain was called Don Raymond, and the mate Don Alberto.

The "Sarah Anne" has, 1st, a children's slave room—the deck partly laid; 2d, bunks or sleeping places on deck, to allow of the cabin being used for a woman's slave room, as is customary in slavers; 3d, a larger quantity of leaguers and water casks than are necessary for her crew as a merchant vessel, without any custom-house certificate relative thereto; 4th, boilers, (four in number,) each capable of cooking a larger quantity of food than requisite for her crew as a merchant vessel; 5th, a large quantity of fire wood. On searching, an American ensign and pendant, and an American muster roll and manifest, were found; these papers stating her

to have cleared out at New Orleans on the 10th May, 1839, with an American crew, for Cape Mesurado. Two log books were also found by me; by one of which she was at Cape Mesurado on the 5th July, and reached the river Pongas on the 10th; and by the other, in the river Pongas on the last of that month. One, therefore, is evidently a false log.

By the track of her chart, she had proceeded direct from the Havana to the river Pongas; and, by the testimony of the men found on board, had sailed from New Orleans with a crew, consisting of the captain, (Don Raymond Zhently de Pedro, a Spaniard,) Don Alberto (or Albert) Slete, the mate, (whom they thought an American,) and three Spanish, one Austrian, one Sardinian, one Genoese seaman, and one Spanish boy. They also stated that at the Havana the "Sarah Anne" embarked Don Juan, a passenger, a mate, and the boatswain, (a Spaniard.) One of the Spaniards from on board stated that he had been wrecked in the American pilot boat, on the bar of the Pongas, and had applied to Don Alberto for passage to Havana, which had been granted him.

The vessel was aground in the creek at half-ebb when seized, which detained us for some hours, affording plenty of time for any communication by boat from the mate or master; but no one came, though we heard a hailing (in English) from among the mangroves, which reached to the water's edge on each side of the vessel; which hailing the men of the crew attributed to the mate. As soon, however, as we began to warp her out, a fire of musketry was directed upon the boats, and a second volley upon the vessel, which a prompt return silenced. When we had cleared the creek, the mate (Albert Slete) came on board, and stated that he was an American. His trowsers were muddy, and he said he had been in the mangroves, which renders it extremely probable that he was with the party who fired on us. Coupling this circumstance with the fraud apparent on the vessel's papers, and her destination, cargo and crew having, according to the statement of the men left on board, been falsely deposed to, even at the port of clearance, I detained Slete, and brought the vessel to this port, believing her to be Spanish property; but as no official Spanish papers have been found, and the fraudulent use of the American flag in this instance is such as will, I feel assured, call forth the strong displeasure of the Government of the United States, while various Spanish papers and instructions may, with the evidence of the detained men, lead to the conviction of such of the persons concerned as may prove to be American citizens, I beg to give up to you, for adjudication in America, the vessel and her papers, in the same state as when captured, with the persons belonging to her who have been detained.

The captain, (Ramon Zority de Pedro,) who has reached this place in a canoe, was taken, not long since, in a small vessel condemned here; the particulars of which I will obtain from the court, if he can be traced; but the use of fictitious names may defeat my purpose.

I enclose lists of all the papers found on board, and of all persons who have belonged to the vessel, according to the testimony of the men detained, with particulars as they have stated, in order that their future statements may be checked, should they attempt concealment of facts. I enclose also an abstract of some particulars from the log.

Having had the pleasure of cordial intercourse with the officers of both the American cruisers employed in the suppression of the slave trade, I may be permitted to add that, with such unanimity of feeling and objects

as exists between us, and is manifested by the two great nations to which we have the honor and happiness to belong, the fraudulent adoption of the American flag will no longer avail the foreign pirates who attempt to sully it by falsely claiming, for purposes of a blood-stained traffic, the character and privileges of American citizens, through perjury, subornation, and heartless fraud.

I have, &c.

JOHN L. STOLL.

Lieutenant PAINE,

Commander of the U. S. schooner "Grampus."

[Sub enclosure.]

UNITED STATES SCHOONER "GRAMPUS,"

Sierra Leone, March 16, 1840.

SIR: I have the honor to acknowledge the receipt of your letter of this date, offering to deliver over to me the schooner "Sarah Anne," of New Orleans, taken at the river Pongas as a slaver, and on suspicion of being Spanish property.

Raymond Fronte, the person named, and whose signature is affixed as captain of the "Sarah Anne," has written to me to claim protection as an American citizen, and I have detained him, on suspicion of slave trading. I will make an arrangement to receive the vessel from you as soon as an anchor and a boat can be procured, of which it seems she is destitute.

I am confident that I only carry out the views of my superiors in office, in thanking you, and offering my cordial co-operation for the suppression of the slave trade, as far as our existing treaties allow us to act.

I am, &c.

JOHN S. PAINE,

Lieutenant commanding.

Lieutenant JOHN L. STOLL,

Commanding Her Majesty's brig "Bonetta."

[Sub-enclosure.]

HER MAJESTY'S BRIG "BONETTA,"

Sierra Leone, March 16, 1840.

SIR: Referring to my letter of the 16th instant, reporting my proceedings to this date, I beg to enclose copies of correspondence with the commander of the United States schooner "Grampus," relative to the transfer to him of the American schooner "Sarah Anne," of New Orleans, detained for having engaged in the slave trade; which vessel he purposes sending to America for trial.

I have, &c.

JOHN L. STOLL,

Lieutenant commanding.

Commander TUCKER,

Her Majesty's sloop "Wolverine," Senior Officer, &c.

[Sub-enclosure.]

HER MAJESTY'S SLOOP "WOLVERINE,"

Sierra Leone, March 17, 1840.

SIR: With reference to my letter of the 9th instant, (No. 114,) transmitting copies of letters from Lieutenant Stoll, reporting his having detained a schooner under American colors; and referring to my letter of the 12th instant, (No. 115,) transmitting copies of the correspondence between Lieutenant Paine, commander of the United States schooner "Grampus," and myself, I have now the honor to transmit the accompanying copies of the correspondence between Lieutenant Stoll, commander of Her Majesty's brigantine "Bonetta," and Lieutenant Paine, commanding the United States schooner "Grampus," relating to the above-mentioned schooner, detained under American colors, which Lieutenant Stoll has handed over to Lieutenant Paine, as fully explained in their letters; and I beg to call your attention to the great friendly feeling which exists between the two services, and the prompt and decided measures taken by Lieutenant Paine. I have, &c.

WILLIAM TUCKER,
Commander and Senior Officer.

Rear Admiral Hon. GEO. ELLIOT,
Commander-in-chief.

Mr. Fox to Mr. Forsyth.

WASHINGTON, *August 19, 1840.*

SIR: With reference to previous communications which I have had the honor to address to you upon the subject of the African slave trade, carried on through the fraudulent assumption of the American flag by the illicit slave traders of other nations, I am directed by Her Majesty's Government to communicate to you the enclosed copy of a despatch, which was addressed, at the close of last year, by Her Majesty's consul at the Cape de Verd islands, to the British commissioners for the suppression of slave trade at Havana, containing information with respect to two vessels, under American colors, then recently engaged in slave trade on the African coast; and containing information also with respect to the meditated establishment between Cuba and the African coast of regular companies for the joint purposes of piracy and slave trade; the chief means of executing which nefarious design will be afforded, there is reason to apprehend, by a fraudulent use of the flag of the United States.

I at the same time forward to you, by direction of Her Majesty's Government, a list of American vessels which arrived at Havana from the coast of Africa during the year 1839, and lists of American vessels which were despatched from Havana for Africa during the year 1838, as furnished to Her Majesty's Government by the British commissioners at Havana.

The United States Government will regret to learn that in the year 1838 *nineteen* vessels, and in the year 1839 *twenty-three* vessels, bearing the flag of the Union, left Havana for the coast of Africa, under the strongest suspicion of being engaged in the slave trade.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.

Hon. JOHN FORSYTH, &c.

[Enclosure No. 1.]

BRITISH CONSULATE,

Bonavista, Cape Verdes, November 30, 1837.

GENTLEMEN: Information has just reached me of the arrival of two vessels, under American colors, at the island of "Sal," originally from the Havana, but last from the coast of Africa, where it is reported they have landed their cargoes.

They are both schooners, and American built: one a Baltimore clipper, and the other a New York pilot boat. They have American colors and sailing captains, but the crews are principally Spanish and Portuguese. Their object in visiting Sal is said to be to complete arrangements for taking in a cargo of slaves upon the coast. A most respectable inhabitant of these islands, who has seen the vessels in question, and been in conversation with the parties connected with them, informs me that he has learnt of two companies being about to be formed at the Havana: one to carry on the slave trade by vessels, which will be ordered to keep at a certain distance from the coast, and there wait to receive their cargoes from small vessels under the French flag; and the other company to equip a certain number of small fast-sailing vessels, to act as pirates upon the commerce of Great Britain.

My informant's belief is, (and I have also heard the same opinion expressed in another quarter,) that the vessels alluded to belong to these companies, and that the largest schooner looks for a cargo of slaves from the neighborhood of Senegal and Goree, and that it is the intention of the pilot boat to try her luck as a pirate upon British commerce near to these islands. A period of two months is given before they intend returning to the Havana.

It is supposed that these islands, from their neglected state, will be made the rendezvous for the slave-dealing piratical set of Cuba, who seem determined to use every art and exertion which money can effect to counteract the recent measures of Great Britain for the suppression of the slave trade.

I trust that these representations will induce Her Majesty's Government to order a man of war to these islands; and, should there be one at disposal in your vicinity, I have earnestly to recommend her being sent to look after the vessels here spoken of, calling at this port for information.

I have, &c.

JOHN RENDALL,

*Her Britannic Majesty's Consul.*HER MAJESTY'S COMMISSIONERS, &c., *Sierra Leone.*

[Enclosure No. 2.]

List of vessels, under the American flag, which sailed from the Havana for the coast of Africa, during the year 1838.

No.	Date.	Class.	Name.	Destination.	Remarks.
1	January 19	Schooner	Gabriel	Isla del Principe	Returned 16th September.
2	Febru'y 22	Brig	Alexander	San Tomé.	
3	May 7	Schooner	Mary Hooper	Cape de Verdes.	
4	May 9	Brig	Eagle	San Tomé.	
5	June 16	Schooner	Fame	San Pablo de Loanda.	
6	July 18	Do	Traveller	Isla del Principe.	
7	July 23	Do	John Holland	San Tomé.	
8	August 18	Do	Dolphin	Do.	
9	August 22	Brig	Plant	Cabo Verde.	
10	August 23	Ship	Venus	Bahia de Todos los Santos	Returning 7th January, as Duqueza de Braganza.
11	August 27	Schooner	Shark	Cabo Verde.	
12	August 29	Brig	Mary Jane	Do	Returned under American flag, January 31, 1839.
13	Sept'r 18	Brig	Comet	Do	Returned January 4, 1839.
14	October 9	Schooner	Florida	Cape de Verdes.	
15	October 11	Do	Hazard	San Tomé.	
16	Nov'r 7	Do	Clara	Do	Captured.
17	Dec'r 3	Do	Liberty	Rio Pongas.	
18	Dec'r 22	Do	Constantia	San Tomé.	
19	Dec'r 24	Do	William Savin	Bahia de Todos los Santos.	

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[Enclosure No. 3.]

List of vessels, under the American flag, which sailed from the Havana for the coast of Africa, during the year 1839.

No.	Date.	Class.	Name.	Destination.	Remarks.
1	Jan. 23	Schooner	Rebecca	Gallinas.	Returned Oct. 24, and sailed, 26th, for N. Orleans.
2	Jan. 26	Brig	Oriental	Lagos	
3	Feb. 8	Schooner	William Bayard	Cape de Verdes.	
4	Feb. 19	Brig	Morris Cooper	Lagos.	Captured, and carried to United States.
5	Feb. 21	Schooner	Perry Spencer	Gallinas.	
6	Mar. 6	Brig	Wyoming	Pitavasa	Returned September 2.
7	Mar. 6	Schooner	Octavia	Costa de Oro	Returned November 12.
8	Mar. 21	Do	Joseph Wilding	Cape de Verdes.	
9	June 17	Do	Hound	Lagos.	Captured by H. M. S. Dolphin, and carried to U. S.
10	June 17	Brig	Mary	Gallinas	
11	June 25	Schooner	Catherine	Gallinas & Bonny	Captured by H. M. S. Dolphin, and carried to U. S.
12	June 26	Do	Elvira	Prince's Island.	
13	July 2	Do	Butterfly	Isla del Principe	Captured by H. M. S. Dolphin, and carried to U. S.
14	Aug. 1	Brig	Douglas	Bonny.	
15	Sept. 10	Schooner	Lark	Isla del Principe.	Returned November 12.
16	Sept. 21	Do	Hound	Cape Mesurado and Gallinas.	
17	Sept. 24	Do	Cutter Campbell	Gallinas.	Returned November 12.
18	Oct. 12	Do	Nymph	Rio Braza.	
19	Oct. 23	Ship	John	Costa de Oro.	Returned November 12.
20	Nov. 14	Schooner	Asp	Rio Braza.	
21	Dec. 11	Do	-	Isla del Principe.	Returned November 12.
22	Dec. 16	Do	Centipede	San Tomé.	
23	Dec. 23	Do	Hyperion	San Tomé.	

NOTE.—American schooner "Hound," at St. John's, Puerto Rico, about the middle of November, bound to Africa.

[Enclosure No. 4.]

List of American vessels which have arrived from the coast of Africa during the year 1839, at the port of Havana.

No.	Date.	Class.	Name.	Master.	Remarks.
1	Jan. 4	Brig	Comet -	Dickson -	From Gallinas.
2	Sept. 2	Sch'r	Octavia -	Hickaling	From Gold coast.
3	Oct. 24	Sch'r	Oriental -	Hatch -	From Bahia de San Salvador.
4	Nov. 12	Brig	Mary -	Hutton -	From Gallinas and Porto Rico.
5	Dec. 25	Brig	Alexander	Hill -	From Isla del Principe.

Mr. Fox to Mr. Forsyth.

WASHINGTON, August 20, 1840.

SIR: I am directed by Her Majesty's Government to communicate to you, for the information of the Government of the United States, the enclosed authentic printed copy of an apostolical letter, or brief, which was promulgated by his Holiness the Pope, on the 3d of December last, admonishing and enjoining all Catholics to abstain from the crime of trading in slaves under any form whatever.

It is to be hoped that this pious act, on the part of the head of the Roman Catholic church, will prove of material efficacy in arresting the progress of a sinful and inhuman traffic, which it is the bounden duty of all Christian Governments to use their utmost efforts for suppressing.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.

HON. JOHN FORSYTH, &c.

[Translation of enclosure.]

Apostolical letter of our most Holy Lord, Gregory XVI, by Divine Providence, Pope, against the traffic in negroes. (De nigritarum commercio non exercendo.)

ROME—FROM THE PRESS OF THE REV. APOST. CHAMBER, 1839.

POPE GREGORY XVI, FOR FUTURE COMMEMORATION.

Placed on the summit of apostolical power, and, through no merits of our own, vicegerent of Jesus Christ, the Son of God, who, through his exceeding love, became man, and vouchsafed to die for the redemption of the world, we deem that it becomes our pastoral solicitude that we should seek to turn the faithful altogether from the unfeeling traffic in negroes, or any

other human beings. Verily, when the light of the gospel first began to diffuse itself, those unfortunate men, who, by occasion of so many wars, had fallen into cruel servitude, felt their condition among Christians very much alleviated. Inspired, indeed, by the Divine Spirit, the apostles taught servants to render obedience to their masters in the flesh, as unto Christ, and to do the will of God with a cheerful mind: yet they commanded also unto masters that they should use their servants kindly; that they should render unto them what is just and right, and that they should not employ threats; remembering that the God of both is in heaven, and that with him there is no respect of persons. Since, then, true charity towards all men is every where strongly inculcated by the evangelical law, and Christ our Lord has declared that, whatever kindness or mercy is rendered or denied to the weak or the indigent, he will consider as rendered or denied unto himself, it is clear, that not only should Christians regard their Christian servants in the light of brothers, but, also, that they should humble themselves before those who are worthy to be free; which, indeed, Gregory Nysenus indicates to have been customary, at first, upon the occasion of the solemnities of Easter. Nor were those wanting, who, animated by a more ardent charity, *delivered themselves into bonds, that they might redeem others*; of whom, the apostle testified that he knew many; as also our predecessor, Clement I, of most holy memory. Therefore, in the progress of time, when the darkness of heathenish superstition was entirely dissipated, and the manners of uncivilized races had been mollified by the beneficent influence of that faith which worketh through love, for successive ages, no slaves existed among many Christian nations. Yet, truly, we are grieved to say that afterwards, even among the number of the faithful, there were those who, shamefully blinded by the lust of sordid lucre, in scattered and remote lands, reduced Indians, negroes, and other unfortunate beings, into slavery; or, the traffic in those who had been made captive by others having been commenced and augmented, did not hesitate to encourage or profit by such unworthy actions. Several of the Roman pontiffs, our predecessors, did not, indeed, fail to reprehend severely, by virtue of their office, the course of these, as noxious to their own salvation, and opprobrious to the Christian name; from which they beheld, as a consequence, the nations of the unfaithful confirmed in their animosity to our true religion. To which things relate the apostolic letter of Paul III, given on the 29th of May, 1537, under the ring of the Fisherman, to the Cardinal Archbishop of Toledo; and another, and ampler, of Urban VIII, given on the 22d of April, 1639, to the collector of the laws of the apostolic chamber in Portugal; in which letters they are gravely rebuked by name, *who reduce into slavery western or southern Indians; who buy, sell, exchange, or give them away, separate them from their wives and children, despoil them of their goods or possessions, carry or send them to other regions, or in any manner deprive them of their liberty, retain them in servitude, or render counsel, favor, or assistance, to those who are guilty of such acts, under any pretext or color whatever, or presume to teach or preach the same to be lawful, or in any manner co-operate therewith.*

These decrees of pontiffs, to be ever held in remembrance, Benedict XIV subsequently confirmed and renewed, in a new apostolical letter to the prelates of Brazil and certain other regions, given on the 20th December, 1741, in which he stimulated their vigilant solicitude throughout the bounds of their ecclesiastical districts. Before this, however, a more ancient of our

predecessors, Pius II, when, in his day, the power of the Portuguese was extended to Guinea, the region of the negroes, gave a letter, on the 7th October, 1462, to the bishop about to proceed thither, in which he not only granted to this prelate all the faculties opportune for the exercise of the holy ministry with greater fruit, but, on the same occasion, gravely rebuked those Christians who carried away converts into slavery. And, also, in our own times, Pius VII, impelled by the same spirit of religion and charity which animated his predecessors, employed his influence assiduously with the powerful, that the traffic in negroes might, at length, altogether cease among Christians. These decrees and efforts of our predecessors did, indeed, avail not a little, by the grace of God, in protecting the Indians, and others referred to, from the cruelty of invaders or the cupidity of Christian merchants; not so much, however, that this Holy See can rejoice in the full accomplishment of its desires, since the traffic in negroes, although diminished in some parts, is still practised by many Christians. Wherefore, we, desiring to avert so great a reproach from all the borders of Christianity, and the whole matter (a council of some of our venerable brethren, the cardinals, being called) having been duly weighed, walking in the footsteps of our predecessors, by our apostolical authority admonish and conjure earnestly, in the Lord, the faithful of Christ, of every condition, that hereafter they do not unjustly molest Indians, negroes, nor any other race of men, nor spoil them of their goods, nor reduce them into slavery, nor render countenance or assistance to those guilty of such practices; nor carry on that inhuman commerce by which negroes, as though they were not men, but mere brutes, held in any manner of servitude, without distinction, against the laws of justice and humanity, are bought, sold, and devoted to cruel and sometimes intolerable labor: and, moreover, through the love of gain, held out to the first possessors of the negroes, dissensions and perpetual wars fomented throughout the regions which they inhabit. Verily, all these practices, as altogether unworthy of the Christian name, we reprobate by our apostolical authority; and, by the same authority we strictly prohibit and interdict any ecclesiastic or layman from defending the traffic in negroes as lawful, under any pretence whatever, and from presuming to preach, or in anywise teach, in public or private, any thing at variance with the admonitions contained in this apostolical letter.

And, in order that this letter may be more readily known to all, and that no man may plead ignorance of it, we decree and order that, as is the usage, it be published, and copies of it remain affixed on the doors of the church of the Prince of the Apostles, and of the apostolical chamber, and of the general court in Monte Cetatario, &c., by one of our messengers.

Given at Rome, in the church of Santa Maria Maggiore, under the ring of the Fisherman, on the 3d day of December, 1839, of our pontificate the ninth year.

ALOISIUS CARD. LAMBRUSCHINI.

Mr. Fox to Mr. Forsyth.

WASHINGTON, August 21, 1840.

SIR: With reference to former communications, which I have had the honor to address to you by order of Her Majesty's Government, upon the subject of the lamentable extent to which the African slave trade is carried

on through means of the fraudulent assumption of the American flag, which protects the miscreants and pirates engaged in that detestable traffic from capture and condemnation by Her Majesty's officers, I have now further to communicate to you the enclosed despatch, with documents annexed, relating to a vessel called the "Perry Spencer," detained on the coast of Africa in the month of May last, while engaged in the illicit traffic of slaves. The "Perry Spencer," it will be seen, hoisted at one time Spanish and at another time American colors. Under the former character she was seized by one of the British cruisers, and carried for trial before the mixed court of commission at Sierra Leone; but it appearing upon investigation that she was furnished with an American pass, granted by the United States consul at Cuba, the court of commission held itself bound, in consideration of such consular act of recognition, (notwithstanding the obvious Spanish ownership and Spanish character of the transaction, and although the pass had been obtained for the sole purpose of fraudulently covering Spanish interests,) to release the slaves and dismiss the cause.

The circumstances of this case appear to be well deserving the attention of the United States Government, with a view to the adoption of effectual measures for preventing such unworthy abuse of the American flag.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.

HON. JOHN FORSYTH, &c.

[Enclosure.]

[SLAVE TRADE, No. 12.]

FOREIGN OFFICE, *July 9, 1840.*

SIR: Her Majesty's Government has learnt, by accounts recently received from Sierra Leone, that on the 8th May, 1839, Her Majesty's brigantine "Lynx," Lieutenant Brodhead commander, met with and boarded a schooner named the "Perry Spencer."

The "Perry Spencer" on being boarded hoisted American colors; she was found to be equipped for slave trade, and her papers showed that she belonged to Spanish merchants resident at the Havana.

Lieutenant Brodhead having acquainted the master of the "Perry Spencer" that his vessel must proceed to New York to be tried, on account of the irregularity of the vessel's papers, the master hauled down his American colors, and hoisted Spanish colors, and declared the vessel to be a Spanish vessel.

On this last-mentioned statement, Lieutenant Brodhead took the "Perry Spencer" to Sierra Leone, to be tried as a Spanish vessel by the mixed British and Spanish court of justice at that place.

On investigation, it appeared that the vessel was furnished with an American pass, which had been granted to her by the United States consul in Cuba; and although the papers discovered by the captor proved that the American character which the vessel had assumed was only a cover for Spanish interests, the court was of opinion that the recognition of her nationality by a consular agent of the United States rendered it improper in the captor to exercise over her a right of search, and the court therefore dismissed the case.

I transmit to you, for communication to the United States Government, an abstract of the papers found on board the "Perry Spencer." This case is another instance of the application of the flag of the Union to purposes of slave trade; and Her Majesty's Government trusts that the United States Government will be led to take more effectual measures than it has hitherto done to prevent a continuance of this abuse.

I am, with great truth and regard, sir, your most obedient humble servant,

PALMERSTON.

HENRY STEPHEN FOX, &c.

[Sub-enclosure.]

Abstract of the papers of the schooner "Perry Spencer," Joseph Monroe, master.

No. 1 is an American register, marked "No. 27, permanent," dated at Mobile, on the 2d of April, 1838, declaring that the schooner "Perry Spencer" was of the burden of 79 $\frac{2}{3}$ tons; that she was owned by the firm of Austin & Tardy, jointly with Edward Griffin, all of Mobile; that Dominique Naguet was captain; and that the said ship was built in Dorchester, State of Maryland, as appeared by register No. 20, issued at Mobile on the 6th March, 1838, (only twenty-seven days before the present register was issued,) which is now surrendered, the property being changed.

There is only one endorsement on the register, made by Mr. J. A. Smith, the American vice consul at Havana, on the 27th of January last, stating that Joseph Monroe, the present master, had taken the oath required by law, and was in command of the vessel in lieu of Dominique Naguet, the late master.

No. 2 is a list of persons composing the crew of the schooner "Perry Spencer," of Mobile, whereof is master Joseph Monroe, and bound for Cape de Verds, (islands.) It is dated at Havana on the 21st of February last, and is signed "Joseph Monroe," by a man who evidently can hardly write. The list contains the names of only four persons: of these, two are said to be American citizens, belonging to Baltimore, and the other two are merely said to reside at Havana; but it is not mentioned of what country they are citizens or subjects; and, with respect to all four, no note whatever is made as to their "place of birth," although a column in the printed form was provided for the purpose. But to this imperfect muster roll of only *four* seamen (in which the blanks are even to this day not filled up) is attached a certificate from the same Mr. J. A. Smith, under his signature and seal of office, in the following words: "Havana, February 21, 1839.—I, J. A. Smith, vice consul of the United States of America, do hereby certify that on the day of the date hereof before me personally appeared Joseph Monroe, master of the schooner "Perry Spencer," of Mobile, and, being duly sworn, did declare that the list hereunto attached contains the names of the persons composing the crew of the said vessel, together with the places of their birth and residence, so far as he can ascertain the same." And yet there is not a single entry of the place of birth opposite one of the names in the muster roll.

No. 3. From Havana the "Perry Spencer" appears to have gone direct

to Matanzas, as there is a custom-house clearance from the latter place on the 26th of February last.

No. 4 is an invoice, or bill of parcels, dated at Havana on the 9th of February, 1839, and headed "Ildefonso Perez to Torres & Rodriguez, Dr."

Then follows a regular account of goods—apparently the cargo shipped on board the "Perry Spencer" at Havana. It is written in English, probably from a copy, but evidently by a person who did not understand the English language. Dozen is spelt "Dozains;" "tobacco," "rum," "razor," mean tobacco, rum, razors; and the words "sum of backward" are met with, instead of "amount brought forward." There is no signature to the invoice, which makes Ildefonso Perez a debtor to Torres & Rodriguez in the sum of \$8,961.

Nos. 5 and 6 appear to be exact copies of the same invoice, but written in the Spanish language.

No. 7 is a private agreement, written in Spanish, and laying open the real character of the vessel, the illegal objects of her voyage, and the position which the American master occupied on board. The following is a translation:

"This document is to show, that we, the undersigned, Joze Monroe on the one side, and Francisco Costa on the other, have agreed to what follows:

"1st. I, Joze Monroe, engage to conduct the American schooner "Perry Spencer" to the port of Gallinas, in Africa, or to any other which her owner and master, Don Francisco Costa, may direct me; he paying me at the rate of ninety dollars per month during the time which I remain on board.

"2d. And I, Francisco Costa, owner and master of the said schooner, engage to pay the said Joze Monroe, as her captain, at the rate of ninety dollars per month during the time which he may remain on board; and, in case it should suit my interest and that of the undertaking to sell the vessel, it shall be obligatory upon me to keep him on board; paying him the same monthly wages of ninety dollars until she return to the city of Havana; and for mutual protection we have signed two documents of this tenor, at Havana, on the 20th February, 1839.

" FRANCISGO COSTA.
" JOSEPH MONROE.

" Witnesses:

" M. H. MORRIS.

" FRANCISCO GOUMOLE."

No. 8 is the log book of the vessel, written in Spanish. It is very imperfect; and some of its leaves have been torn out, both at the beginning and end. The first date is February 28, 1839, when the schooner had left Matanzas; and the last date is April 30, 1839, eight days previous to capture.

SIERRA LEONE, June 17, 1839.

Mr. Fox to Mr. Forsyth.

WASHINGTON, February 1, 1841.

SIR: I duly communicated to Her Majesty's Government the official note which I had the honor to receive from you, dated April 1, 1840,

wherein, with reference to a previous letter that I had addressed to you upon the subject of a schooner called the "Rebecca," captured on the coast of Africa by one of Her Majesty's cruisers, and condemned as a Spanish slaver, and whose case offered an instance of resort by Spanish slave traders to the protection of the flag of the United States, you requested, on the part of the United States Government, that further authentic documentary evidence touching the case might be procured, in order to enable the courts of this country to proceed effectually against the persons implicated for violation of existing laws.

Reference having accordingly been made without delay by Her Majesty's Government to the British commissioners for the suppression of the slave trade at Sierra Leone, I have now the honor to transmit to you the copy of a despatch received by Her Majesty's Government in reply, from the British commissioners, and, together therewith, a series of certified copies of papers and documents connected with the case of the slave vessel "Rebecca."

I avail myself of this occasion to renew to you the assurance of my most distinguished consideration.

H. S. FOX.

Hon. JOHN FORSYTH, &c.

[Enclosure No. 1.]

[No. 24, SLAVE TRADE.]

FOREIGN OFFICE, *December 17, 1840.*

SIR: I received your despatch (Slave Trade, No. 3) of April 1, 1840; and in compliance with the wish therein expressed, on the part of the United States Government, to be furnished with documentary evidence touching the facts disclosed in the case of the United States slave schooner "Rebecca," I directed Her Majesty's commissioners to furnish me with any evidence in their possession on the points referred to. And I now transmit to you, for communication to the United States Government, a copy of a despatch from Her Majesty's commissioners, enclosing certified copies of papers connected with the case of the vessel above mentioned.

I am, &c.

PALMERSTON.

HENRY STEPHEN FOX, Esq., &c.

[Enclosure No. 2.]

[No. 67, SPAIN.]

SIERRA LEONE, *August 3, 1840.*

MY LORD: We have had the honor of receiving your lordship's despatch (No. 11) of the 8th of May last, and its two enclosures, acquainting us that your lordship had communicated our report of the case of the condemned slave schooner "Rebecca" to the Government of the United States, with a view to their taking measures for preventing the American flag being abused for the purposes of the slave trade, as it had been in the instance in question; and that it is, in consequence, the wish of the United States

Government to be placed in possession of documentary evidence whereon to pursue legal measures against the citizens of the United States concerned in this transaction.

In compliance with your lordship's directions, we now beg leave to transmit certified copies, under the hand of the registrar, and the seal of the mixed commission, of such papers respecting the case of the "Rebecca" as appear calculated to effect the object in view by the United States Government.

The papers so forwarded consist of a copy of the original letter of Mr. F. Neill, the American owner and seller of this vessel, instructing his captain (Watson) to convey her from the Havana to the Gallinas, under the United States flag and pass, for delivery there to Pablo Alvarez, in conformity with an agreement he had made with José Ealo, of Havana; and having so done, that Captain Watson was to return the said pass, cut into two parts, by separate conveyances, to him (Neill) at Baltimore, so as to enable him to cancel his bond with the customs; also, a copy of the Spanish mate's original receipt, on the transfer of the vessel from the said American captain, (Watson,) on her arrival at Gallinas, to Pablo Alvarez.

There is also a copy of the translation of the custom-house clearance at Havana, showing that the "Rebecca" cleared out as an American vessel, and was commanded by Watson; a copy of the translation of the instructions from the *bona fide* Spanish owners of this vessel, (the well-known Yriare and Trigoyen, of Havana,) to their Spanish captain, Domingo Artata, in which he is directed to have the American flag kept flying until the cargo (slaves) is put on board; and copies of the translations of two letters from Trigoyen, and a number of persons at Havana concerned in some slave adventure, in which is mentioned the sailing of the "Rebecca," really under the command of the Spanish master, Artata, and not under the command of the American, Watson, in whose name she had been cleared out at the Havana.

The foregoing papers are accompanied by copies of the depositions of the Spanish mate and American captain, taken before the British and Spanish mixed court, in the trial of the brigantine "Rebecca," which serve further to explain the proceedings connected with the transfer of this vessel from the American to the Spanish flag.

We have, &c.

WALTER W. LEWIS.
R. DOHERTY.

Viscount PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

Original papers found on board the "Rebecca."

"HAVANA, January 21, 1839.

"SIR: You will proceed with the schooner 'Rebecca,' under your command, direct from here to Gallinas; and, on your arrival there, deliver her up to Don Pablo Alvarez, of the said place, agreeably to an arrangement I have made here with Don José Ealo; looking to either of them for any demand you may have for your services, as well as the crew and officers.

"Your obedient servant,

"F. NEILL.

"You will, upon your arrival at Gallinas, after delivery of the schooner 'Rebecca' aforesaid, send her register, in two different vessels, to me at Baltimore—cutting in the middle—in order that I may cancel my bonds in the custom-house.

"F. NEILL.

"Captain GEORGE WATSON,

"Com'g American schooner 'Rebecca,' Havana."

"SCHOONER REBECCA,

"Gallinas, March 20, 1839.

"I hereby acknowledge that I this day took charge of the schooner 'Rebecca,' lately under your command, in the name of Don Pablo Alvarez.

"NICOLAS ECHEVARRIA."

[Translations of papers found on board the "Rebecca."]

HAVANA, January 21, 1839.

From Havana to Gallinas.—The American schooner "Rebecca," Captain Watson.

I, Don José Perez Santin, honorary provincial intendant, effective commissary of war of the first class of the royal armies, and administrator general of the royal maritime revenues of this capital, for Her Majesty, &c., do certify, that, by the intervention of the señor honorary accomptant of the army and principal of this royal custom-house, Don Tomas Rodríguez de Yurre, there have been embarked in the American schooner "Rebecca," Captain Watson, bound for Gallinas, the following, Don José de Ealo: twenty-six casks of rice; three half-barrels of rice; seven bags of rice; five hundred and thirty-one demijohns of rum; fifty-four more demijohns of rum; forty barrels of biscuit; fifteen guns; five hundred half-barrels of gunpowder; sundry provisions and liquors for the mess; twenty-seven bales from the depot; and ten barrels of tobacco, in leaf, also from the depot.

JOSE PEREZ SANTIN.

Instructions for Señor Don Domingo Artata.

HAVANA, January 21, 1839.

On your arrival at Gallinas, you will place yourself under the orders of Don Pablo Alvarez, and observe those which he may give you with the greatest exactness. You will both take care that the American schooner "Rebecca" keeps her flag till the moment of putting the cargo on board. You will bring in the vessel citizen Watson, with a slave (bulto) which he has our permission to bring with him. When loaded, you will steer directly to this island, and take the port that may be most convenient, provided it be to the west of Trinidad on the southern side, or of San Juan de los Remedios on the northern; and whatever may be the point to which you proceed, you will keep the vessel at anchor there, and the cargo ashore, until you advise us of your arrival, and we proceed thither, or send some

one on our behalf. If, in consequence of any unforeseen circumstance, you should arrive at a port in this island more to the eastward than those which we have mentioned above, you will send the vessel to this port; and it will remain, with the slaves (bultos) ashore, at your disposal, until we proceed thither, (upon your advising us,) or send some person in our stead, without appointing any consignee; and you will either borrow sufficient for your expenses, or sell the articles which may be absolutely necessary for that purpose. You are on no account to consider the voyage terminated at Puerto Rico, though you should be obliged to go in there; and must only supply most necessary wants, and proceed to this island. You will address yourself, if you should be obliged to put in there, to Don Martin José Machicota, on account of Don Tomas Trigoyen.

SILVESTRE IRIARTE.
TOMAS DE TRIGOYEN.

Señor Don Juan Batalla, Gallinas, recommended to Artata by his friend Trigoyen.

HAVANA, January 22, 1839.

SIR, AND MY FRIEND: In consequence of your two esteemed letters of 10th and 24th October of last year—the first from Petit Bassa, and the second from Gallinas—we have determined to despatch to you a vessel of (capable of carrying) 300 to 350 slaves (bultos) within twenty or thirty days; and her being not yet bought is owing to Don Manuel Masino not having sold, till to-day, his share of her. The vessel will carry all of the merchandise, and every thing else that you ask for; and even if you were to make 1,500 slaves (bultos) per annum, you would not exhaust your resources, for you have only to ask for what you require. This letter is carried by the master of the schooner Rebecca, Don Domingo Artata, which goes consigned to Don Pablo Alvarez, who has been written to, under this date, to request him to assist you as far as he is able; and it would not be amiss if you were to put yourself in communication with him as soon as you receive this, to try to send us a splendid expedition.

I remain, &c.

TOMAS DE TRIGOYEN.

HAVANA, January 22, 1839.

SIR: Availing ourselves of the opportunity of the schooner Euphrates, Captain Don Pedro Torres, we wrote to you as outfitters, and in the name of the other persons interested in the expedition of the Constitution, which you commanded; of the loss of which vessel we were aware, and for which occurrence we expressed our sorrow. If that letter fortunately reached you, it will have informed you of our desire to send you another vessel for the purpose of saving the remains of that one; and that we only delayed sending her till you had acquainted us with the state of our affairs in your charge, and with the arrangements which circumstances had obliged you to adopt.

In effect, your favors dated last October arrived; and, in consequence of what you have communicated to us therein, and of the hopes with which you flatter us, of being yet able to make a good business to our mutual advantage, we have determined to purchase a vessel and merchandise, in conformity with your recommendation; and the only difficulty which has hitherto delayed our carrying our intention into effect is that of the flag, arising from the scarcity of American vessels of the class and burden which we require; for all other impediments are easily surmounted. As vessels of the description required are constantly arriving, and as, amongst several that are expected, it cannot be difficult to find one that suits us, you may, with all certainty, reckon upon one sailing for your place about the 25th of next month, (February.) Relying upon this as sure, take your measures, calculating the passage so that on her arrival she may find the cargo ready, and experience the shortest possible delay in her return. Unfortunately, the shareholders have declined any further outlay; and as, on the part of Trigoyen and the house, we cannot venture, among so many risks, all the capital which is required, and as we cannot distress our establishments to take over the third which belonged to Don Manuel Masino as outfitter, it has been found necessary, much against our inclination, that he should renounce his rights and shares in favor of some other person, who, by good luck, is our friend Don Juan Suriz, who, as the person to whom the share is ceded, signs this letter, in order that you may be acquainted with his signature, which is confirmed by that of Masino, who also signs. Don Tomas de Trigoyen has written to you by the Rebecca, which takes this; and, although he signs as an individual, we ratify all that he says in that letter, and leave for another opportunity whatever else may occur to us which may not be of moment.

We remain, &c.

RACON & CO.
TOMAS DE TRIGOYEN.
MANUEL MASINO.
JUAN SURIZ.

Our friend Don Pdo. Racova does not sign, in consequence of his being in the country. Villela begs of you to tell him something of Aquillino, to whom he again recommends you.

Señor Don JUAN JOSE BATALLA,

*Late captain of the schooner Carcamana,
Mulaqueta, Petit Bassa.*

DEPOSITIONS TAKEN IN THE CASE OF THE REBECCA.

British and Spanish mixed court of justice, Sierra Leone, in the case of the schooner Rebecca, Domingo Artutu, master.

SATURDAY, March 30, 1839.

Nicolas Echevarria, mate on board the said vessel, being produced, sworn, and examined on standing interrogatories and standing special interrogatories, deposeth and saith as follows, viz :

To the 3d, saith: The name of the master is Domingo Artata; has known him during one year; he was born in the province of Biscay, in Spain, where he generally resides; he is married, and his wife resides there also.

To the 4th, saith: The master was appointed to the command, by one Ealo, a Spaniard residing in Havana, from whom also he received possession there, three months ago. First saw the vessel there and then. Does not know where she was built.

To the 5th, saith: He was present at the capture; does not know on what pretence it took place. The vessel sailed under Portuguese colors, and there were no others on board.

To the 6th, saith: The vessel is called the Rebecca. Has never heard of her bearing any other name. She is of one hundred and forty-two tons burden. There were twelve officers and mariners, exclusive of the master, all Spaniards, shipped by the master at Havana—witness does not know at what precise period, as he found them on board when he himself joined the vessel there, three months ago.

To the 7th, saith: Neither he nor any of the officers or mariners had any interest in the vessel or her lading. Was mate on board. There was one passenger, named Watson, an American by birth and a seaman by profession; he was taken on board when the vessel left Havana, in order to proceed to Gallinas—witness does not know on what business; he had no concern or authority in or over vessel or cargo.

To the 8th, saith: The voyage began and was to end at Havana, which was the last clearing port. The vessel touched at Gallinas to discharge her cargo; which was done, with the exception of a small part of it.

To the 9th, saith: The capturing ship was first seen while the detained vessel was at anchor at the Gallinas, at two o'clock in the evening of the twenty-second of the month instant. Capture took place within an hour. The destination by the papers was Gallinas and Havana, and the course had been at all times directed to the former place.

To the 10th, saith: There are no guns mounted on board. There were six cutlasses and two pistols, but no ammunition, save what was contained in the cargo. No resistance was made to capture, nor were there any instructions for resisting or avoiding capture or for destroying or concealing the vessel's papers.

To the 11th, saith: Ealo, from whom the master received command and possession, was the sole owner of the vessel—knows it, because he cleared out and transacted all the business of the vessel. Does not know if he be married, nor how long he has resided in Havana.

To the 12th, saith: He knows nothing of bill of sale, price, or transfer of the vessel.

To the 13th, saith: The owner of the vessel was also the sole lader, owner, and consignee of the cargo.

To the 14th, saith: He knows nothing of the lading of the last voyage. The cargo brought out on the present was tobacco, aguardiente, dry goods, cutlasses, muskets, and ammunition. The vessel, after capture, was brought direct to Sierra Leone.

To the 15th, saith: He knows nothing of the truth and fairness of the passports and other papers.

To the 17th, saith: He does not know that any of the papers were destroyed, concealed, or made way with.

To the 18th, saith: He knows nothing of any writing relating to vessel or cargo in any other country.

To the 19th, saith: He knows nothing of any charter-party.

To the 20th, saith: He does not know whether or not the vessel or goods be insured. The vessel, with respect to her employment in trade, was under the direction of one Alvarez, of Gallinas.

To the 21st, saith: Bulk was broken at Gallinas only.

To the 22d, saith: Nothing was taken out of the vessel at the time of capture.

To the 23d, saith: Nothing has been taken out since.

To the 24th, saith: He does not know the rank of searching officer.

To the 25th, saith: He and the detained crew have been well treated.

To the special interrogatory, saith: No slave has been put or received on board, for the purpose of the traffic in slaves, during the present voyage.

To the standing special interrogatories.

To the 1st, saith: The hatches are not fitted with open gratings.

To the 2d, saith: The combings of the hatchways are not pierced or otherwise fitted to receive iron bolts or bars, none of which are on board.

To the 3d, saith: There are two bulkheads—those of the cabin and fore-castle.

To the 4th, saith: There are spare planks, fitted and numbered so as to form a complete slave deck fore and aft.

To the 5th, saith: There is no part of a slave deck laid at present.

To the 6th, saith: There were eighteen or twenty pairs of shackles, to be used against the crew, in the event of mutiny or disobedience—no bolts or handcuffs.

To the 7th, saith: There are leaguers and casks on board, capable of receiving eighty pipes of water in all, and containing two pipes of fresh water at the time of capture. There are no tanks or staves. The vessel was supplied with the means of carrying so much water, because it was required for the use of the crew.

To the 8th, saith: There were four mess-kits for use of the crew.

To the 9th, saith: There were three or four iron boilers for use of the crew.

To the 10th, saith: There are two leaguers, capable of containing a puncheon each, which are filled with rice for the use of the crew. There is no Indian corn.

NICOLAS ECHEVARRIA.

This examination was taken, and the truth thereof sworn to, through the interpretation of Jan Van Luyck, who was first duly sworn faithfully to interpret between the parties in this cause.

JAN VAN LUYCK.

Before me:

J. MILLER, *Acting Registrar.*

British and Spanish mixed court of justice, Sierra Leone, in the case of the schooner "Rebecca," Domingo Artata, master.

SATURDAY, March 30, 1839.

George Watson, passenger on board the said vessel, being produced, sworn, and examined on standing interrogatories and standing special interrogatories, deposed and saith as follows, viz:

To the 1st, saith: He was born at Providence, Rhode Island; North America; is a citizen of the United States of America; has never been subject of any other State; is not married.

To the 2d, saith. He was appointed to the command by one Ealo, who lives at Havana, and is a subject of Spain; from whom also he received possession there, two months ago. First saw the vessel when she was on the stocks, at Baltimore, in the month of May last.

To the 3d, saith: He resigned the command at Gallinas, to Nicolas Echevarria, the first officer on board, whom he has known since the vessel left Havana. He was born, to the best of witness's knowledge, in Spain, and generally resides at Havana. He is not married.

To the 4th, saith: He himself appointed this person to the command, and delivered possession to him at Gallinas, on the 20th of the month instant, in consequence of his not finding there a person named Pablo Alvarez, to whom he had the orders of the present and the former owner, Frederick Neill, to transfer the vessel. From this former owner he partly received his orders, at a time when he was unable to see Ealo.

To the 5th, saith. He was present at the capture. It took place because the vessel showed no colors and had no papers. The vessel had previously sailed under American colors; but her flag was then Portuguese, and she had no other flag then on board, to witness's knowledge.

To the 6th, saith: He does not know the vessel's name. She was called the "Rebecca" while under his own command; never knew or heard of her bearing any other name at any former period. She is of one hundred and forty-two tons burden. There were eleven officers and mariners on board, exclusive of witness and including the present master, all Spaniards, hired and shipped at Havana, by the owner of the vessel, two months ago.

To the 7th, saith: He had himself no interest in the vessel or her lading, nor, to his knowledge, had any of the crew; was master from Havana to the Gallinas. There were two cabin passengers, whose names are unknown to witness, Spaniards by birth, and apparently seamen by profession, taken on board at Havana, and destined to Gallinas; witness does not know on what business. One of them had property in vessel or cargo; witness believes in both; was so informed by the other. Neither of them exercised any authority on board.

To the 8th, saith: The last clearing port was Havana, where the voyage began, but witness does not know where it was to end. The vessel touched at Gallinas, to be delivered to Pablo Alvarez there, and to discharge her cargo; which was done with respect to the greater part of it.

To the 9th, saith: The capturing vessel was first seen about nine or ten o'clock, on the morning of the 21st or 22d of the month instant, off Gallinas, and in sight of land; capture took place almost immediately. The vessel had been standing off and on, as a strong breeze and heavy sea made it unsafe to lie there at anchor. At the moment she was lying to; but on the appearance of the man-of-war the sails were instantly filled. She was already under full sail. Her destination, by her papers, was the Gallinas only, to which place the course was at all times directed when the weather would permit.

To the 10th, saith: There are no guns mounted on board. There were eight or ten cutlasses, and several kegs of ammunition; which may have been cargo or otherwise, for witness does not know. No resistance was made to capture, nor were there any instructions for resisting or avoiding capture;

but there were for destroying the vessel's papers, together with the instructions themselves, on delivering over the vessel; and for cutting, at the same time, the register into two parts, to be thus sent to the Havana by two opportunities; which was, accordingly, all done on the 20th instant. The instructions, which were from Frederick Neill, the late owner, bore in the first instance that witness was to command the vessel to the Gallinas, and there to make the transfer of her to Pablo Alvarez, already mentioned; and they contained nothing further.

To the 11th, saith: Ealo, from whom he received command and possession, was the sole owner of the vessel; knows it from general report, and from his own statement. His wife and family (who are, like himself, subjects of Spain) reside with him in Havana; does not know how long he has resided there; he formerly lived near Bilbao, in Spain.

To the 12th, saith: He knows nothing of any bill of sale. The price, as he has heard, was nine thousand dollars; does not know if it was paid. It was a fair equivalent, and the sale was truly made. Verily believes the vessel, if restored, will belong to Ealo, and no other person. There are no private agreements for her return to former owners.

To the 13th, saith: He thinks the owner of the vessel must also be owner of the cargo, of which he was the lader and consignee at Havana.

To the 14th, saith: The lading of the vessel on her last voyage was flour, shipped at Baltimore for Havana, on which voyage witness was mate of the vessel.

The cargo on the present voyage consisted of tobacco, aguardiente, calicoes, gunpowder, rice, and boxes, (which apparently contained muskets.) The vessel, after capture, was brought direct to Sierra Leone.

To the 15th, saith: He believes there were no passports or other papers found on board, save some passports of the seamen; and cannot tell whether they were true, fair, or otherwise.

To the 17th, saith: The American papers were destroyed by burning in presence of no witness. No papers were, to witness's knowledge, delivered out of the vessel or carried away.

To the 18th, saith: He does not know whether any writings, relating to vessel or cargo, exist in any other country.

To the 19th, saith: He does not know that there was any charter-party.

To the 20th, saith: He does not know whether or not the vessel or goods were insured. The vessel, with respect to her employment in trade, has been usually under the direction of Mr. Frederick Neill. Will write to him, as well as to the owner, to acquaint him with his fulfilment of his instructions.

To the 21st, saith: Bulk was broken at Gallinas only.

To the 22d, saith: Nothing was taken out of the vessel at the time of capture.

To the 23d, saith: Nothing has been taken out since.

To the 24th, saith: He does not know the rank of the searching officer.

To the 25th, saith: He and the detained crew have been well treated.

To the special interrogatory, saith: No slave had been put or received on board, for the purpose of the traffic in slaves, during the present voyage

To the standing special interrogatories.

To the 1st, saith: The hatches are not fitted with open gratings.

To the 2d, saith: The combings of the hatchways are not fitted to receive iron bolts or bars, none of which are on board.

To the 3d, saith: There are three bulkheads—those of the cabin, fore-castle, and store room.

To the 4th, saith: There are spare planks on board, numbered and fitted for a second deck, to extend fore and aft.

To the 5th, saith: No part of a second deck is laid.

To the 6th, saith: There were no shackles, bolts, or handcuffs.

To the 7th, saith: There are casks and staves on board, capable of receiving, in all, seventy tons of water, or thereabout; and containing about four tons of fresh water at the time of capture. There are no tanks or other means of conveying water.

Does not know why she was supplied with the means she has.

To the 8th, saith: There were four or five dozen of mess tins; witness does not know for what purpose.

To the 9th, saith: There are three or four small iron boilers, for use of the crew.

To the 10th, saith: There were two small barrels of rice, besides what was contained in the cargo; a cask of flour, some Indian corn, and two or three bags of beans, for the use of the crew.

GEORGE WATSON.

This examination was taken, and the truth thereof sworn to, before me,
J. MILLER, *Acting Registrar*.

These are to certify that the foregoing are just and true copies of two original writings of four letters, as translated from the original Spanish, and of depositions of two witnesses, filed in the case of the schooner Rebecca, whereof Domingo Artata was master, as appears by the records of the British and Spanish mixed court of justice in which the said schooner was condemned.

In faith and testimony whereof, I have hereunto set my hand and affixed the seal of the mixed commission, at Freetown, in the colony of [L. s.] Sierra Leone, this third day of August, in the year of our Lord one thousand eight hundred and forty.

J. MILLER, *Acting Registrar*.

I hereby certify that the papers hereunto annexed are those sent by Her Britannic Majesty's commissioners at Sierra Leone, in their despatch to Viscount Palmerston marked "Spain, No. 67," of August 3, 1840, as true copies of original papers connected with the case of the Spanish schooner Rebecca, duly certified by the registrar, and under the seal of the court of mixed commission at Sierra Leone.

LEVESON. [L. s.]

FOREIGN OFFICE, *December 16, 1840.*

Mr. Fox to Mr. Forsyth.

WASHINGTON, *February 4, 1841.*

SIR: In addition to former communications, which, by direction of Her Majesty's Government, I have had the honor to address to you upon the subject of the African slave trade, and of the frequency with which the subjects of other countries engaged in that nefarious traffic endeavor to protect themselves from the punishment due to their crimes by a fraudulent as-

sumption of the American flag, I herewith transmit to you a further series of documents relating to the same matter, which Her Majesty's Government are desirous should be carried to the knowledge of the Government of the United States.

These papers consist chiefly, it will be seen, of despatches and reports from the British commissioners for the suppression of the slave trade, residing at Sierra Leone and at Havana, and contain details in particular of the cases of four slave vessels (the "Laura," "Asp," "Lark," and "Mary Cushing,") captured by Her Majesty's cruisers on the coast of Africa, during the course of the last year. The above vessels, in like manner with many others formerly mentioned, although fitted out for the slave trade upon account of Spanish owners, had been enabled fictitiously to assume the United States flag, and to perfect their outward voyage to the coast of Africa under that fraudulent protection. Fortunately, however, for the ends of humanity and justice, the evidence found against the vessels, after their arrival upon the African coast, was sufficient to enable the mixed court of commission at Sierra Leone to condemn them as Spanish slavers.

Amongst the enclosed series of papers will likewise be found reports from the British commissioners at Sierra Leone, containing some additional evidence in relation to the slave vessels "Butterfly" and "Catharine;" the circumstances attending the capture of which vessels are already known to the Government of the United States. Lastly, there will be found amongst the enclosed papers copies of a correspondence between Her Majesty's commissioners at Havana and Mr. Everett, a gentleman who visited that port by commission from the Government of the United States; which correspondence Her Majesty's Government are desirous should be conveyed to the knowledge of the President.

You will be gratified to learn, by another correspondence herewith enclosed, that Her Majesty's commissioners at Sierra Leone entertain hopes of a considerable diminution of the slave trade under the fraudulent protection of the American flag, in consequence of the presence upon the African coast of the United States ship of war "Dolphin," commissioned to cruise on that station for the suppression of the trade.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.

Hon. JOHN FORSYTH, &c.

[Enclosure No. 1.]

FOREIGN OFFICE, August 7, 1840.

SIR: With reference to my despatches marked "Slave Trade, Nos. 10 and 11," of this year's series, respecting the proceedings of cruisers of the United States employed on the coast of Africa in putting an end to the abuse of the flag of the Union for purposes of slave trade, I herewith transmit to you, for communication to the United States Government, a copy of a despatch from Her Majesty's commissioners at Sierra Leone, reporting that the United States brigantine of war "Dolphin" had arrived at Sierra Leone, under orders to cruise on the coast of Africa for the honorable purpose above mentioned.

I am, with great truth and regard, sir, your most obedient, humble servant,
PALMERSTON.

HENRY STEPHEN FOX, Esq., &c.

[Sub-enclosure.]

SIERRA LEONE, *February 20, 1840.*

MY LORD: We have the honor to acquaint your lordship that the American brigantine of war "Dolphin," Lieutenant Charles H. Bell commanding, appointed by the Government of the United States to cruise upon this coast for the repression of the slave trade, in so far as it is prosecuted under the flag of America, arrived in this harbor on the 9th instant, and sailed seven days thereafter for Cape Mesurado and the American settlement of Liberia. It was the intention of Lieutenant Bell to proceed to the southward and eastward as far as Cape Coast, from whence he proposed to retrace his course, and again to visit the colony in passing upward to the rivers to the north of it. The period for which his cruise is appointed does not extend beyond the month of June next; but, on his return to America, he will leave behind him on the coast the American schooner of war "Grampus," which was under orders to proceed on the same service forthwith, and which, he informed Governor Doherty, might be expected in this port within a fortnight from the present date.

We are much gratified in being enabled to communicate to your lordship this intelligence; and trust that the adoption by the American Government of a measure so decisive will be attended with the best results in favor of the cause which it is intended to serve, and will concur powerfully with the other circumstances to which reference was made in our despatch of the 31st ultimo, (marked Spain, No. 10,) in putting a period to the scandalous abuse of the American flag, by its employment in the illicit traffic which has now been so long, and we fear so successfully, persevered in.

We have, &c.

R. DOHERTY.
C. HOOK.

Rt. Hon. Viscount PALMERSTON, G. C. B. &c.

P. S.—*March 7.*—The "Grampus" arrived here this day.

[Enclosure No. 2.]

FOREIGN OFFICE, *August 8, 1840.*

SIR: With reference to my previous despatches on the subject of Spanish slave vessels which have attempted to conceal their real national character by the assumption of the flag of the United States, I herewith transmit to you, for communication to the United States Government, a copy of a despatch from Her Majesty's commissioners at Sierra Leone, reporting the case of the schooner "Laura," which was detained under American colors by the boats of Her Majesty's brigantine "Viper;" but having, upon investigation, been found to be a Spanish vessel engaged in slave trade, was condemned on that ground in the mixed British and Spanish court of justice at Sierra Leone.

I am, with great truth and regard, sir, your most obedient, humble servant,

PALMERSTON.

HENRY STEPHEN FOX, Esq. &c.,

[Sub-enclosure.]

SIERRA LEONE, *January 31, 1840.*

MY LORD: We have the honor to transmit, for your lordship's information, our report of the case of the Spanish schooner *Laura*, Henry Hantsman, captain of the flag, and Juan Costa, master, which was detained off Cape Mesurado on the 7th instant, while sailing under American colors, by Her Majesty's brigantine *Viper*, Godolphin James Bruslem, lieutenant and commander; and was condemned three days ago in the British and Spanish mixed court of justice, for being fully equipped for the illicit traffic, contrary to the treaty of 1835.

The history of this schooner resembles, in its most important particulars, that of the several Spanish vessels which, during the last sixteen months, have been detained on this coast, and brought to Sierra Leone under the flag of America, and which have been successively reported to your lordship. Built at Baltimore for the Spanish slave trade, the *Laura* is there provided, after no great interval of time, with a permanent register; and the same day on which it is dated, measures are adopted for effecting her sale at Cuba—the owners granting a power of attorney for the purpose, in favor of a person who is employed to navigate her to that island, and who, on arriving at the Havana, transfers this authority, by means of a power of substitution endorsed on the deed, to the nominal American master, whose services are there engaged; and, at the same time, actually disposes of the vessel to Spanish purchasers, one of whom proceeds with her to this coast, on her first slaving adventure, as actual master and supercargo. In completing this fraud, the parties to it are assisted in the usual manner by the consular agents of the United States at the Havana; and, if we may judge from what has fallen under our observation in these courts, the Baltimore ship builders and their attorneys are but rarely, if ever, deceived in the just reliance with which they depend for assistance on those gentlemen.

We entertain a strong hope that this disgraceful system draws to a termination; and that the present is one of the last instances of the prostitution of the flag of the United States to the purposes of the slave trade, which it will be our duty to communicate to your lordship. One circumstance which induces us to form this expectation is the great interest which the recent visit made to America by Lieutenant Fitzgerald, in Her Majesty's brigantine *Buzzard*, in company with his prize, the *Eagle*, of which we had the honor to report the case on the 20th instant, as well as the arrival there, about the same time, of the *Wyoming*, captured under similar circumstances, would appear to have excited in that country—the feeling of indignation, loudly expressed by the American public, at the dishonor done to their flag by its employment in this commerce—an employment apparently now first disclosed to them in all its extent and infamy; and the alarm among the friends and parties to those slaving adventures in the United States, with which the expression of this sentiment could not fail to be accompanied. Another reason is, the sudden removal which is said to have taken place of Nicholas Trist, the American consul at Havana, from those functions in which he has so much abused the trust reposed in him by his Government, to the protection and encouragement of the illicit traffic. And, finally, our chief ground of hope is in the new course respecting American-Spanish vessels which these courts have been enabled to pursue, and which of itself will probably have the greatest effect when the intelli-

gence of it shall have reached the bights and crossed the Atlantic, in causing the American flag to disappear from the coast in this commerce.

We have the honor to be, with the greatest respect, my lord, your lordship's most obedient and most humble servants,

R. DOHERTY,
L. HOOK.

Rt. Hon. Viscount PALMERSTON, *G. C. B.*, &c.

[Sub-enclosure.]

Report of the case of the schooner Laura, Henry Hantsman, master.

SIERRA LEONE, *January 31, 1840.*

The schooner *Laura*, built at Baltimore in the year 1833, and first owned by James Hooper, William Cobb, and Andronicus Cheeseborough, of that place, was by these persons despatched to the Havana during the month of May last, under the command of James Tyler, likewise of Baltimore, to whom they granted a power of attorney to enable him to effect her sale on his arrival in that port. A register having been procured on the same day on which the power of attorney is dated, Tyler proceeded with the vessel by way of the Spanish main, where, at a place called Sebasco, he loaded a cargo of logwood; and reaching Havana some time in last autumn, he acted on his authority and commission from the Baltimore owners, by selling the vessel to Juan Costa and another person, both Spaniards by birth, and residents of Havana. Costa shipped a Spanish crew, and engaged the services of Henry Hantsman, of Baltimore, as nominal master, and of other Americans as a part of his officers and crew, that they might support and justify, by their presence, the fraud of carrying the American flag and American papers, which it was his intention to commit.

Nor, in effecting their respectable purpose, did he and Tyler want for the sure assistance of Mr. Consul Trist. During the month of October, Costa sailed for Matanzas, where he hired the remainder of his crew, Americans or Spaniards; and, on the 19th of November following, cleared out from thence with a complete slave equipment for Cape Mesurado.

The *Laura* was already within sight of this destination, and the last preparations were making on board for the cargo of human beings she was to embark there; an additional bulkhead was completed and ready to set up; and the carpenter was even proceeding, in obedience to the orders he had just then received, to pierce the hatchways for the iron bars provided to receive them; when, on the morning of the 7th instant, the *Viper* happily hove in sight, and sent off her boats in chase. As soon as this took place, and capture became inevitable, the Spanish papers, and all the most disposable articles of equipment, were destroyed; the shackles, mess tins, and a boiler, being thrown overboard, and the papers burnt or sunk. The schooner, on her detention, was carried into the American settlement of Liberia, and arrived here on the evening of Saturday the 18th, accompanied by the capturing vessel.

On the following Monday the marshal reported this arrival, and the same day the captor petitioned, by his proctor, for permission to enter the case. This being granted, and next morning (the 21st) his declaration being re-

ceived, the seizure being sworn to, and a few papers (which escaped the destruction of the others) filed, the monition was immediately issued.

The papers saved and filed were five :

1. A permanent register in an entire state, dated at Baltimore on the 11th of May last, containing the names already cited of the three owners, declaring James Tyler to be master ; and referring to a certificate of registry of the 15th of February preceding, said to be "now surrendered," the property being part transferred. An endorsement on this register, of the 19th of October, subscribed by the American consul at Havana, declares Henry Hantsman to be master, in the room of James Tyler.

2. The power of attorney, of the same date as the register, executed by the Baltimore owners in favor of Tyler, with a power of substitution by the latter person endorsed upon it, constituting the master, Henry Hantsman, attorney in his room ; dated at Havana, on the 19th of October, and the same day attested by Mr. Trist.

3. A muster roll of the crew, nominally under Hantsman on the voyage from Havana to Matanzas, containing the names of four Americans and two Spaniards.

4. A muster roll and seamen's articles of the same crew, on the voyage from Matanzas to Cape Mesurado, containing the substitution of two additional American names for those of the two Spaniards in the first list, and the addition of that of a ship's cook. This paper states the master to be Henry Hantsman, or *whoever shall go for master* ; and it mentions that the voyage was to end "in some port or ports of the West Indies."

5. A manifest from Matanzas, which certifies to the equipment of forty water casks, of rice, fire arms, and cutlasses.

Little or none, therefore, of the information sought for was obtained from those papers ; but the disclosures made by the witnesses amply compensated for this deficiency. The master (Hantsman) spoke with some reserve, especially at the commencement of his deposition, having been severely threatened by Costa, a man of great ferocity, and being under considerable apprehension in consequence ; but, nevertheless, even his admissions were more than sufficient to condemn the vessel. He stated that he had been placed in the command, which he alleged he held, by Tyler, and by another person whom he believed to be a Spaniard ; that the vessel was built at Baltimore ; that he was present at the capture, which took place on account of water casks and a slave deck on board ; that the vessel sailed under American colors, and carried no others ; was called the *Laura*, and never, to his knowledge, bore any other name ; that he was master, and his crew consisted of three Americans and two Spaniards, shipped by him at Matanzas in October—none of whom, so far as he knew, had any interest in the vessel or lading, as he had none himself ; that he also received on board, at Matanzas, three cabin and nine fore-castle passengers, all Spanish seamen, proceeding to Cape Mesurado, in order to take possession of the vessel there, when he himself and his crew should leave her, which they were permitted to do on their arrival at that place ; that two of those passengers, named Housta and Costa, exercised some authority on board, which the deponent gave them in consequence of the great interest they appeared to take in the vessel, and that he thought it probable that Costa had some share in the vessel and cargo ; that the voyage, having begun at Matanzas, was to end in Cuba ; that the capture took place near Cape Mesurado, while they were steering for the land—that place being the destination or

the vessel; that there were on board ten cutlasses and ten muskets, with a small quantity of ammunition for the use of the vessel on the return voyage, but against whom those articles were to be used he could not tell; that the vessel was owned by Juan Costa, of Havana, one of the passengers, and the cargo by Cabrida, a merchant of Matanzas, both Spaniards by birth; that a bill of sale of the vessel was made by the Baltimore owners, in favor of the former master, James Tyler, which by him was transferred to witness, and by witness to Costa; that this instrument was dated eighteen or nineteen months ago, and that he last saw it when he delivered it up to Costa at the time of the seizure; that the transfer was a true one; that when the Viper hove in sight, Costa and the cabin passengers threw into the galley five different Spanish writings, with the nature of which he (witness) was unacquainted; that twenty round iron bars were ready for securing the hatches, although the combings of the hatchways were not yet bored; that a complete slave deck was laid fore and aft; that a bag of shackles and bolts was thrown overboard just before the boats of the man-of-war came alongside; that there were forty leaguers, capable of receiving, on an average, one hundred and fifty gallons of water each, all filled with fresh water at the time of capture; that he has no doubt they were intended to carry water for slaves; that there were twenty-four mess tins, an iron boiler, two hundred bags of rice, and eight of peas and beans—all for the use of slaves.

The deed spoken of in this deposition as a bill of sale is obviously the power of attorney which now appears with the other papers, although the witness falls into so great an error with respect to its date. It will be observed that, as he proceeded in his evidence, this deponent scarcely attempted to conceal the fact of Spanish ownership, or the object of the equipment; but the American carpenter, who was next examined, spoke, and without any reservation.

This witness declared that there were two masters—the flag captain, (Hantsman,) and the real Spanish master, named (as he thought) Costa, and a resident at Matanzas, who, from the day of the vessel's sailing from that place until the time of her capture at Mesurado, took the entire charge and command of her, evinced the greatest interest in the success of the voyage, and, with another Spaniard of Matanzas, who had appointed both masters, was in fact owner of the vessel and her stores—for cargo she had none; that this person informed witness, the day after they sailed, that he was proceeding to Africa for slaves, whom he intended to take back to Cuba; that, as there were two masters, so there were likewise two crews—one consisting of four Americans, and another of fifteen Spaniards, exclusive of the two masters, respectively; that an additional bulkhead, a complete slave deck, water, iron bars, shackles, mess tins, a boiler, and stores, were all provided and ready for the use and consumption of a cargo of slaves; and that, had the capture not taken place when it did, witness would the same day have pierced the combings of the hatchways for the reception of the bars; that he himself assisted in throwing overboard shackles, mess tins, and a boiler, on the approach of the capturing boats; that the vessel was steering for *Gallinas* at the time of seizure; and that the return voyage would have been for Matanzas, although the slaves were to be landed at the most convenient port on the coast of Cuba.

In the remaining particulars embraced by the interrogatories, this witness corroborated the testimony of the master.

Information so complete could leave no room for doubt as to the nationality of the vessel, and her infringement of the Spanish treaty. It more than confirmed the averments of the captor's declaration. No claimant appeared; and the monition being returned on the 28th instant, the court decreed, the same day, that the American flag, under which the *Laura* had been detained, was falsely and fraudulently assumed by that schooner; that, at the time of her seizure, she was a Spanish vessel engaged in the slave trade; and that she should be condemned a prize to the crowns of Great Britain and Spain.

R. DOHERTY.
L. HOOK.

Rt. Hon. Viscount PALMERSTON,
G. C. B., &c.

[Enclosure No. 3.]

[No. 15, SLAVE TRADE.]

FOREIGN OFFICE, *August 8, 1840.*

SIR: I herewith transmit to you, for communication to the Government of the United States, the accompanying extract from a despatch which I have recently received from Her Majesty's commissioners at the Havana.

You will, by a note, communicate that paper to the United States Government; and add the expression of the confidence of Her Majesty's Government, that the President will regret to perceive by it that the flag of the United States of America still continues to be abused, to a very great extent, for purposes of slave trade, notwithstanding the attention directed to that evil by the Government of the United States.

I am, with great truth and regard, sir, your most obedient, humble servant,

PALMERSTON.

HENRY STEPHEN FOX, Esq., &c.

[Sub-enclosure.]

Extract from a despatch from Her Majesty's commissioners at the Havana, dated June 13, 1840.

We transmit to your lordship a list of the vessels that have been despatched from this port to the coast of Africa during the last four months. From this, your lordship will perceive that they are 21 in number, including one (the "Importador") which, though ostensibly sailing for Goa, is, no doubt, intended for Mozambique. Among these, there are 10 under the Portuguese flag, 8 under the American, and 3 under the Spanish.

Your lordship will regret to observe that there still continues the abuse of the flag of the United States to the same increasing degree as last year, notwithstanding the attention of the United States Government has been so strongly directed to the correction of the evil. Of the eight American vessels, no fewer than five were cleared out by a Mr. Charles Tyng, an Ameri-

can resident here as a merchant, who was the agent, if not the owner, of the slave vessel "Catharine," taken last year by one of Her Majesty's cruisers, and sent to the United States, where she was condemned.

No. 16 on the list, we should point out as the celebrated "Locorro."
Despatched—

1. February 15th, for San Tomé, Portuguese schooner "Olympia."
2. February 22d, for San Pablo de Loanda, American schooner "Hudson," by Charles Tyng.
3. March 6th, for Gold Coast, American schooner "Audubon."
4. March 20th, for San Pablo de Loanda, Spanish schooner "Nunantisco."
5. March 23d, for Gallinas, American brig "Theophilus Chase."
6. March 24th, for Santiago de Prova, Portuguese schooner "Josefina."
7. March 26th, for Goa, Portuguese brig "Importador."
8. March 27th, for Cabo Verde, Spanish schooner "2ndo Rosario."
9. March 28th, for Bonny, Portuguese schooner "Paz."
10. April 1st, (sailed in May,) for Mozambique, Portuguese ship "Gloria."
11. April 14th, for Gallinas, Portuguese schooner "San Pablo de Loanda."
12. April 28th, for Lagos, Portuguese brig "Trovao."
13. April 29th, for Cabo Verde, Portuguese schooner "Bacua Union."
14. May 2d, for Lagos, American brig "Plant," by Charles Tyng.
15. May 2d, for San Pablo de Loanda, American schooner "Lone," by Charles Tyng.
16. May 4th, (sailed 11th,) for Mozambique, Portuguese ship "Maria 2da."
17. May 6th, for Bonny, Spanish brig "Marinero."
18. May 11th, for Gallinas, Portuguese schooner "Pombinha."
19. May 11th, for Gallinas, American schooner "Seminole," by Charles Tyng.
20. May 12th, for Gallinas, American brig "Alexander."
21. May 27th, for San Pablo de Loanda, American schooner "Kite," by Charles Tyng.

[Enclosure No. 4.]

[No. 16, SLAVE TRADE.]

FOREIGN OFFICE, *August 10, 1840.*

SIR: I herewith transmit to you a report of the case of the schooner "Asp," Wilson L. Weems, nominal master, which, while lying at anchor in the river Nun, was detained by Her Majesty's sloop "Wolverine," and was taken to Sierra Leone, and condemned there, on the ground that she had a slave equipment on board, and that she was a Spanish vessel.

The "Asp" was built at Baltimore, and, at the time of her detention, displayed the flag of the Union, and was furnished with an American pass; but she never had any American owners, for she was built in 1839, to the order and for the account of Messrs. Pedro Martinez & Co., Spanish merchants at the Havana; and those merchants having transferred a portion of their property in her to Ramon Garcia, also a Spaniard, Ramon Garcia

was appointed supercargo, and acted also as commander on the voyage on which the vessel was detained.

The course of that voyage was intended to be from the Havana to the river Nun, and back again; and in the river Nun the "Asp" was to have taken in a cargo of slaves.

When detained, she had five Americans on board, and a Spanish crew of 18 persons.

Evidence of the above-mentioned facts having been produced, showing that the vessel was in reality Spanish, and that the slave-trading voyage on which she was detained was essentially a Spanish venture, the mixed British and Spanish court of justice at Sierra Leone condemned her accordingly, as a Spanish vessel concerned in slave trade.

The enclosed paper contains a detailed account of the circumstances attending this case; and I have to desire that you will, by note, communicate them to the United States Government, in corroboration of the statements already furnished to the President, on the frequency with which the United States flag is employed for purposes of foreign slave trade.

I am, with great truth and regard, sir, your most obedient, humble servant,

PALMERSTON.

HENRY STEPHEN FOX, Esq., &c.

[Sub-enclosure.]

Report of the case of the Spanish schooner "Asp," Wilson L. Weems, master.

It would appear that this vessel, although constructed at Baltimore, never had any American owners, but was built to the order and on account of the Havana house of Pedro Martinez & Company, to which, at the time of capture, she chiefly belonged.

She was built in 1839; but by whom is not discovered. Before leaving Baltimore for Cuba, her first voyage in the trade to which she was destined was so far prepared for, that she received a shipment of rice, which was subsequently found on board by the captors. At this time she was commanded by a Baltimore master, named William Knight, who proceeded with her to the Havana, where she arrived about the beginning of November last, and where, in concert with Charles Tyng, an American by birth, but a naturalized Spaniard, Knight placed the flag captain (Weems) in nominal charge; a Spaniard, named Ramon Garcia Bior, the real master and a part owner, going on board at the same time as supercargo, with a large Spanish crew, all furnished with passports, and with five Americans, Weems exclusive. A quantity of specie and tobacco being then shipped by Tyng, who appears to have acted as agent for the vessel and shipper of the cargo, (the better to keep a name so notorious as Martinez & Company out of view,) the "Asp" proceeded direct to the bight of Benin; and having landed her small cargo, for the immediate purchase of slaves, at the mouth of the river Nun or Bras, she sailed a few miles up that river, and there anchoring on the 13th January, was, within three days, captured by the Wolverine's boats.

By that vessel she was carried, in the first instance, to Accoa and Cape

Coast, and on the 29th ultimo arrived in this harbor. Sunday intervening, a petition to receive the declaration and affidavit of the captors was presented on the 2d instant; when it was immediately granted, and the same day the monition issued.

On board of this vessel were found the following seven papers:

1st. A permanent register, dated at Baltimore on the 2d October, 1839, and bearing an endorsement, made at Havana on the 14th of November, by the American vice consul, Smith, certifying to Wilson L. Weems being at that time master.

2d and 3d. The muster roll and seamen's articles, containing the names of six Americans, two Spaniards, a German, and a Frenchman—the muster roll being certified at Havana on the 16th November, by Mr. Consul Trist.

4th and 5th. A custom-house clearance and bill of lading from Havana, declaring the shipper of the cargo to be Charles or Don Charles Tyng.

6th. A personal passport, dated at Havana on the 15th November, 1839, for Don Ramon Garcia Bior, declared to be proceeding to the islands of Princes's and St. Thomas.

7th. A very imperfect ship's log, written in English.

On the day following the reception of the case, the evidence of the flag captain (Weems) was received, to the effect that he was a citizen of the United States, born near Annapolis, in Maryland; that he lived at Baltimore, where the detained vessel was built; that he first saw her about the beginning of November last, at Havana, and on the 17th of that month was there put in command and possession by Tyng and Knight; that he was present at the capture; that the colors were American, and that no others were on board; that the vessel never had any name but "Asp," and measured 140 $\frac{3}{4}$ tons, (the tonnage stated in the register;) that the crew comprised eight Anglo-Americans and twenty-one Spaniards—eighteen were not enrolled as crew, but were furnished with passports as passengers, though they did the duty nevertheless of seamen, and were intended to form the crew on the return voyage; that the entire ship's company were shipped at Havana—the Americans by Tyng, and the Spaniards by the supercargo, Don Ramon, who alone, of all on board, had any interest in vessel or cargo, and who was largely interested in both; that this person and one Francisco were to be respectively master and mate on the return voyage, which was to be from where the outward voyage had commenced, (Havana;) that after leaving Havana the vessel had touched nowhere until she reached the mouth of the Nun, where her specie and tobacco were landed for the purchase, as he believed, of slaves; that she then anchored a few miles up the river, and that the capture was there effected by the boats of the man of war, on the 16th of January, at sunrise; that she joined that vessel next morning.

This witness further declared that no resistance was made to capture, nor, so far as he knew, were there any instructions enjoining it; that, nevertheless, the vessel was armed with twelve cutlasses, twenty-four muskets, and two pairs of pistols, with a canister of cartridges, to be used, as he imagined, on the return voyage, against risings of slaves or man-of-war boats; that the principal owner of the vessel was Simon Terran, the present acting partner of the house of Pedro Martinez & Co., of Havana, and himself a Spaniard by birth and allegiance, and that to him witness was to look for payment; that the other partners of that house were also part owners, as well as the supercargo, Ramon; that in his (witness's) belief the

vessel was built to order, on account of Terran and others concerned, and that this real ownership had been covered by the name of the former master, (Knight;) that Tyng was lader and consignee of the cargo, which belonged to the same owners as the vessel, and consisted of rice, specie, and tobacco; that of the papers, a private journal, kept by the Spaniard, Francisco, was taken on shore, on the approach of the capturing boats; that he (the deponent) corresponded with the owner, Terran; that, previous to capture, no slave had yet been received on board at the time of seizure. Many iron bars, proper for securing the hatches; spare planks, intended for a slave deck; leaguers and casks half filled with fresh water, capable of holding ninety pipes, and intended to carry water for slaves; and seventy or eighty bags of rice in the cargo, intended for slaves and crew; besides which, a barrel of shackles, a box of mess tins, and one large iron boiler, had been conveyed on shore previous to capture.

Such was the clear testimony of the first witness. It was in a good measure corroborated, and in no respect shaken, by that of Manuel Arrojo, the Spanish steward of the vessel, who was next examined. This witness concurred in representing the course of trade as Spanish, and admitted that Don Ramon acted as an officer of the vessel, and held the command while the master slept.

As was to be anticipated, he knew nothing of the ownership; and he affected to consider the Spaniards as passengers only, and to be ignorant of their business on board.

Nevertheless, in his further depositions respecting equipment, he not only spoke to the facts of there having been bars on board for securing the hatches, planks for a slave deck, water casks for sixty or seventy pipes of water, and eighty or ninety bags of rice, but declared that those articles were intended, as he conjectured, and could not but believe, for a cargo of slaves.

No further deposition was taken; and, publication of this evidence being decreed, nothing more was done in the case until the return of the monition. It was returned, duly certified by the marshal, on the 9th instant; and on that day judgment was pronounced, declaring the vessel to be a lawful prize.

R. DOHERTY.
L. HOOK.

SIERRA LEONE, *March 12, 1840.*

[Enclosure No. 5.]

[No. 18, SLAVE TRADE.]

FOREIGN OFFICE, *August 14, 1840.*

SIR: With reference to previous correspondence on the subject of the conduct pursued in respect to slave trade by Mr. Trist, late consul for the United States at the Havana, I herewith transmit to you, for communication to the United States Government, copies of a despatch and of its enclosures from Her Majesty's commissioner at the Havana, containing copies of a correspondence which that gentleman had held with Mr. Everett, who is understood to have been deputed by the Government of the United States to investigate the charges advanced against Mr. Trist.

I at the same time transmit, for your information, the copy of a despatch which I have recently received from Her Majesty's commissioners at Sierra Leone, upon the subject of certain papers said to have been furnished in blank by Mr. Trist to the owners or commanders of slave vessels; and I transmit to you, also, a copy of the letter with which I communicated that despatch to the United States minister at this court.

I am, with great truth and regard, sir, your most obedient, humble servant,

PALMERSTON.

HENRY STEPHEN FOX, Esq., &c.

[Sub enclosure.]

[EXTRACT.]

[SEPARATE.]

HAVANA, June 15, 1840.

MY LORD: In the despatch No. 11 of 1840, dated the 21st of March last, we informed your lordship of Mr. Trist, the United States consul at this place, having sailed hence, by order of his Government, to proceed to Washington, for the purpose of explaining his conduct relative to the different charges brought against him, and especially, as it is said, the part he had taken on behalf of the slave dealers.

Shortly after his departure Mr. Everett, formerly minister from the United States to the court of Madrid, arrived here, to investigate the charges, and, after having been engaged several weeks in his inquiries, sought an introduction to me, for the purpose of obtaining what information I could afford. An interview accordingly took place on the 23d May; and on the 28th, in order to obviate any misconception that might have arisen at this meeting, I sent to Mr. Everett a brief recapitulation of what I had verbally stated. Of this communication, therefore, I have now to transmit your lordship a copy, and beg to refer to it, though only a succinct summary of facts that we have had from time to time to report to your lordship, and of our opinions respecting them.

Consequent upon the communication above mentioned of the 28th of May, a further correspondence having taken place between Mr. Everett and myself, I have also the honor to transmit your lordship further copies of two letters to me, and of my answer in reply. Mr. Everett, I understand, left the Havana yesterday for New Orleans, on his way to Washington.

I have the honor, &c.

J. KENNEDY.

VISCOUNT PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

HAVANA, May 28, 1840.

SIR: At the close of our interview at my house on Saturday evening last, the 23d instant, you expressed a wish to receive from me any further information or observation that might occur to me, beyond what I had then

to communicate, respecting the assistance afforded the slave trade of this place by American citizens generally, and at the American consulate in particular.

To further your inquiries on these points, I have since given the subject the best consideration in my power, but without finding aught to add to, or to subtract from, the communications I had then to make. For fear, however, I might not have made myself understood in the way I could wish, I beg to adopt the course I then offered you, of giving you in writing a succinct detail of what I had verbally stated.

You will remember I began by declaring that, although I could not but understand Mr. Trist's language and conduct to be designedly insulting to the British Government and nation, no less than to the British commissioners, in our communications with him, still I had no inclination to stand forward as his accuser, or to canvass his actions, further than as those of a public functionary, for whose conduct on public questions his Government might fairly be held responsible. At any rate, avowing my private opinions of those actions, I left it to others to give what weight they might think due to my allegations.

My first object of remark, then, was a paragraph relating to the slave trade, in Mr. Van Buren's message to Congress of December last, in these words :

"Recent experience has shown that the provisions in our existing laws which relate to the sale and transfer of American vessels while abroad are extremely defective. Advantage has been taken of these defects to give to vessels wholly belonging to foreigners, and navigating the ocean, an apparent American ownership. This character has been so well simulated as to afford them comparative security in prosecuting the slave trade—a traffic emphatically denounced in our statutes, regarded with abhorrence by our citizens, and of which the effectual suppression is nowhere more sincerely desired than in the United States. These circumstances make it proper to recommend to your early attention a careful revision of these laws, so that, without impeding the freedom and facilities of our navigation, or impairing an important branch of our industry connected with it, the integrity and honor of our flag may be carefully preserved. Information derived from our consul at Havana, showing the necessity of this, was communicated to a committee of the Senate near the close of the last session, but too late, as it appeared, to be acted upon."

From this passage, referring to a notice taken by the United States Government only about March, 1839, of what so materially affected the integrity and honor of their flag, I concluded either that Mr. Trist had only very shortly before communicated the information, or that he had previously done it in a manner not to impress upon their attention the heinous character of the transactions.

Yet, so far back as October, 1836, had the British commissioners called his attention to the first speculations of the slave traders, as to what protection they might receive from the United States flag; and of their subsequent use of it, he must have been as well aware.

I give you a paper showing that, prior to 1836, we have no account of any vessel sailing hence under the United States flag to Africa, to be employed in the slave trade.

In October, 1836, five vessels sailed hence under that flag, having arrived

here about a month previously, from the United States, equipped for slave trade, viz :

Anaconda,	Rosanna, and
Viper,	Fanny Butler.
Martha,	

In that same month (October, 1836) the British commissioners called the attention of Mr. Consul Trist to the circumstance.

In 1837, eleven vessels sailed hence under the United States flag, for that purpose, viz :

The Bee,	Washington,
Two Friends,	Joseph Hand,
Morris Cooper,	Cleopatra,
Terrible,	Perry, and
George Washington,	Itramurra.
Teazer,	

In 1838, nineteen vessels sailed hence, under the United States flag, for that purpose, viz :

Gabriel,	Venus,
Alexander,	Shark,
Dido,	Mary Jane,
Mary Hooper,	Comet,
Eagle,	Florida,
Fame,	Hazard,
Traveller,	Clara,
John Holland,	Liberty, and
Dolphin,	William Savin.
Plant,	

In 1839, twenty-three vessels sailed hence, under the United States flag, for that purpose, viz :

Rebecca,	John,
Douglas,	Hannah,
Morris Cooper,	Centipede,
Cutter Campbell,	Oriental,
Octavia,	Lark,
Hound,	Perry Spencer,
Catharine,	Nymph,
Butterfly,	Joseph Wilding,
William Bayard,	Mary,
Hound,	Elvira, and
Wyoming,	Hyperion.
Asp,	

Thus, then, I showed you that for more than two years had the slave traders been presuming upon impunity, to be ensured from the adoption of the United States flag, without the United States consul calling on his Government to take the requisite measures to prevent it; for there can be no doubt that, had he done so in a proper manner, the President would have taken much earlier notice of such communications than have left it only to "near the close of the last session."

The next question that arises on this view of his conduct, as to the motives that influenced him, are sufficiently explained by our meanwhile finding Mr. Trist in close contact with the slave dealers at this place, and in their fullest confidence. This was by his taking upon himself to act as

Portuguese consul; in which capacity it was notorious he had no interests to serve but those of the slave traders, Portugal having no trade whatever with this island, and only lending her flag for this illicit traffic, in return for a high duty on the transfer of foreign vessels to that flag: no less than 15 per cent. on the nominal purchase money.

The late Portuguese consul, (Mr. Fernandez,) who had been only a few months appointed consul, began his duties by acting upon the opinion that he ought to enforce the laws of Portugal against fictitious transfers of vessels to the Portuguese flag.

He therefore refused to pass several slave vessels which had no just claim to sail under that flag; and it was for this offence only, upon the complaints and under the influence of slave dealers, that he was suspended from his office. This was at the latter end of 1837, or beginning of 1838; and the first person to whom the slave dealers then turned their eyes, and above all persons found willing to lend himself to their schemes, was the United States consul.

He (Mr. Trist) had no such scruples as Mr. Fernandez, and he passed, as it appears, all papers presented to him, without any hesitation. For this we have the evidence, not only of the British proconsul at the Cape de Verds, who charges him with the fact, (Parliamentary Papers, 1839, class B, further series, page 110,) but also the author of a pamphlet, styling himself "A Calm Observer," published this year, in express vindication of Mr. Trist's conduct as consul at this place.

This writer states, unequivocally, that had Mr. Fernandez been acting Portuguese consul, the "Venus," a notorious slaver, would not have been allowed to sail under the Portuguese flag. Yet the papers of this notorious slaver did Mr. Trist allow to pass, without, as we can learn, any attempt to arrest her progress, first as American, and afterwards as Portuguese consul.

In this capacity he has been acting for nearly, if not full, two years. Confining my observations, however, only to one year, I will take the year 1838 for my consideration of his conduct. In that year we know of forty-two vessels under the Portuguese, and nineteen under the American flag, that sailed hence for the coast of Africa, unquestionably to be employed in the slave trade. In that same year arrived here, from Africa, forty-four under the Portuguese, but not one under the American flag, that we know of. We know there were others, both that sailed and arrived, besides those in our lists; of which, however, we cannot take account, not having full particulars respecting them. For instance: in the letter of the proconsul at Cape de Verds, (above referred to,) there is mention made of the American schooner "James Webb" arriving there, from Havana, 15th July, 1838, with a Spanish crew, the bill of sale and list of crew being made out by Mr. Trist; of which we have no other notice, and it is not in our list. This schooner, it seems, went there for Portuguese papers, which the Governor refused to give. Passing by these, then, still we have it before us that in 1838 there were upwards of one hundred slave vessels on which Mr. Trist received the consular fees! The amount of those fees it is impossible for any one to say, who was not likely to be in possession of such knowledge; but we may be sure that, as the slave dealers had it in their power to pay well, in proportion to the assistance and protection they received on the one hand, so, on the other, any person interfering in such matters, and with such characters, would insist on being bribed in proportion to the disgrace-

fulness of the duties he undertook, and to undertake which he was under no sort of obligation.

Of his easiness with regard to passing papers, in the case of the "Venus" we have already had one proof. In the papers relating to slave trade, published in 1839, by order of the House of Commons, we have another, not less remarkable.—(See papers, class A, further series, page 58.) It is the case of a piratical vessel, named the "Constituição," found, when taken, to have twenty-one long guns (18-pounders) on board, with muskets, cutlasses, and ammunition in proportion, all laid about the deck, and prepared for action. She was taken by boats, however, without resistance; and, among the papers, the matricula was found to have a "certificate from Mr. Trist, intended to authenticate the matricula, dated one day before that document was signed by the master of the vessel."

To the customs clearance, also, "was a certificate added, from the American consul's office, as to the signature of the customs officer, dated a day previous to the customs certificate which it was to authenticate, and which Mr. Trist had not signed"—probably some one in the office.

Of the character of this piratical vessel, Mr. Trist could scarcely have failed to be ignorant; or, as sailing in defiance of the laws of all nations, it was his duty to all the world to have denounced her to the local Government, or otherwise had her arrested in her lawless career; instead of which, he appears to have even gone out of his regular course to facilitate her progress.

We can only judge of men's motives by their actions; and there are some of a nature which, to attempt to deny, or to explain away, would be an imputation upon our understandings. From persons committing such acts, however, we cannot be surprised to find any aggravation of their conduct, even though in the shape of senseless, unprovoked, and undistinguishing insult.

I acknowledge that the United States Government does not, owing to the constitution of the Government, possess that control over the acts of individual citizens which some others may possess, and therefore that it would be unjust to charge upon that Government the criminality of individuals. But the United States Government has control over its officers; and, in proportion to the want of power over lawless individuals, ought those officers to be careful not to compromise the Government by their conduct.

In equal proportion ought the Government to guard against being compromised by the acts of its officers, and adopt a becoming comportment toward them, when departing clearly and wilfully from the honorable course of their public duty.

In conclusion, I beg to express my gratification, individually, to learn, from your very satisfactory assurances, that the conduct of Mr. Trist, in refusing to receive communications from the British commissioners, on the subject of slave trade, has not met the approval of his Government. The fact of you, sir, a functionary of a higher class, applying to me for information upon these important inquiries, though standing towards us in no stronger degree than the British commissioners with the American consul, is a sufficient manifestation of your opinions on the subject.

For myself, I hold my time, and any information I can give respecting slave trade, at the disposal of any one interested in such inquiries, believing that the more the truth is known and honestly spoken, the better it will be for the suppression of that murderous traffic.

Much more, then, do I feel gratified to meet upon this ground one especially appointed for such a purpose, by the Government to which the whole Christian world is looking, to watch its proceedings, and which has in its power so much to effect, as it shall please to determine, for good or for evil.

I have, &c.

J. KENNEDY.

A. H. EVERETT, Esq., &c.

[Sub-enclosure.]

HAVANA, *June 1, 1840.*

SIR: I have received your letter of the 28th ultimo, and beg you to accept my thanks for the information contained in it, and for the frank and friendly tone in which it is written.

It will be of great use to me in preparing my report upon the subject into which I have been directed by the Government of the United States to make inquiry.

To avoid any misunderstanding in any quarter, I will add a single remark upon a passage near the close of your letter, in which you express your gratification at finding that the conduct of Mr. Trist, in declining to receive some communications from the British commissioners here, had not met with the approval of his Government, and also intimate that the fact of my addressing myself to you upon the subject shows that I entertain, individually, a similar opinion.

The British minister at Washington having, by order of his Government, formally charged the consul of the United States at this port with abusing his official character for the purpose of affording facilities to a trade which is subjected by our laws to the penalties of piracy, the President deemed it necessary, from respect to the high authority on which the charge is made, as well as from the deep interest which he feels himself in the subject, to order a thorough investigation into the conduct of Mr. Trist.

Information to this effect has been given, through Mr. Fox, to the British Government.

In ordering this investigation, it was not, however, the intention of the President to prejudge the question against Mr. Trist, in any of its parts. In this, as in other cases of inquiry, the burden of proof rests upon the accusing party, and the person accused is presumed to be innocent until the close of the examination shall have shown the real state of the case.

It was also not my intention to be understood as expressing, either by the fact of addressing myself to you for information, or by any thing which I may have said at our late interview, any opinion upon the conduct of Mr. Trist, in declining to receive some communications which were offered to him by the British commissioners here. The course taken by Mr. Trist was justified by himself at the time, in his correspondence with the commissioners, and with his own Government, on grounds founded on the form in which those communications were made; and he expressed, in some of his letters to the commissioners, his willingness to receive information, if conveyed in a form and manner which he should consider unobjectionable.

It would be premature for me, during the progress of the inquiry, to express any opinion upon the validity of his objections.

But, as formal difficulties of this kind, whether well or ill founded, could be no obstacle to communication between any other persons, excepting those with whom they had originated, I have felt myself at liberty, and indeed thought it my duty, having been charged by my Government to obtain information upon the subject in question, to seek from your commission, as one of the best sources on the island, any that might be in their possession, and that they might think proper to communicate.

With renewed thanks for the friendly spirit in which you have met this overture on my part, I beg leave to assure you of the high respect and esteem with which I am, &c.

A. H. EVERETT.

J. KENNEDY, Esq., &c.

[Sub-enclosure.]

HAVANA, *June 5, 1840.*

SIR: I owe you an apology for not having sooner sent you an answer to your communication of the 28th ultimo. The accompanying letter was ready on the day of its date, but has been kept back until I could ascertain the proper mode of transmitting it to you.

In the mean time, I have received your supplementary note of yesterday, and have made the (verbal) correction which you desire in the former one.

May I ask the favor of you to furnish me with any information that may be in your possession, and that you may think proper to communicate, upon the following points:

1. The total number of ships engaged in the slave trade with this island in the year 1839, and their respective flags.
2. The houses in the Havana that are chiefly concerned in the trade.
3. The amount and mode of distribution of the gratuities paid by the parties concerned to the Government of the island.
4. The method of proceeding in your commission, and the number of cases that have been brought before it, with their results.
5. The disposition made of the negroes who have been liberated by order of the commission.

I fear you will think that I give you a great deal of trouble; but the peculiar character of the subject, in which I know that you, in common with all the friends of humanity, take the deepest interest, and the very obliging manner in which you have already attended to my wishes, will, I hope, furnish a sufficient excuse.

Permit me to add, that I shall be most happy, if you desire it, to serve you in the same way, to the extent of my ability, and to furnish you with any information upon the subject which you may request, and which may be accessible to me, either here or from the United States.

I am, &c.

A. H. EVERETT.

J. KENNEDY, Esq., &c.

[Sub-enclosure.]

HAVANA, June 9, 1840.

Sir: I received only yesterday your notes of the 1st and 5th June instant, and hasten to answer them as fully as I can. In the first, you favor me with an explanation of your views as to that part of my communication to you of the 28th May, in which I express my gratification to learn that Mr. Trist's conduct in refusing to receive communications from the British commissioners here had not met with the approval of his Government; and, in the second note, you request me to furnish you certain information, as pointed out under five heads of inquiry.

With regard to the first note, I certainly understood you to assure me, in express words, that whatever opinions Mr. Trist entertained on his being warranted to refuse communications from the British commissioners on the subject of slave trade, those opinions were not reciprocated by your Government; and I considered the best proof of this to consist in the fact of your honoring me with a visit, for purposes which would be inconsistent with those opinions, if you held them. You now say Mr. Trist justified his refusal on the ground of form; but in his letter to the commissioners of the 29th November, 1836, he made no objection whatever as to form. On the contrary, he grounds his refusal in these terms: "Besides the general objection to holding, with any agent of a foreign Government, any correspondence not warranted by the very limited official character with which he was invested" on the broad plea "of his Government having declined the overtures for a convention on the slave trade made by the British Government, and in a manner evincing the most decided disinclination to become a party to even any discussion on the subject." You will also remember that Mr. Trist not only refused to receive a communication from the commissioners in 1836, but, in his voluminous fanfaronade (I know not what else to call it) of July and August of last year, declared he would not even open a letter from us in future, addressed to him, if aware of the quarter from which it came. This threat he actually carried into effect, by returning the short note of acknowledgment we sent in reply; and that not in the usual style of common courtesy, but in a thick, coarse sheet of paper, through the post office, though his messenger, in going there, must have had to pass by the street in which we hold our office.

In your present note, I understand you only to mean that you do not stand in a position to prejudge him on any particular point; and this interpretation I take, therefore, in preference to the conclusion which would otherwise arise from your disclaimer of my remarks, viz: that your Government did approve of his conduct, even on the occasion in 1836. In your note of the 5th instant you request information on the following points:

"1. The total number of ships engaged in the slave trade with this island in the year 1839, and their respective flags.

"2. The houses in the Havana that are chiefly concerned in the trade.

"3. The amount and mode of distribution of the gratuities paid by the parties concerned to the Government of the island.

"4. The method of proceeding in our commission, and the number of cases that have been brought before it, with their results.

"5. The disposition of the negroes who have been liberated by order of the commission."

To the first inquiry I regret being unable to give a direct reply. In a contraband traffic, the parties, of course, must resort to all modes of deception; and thus, as each slave vessel bears two or three different names, and may sail out under the American and return under the Portuguese flag, it is impossible for us to distinguish them with any certainty of accuracy. Substituting, however, the words "this port" for "this island," as in your note, I give you the reports that we received in 1839 of there having sailed hence in that year, for the coast of Africa—

26 vessels under the Portuguese flag;
 23 vessels under the American;
 8 vessels under the Spanish;
 1 vessel under that of Montevideo;
 1 vessel under that of Haniburg.

—
 Total 59
 =

While there arrived here from Africa—

39 vessels under the Portuguese flag;
 5 vessels under the American;
 2 vessels under the Spanish;
 1 vessel, Oriental, (South American.)

Supposing these were different vessels, there would therefore be, altogether, 106 vessels that year engaged in slave trade from this port alone; and though some (as the "Venus," for instance) might be counted twice over; yet, if we make allowance for vessels engaged in the traffic the knowledge of which may not have reached us, that number may, perhaps, be nearly accurate.

Though you have not asked for any returns respecting the present year, thinking your inquiries would be incomplete if not brought down as far as possible, I will further state that, in the five months past of 1840, there have sailed hence, for the coast of Africa—

14 vessels under the Portuguese flag;
 8 vessels under the American;
 4 vessels under the Spanish.

While there have arrived, as far as we know—

12 vessels under the Portuguese flag;
 5 vessels under the Spanish;
 None under the American.

In reply to your second and third inquiries, I beg to say, that I should feel exceedingly indebted myself for any information on those points that might be relied on. Few persons, I believe, could give you more, if he pleased, than Mr. Trist; but it is the misfortune, for one in my situation, to be refused information freely detailed to others, for fear of the parties giving it being implicated in consequence. I may, however, state that, of the American vessels sailing hence this year, suspected of being intended for slave trade, five, at least, (viz: the "Hudson," the "Plant," the "Lone," the "Seminole," and the "Kite,") were cleared out by Mr. Charles Tyng, an American merchant here, who was much interested in, if not the owner of, the "Catharine," sent to the United States last year, and, I believe, condemned there, for having been engaged in slave trade.

With regard to the fourth question, I beg to refer you to the several volumes of slave-trade papers printed by order of the House of Commons, which you informed me you had. I have no list of cases made out, and,

not exactly knowing whether you wish to confine your inquiries to this commission, or to include (as, indeed, would be only fair) the labors of the three others, at Sierra Leone, Rio de Janeiro, and Surinam, would prefer your taking your information from those papers, from which alone I could furnish you any respecting them.

In reply to the last question, I may save you a lengthened reference to those papers, by stating, shortly, that, previous to 1835, the negroes emancipated by the mixed court here were all delivered over to the Government of the island, by whom they were in fact sold, or disposed of, so as eventually to be treated as badly, or worse even, than ordinary-slaves, or than felons. You have, no doubt, heard of the *emancipado* woman, allowed without a premium to Mr. Trist, whom he had, up to a recent date, working out of his house, upon payment to him of about two dollars and a half per week. There have been several other cases of the like character brought to our knowledge; and the general condition and treatment, altogether, of the *emancipados*, all accounts prove to have been most lamentable. In 1835, in consequence of the representations made to them to this effect, the English Government undertook the whole charge of negroes captured by British cruisers; and they are now, as soon as sentence of liberation is passed, sent to some of the British colonies, under regulations ordered by the Government.

I believe I have now fully answered, and certainly to the best of my ability, the inquiries you made. Should there be any further information required, I shall be as ready to attend to your future inquiries in our mutual endeavors to suppress that traffic, for the suppression of which I trust we are all equally sincerely desirous.

I have, &c.

J. KENNEDY.

A. H. EVERETT, Esq., &c.

[Sub-enclosure.]

[PORTUGAL, No. 41.]

SIERRA LEONE, *May* 12, 1840.

MY LORD: We have the honor to acknowledge the receipt of your lordship's despatch No. 6, of the 17th *May* last, respecting certain papers stated to have been furnished to the owners of vessels about to be engaged in the slave trade, by Mr. Trist, the United States consul at Havana, who was lately acting as Portuguese consul in that city.

In compliance with your lordship's directions, we transmit, herewith, the two documents alluded to by Her Majesty's commissioners in the report of the case of the Portuguese vessel "*Constituição*," on the 20th *October*, 1838, and which are the muster roll, and a custom-house certificate of the lawful objects with which an extraordinary number of water casks, a boiler of large dimensions, and plank, had been embarked in that vessel. The former of these documents has been authenticated by Mr. Trist's certificate, dated the day previous to that on which the muster roll itself bears date; whilst a similar paper from Mr. Trist, respecting the custom-house certificate, is wanting that gentleman's signature, though having his seal of office.

With respect to the blank forms bearing the signature of Mr. Trist, stated by Lieutenant Oliver, the captor of the above-mentioned "Constituição," to have been found, at the time of her seizure, in the desk of a Spanish passenger, who represented himself to be the owner of that vessel and her cargo, we beg leave to state that we have not been able to discover any papers exactly answering the description in question among those lodged in the archives of the court.

In the papers of the "Constituição," we found the enclosed certificates for three sailors, said to have been disembarked from that vessel at Havana; in each of which the description of the man named has been omitted by Mr. Trist, and the space for this purpose left open.

In handing these certificates to your lordship, we would beg to draw attention to the fact of the names of two only of the three seamen stated to have been landed from the "Constituição" being mentioned in the muster roll, (enclosure No. 1,) although Mr. Trist granted the certificates in question on the day subsequent to that on which he had authenticated the muster roll.

Should the certificates now transmitted to your lordship not be the papers mentioned by Lieutenant Oliver in his report to Admiral Elliot, and alluded to in your lordship's despatch to Mr. Fox of the 22d of February, 1839, they cannot have been delivered into the court, as they should have been, when the "Constituição" was presented for adjudication.

We shall take the earliest opportunity of communicating to the senior naval officer on this station your lordship's wishes in respect to the blank forms mentioned by Lieutenant Oliver; so that, in the event of those forms being in the possession of Lieutenant Oliver, or the naval commander-in-chief, they may be at once transmitted to England, for your lordship's information.

We have, &c.

R. DOHERTY.

WALTER W. LEWIS.

Right Hon. Viscount PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

FOREIGN OFFICE, August 5, 1840.

SIR: With reference to the desire which you expressed in your letter of the 27th of February, 1840, to be furnished with certain printed forms, which it was represented that Mr. Trist, United States consul at the Havana, had given in blank to the owners or commanders of slave ships, to be filled up by them at pleasure, I have now to transmit to you, for communication to the United States Government, the accompanying copy of a despatch from Her Majesty's commissioners at Sierra Leone, together with the authenticated documents enclosed in that despatch, and containing in original: 1st. The muster roll of the slave vessel *Constituição*; 2d. A certificate of the shipment for lawful purposes; and, furthermore, three certificates of the disembarkation of seamen from the vessel in question. And I have to request that you will draw the attention of the President of the United States to the observations contained in the despatch from Her Majesty's commissioners at Sierra Leone, upon the subject of these papers.

I have, &c.

PALMERSTON.

A. STEVENSON, Esq., &c.

[Enclosure No. 6.]

[SLAVE TRADE, No. 19.]

FOREIGN OFFICE, August 22, 1840.

SIR: I herewith transmit to you a report of the case of the Spanish schooner "Lark," which was detained by the boats of Her Majesty's sloop "Wolverine," and condemned at Sierra Leone, on a charge of being concerned in slave trade.

The captain of this vessel attempted to take advantage of the flag of the United States, in order to hide the fact that the "Lark" was a Spanish vessel, engaged in Spanish slave-trade.

But the "Lark," when taken, had a complete slave-equipment on board, and she was commanded and partly owned by a Spanish subject, named Juan Barba, who had twice before been brought to Sierra Leone as a captain of a slave vessel.

It is true that the "Lark" obtained an American protection for the flag captain; and she had a muster roll, containing the names of six Americans as her crew. But she had, also, a complete Spanish crew of thirty-three persons; and her owners were Simon de Ferran and Juan Barba, both Spaniards, and residents at the Havana; and those two persons were also the owners of her cargo.

It is, moreover, to be observed, that the voyage on which she was captured was from the Havana to the coast of Africa, and back to the Havana, and not to or from the United States.

These facts establish, beyond a doubt, the employment of the "Lark" in the slave trade, the Spanish character of the vessel, and the Spanish character of the adventure in which she was engaged; and I have to desire that you will, by a note to the United States minister, make the American Government acquainted with the principal circumstances of this case, as a further instance of the manner in which Spanish slave traders attempt to shelter themselves under the flag of the United States, and thus to escape the punishment to which they would be liable in their proper national character.

I am, with great truth and regard, sir, your most obedient, humble servant,

PALMERSTON.

HENRY STEPHEN FOX, Esq., &c., *Washington.*

[Sub-Enclosure.]

Report of the case of the Spanish schooner "Lark," Thomas M. Soloman, master.

This vessel arrived on the 29th ultimo; and the case was received into court, and the monition issued on the 2d instant.

The papers found on board were the following:

1. A permanent Baltimore register, of the 22d of April, stating the tonnage to be 94 $\frac{3}{4}$, with an endorsement on it by the American vice consul at Havana, of the 29th of June following, declaring Thomas M. Soloman to be master at that date.

2. A charter-party, made on the 11th of April last, between W. B. Smith,

agent of the owners, and Juan Barba, for a voyage of four months, from Havana to Prince's island, or elsewhere, as Barba might direct; it being provided that, at the end of that period, the vessel should return to Havana. In this deed it is declared to be an express condition of the charter, that no article of illicit traffic shall be shipped or received on board during the term of it. A note is annexed, signed by S. P. Terran, by which that person (one of the owners) guaranties the performance of the articles of agreement by the charterer; so that, even supposing Barba not to be himself an owner, (which, however, he was,) it is one and the same party which contracts on either side, and the agreement is illusory.

3. A muster roll, certified by the American consul at Havana, containing the names of the American crew, six in number, who were shipped at Havana in September last.

4. Seamen's articles, containing the same names, with the addition of those of four Spaniards subsequently received on board at St. Thomas. In this document, the crew are stated to be hired for the coast or elsewhere, as the master might direct.

5. An American protection for the flag captain, (Soloman,) certifying to his being a citizen of the United States.

The remaining numbers, amounting to thirty-three, consisted of passports for Juan Barba, Simon Campo, and the Spanish crew; one English and sundry Spanish logs and books of navigation, with a few letters of Barba, and a variety of unimportant memoranda—all in the Spanish language.

From this abstract, it will be perceived that the history of the "Lark" does not differ from that of other Spanish vessels which have been before the court; and, in the absence of further evidence, the information which the papers afford would itself have sufficed to establish the Spanish ownership of the vessel and her Spanish course of trade. The testimony, however, of the American master, who withheld nothing, was in all respects conclusive against her.

This person deposed, that, himself a native of Philadelphia, he received command and possession from William Moore, another American citizen, who had been formerly master; that he had first seen the schooner at Baltimore, in February of last year, before she was yet masted; that he shipped as crew, at Havana, an Italian and four Americans—which four he afterwards discharged at St. Thomas, and replaced by four Spaniards; that there were, further, fifteen Spanish passengers, with passports for St. Thomas, who were destined to receive over the vessel at the Nun or Bras river; that of those persons Juan Barba, the supercargo, who had an interest in the adventure, and was to supersede witness in the command there, had the management of the vessel with respect to her employment in trade, and already acted as an officer on board, together with another Spaniard named Simon Campo; that the voyage began and was to end at Havana; that the vessel proceeded direct to the Nun, and discharged tobacco, beads, and two thousand feet of plank; that she then went to St. Thomas for farinha and water, with which, returning to the Nun, she anchored there on the 16th of January last, and was captured while at anchor, by the boats of the "Wolverine;" that she was armed with muskets and cutlasses, and had a supply of ammunition for defence against canoes; that he believed the owners of the vessel to be Simon de Terran and Juan Barba, (both Spaniards and residents at Havana,) and that they

were also the laders and owners of the cargo ; that, on the voyage to Sierra Leone, after capture, the vessel was taken to Accoa and Cape Coast ; that the charter-party was made at Havana ; that, during the voyage, no slave had been put or received on board, for the purpose of the illicit traffic ; that there were on board, at the moment of seizure, five pairs of shackles and bolts, water casks for seventy pipes of water, (all filled with water,) twenty mess kids, two iron boilers, one hundred bags of rice, and twenty-four of farinha ; and that those provisions and the water were intended, as the witness supposed, for the use and consumption of a return cargo of slaves.

The Spanish cook, who was also examined, could not speak to the ownership, but confirmed the master's statements respecting the course of trade and equipment, and declared the Spaniards on board to be, what they were even on the outward voyage—not passengers, but crew.

On the eighth day (the 9th of the month) the monition was returned, duly certified by the marshal ; and, in the British and Spanish court held that day, the vessel was condemned as prize.

R. DOHERTY.
L. HOOK.

SIERRA LEONE, *March 14, 1840.*

[Enclosure No. 7.]

FOREIGN OFFICE, *September 29, 1840.*

SIR : I herewith transmit to you, for communication to the Government of the United States, the accompanying copies of two despatches from Her Majesty's commissioners at Sierra Leone, relative to a Spanish schooner fully equipped for the slave trade, which had been found sailing under American colors and with American papers, under the name of "*Mary Cushing.*"

This vessel, under her assumed name, escaped the operation of the equipment article of the treaty between Great Britain and Spain ; and it was not until her slaves, which had been collected at Lagos, were ready to be embarked, that she assumed her real character of the Spanish slaver, "*Sete de Avril.*"

The vessel was captured on the day following that on which she had taken on board 424 slaves, and was condemned in the mixed British and Spanish court at Sierra Leone.

I am, with great truth and regard, sir, your most obedient, humble servant,

PALMERSTON.

HENRY S. FOX, Esq., &c.

[Sub-enclosure.]

[SEPARATE.]

SIERRA LEONE, *April 7, 1839.*

MY LORD: We have the honor to enclose to your lordship an abstract of the papers found on board the schooner "*Mary Cushing,*" lately detained whilst sailing under American colors.

Although the rule which has been applied to such cases prevented the prosecution of the vessel in any of the mixed courts, we were favored with a perusal of her papers by the kindness of the capturing officer, and a summary of their contents has been recorded.

The consignee of the "Mary Cushing" at Bahia, André Pinto da Silveira, her consignee at Lagos, Mathias Baptista de Carvalho, and her agent at Prince's island, Francisco d'Alva Brandao, are well known for their extensive engagements in the slave trade, and would alone have excited suspicion respecting the proceedings of this nominal American vessel. But her real character, and the illegal objects of the voyage, were sufficiently shown by a complete slave-trading equipment; by a numerous foreign crew, (the captain of the flag being the only American on board;) and by the schooner being under the sole direction of the Spanish supercargo, Fernando Reyes, who acted in all respects as the owner, which he very probably was.

We have, &c.

H. W. MACAULAY.
WALTER W. LEWIS.

Rt. Hon. Lord Viscount PALMERSTON, G. C. B., &c.

[Sub-enclosure.]

Abstract of the papers found on board the schooner "Mary Cushing."

No. 1 is a permanent register, (No. 87,) dated at Baltimore, September 29, 1837, naming William Hooper, Andronicus Cheeseborough, and Thomas Whitridge, as the owners, and James Tyler as the captain. It describes the "Mary Cushing" to be a schooner of the burden of 144 $\frac{3}{4}$ tons, and to have been built at Baltimore during the year 1837.

An endorsement on the passport, by Mr. N. P. Trist, the American consul at Havana, dated on the 19th of May, 1838, is to the following effect:

"Benjamin Reynolds, having taken the oath required by law," is at present master of the "within-named vessel, in lieu" of James Tyler, late master.

The present master, who is here called "Benjamin Reynolds," is, in the Havana muster roll, called "B. L. Reynolds," and he signs that document "Benjamin Reynolds." A bill of lading at Prince's was afterwards made out in the name of "B. L. Reynolds," and at Bahia he was called "Benito Louis Reynolds." But this man, who signed himself in May, 1838, at Havana, "Benjamin Reynolds," signed his name on the 11th ultimo, at El Mina, "Benito Reynolds."

What may be his proper name, it is impossible to say.

No. 2 is a power of attorney, made at Baltimore on the day after the register was obtained, by which the three owners of the "Mary Cushing" authorize the master (Tyler) to sell that vessel forthwith, or to appoint a substitute for the purpose. Tyler accordingly appointed "Don Fernando Reyes, of the city of Havana, supercargo" of the "Mary Cushing," to dispose of the vessel. This power of substitution was executed by Tyler, at Havana, on the 30th of April, 1838, and was witnessed by J. A. Smith, the American vice consul.

A certificate of the acknowledgment of the deed was added on the same

day by Mr. Trist, the American consul, under his official seal and signature.

Reyes was most probably the owner of the "Mary Cushing." He at any rate possessed the most absolute control over her, directed all her proceedings in the character of supercargo, and was empowered to sell her when and where he pleased.

No. 3 is a muster roll, containing the names of sixteen persons, including the master and the supercargo, Reyes. Of these, one only is stated to be a citizen of the United States, and he (Sylvester Rocq) was "born at Buenos Ayres."

This paper, which, like all the others procured at Havana, bears the certificate of Mr. Trist on the 21st of May, 1838, is headed "List of persons composing the crew of the schooner 'Mary Cushing,' of Baltimore, whereof is master B. L. Reynolds, bound for ———." It is extraordinary that Mr. Trist should have felt no difficulty in clearing out an American vessel with a wholly foreign crew, and with her destination left blank; nor was the schooner supplied, so far as appears, with any clearance from the custom-house authorities of that port. The reasonable presumption from such circumstances is, that the "Mary Cushing" cleared out as a Spanish or Portuguese vessel, and carried with her the above papers, at the same time, to give a color to her pretensions so long as it might suit her to wear an American cushion [flag.]

No. 4. We next hear of the "Mary Cushing" on the 19th of October, 1838, at Prince's island, on the occasion of her leaving that place for Bahia. A bill of lading, which names B. L. Rugnals as the captain, but is signed by the noted slave dealer Francisco d'Alva Brandao as consignee, declares that three pipes of palm oil were shipped at Prince's, for delivery to André Pinto de Silveira, at Bahia.

There can be little doubt that the cargo really carried to Brazil consisted of slaves; and the fact might be ascertained, if it were worth while, through our consul at Bahia.

No. 5 is a bill of lading, dated at Bahia on the 19th of January, 1839, and signed by "*Benito Louis Reynals*," for thirty pipes of spirits and a few cutlasses, to be delivered, at Lagos, to Senhor Mathias Baptista de Carvalho.

This is the same person whom we had occasion to refer to as the consignee of the condemned Spanish slave brig "Dos Amigos," reported in our despatch (marked "Spain, No. 10") of the 31st of January, 1839.

No. 6 is an official muster roll of a new crew, shipped at Bahia, on the 23d January, 1839, and certified on the same day, under the hand and seal of the American acting consul, George R. Foster, whose zeal in forwarding slave-trading adventures under the American flag was so conspicuous in the case of the brig "Eagle," reported in our despatch (marked "Separate") of the 12th of February, 1839. The crew with which the "Mary Cushing" was allowed by this gentleman to clear out from Bahia consisted of twenty men, exclusive of the American master, every one of whom was a foreigner. The only person of the old crew who remained on board was Fernando Reyes, who still bore the title of supercargo. The schooner was cleared by Mr. Foster for Prince's island, although the bill of lading just referred to shows that she was bound to Lagos.

Nos. 7 and 8 are two certificates, dated on the 23d and 24th of January, from the same American consul, that the vessel had cleared at the custom-house, and that the American register and muster roll had been delivered up.

Nos. 9 to 12 are four official documents, from the authorities of Bahia, dated on the 25th and 26th of January last, acknowledging the receipt of harbor and customs dues, and authorizing the vessel's departure.

No. 13 is a Dutch paper, or receipt, signed by the Governor of El Mina, on the 11th ultimo, and giving the native names of nineteen negro passengers, who had been placed on board the "Mary Cushing," apparently for a passage to El Mina. It is not unlikely that these passengers were some of the negro recruits whom the Dutch Government have been enlisting in large numbers in that quarter.

No. 14 is a Spanish log book, kept by Reyes, the Spanish supercargo, of the voyage from Havana to Prince's island, in May and June, 1838.

SIERRA LEONE, *April 30, 1839.*

[Sub-enclosure.]

SIERRA LEONE, *November 15, 1839.*

MY LORD: We have the honor to transmit to your lordship, enclosed, a report of the case of the schooner "Sete de Avril," Manoel Martinho, captain of the Portuguese flag, which vessel was lately detained as the American schooner "Mary Cushing," reported in our despatch (marked "Separate") of the 30th of April, 1839. The "Sete de Avril" was captured on the 27th of September, by Her Majesty's brig "Waterwitch," Lieutenant Henry James Matson commanding, for having on board a cargo of 424 slaves, who had been embarked at Lagos on the previous day; and she was condemned, on the 2d instant, in the British and Spanish mixed court of justice, when the survivors of the slaves, 415 in number, were emancipated.

The detained vessel continued under the protection of her American papers until the very hour that her slaves were embarked. Her American captain was still on board when she was captured, full of slaves, and the Spanish supercargo of the "Mary Cushing" was still the admitted supercargo of the same vessel under her new name.

The owners of the vessel and slaves being avowedly Spanish merchants, resident at Havana, the condemnation of the detained property was pronounced in the British and Spanish mixed court.

We have the honor to be, with the greatest respect, my lord, your lordship's most obedient and most humble servants,

H. W. MACAULAY.
R. DOHERTY.

Right Hon. Lord Viscount PALMERSTON, &c.

[Sub-enclosure.]

Report of the case of the schooner "Sete de Avril," Manoel Martinho, captain of the flag.

The only papers found on board this vessel were a Portuguese passport and a muster roll. The former was granted at Prince's island, on the 2d of

October, 1839, and describes the "Sete de Avril" to be a Portuguese schooner, owned by Jezuino Baptista de Carvalho, commanded by the present captain of the flag, and bound to the Costa da Mina and the Cape de Verd islands.

The muster roll, taken out on the previous day, gives the names of eighteen persons composing the crew.

The alleged owner of the "Sete de Avril" has been several times mentioned in our late reports.

He was the writer of letter No. 25, found on board the "Intrepido," (Brazil, No. 119, of the 26th September, 1839.) He was also the consignee and ship's husband of the "Ligeira," reported under this date, and is described by the master of that vessel as "a Brazilian merchant, belonging to Bahia, but residing at Havana."

The "Sete de Avril" is no other than the pretended American schooner "Mary Cushing," whose case was fully reported in our despatch (marked "Separate") of the 30th of April, 1839; and the American captain of the flag, who, at Sierra Leone and elsewhere, supported the false pretensions of the vessel to an American character, was still on board the schooner when she was captured fully laden with slaves.

The marshal of the court reported the arrival of the "Sete de Avril" at Sierra Leone on the 21st ultimo; with more than four hundred slaves on board; and on the following day the case was presented for prosecution in the British and Portuguese court of mixed commission, when the ship's papers were authenticated and filed, the declaration of seizure was received, the monition was issued, and the witnesses were directed to attend to the registry.

On the same morning, the slaves, to the number of four hundred and seventeen, were landed; the healthy being placed in the liberated African yard, in Freetown, and those requiring constant medical attendance being sent to the upper hospital at Kissy, the lower hospital having been occupied by small-pox patients.

The surgeon's report was, on the whole, favorable; only seven had died on the passage, and only thirty-seven of the remainder were suffering dysentery and other complaints prevalent on board slave ships.

The captor's declaration is to the following effect: "I, Henry James Matson, lieutenant and commander of Her Majesty's brig 'Waterwitch,' hereby declare, that on the 27th day of September, 1839, being in or about latitude 5° 55' north, longitude 30° 20' east, I detained the ship or vessel named the *Sete de Avril*, sailing under Portuguese colors, not armed, commanded by Manoel Martinho, who declared her to be bound from Lagos to Havana, with a crew consisting of seventeen men and thirteen passengers, and having on board 427 slaves, said to have been taken on board at Lagos on the 26th day of September, 1839, and are enumerated as follows:

	Healthy.	Sickly.
Men - - - -	112	90
Women - - - -	63	10
Boys - - - -	96	35
Girls - - - -	16	5

"I do further declare that the said ship or vessel appeared to be seaworthy, and was supplied with a sufficient stock of water and provisions for the support of the said negroes and crew on their destined voyage to

Havana; but that the negroes were in a wretched state, owing to so many being crowded into so small a vessel; (she was only 144 American tons.)

"And I also further declare, that I have boarded this vessel several times during the last two months, (the last time on the 15th instant,) then sailing under American colors, and called the 'Mary Cushing;' and that B. Reynolds, an American citizen, who lately called himself master, and now calls himself a passenger on board the said vessel, has been removed to the 'Waterwitch,' to be retained there until the pleasure of the commander-in-chief is known."

Manoel Martinho, the captain of the Portuguese flag, deposed, in reply to the standing interrogatories, "that he was born at Lisbon, where he has since lived; is a subject of Portugal, and has never been subject to any other State; that he was appointed to the command of the detained vessel at Lagos, in the month of September, by Don Fernando Reyes, a Spanish subject living at Havana; that he first saw the vessel at Bahia, nine or ten months ago—she was built at Baltimore, in the United States; that he was present at the capture, which took place because there were slaves on board; that the crew consisted of sixteen officers and mariners, exclusive of witness, part Spanish and part Portuguese, some of whom were shipped at Bahia by a previous American master, and some by witness at Lagos; that there were thirteen passengers on board—one of whom, named Fernando Reyes, had been taken on board at the Havana, and accompanied the vessel as supercargo, and the remaining twelve belonged to different slave vessels, which had been captured and condemned at Sierra Leone, and they were returning to Havana in search of employment; that Jezuino Baptista de Carvalho, a Brazilian born, residing at Havana with his wife and family, was the sole owner of the vessel; that the lader and consignee of the cargo was the supercargo, Fernando Reyes, on whose account and risk the slaves were to have been delivered at Havana."

José Antonio Echevarria, mate of the detained vessel, deposed "that the vessel is called '*Sete de Avril*;' but previous to the 26th September last, and from the time of her building, (two years before,) she had borne the name of '*Mary Cushing*,' being then under the flag of the United States of America; that the present voyage began at Bahia, which was the last clearing port, and was to end at Havana; that the vessel touched, by order of the supercargo, Fernando Reyes, at Elmina, where two canoes were purchased, and thence went to Lagos for slaves; that Jezuino Carvalho, a native of Brazil, but living at Havana, is the owner of the vessel."

The prize master's affidavit of the number of deaths which had occurred amongst the slaves on their passage to this port, showed that only seven slaves had died whilst the vessel was in the charge of the captors.

This closed the evidence in preparatory, and publication thereof was decreed. The monition, which had been published on the 22d, was returned into court on the 29th; and the case would then have been disposed of by the court, but the exclusively Spanish character of the adventure in which the "*Sete de Avril*" was engaged at the time of her capture determined the commissioners to condemn the detained vessel in the Spanish, rather than in the Portuguese court.

It has been already shown that the "*Sete de Avril*" is the same vessel which, under the designation of the American schooner "*Mary Cushing*," was brought before the British and Spanish court in April last; and from the documents to which we have obtained access on these two occasions, the following information has been obtained.

Having left Havana at the latter end of May, 1838, under the flag and pass of the United States, the "Mary Cushing" came on the coast of Africa; and, about four months after her departure from Cuba, she obtained at Prince's inland her present Portuguese papers, which allowed her to proceed to the Costa da Mina and the Cape de Verd islands. Fraud, however, marked every step of her progress; and a voyage to the Brazils was immediately afterwards made, with a legitimate cargo of three casks of palm oil. There can be no reasonable doubt that, on that voyage, a cargo of slaves was landed on the coast of Brazil, just as on the present voyage a cargo of slaves was being conveyed to Cuba; and had the "Mary Cushing" been boarded on her former voyage, as she was on the present one, by one of Her Majesty's cruisers, the Portuguese papers were at hand to save appearances, as well as to secure the personal safety of the American captain; but the object of the voyage having been accomplished when the slaves were safely landed, the port of Bahia was entered under the American flag, and the Portuguese papers and colors were laid by for another occasion.

The "Mary Cushing" then cleared out from Bahia for Lagos on the 26th of January, 1839; and from this time until the 26th of September the schooner found complete protection under her American papers and flag. Nor were the Portuguese papers, which had been obtained at Prince's island immediately prior to her last voyage to Bahia, again brought into use until the *very hour* when a cargo of four hundred and twenty-seven slaves was embarked for a passage to Havana.

As to the identity of the vessel, there can be no mistake; the name "Mary Cushing" was still painted on the stern of the so-called "Sete de Avril;" Benjamin Reynolds, the American captain of the "Mary Cushing," was found on board that vessel, when, under another name, she was captured loaded with slaves; and Don Fernando Reyes, of the city of Havana, and supercargo of the "Mary Cushing," (as he was described in one of the papers of that vessel,) continued to act as supercargo of the "Sete de Avril."

A Spanish nationality had been impressed on the detained vessel, whether we refer to the papers under which she sailed, or to the depositions of the witnesses.

The sole owner of the vessel was declared to be Jezuiño Baptista de Carvalho, and the sole owner of the cargo Fernando Reyes, both well known and admitted residents of Havana.

The case was accordingly removed into the Spanish court; from which a monition, returnable in three days, was issued for publication; and the evidence taken in the British and Portuguese court was permitted to be used in the new prosecution.

On the 2d instant, the court met to dispose of the case; and the marshal's return of the slaves, who were in his charge on that day, having been received, a sentence of condemnation was pronounced against the "Sete de Avril," and the emancipation of the survivors of her slaves (four hundred and fifteen in number) was decreed.

The prize master had deposed that only seven slaves died on the passage of the schooner to this port; only two died subsequently to her arrival: the number of slaves on board at the time of capture was, therefore, declared to be four hundred and twenty-four.

H. W. MACAULAY.
R. DOHERTY.

[Enclosure No. 8.]

[SLAVE TRADE, No. 21.]

FOREIGN OFFICE, September 30, 1839.

SIR: I send to you herewith, for transmission to the Government of the United States, the accompanying copies of two despatches from Her Majesty's commissioners at Sierra Leone, enclosing abstracts of the papers found on board the slave schooners "*Catharine*" and "*Butterfly*," when detained under American colors, on the coast of Africa, by Her Majesty's ship "*Dolphin*."

I am, with great truth and regard, sir, your most obedient, humble servant,

PALMERSTON.

H. S. Fox, Esq., &c.

[Sub-enclosure.]

[SEPARATE.]

SIERRA LEONE, August 28, 1839.

MY LORD: We have the honor to enclose to your lordship an abstract of the papers found on board the schooner "*Catharine*," Frederick Adolph Peterson, master, detained on the 12th instant off Lagos, whilst sailing under American colors, by Her Majesty's brig "*Dolphin*," Lieutenant Edward Holland commanding.

The detained schooner, which arrived at Sierra Leone yesterday, only remained here a few hours whilst taking in water, and has to day proceeded on her voyage to New York; the yellow fever, which is now raging throughout the colony, rendering it very undesirable that her stay here should be protracted beyond what was absolutely necessary.

During this short interval, we made a memorandum of the "*Catharine's*" papers, which were obligingly submitted to our inspection by Mr. R. H. Dundas, the senior mate of the "*Dolphin*," and the prize master appointed to carry the detained vessel to the United States.

We should have been glad if time had allowed of our rendering the enclosed abstract more full; but on this, as on almost every other occasion of the same kind, the necessity of returning to the captor, without delay, the papers of a vessel which is not admitted to prosecution, did not allow of great minuteness of research.

Lieutenant Holland showed great judgment in selecting a case like the present for representation to the Government of the United States.

In none other of the numerous instances in which the American flag has been abused to cover a Spanish slave trade has the exposure of the fraud been so complete and irrefragable. Nothing is here left to inference; no opening is left to cavil or doubt. In spite of all the falsehood and misrepresentation of the ship's papers, and in spite of the formal certificates in which Mr. Vice Consul Smith announced the due and regular appointments of three out of the four successive masters who commanded this vessel within a period of 49 days, it is proved beyond question that the actual captain of the vessel was Don José Pereyra; that the actual crew consisted of 24 Spaniards, who took out passports as *passengers* before leaving Havana; and that the American master and his few companions, after standing forward as the crew of the vessel on the outward voyage, were, in their turn, to become merely passengers, so soon as the return cargo of slaves should be shipped.

To facilitate the success of this iniquitous scheme, an American citizen, named Thrasher, asserted in one of the papers that the cargo of trade goods and the slave equipment of the vessel (the boilers, slave deck, beans, and leaguers) were shipped by him, and were his sole property; and the American vice consul added his certificate that "Thrasher" was well known to him, and that he "was the only shipper of the said goods."

Your lordship has considered it right, on some late occasions, to remonstrate with Portugal on the conduct of her consular agents at Cadiz and Havana; but, however disgraceful was the conduct of those functionaries, it has been considered not unworthy of imitation by the representative of the free Government of the United States.

It is reported here that Mr. N. P. Trist, the American consul at Havana, has been recalled, owing to the assistance which he was charged with rendering to Spanish slave-trade adventures. We cannot, however, credit this report, whilst we see Mr. Vice Consul Smith zealously endeavoring, month after month, with perfect impunity, and to a far greater extent than it was possible for Mr. Trist to have done, to degrade his national flag, and to brutalize the character of American seamen, by encouraging them to engage in a contraband traffic.

We have, &c.

H. W. MACAULAY.
R. DOHERTY.

Viscount PALMERSTON, &c.

[Sub-enclosure.]

Abstract of the papers found on board the schooner "Catharine," Frederick Adolph Peterson, master, sailing under American colors.

No. 1. The American register of this vessel, which is numbered 61, and dated at Baltimore on the 10th May, 1839, describes the "Catharine" to be a schooner of 125 $\frac{2}{3}$ tons; and to have been built in Baltimore during the year 1839; to be owned by Robert W. Allen and John Henderson, both of Baltimore; and to be commanded by William S. Wedge.

Within twenty-six days after this register was granted at Baltimore, it received an endorsement at Havana, under the hand of Mr. J. A. Smith, vice consul of the United States at that port, stating that one Andrew Morrow had taken the oath required by law, and was appointed master of the "Catharine," in the place of W. S. Wedge, the late master.

A second endorsement, on the 28th of the same month, states that the newly appointed master (Morrow) had been replaced by Frederick Adolph Peterson, the present master, who accordingly took the requisite oath as the captain of an American vessel.

Thus was the schooner commanded by three different captains during the short space of forty-nine days.

No. 2 is a muster roll of the names of the persons who, it was pretended, formed the crew of the "Catharine."

They are as follows:

Ebenezer Tucker, citizen of the United States.

Joseph Macki, citizen of the United States.

William Manning, citizen of the United States.

James Williams, citizen of the United States.

John Francis, of Italy.

Henry Elliot, of Spain.

This list is dated on the 28th of June, and is signed by the master; and a certificate from Mr. Vice Consul Smith is added, stating the master had, before him, verified the list of crew, consisting of six persons, all told. The names of the last two men on the list are evidently not either Italian or Spanish, and, if not American citizens, we should suspect them to be British subjects. For the first, American protections were produced.

No. 3. A printed form of ship's articles, in the rough state in which we have always found this document on board the other American vessels which have come before us under the same circumstances as the "Catharine." The heading of the paper declares that "the schooner Catharine, Charles Babson, master, was bound for Prince's island, or to trade to other ports on the coast of Africa, for a voyage not to exceed eight months." A pen has been drawn through the name "Charles Babson," the fourth captain mentioned as belonging to the schooner within a period of seven weeks, and the name "F. A. Peterson" has been written over it.

No. 4. The falsehood of the ship's papers was, however, clearly proved by the discovery of the muster roll of the Spanish crew of the "Catharine," consisting of twenty-four persons, all of whom were on board that vessel at the time of her detention. The following were the officers:

Captain, José Pereyra; 1st mate, Esteven Barbett; 2d mate, José Sanchez; boatswain, Francisco Torres; boatswain's mate, José Veina; cooper, Juan Baragas; carpenter, Carlos Saldaña.

Then follows a list of seventeen other men.

Nos. 5 to 25 are twenty-one passengers' passports, taken out at Havana by the Spanish officers of the vessel whom we have named, and by almost the whole of the remainder of the Spanish.

From these documents alone, and without reference to the papers which we shall presently have to describe, it is evident that the nominal American master and his men were the passengers, and that the pretended Spanish passengers were the actual crew of the detained vessel.

No. 26 is a clearance from the custom-house at Havana, dated on the 21st of June last.

The Spanish authorities seem to have been in as much doubt respecting the name of the person who figured as captain of the flag, as were the agents of the vessel themselves. Mr. Vice Consul Smith had certified that Wedge had ceased to be connected with the "Catharine" on the 5th of June; and yet, on the 21st of the same month, he was mentioned as the master in the official manifest of cargo. After the document was sealed up, the mistake was apparently discovered; for, without any alteration being made in the enclosure, the envelope gives the names of Captain Wedge and Captain Morrow—"Captain Wedge dizo Morrow."

No. 27 is a printed form of charter-party, filled up in English, and dated at Havana on the 25th June last, between Charles Tyng, *agent of the owners of the schooner "Catharine,"* (master's name scratched out,) lying at Havana, of the one part, and John S. Thrasher, of the other part; the former chartered the "Catharine" to the latter, for a voyage from Havana to the isles of Princes, or other port or ports on the coast of Africa, as the agent of the charterer may direct. José Pereyra, the Spanish captain

and supercargo of the "Catharine," and the consignee of her cargo, but who took out a passenger's passport as mentioned above, must be meant by "the agent of the charterer."

The vessel was chartered for eight months, at the rate of three hundred dollars per month; and the charterer was, in addition, to pay the wages of the crew and the victualing of the ship during the whole period.

No. 28 is an invoice of merchandise shipped by J. S. Thrasher, (the charterer,) on board the American schooner Catharine, "Peterson," (written over another name,) master, bound to the *isles* of Princes, for the account and risk of the shipper, being a native-born citizen of the United States, and consigned to Joseph Pereyra, Esq.

The slave equipment of the vessel is included with the cargo of trade goods; and we particularly noticed the following articles, which would have infallibly condemned any Spanish vessel on board of which they had been found:

14 large hogsheads (shooks)	} leaguers.
10 long hogsheads (shooks)	
14 hogsheads, containing 175 bundles of tobacco.	
1 boiler for clarifying.	
1,500 feet of white pine boards.	
14 joists.	

The above invoice was dated at Havana, on the 22d June, and signed by J. S. Thrasher. To this document, which proclaimed, in all but express terms, the slave-trading object of the "Catharine's" voyage, the indefatigable vice consul of the United States did not hesitate to attach "a certificate that the shipper was well known to him as a citizen of the United States, and that he was the only shipper of the goods mentioned in the annexed invoice." Well known as Mr. Thrasher was to Mr. Smith, his connexion with Havana slave trade could not have escaped the observations of the consular agents of his own country, for even we have remarked upon it on one or two occasions; at any rate, it might have been hoped that a gentleman in Mr. Smith's situation would have stopped short of sanctioning the shipment of such articles as we have enumerated.

No. 29 is a bill of lading for the goods comprised in the invoice just described. It was signed on the 27th of June, by F. A. Peterson, although *Babson* is here again mentioned as master in the body of the document.

The beams and plank for a slave deck, the slave boiler, and the empty leaguers, are said to have been received on board, and, with the trade goods, were consigned to José Pereyra, the Spanish captain of the vessel.

No. 30 is an open letter of instructions to the nominal American master of the "Catharine," from the charterer, dated at Havana, June 28, 1839. The following is an extract:

"Should the consignee, José Pereyra, Esq., wish you to proceed to any other port or ports of Africa, [than Prince's island,] with or without cargo, you will implicitly obey his instructions, as he has my full power to act as he may see fit for my interest. You will be particularly careful, however, not to receive on board the schooner any cargo that is contraband, or that is not allowed by the laws of the United States to be laden on board American vessels. A number of persons having applied to me for a passage out in the schooner, I have consented, [these are the Spanish officers and crew mentioned in Nos. 4 to 25;] but you will take care that their passports are in order, and that there are no circumstances attending them which will be likely to bring you into the least difficulty."

No. 31. On the same day that the above letter of instructions was written by Thrasher, a secret but formal agreement was entered into and signed between José Pereyra, the Spanish captain named in the last document as the consignee of the cargo of the "Catharine," and the director of the expedition, on one side, and the nominal captain, F. A. Peterson, on the other side.

It is hereby stipulated "that the said F. A. Peterson shall *go out* as master of the said schooner on her present voyage, for the sum of one hundred dollars per month, and three hundred dollars gratification; that the wages of the said F. A. Peterson are to continue, should he return in this vessel, or in any other *for which J. Pereyra is agent*, [in paper No. 27, Charles Tyng is called agent of the owners of the 'Catharine;'] but should the said F. A. Peterson wish to leave the vessel on the coast, the said José Pereyra binds himself to pay the said F. A. Peterson three hundred dollars gratification, and his wages up to the day he leaves the vessel, less one hundred dollars received at Havana, as one month's advance."

No. 32. The Spanish list of crew (No. 4) and the last paper (No. 31) were of course only discovered after a careful and minute search on the part of the captor. But another concealed paper was at the same time brought to light, which, on account of its interesting nature, we copy entire. It is in a feigned hand, and without either date or signature, but is most probably the composition of Mr. Thrasher, and was found in the possession of the nominal American master:

"The main thing for you to do on this voyage is, to be ready, in case you are boarded by a man of war, to show your log book, (which must be regularly kept from the time you leave here,) your ship's register, your charter-party, your muster roll, and your instructions. You are, *in that event*, to take all command with your American sailors, according to your roll; and all the others *are to be* passengers.

"You are to be very careful that, in any cross questions, you do not commit yourself; but always stick to the same story.

"When the vessel is discharged, you must at once cut your register in two pieces; one piece you must enclose, direct, and send to Messrs. Thomas Wilson & Co., Baltimore; and the other piece you will bring with you, and give to me when you return here.

"You must be very particular about this; and do not let any time pass, after the cargo is out, before you cut the register in two pieces; and be careful to keep them separate. Throw one piece overboard, if you are obliged to it by being boarded by a man of war."

No. 33 is a sketch or drawing of the "Catharine's" hold, as it would present itself when all the leaguers and water casks should be stowed fore and aft. The leaguers are marked and numbered in the sketch, and fitted exactly to the shape and run of the vessel; and, although shipped in shooks, could, with the assistance of the cooper and a reference to the plan, be set up and stowed in their proper places in a very short time.

No. 34 is the log book, kept in English (or what is intended for English) by Peterson, who evidently is neither English nor American.

His handwriting, as well as his composition, shows him to be a foreigner—probably a German or Swede. On the first page, he remarks that the schooner "Catharin" was bound to "Priuz island;" on the second page, he calls his vessel the "schonen Catharine;" and on the third page, "schonner Catharien." The log begins on the 28th of June, and is kept up

to the 12th instant; on which day it is supposed the detention of the vessel took place.

No. 35. A Spanish log, which ends in like manner on the 12th instant, mentions that the "Catharine" was at that time in 5° 34' north latitude.

We next come to a bundle of letters directed to several of the slave dealers of "Lagos," by different well-known slaving merchants of Havana.

The "Catharine" thus appears to have been bound to "Lagos," and she was captured in that neighborhood about six weeks after she left Havana.

Much interesting information might, we have no doubt, have been obtained from this correspondence; but as the "Catharine" only touched at Sierra Leone for a few hours, on her way to New York, we were unable either to copy or translate any of the letters, and could only glance at their contents.

Nos. 36, 37, and 38, are three letters from Joaquim José Pereira d'Abreo, of Havana, addressed severally to Izidoro Martins Braga, José Cottá y Vienda, and Domingo José Martins, or to their order, if absent from Lagos. They are all duplicates of letters, dated on the 8th of June; and a postscript is added to each, under date 23d June. They refer generally to slave-trading vessels and plans, and particularly mention the arrival at Havana of the "Astrea," which had been despatched from Lagos on the 10th of April last, with a full cargo of slaves, who had been sold at Havana at three hundred and sixty-seven dollars (equal to about £80 sterling) a head, all round.

Nos. 39 and 40 are two duplicates of letters written by Joaquim José Duarte Silva, of Havana, formerly of Bahia, under date the 18th of June, to Manoel Luiz Pereira and Manoel de Paixão Pereira, and mentioning the sale of all the negroes in the "Astrea's" cargo at twenty-one doubloons and ten dollars, (equal to three hundred and sixty-seven dollars,) as stated in d'Abreo's letters; the doubloon, or ounce, containing seventeen Spanish dollars.

The names thus introduced remind us of the case of the American brig "Eagle," reported in our despatch (marked "Separate") of the 12th of February last; and it is more than probable that some of the same parties were interested in both vessels. Both were bound to Lagos; the cargo received on board the "Eagle" at Bahia was shipped by the firm of Joaquim José Duarte Silva, the writer of the last two letters; and whilst the "Eagle" was consigned to Messrs. Wilson & Brothers, at Bahia, the captain's secret instructions in this case (No. 32) direct that one-half of the "Catharine's" American register shall be sent to Messrs. Wilson & Co., of Baltimore.

SIERRA LEONE, *August 28, 1839.*

[Sub-enclosure.]

[SEPARATE.]

SIERRA LEONE, *September 18, 1839.*

MY LORD: Enclosed we have the honor to transmit to your lordship an abstract of the papers found on board the schooner "Butterfly," Isaac Morriss, master, detained on the 26th ultimo, whilst sailing under American colors, by Her Majesty's brigantine "Dolphin," Lieutenant Edward Holland commanding.

No attempt was made to libel the "Butterfly" in the British and Spanish

mixed court of justice. The captor's proctor was, however, kind enough to allow us a perusal of the papers, from which the enclosed abstract was prepared.

After having taken in water at Sierra Leone, the "Butterfly" was despatched to New York, in the charge of an officer from the capturing ship.

We have, &c.

H. W. MACAULAY.
R. DOHERTY.

VISCOUNT PALMERSTON, &c.

[Sub-enclosure.]

Abstract of the papers found on board the schooner "Butterfly," Isaac Morriss, master, sailing under American colors.

No. 1 is a temporary American register, No. 77, dated and signed at New Orleans, on the 24th of May, 1839, and sets forth that the schooner, "Butterfly," of New York, was built in Baltimore in the year (not known); that she is of the burden of 118½ tons, and that she was both owned and commanded by Nathan Farnworth.

Twenty-four days after this register was granted at New Orleans, it was endorsed by Mr. J. A. Smith, the American vice consul at Havana, with a certificate that Isaac Morriss, the present master, had succeeded the owner (Farnworth) in the command of the vessel, and had taken the oath required by law.

No. 2 is an official list of the crew engaged to navigate the schooner from New Orleans to Havana, dated at the former place, on the 28th of May, 1839.

On the 17th of June last, Farnworth resigned the command to Morriss, who came in the vessel as mate from New Orleans; and on the 28th of June, Mr. Vice Consul Smith certified that, with the exception of the master, (Morriss,) all the crew shipped at New Orleans had on that day left the schooner, and that, in their stead, a crew of eight persons (all foreigners, without exception) had been hired to navigate the "Butterfly" to Prince's island.

Mr. Smith further certified, that Captain Morriss had sworn to the correctness of his crew list, and had also declared that he carried with him ten passengers.

No. 3. These passengers (who, however, amounted to fifteen instead of ten persons) proved to be, as might have been conjectured, the Spanish crew of the vessel; and a list of them, in the handwriting of Captain Morriss, begins with the well-known name of Francisco Monteiro, who lately came before us as the owner and supercargo of the nominal American schooner "Hazard," reported in our despatch (marked "Separate") of the 31st of January, 1839.

The professed owner of the "Butterfly," here called Nathaniel Farnworth, we believe to be the same person who, under the name of Nathan Farnworth, was so intimately connected with the slaving adventures in which the nominal American vessels "Ontario" and "Traveller" were engaged, as reported in two of our despatches (marked "Separate") under date the 13th of May last.

No. 4 is a printed form of "ship's articles," filled up in the usual rough and irregular manner.

No. 5 is a passenger's passport for Francisco Monteiro, just mentioned, dated at Havana on the 26th of June, 1839.

No. 6 is another passenger's passport, of the same date, in favor of José Antonio Cortina, a name with which we are also well acquainted, in connexion with former endeavors to elude the provisions of the Spanish treaty, under cover of the Portuguese flag.

Nos. 7 to 19 are thirteen other passengers' passports, taken out by the rest of the Spanish crew, who, with Monteiro and Cortina, and the eight Spanish seamen shipped under the sanction of the American vice consul, formed a full slaving crew of 23 persons, independently of Isaac Morriss, the captain of the flag, and the only American citizen on board this nominal American vessel.

No. 20 is a charter-party between Jaymé Font & Co., consignees of the "Butterfly," and Francisco Monteiro, the passenger above mentioned, dated at Havana, on the 22d of June last. By this document, Monteiro engaged to load and despatch the "Butterfly" within eight days. The vessel is said to have been "bound for Prince's and St. Thomas's, or to any other port on the north coast of Africa"—meaning, apparently, any port north of the line. Thirty days were allowed to unload and load at the port of delivery; after which time, demurrage was to be payable; and \$3,000 was the price agreed upon for the use of the vessel during the voyage.

No. 21. It is rather remarkable that, although Monteiro was named in the last paper as the charterer of the vessel, Font & Co., the pretended agents of the owners, from whom the vessel had been hired, were, in a formal manifest of the cargo, dated at Havana, on the 27th of June last, represented as the shippers of the goods, and Monteiro merely as *consignee*. Amongst the cargo thus shipped and consigned, we find one iron boiler and 1,000 feet of lumber included; these articles being, in other words, the "Butterfly's" slave boiler and slave deck.

The last two papers (the charter-party and manifest of cargo) are both written in the English language, with the object, apparently, of at once satisfying the inquiries of the British cruisers on this coast by a plausible but false representation. We can fancy no other reason for having these documents drawn in English; the agent of the owners and the charterer of the vessel in one case, and the shipper and consignee of the cargo in the other case, being confessedly Spaniards.

No. 22. The bill of lading of the cargo named in the manifest, (No. 21,) and which, like the other document, includes the boiler and plank, is dated at Havana, on the 27th of June, and is signed by Captain Morriss. Jaymé Font & Co. are therein again named as the shippers; Francisco Monteiro, as the consignee; and freight is said to be payable according to charter-party.

No. 23. In the custom-house clearance from Havana, dated on the following day, (the 28th of June,) Francisco Monteiro, and not Font & Co., is declared to have been the shipper of the cargo. But such inconsistencies may always be looked for, in tracing the history of these fraudulent transactions.

No. 24. On the day after the "Butterfly" cleared out at Havana, Jaymé Font & Co., the pretended consignees of the "Butterfly" at Havana, and the agent of her owner, addressed a letter to Captain Morriss, recapitulating the ship's papers with which the schooner was furnished, with the object,

it would seem, of reminding him what documents he ought to present for inspection, in the event of his being boarded by a man of war.

Nos. 25 and 26 are two Spanish log books, commencing on the 1st of July, when the "Butterfly" left Havana, and continued up to the 26th ultimo, when the detention of the schooner took place.

No. 27 is a log of the voyage, kept by Morriss, in the English language, but in a very slovenly manner, both the writing and spelling being very bad.

SIERRA LEONE, September 18, 1839.

Mr. Fox to Mr. Forsyth.

WASHINGTON, February 5, 1841.

SIR: The case of the American vessel "Tigris," recently carried into the port of Boston, in Massachusetts, in the care of a British officer and prize crew, and there delivered over to the judicial authorities of the United States, upon a charge of having been engaged in the illicit traffic of slaves on the coast of Africa, has, I believe, been duly brought to the knowledge of the United States Government by the district attorney of the port of Boston. I have now received from Mr. Grattan, Her Majesty's consul at Boston, the following information: It appears that the district attorney, (Mr. Mills,) acting in the case for the United States, did, at the commencement of the business, legally bind over Mr. Jackson, the British officer in charge, to appear as witness in the criminal prosecution of the master and mate of the "Tigris," for violation of the laws of the United States; thus sanctioning a *prima facie* case against the "Tigris," and inducing and authorizing Mr. Jackson to file, as he has done, a libel against the vessel and cargo. But Mr. Mills has since desisted from all further co-operation in the prosecution, having both refused the request of the consul that he would claim the protection of the court for his own witness, (Mr. Jackson,) when arrested at the suit of the very parties he was bound over to prosecute; and having since declined to take any part in the civil suit—that is to say, in filing a libel against the vessel and cargo. Her Majesty's consul and the legal counsel employed by Mr. Jackson are apprehensive that this conduct on the part of the district attorney of the United States, for which they are unable to account, will risk the failure of the ends of justice, and the loss of the civil action, which is instituted equally for the benefit of the United States as for that of the captors and informers. One effect of this want of co-operation has already been, that the owners of the "Tigris" are endeavoring to bind the British officer (Mr. Jackson) personally to give security, or, as it is technically expressed, to "stipulate" for damages, to a large amount, in the event of the action failing; and this course, it seems, they would not have been able to pursue, if the district attorney had duly borne his part in forwarding the civil prosecution. I do not pretend to be accurately acquainted with all the legal points and considerations involved in the question; but as a due and full execution of the existing laws against the slave trade must be the object of all parties, I hope that it may be in the power of the United States Government, upon a due examination of the matter, to give such instructions to the district attorney of Boston as may cause him to lend a more effectual aid in the prosecution.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.

Hon. JOHN FORSYTH, &c.

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,

Washington, February 11, 1841.

SIR: I have the honor to acknowledge the receipt of your letter of the 5th instant, on the subject of certain proceedings connected with the case of the American vessel "Tigris," recently carried into the port of Boston, in the care, as you state, of a British officer and prize crew. No information relating thereto having been communicated to this Department, a definitive reply cannot be given to your letter until all the facts have been obtained from the United States attorney in Boston, who will be written to immediately to transmit them. In the mean time, it is presumed, that in an event so extraordinary as that of a vessel acknowledged to be American, brought into an American port in the care of a British officer and prize crew, any failure to act by the district attorney must have been occasioned by an opinion that his official interference was not required by the obligations of his public duty.

I avail myself, &c.

JOHN FORSYTH.

HENRY S. FOX, Esq., &c.

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,

Washington, February 13, 1841.

SIR: I have the honor to acknowledge the receipt of your note of the 1st instant, communicating, in compliance with a request of this Department, additional evidence in relation to the slave schooner "Rebecca." The accompanying papers, together with a copy of your note, were immediately forwarded to the United States attorney for the district of Maryland. A copy of his reply is herewith transmitted to you.

You will perceive that the original papers are necessary, before the persons implicated can be prosecuted with any prospect of condemnation.

Allow me to hope that, by your aid, the original papers required may be obtained from Her Britannic Majesty's Government.

I avail myself of this occasion to offer you renewed assurances of my distinguished consideration.

JOHN FORSYTH.

HENRY S. FOX, Esq., &c.

[Enclosure.]

UNITED STATES DISTRICT ATTORNEY'S OFFICE,

Baltimore, February 10, 1841.

SIR: I had the honor, on yesterday, to receive your communication of the 6th instant, relating to the case of the "Rebecca," and accompanied with sundry documents.

The "Rebecca" cleared from the port of Baltimore as an American ves-

sel; and it is most manifest that she sailed from the Havana to the coast of Africa, on a slave voyage, under American colors and with American papers.

In consequence of your letter of April last, in relation to this vessel, I instituted suit on the bond given for the return of her register; and the security paid, without defence, the penalty of \$1,200.

But the papers then received from you, as well as those now received, are totally insufficient and unavailable for the purpose of instituting criminal proceedings, either against F. Neill, the American owner of the "Rebecca," or against Watson, the captain. The documents are all copies; and, being such, they cannot be used as evidence even in a civil case, much less in one invoking criminal process.

I wonder, indeed, that the enlightened officers of the British Government, familiar, as some of them certainly are, with the rules of evidence in British law, should not have been aware of the inefficacy of copies. I may add, however, that the collector of Baltimore informs me that neither Neill nor Watson has been in Baltimore since the "Rebecca" first left this port. Their families still reside here. I wish, therefore, that the British Government would furnish to ours the original papers found on board the "Rebecca" when captured. The guilt of Neill could then be established under his own hand. That of Watson might perhaps require verbal testimony.

I have the honor to be, &c.

NATHL. WILLIAMS.

Hon. J. FORSYTH,
Secretary of State.

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,

Washington, March 1, 1841.

SIR: By the directions of the President of the United States, I have the honor to transmit to you a copy of a letter from Mr. Mills, the United States attorney for the district of Massachusetts, on the subject of the "Tigris," an American vessel brought into the port of Salem under charge of a British officer and prize crew, and to inform you that the explanation of the attorney is entirely satisfactory to the President. You will also receive, herewith, the copy of a letter from the commander of Her Britannic Majesty's brig "Waterwitch," which was delivered to Mr. Mills in Boston. The President has seen from it, with great satisfaction, that Commander Matson, of the "Waterwitch," has acted in this matter without instructions from his Government, and upon his own responsibility only. With due consideration to the motives alleged for this extraordinary interference with an American vessel by a British ship of war, it is considered by the President his indispensable duty to call, through you, the attention of Her Majesty's Government to this act of Commander Matson, that it may be visited with such distinct reprehension as to prevent the repetition of a similar act by other officers in Her Majesty's service. The commanders of the ships of war of the United States on the coast of Africa are instructed not to molest any foreign vessels, and to prevent any molestation of American vessels by the armed vessels of any foreign nation. However strong and unchangeable

ble may be the determination of this Government to punish any citizens of the United States who violate the laws against the African slave trade, it will not permit the exercise of any authority by foreign armed vessels in the execution of those laws.

I avail myself of the occasion to renew to you, sir, assurances of the distinguished consideration with which I have the honor to be your obedient servant,

JOHN FORSYTH.

HENRY S. FOX, Esq., &c.

[Enclosure.]

U. S. DISTRICT ATTORNEY'S OFFICE.

SIR: I have had the honor to receive your letter of the 12th instant, enclosing a copy of a communication recently received from the British minister, in regard to my conduct as an officer of the United States, in the case of the American vessel "Tigris." The facts in the case are as follows:

On the 30th December, 1840, I received from the clerk of the court for this district a letter from Lieutenant H. J. Matson, commander of Her Britannic Majesty's brig "Waterwitch," stating that he had detained and sent to Boston the American brig "Tigris." The original letter is herewith enclosed. The Tigris was brought into Salem by Midshipman Jackson and a prize crew of eight men. I made a complaint against the officers and crew of the brig, charging them with having knowingly served on board a vessel of the United States employed in transporting slaves from one foreign port to another. On this complaint a warrant was issued, and the officers and men brought before the district judge for examination. The judge, on the examination, discharged all but the master and mate of the brig, who were ordered to make their appearance at the circuit court to be held in May next. The judge also recognised Mr. Jackson to appear as a witness at the same. Here the proceedings against the master and mate rest till the case is brought before the grand jury in May. I have but little expectation that the evidence will be sufficient to convict them on the trial, should the grand jury find a bill.

In regard to the brig and cargo, it was a grave question whether I should institute proceedings against them. The vessel was fitted out for a regular trading voyage to the coast of Africa; and there was not the least ground of suspicion that the owners intended she should be any way concerned in the transportation of slaves. And I was then, and am now, satisfied that the evidence in the case is not sufficient to condemn the brig, and in all probability would not be, even if a commissioner were sent to Africa to take the deposition of witnesses there. With this view of the case, I did not consider it my duty to file a libel against the brig and cargo. There was another consideration that probably had some influence on my mind in coming to this conclusion—it was the manner in which the brig was seized and sent home. I had serious doubts whether the act would be sanctioned by the President; and, if not, the filing of the libel in behalf of the United States might in some measure embarrass the question.

I cannot say how far my proceeding against the master and mate operated upon Mr. Jackson, to "induce him to file his libel;" but I told him, im-

mediately after the examination, that I should not libel the brig, and gave him my reasons as above stated. No application, however, was made to me, either by Mr. Jackson, the British consul, or their counsel, to file a libel, till after the libel was filed in court. When it was ascertained that the libellants would be required to stipulate for costs and damages, they applied to me to adopt the proceedings, to relieve them from that embarrassment. This I declined doing, and, as I think, very properly. The same request was made by their counsel; to which I replied, in writing, that I should not file a libel in the case, unless I was directed to do so by the Department.

Mr. Fox also complains that the district attorney has refused to protect his own witness. A few days subsequent to the examination before the district judge, Mr. Jackson was arrested on several writs sued out from the State courts, in behalf of the officers and men of the "Tigris." In the opinion of his counsel, the amount of bail required was excessive; and they sued out a writ of habeas corpus, also returnable in the State court, for the purpose of getting Jackson discharged, or the required amount of bail reduced. On the morning previous to the discussion of this question, Mr. Grattan called at my office, and requested me to protect Mr. Jackson, on the ground that he was under a recognizance as a witness. I told him that, in my opinion, I had no right to interfere in the business; and that, if I did, it would be unavailing. But I added, that if he or Mr. Jackson's counsel could suggest any way in which I could protect him, I would do it with pleasure. I afterwards conversed with his counsel on the subject, and I understood them to concur with me in the opinion I had expressed to the consul. This is a brief statement of the facts in the case; and I hope that my conduct in the case will meet the approbation of the Department.

I am, sir, respectfully, &c.

JOHN MILLS,
United States Attorney.

HER BRITANNIC MAJESTY'S BRIG "WATERWITCH,"

Off Ango'a, October 19, 1840.

SIR: I have the honor to inform you that I have detained and sent to Boston the American brig "Tigris," under the following circumstances:

Having received information that she had a negro slave boy on board, under suspicious circumstances, I boarded her, while at anchor off Ambrise, on the 7th instant; and, on my calling on the mate, who was in charge of the vessel, to account for the boy being there, he stated that he was received at St. Thomas, and was going with them to America. The master, coming on board soon after, made the same statement, and produced a passport, which was evidently a false document. Finding that the boy did not understand a single word of either English or Portuguese, I disbelieved the story, and called on the crew, who all confirmed the master's statement. From the Kröomen I learned that he had lately been taken on board at Benguela; and, on my asking the master if that were not the case, he boldly and confidently denied it.

I then placed an officer and six men on board the "Tigris," and proceeded to St. Paul de Loando (Angola) for the purpose of hearing the boy's

statement through an interpreter; his deposition was taken before the chief judge of the city of Loando, through the medium of two sworn interpreters, and in the presence of several British and Portuguese naval officers—an attested copy of which I beg to enclose, (A.) By that it appears that he is a native of "Guilingues," near Benguela, from whence he was forcibly taken by the crew of the "Tigris." I then returned to Ambrise, and informed the master that I intended sending his vessel to America; on which he presented me the enclosed letter (B;) in consequence of which letter, I proceeded to Benguela, and procured the deposition of João Maria de Souza e Almeida, as well as attested copies of his correspondence with José de Castro relative to this boy, (enclosure C.)

By these documents it appears that Castro sent a Nagó slave to Benguela in the "Tigris," at which place he now is, a slave of Almeida, and where he is likely to remain. It further appears that the boy "Heme" was being transported in the "Tigris" from his own country to St. Thomas; in consequence of his having been sold to Castro, whose property he now actually is; the reason for this exchange or barter is known to all who are acquainted with this coast, viz: that foreign slaves are of much greater value than natives of any neighboring place, who cannot be trusted at large, and who are generally worked in chains to prevent their going "home" without leave, which is impossible for those who are brought from a great distance. The ultimate fate of the boy "Heme" was, of course, uncertain; had he been sent in the "Tigris" to America, he might have been sold there, or he might have returned to St. Thomas, but it is evident that he would never have returned to his native country.

These, sir, are my reasons for taking upon myself the responsibility of detaining the "Tigris;" but, in doing so, I find myself placed in a very delicate position, not having any orders or instructions to interfere with vessels belonging to citizens of the United States, whatever their employment might be. But, having maturely weighed the bearings of this case, I felt it a duty which a British officer owes to the Government of the United States not to allow a crime, which our respective Governments have each declared to be piracy, to pass unnoticed. I have therefore sent the vessel (failing to meet a cruiser of the United States) to the port from whence she sails, to be dealt with according to those laws which have been so glaringly violated.

I have the honor to be, sir, your very obedient, humble servant,

H. J. MATSON,

Lt. and Com'der of Her B. M. brig Waterwitch.

The SECRETARY OF REGISTRAR

of either of the circuit courts of the United States.

[The correspondence with the United States consulate at the Havana, noted in the list of papers transmitted, on page 480, is omitted, not being deemed relevant. It may be found in Doc. No. 115, 2d sess. 26th Congress.]

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

DECEMBER 7, 1841.

Extract from the message of President Tyler at the commencement of the 2d session 27th Congress.

I herewith submit the correspondence which has recently taken place between the American minister at the court of St. James, Mr. Stevenson, and the Minister of Foreign Affairs of that Government, on the right claimed by that Government to visit and detain vessels sailing under the American flag, and engaged in prosecuting lawful commerce in the African seas. Our commercial interests in that region have experienced considerable increase, and have become an object of much importance, and it is the duty of this Government to protect them against all improper and vexatious interruption. However desirous the United States may be for the suppression of the slave trade, they cannot consent to interpolations into the maritime code at the mere will and pleasure of other Governments. We deny the right of any such interpolation to any one, or all the nations of the earth, without our consent. We claim to have a voice in all amendments or alterations of that code; and when we are given to understand, as in this instance, by a foreign Government, that its treaties with other nations cannot be executed without the establishment and enforcement of new principles of maritime police, to be applied without our consent, we must employ a language neither of equivocal import, nor susceptible of misconstruction. American citizens prosecuting a lawful commerce in the African seas, under the flag of their country, are not responsible for the abuse or unlawful use of that flag by others; nor can they rightfully, on account of any such alleged abuses, be interrupted, molested, or detained, while on the ocean; and if thus molested and detained while pursuing honest voyages in the usual way, and violating no law themselves, they are unquestionably entitled to indemnity. This Government has manifested its repugnance to the slave trade in a manner which cannot be misunderstood. By its fundamental law it prescribed limits in point of time to its continuance; and against its own citizens, who might so far forget the rights of humanity as to engage in that wicked traffic, it has long since, by its municipal laws, denounced the most condign punishment. Many of the States composing this Union had made appeals to the civilized world for its suppression, long before the moral sense of other nations had become shocked by the iniquities of the traffic. Whether this Government should now enter into treaties containing mutual stipulations upon this subject, is a question for its mature deliberation. Certain it is, that if the right to detain American ships on the high seas can be justified on the plea of a necessity for such detention, arising out of the existence of treaties between other nations, the same plea may be extended and enlarged by the new stipulations of new treaties, to which the United States may not be a party. This Government will not cease to urge upon that of Great Britain full and ample remuneration for all losses, whether arising from detention or otherwise, to which American citizens have heretofore been or may hereafter be subjected, by the exercise of rights which this Government cannot recognise as legitimate and proper. Nor will I indulge a doubt but that the sense of justice of Great Britain will constrain her to

make retribution for any wrong or loss which any American citizen, engaged in the prosecution of lawful commerce, may have experienced at the hand of her cruisers or other public authorities. This Government, at the same time, will relax no effort to prevent its citizens, if there be any so disposed, from prosecuting a traffic so revolting to the feelings of humanity. It seeks to do no more than to protect the fair and honest trader from molestation and injury; but while the enterprising mariner, engaged in the pursuit of an honorable trade, is entitled to its protection, it will visit with condign punishment others of an opposite character.

I invite your attention to existing laws for the suppression of the African slave trade, and recommend all such alterations as may give to them greater force and efficacy. That the American flag is grossly abused by the abandoned and profligate of other nations is but too probable. Congress has not long since had this subject under its consideration, and its importance well justifies renewed and anxious attention.

CORRESPONDENCE RELATING TO THE DETENTION OF AMERICAN VESSELS ON THE AFRICAN COAST BY BRITISH ARMED CRUISERS.

Lord Palmerston to Mr. Stevenson.—[COPY.]

FOREIGN OFFICE, August 5, 1841.

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has received two notes, addressed to him on the 13th of November, 1840, and on the 1st of March last, by Mr. Stevenson, envoy extraordinary and minister plenipotentiary of the United States, complaining of the search and detention of the United States vessel "Douglas," and of the ill treatment of her crew, by Lieutenant Seagram, of Her Majesty's brig "Termagant," employed on the coast of Africa in suppressing the slave trade.

In these two communications from Mr. Stevenson it is stated that on the 21st of October, 1839, Lieutenant Seagram boarded the "Douglas" while she was pursuing her voyage on the coast of Africa, examined the ship's papers and the passengers' passports, broke open the hatches, hauled down the American flag, and seized the vessel as a slaver; that he kept possession of her during eight days, namely, from the 21st of October, 1839, to the 29th of the same month; that the officers and men of the "Douglas" became ill from their exposure to the sun, and that, in consequence, three of them died, and the captain is still in bad health. And Mr. Stevenson expresses the confident expectation of the President of the United States that Her Majesty's Government will make prompt reparation for the conduct of Lieutenant Seagram in this case, and will take efficient means to prevent the recurrence of such abuses.

The undersigned has, in reply, to state that, in pursuance of the wish expressed by Mr. Stevenson, on the part of his Government, a strict investigation has, by order of the Lords of the Admiralty, been made into the particulars of this case, and the result is as follows:

Lieutenant Seagram, commanding Her Majesty's ship "Termagant," employed in suppressing the slave trade on the coast of Africa, had been

apprized by the commanding officer of Her Majesty's ships on that coast of an agreement entered into by that officer with Commander Paine, of the United States navy, for searching and detaining ships found trading in slaves under the United States flag; and Lieutenant Seagram having, on the 21st of October, 1839, met with the ship "Douglas," carrying the flag of the Union, he boarded her, and made inquiries as to the voyage for which she was bound. Lieutenant Seagram was received on board the "Douglas" with great incivility, and a disinclination was shown to reply to any questions relating to her voyage; but he ascertained that she was bound to the river Bras, and he found on board of her seven Spaniards, who were going to that river, where no trade but the slave trade is carried on.

Lieutenant Seagram requested to see the papers of the "Douglas," but the captain of the "Douglas" could produce no custom-house clearance, and had made an entry on his log, that, on leaving the Havana, he could not procure one, and that he had returned to the harbor to obtain such a paper, but had left the harbor again without it. This circumstance appeared suspicious to Lieutenant Seagram; and, on examining the papers produced by the captain of the "Douglas," he found that the "Douglas" was consigned to a well-known slave trader, Don Pablo Teisas, who was then on board of her, and to whom the slaving vessels "Asp" and "Lark," which had been recently condemned for slave trade, had been consigned.

Lieutenant Seagram pressed for permission to examine the hold of the vessel, and the consignee gave him permission to examine her freight, because he conceived it was protected by the United States flag; and, under the same impression, he acknowledged to Lieutenant Seagram that her cargo was Spanish, and had been shipped as American solely for the purpose of avoiding seizure.

The hatches of the vessel having then been opened, and Lieutenant Seagram having proceeded to examine her, it was discovered that she was fitted out for the slave trade, with leaguers, hoops and staves, a slave deck in planks, and three complete slave coppers.

Lieutenant Seagram reports that, under these circumstances, he should have sent the "Douglas" to the United States, to be delivered up to the authorities of that country, but that he had received orders from the commanding officer of Her Majesty's vessels on the coast of Africa not to send any vessels to the United States until he should have been informed what course the United States Government took as to the slave vessels the "Eagle" and "Clara," which had been sent to the United States by the commanding officer, with a view to assist the American Government in preventing the abuse of the national flag of the Union.

But Lieutenant Seagram not having received any information on this point, at the end of eight days after the detention of the "Douglas," thought it his duty then to release the "Douglas," instead of detaining her longer, or sending her to the United States.

From the facts above stated, there appears little doubt that, if the "Douglas" had been sent to the United States, she would have been condemned for trading in slaves under the flag of the Union. And had she been tried by the mixed commission at Sierra Leone, the proofs that the slave trading voyage on which she was engaged was in fact a Spanish enterprise

were strong enough to have warranted her condemnation in the British and Spanish courts as a Spanish slaver.

With respect to the assertion that three men died from the effects of exposure to the sun, in consequence of the detention of the vessel, the undersigned has to state that it appears that the vessel remained, on her own account, in the African seas, two months after her detention by Lieutenant Seagram; and, as none of her men died until after those two months, there seems no reason to suppose that the death of the two men in question was occasioned by the detention of the vessel by Lieutenant Seagram.

With respect to the statement that Lieutenant Seagram ordered the American flag to be hauled down, it is to be observed that the master of the "Douglas," in his protest, declares that he himself, and not Lieutenant Seagram, ordered the United [States] flag to be hauled down.

As to any loss of provisions or stores, it is stated by the American master that the English prize crew brought their provisions with them to the "Douglas," and he does not even assert that they consumed any provisions belonging to the "Douglas," or that any of the stores of that vessel were lost.

With respect to the allegation of the American master, that the prize crew had secreted one demijohn of rum, forming part of the cargo of the vessel, it seems probable that there is an error in that allegation, because the hatches of the vessel were opened and closed again in the presence of Lieutenant Seagram, and no complaint was made to that officer, either by the master or the consignee, that any loss or damage had been done to the cargo.

Indeed, the master, on resuming charge of his vessel, declared to Lieutenant Seagram that he had no complaint to make.

From the foregoing statement, it will appear that the visit, the search, and the detention of the "Douglas" by Lieutenant Seagram, took place under a full belief, on the part of that officer, that he was pursuing a course which would be approved by the Government of the United States; and in his conduct towards the crew of the vessel he appears scrupulously to have avoided any act which would justly give cause of offence to a friendly Power.

The undersigned has therefore to express the confident hope of Her Majesty's Government, that, upon a consideration of the whole case, the Government of the United States will be of opinion that, although the act of Lieutenant Seagram in detaining an United States slave-trading vessel was, in the abstract, irregular, yet the impression under which he did it, and the motives which prompted him to do it, exempt him from any just blame.

But the undersigned cannot refrain from requesting Mr. Stevenson to draw the serious attention of the Government of the United States to this case, which affords a striking example of the manner in which the vessels and flag of the United States are employed by Spanish, Portuguese, and Brazilian criminals, to protect their piratical undertakings, in utter contempt of the laws of the Union, and in open defiance of the Federal Government.

The undersigned avails himself of this occasion to renew to Mr. Stevenson the assurance of his distinguished consideration.

PALMERSTON.

A. STEVENSON, Esq., &c.

Lord Palmerston to Mr. Stevenson.—[COPY.]

FOREIGN OFFICE, *August 5, 1841.*

The undersigned, Her Britannic Majesty's Secretary of State for Foreign Affairs, has received the note which Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the United States of America, addressed to him on the 27th of February last, complaining that the schooner "Iago," bearing the United States flag, and commanded by Mr. Adolphus Dupony, had been detained by Her Majesty's brigantine "Termagant," Lieutenant Seagram, and that the schooner "Hero," under the United States flag, and commanded by Mr. B. McConnell, had been detained by Her Majesty's brig Lynx.

Mr. Stevenson complains, in the first place, that injury was done in these cases to the purposes of the voyage, and to the cargo and stores on board the vessels detained; and he contends, in the second place, that Her Majesty's naval officers had no excuse, and much less any justification, for detaining these vessels; and he adds, that it is wholly immaterial whether the vessels detained were equipped for, or actually engaged in, slave traffic or not.

With regard to the allegation of damages done to the cargoes of these vessels, the undersigned begs to remind Mr. Stevenson that the papers which he transmitted to the undersigned show that, in the case of the "Iago," the money which was lost was stolen by the crew of the "Iago," while the master was absent on shore, and that it was not abstracted by the crew of the detaining vessel. And it is fair [to presume] that the chronometer and the watch, which were also lost on board that vessel, were taken by the same persons who stole the money.

With regard to the damage said to have been done to the cargo of the "Hero," during the search of that vessel, the undersigned has requested the Board of Admiralty to cause inquiries to be made upon that matter, and he will acquaint Mr. Stevenson with the result.

With respect to the justification which the British officers had for detaining these American vessels, with regard to the detention of which Mr. Stevenson says that there is no "shadow of pretence for exercising, much less justifying, the right of search or detention of vessels under the United States flag, by vessels of Her Majesty's navy," the undersigned has to state that a formal agreement was entered into on the 11th March, 1840, by the commanding officer of Her Majesty's ships on the coast of Africa, and the officer commanding the vessel sent by the United States Government to suppress the slave trade of the United States on the African coast; and by that agreement those officers, for the purpose of carrying into execution the "orders and views of their respective Governments respecting the suppression of the slave trade, requested each other, and agreed," to detain all vessels, under the United States flag, found to be fully equipped for and engaged in slave trade; and it was agreed that such vessels should eventually be handed over to the United States cruisers, if proved to be United States property, and to British cruisers, if proved to be Spanish, Portuguese, Brazilian, or English property.

The undersigned would therefore submit that the commanding officers of Her Majesty's vessels had no reason to suppose that, when giving effect to this agreement by detaining vessels bearing the United States flag and

engaged in slave trade, they were doing a thing which would be disagreeable to the Government of the United States.

With respect to the "Iago," the undersigned has to observe that that vessel was fully equipped for slave trade; that the papers found on board of her were of a suspicious character; that all her crew but two were Spanish. And Her Majesty's Advocate General, to whom the case was referred, has reported it to be his opinion that the commissioners at Sierra Leone would have been justified in proceeding to the adjudication of the vessel; and that, if the case had been investigated by them, sufficient proof would have been afforded that the vessel was in reality Spanish, and not American property, and that consequently she was liable to condemnation.

The undersigned trusts that the foregoing statement will show that there is good reason for doubting that any wilful damage was done to the cargo of either of the two vessels in question by the crews of the detaining ships; and that, although it is indisputable that British cruisers have no right, as such, to search and detain vessels which are the property of citizens of the United States, even though such vessels may evidently be engaged in slave trade, yet in these cases the British naval officers acted in pursuance of a special agreement with a naval officer of the United States; and they were, therefore, justified in believing that, instead of doing any thing which would be complained of by the Government of the United States, they were furthering the views and forwarding the wishes of that Government.

Such cases, however, cannot happen again; because positive orders were sent by the Admiralty, in February last, to all Her Majesty's cruisers employed for the suppression of the slave trade, not again to detain or meddle with the United States vessels engaged in the slave trade. These orders have been sent by Her Majesty's Government with great pain and regret, but as an act due by them to the rights of the United States.

Her Majesty's Government, however, cannot bring themselves to believe that the Government of Washington can seriously and deliberately intend that the flag and vessels of the Union shall continue to be, as they now are, the shelter under which the malefactors of all countries perpetrate with impunity crimes which the laws of the Union stigmatize as piracy and punish with death.

But, unless the United States Government shall consent to make, with the other Powers of Christendom, some agreement of the nature of that which their naval officer on the coast of Africa spontaneously entered into with the British naval commander on that station, these abuses will not only continue to exist, but will increase in magnitude every day; and the end will be, that the slave trade will be carried on exclusively under the shelter of the flag, and by the special protection of the Executive Government of that nation whose Legislature was among the first to pronounce the crime infamous, and to affix to it the severest penalties.

The undersigned avails himself of this occasion to renew to Mr. Stevenson the assurances of his distinguished consideration.

PALMERSTON.

A. STEVENSON, Esq., &c.

P. S.—I return to you, according to your request, the original papers enclosed in your note of the 27th of February last, on the subject of the "Iago."

Mr. Stevenson to Lord Palmerston.—[COPY.]

32 UPPER GROSVENOR STREET,

August 9, 1841.

MY LORD: On my return to London, after a temporary absence of a few days, I found the two communications which your lordship did me the honor to address to me, under date of the 5th instant, in answer to my notes of the 13th of November, the 27th of February, and the 1st of March last, complaining of the seizure and detention of three American vessels, the "Douglas," "Iago," and "Hero," and the ill treatment of their crews, by Her Majesty's cruisers employed on the African coast in suppressing the slave trade.

Having, in my previous communications, said all that I deemed important on the subject of these repeated aggressions upon the vessels and commerce of the United States and the rights of their flag, I can have no inducement at this time to trouble your lordship with any further remarks; and I shall therefore content myself with transmitting to my Government, at the earliest day, copies of your lordship's notes, with whom it will rest to decide upon the sufficiency of the explanation which they contain in justification of the conduct of the commanders of Her Majesty's brigs of war the *Ternagant* and the *Lynx*.

It is proper, however, that I should seize the earliest opportunity to acquaint your lordship that, in relation to the *agreement* which it is alleged was entered into between the commander of the British squadron on the African coast and the officer in command of the vessel sent by the Government of the United States to suppress the slave trade, allowing the mutual right of searching and detaining all British and American vessels found trading in slaves, I have no other information than that communicated in your lordship's notes, and have no reason to suppose that such authority had been confided by the American Government to any of its officers.

I pray your lordship to accept assurances of my distinguished consideration and respect.

A. STEVENSON.

Lord Palmerston to Mr. Stevenson.—[COPY.]

FOREIGN OFFICE, August 17, 1841.

Viscount Palmerston presents his compliments to Mr. Stevenson, and, with reference to Mr. Stevenson's note of the 9th instant, has the honor to transmit, herewith, to Mr. Stevenson a copy of the agreement entered into between Captain Tucker, of Her Majesty's sloop "Wolverine," and Lieutenant Paine, of the United States ship of war "Grampus," which was referred to in the notes addressed by Viscount Palmerston to Mr. Stevenson on the 5th instant, on the subject of the detention of the vessels the "Douglas," the "Iago," and "Hero," by Her Majesty's cruisers.

A. STEVENSON, Esq., &c.

Lord Palmerston to Mr. Stevenson.—[COPY.]

FOREIGN OFFICE, August 27, 1841.

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has had under his consideration the note which Mr. Stevenson, envoy extraordinary and minister plenipotentiary of the United States, did him the honor to address to him, under date of the 15th May, 1840.

complaining of the detention of a brig under American colors, called the "Mary," by Her Majesty's ship Forester.

In this note, Mr. Stevenson, assuming the information furnished to the United States Government by Mr. Trist, their consul at the Havana, to be complete and correct, prefers a claim for indemnity to the owner of the "Mary," and asks for the exemplary punishment of the commander of the "Forester," and those concerned in the proceedings taken by that officer against the Mary—proceedings which, in Mr. Stevenson's opinion, seem to want nothing to give them the character of a most flagrant and daring outrage, and very little, if any thing, to sink them into an act of open and direct piracy.

The undersigned has now the honor to inform Mr. Stevenson that the more particular information which has been furnished to Her Majesty's Government, as to this vessel, places the question in a very different light from that in which it has been presented to the Government of the United States; and the undersigned trusts that the following statement will satisfy Mr. Stevenson that, although the vessel herself, being ill built, might not have been intended actually to convey negroes from the coast of Africa, yet she was in reality the property of a Spanish slave dealer, and was employed by him for the purposes of slave trade.

The papers found on board this vessel by the commander of the "Forester" showed that, on the 24th January, 1839, a bill of sale was prepared at the Havana, by Mr. J. A. Smith, the vice consul of the United States at that port, setting forth that a permanent American register (No. 48) had been granted to the brig "Mary," of Philadelphia, on the 17th June, 1837, and that the brig was at that time owned by Joseph J. Snowden, of Philadelphia, and was commanded by J. H. Haven.

Joseph J. Snowden, the original owner, then gave a power of attorney and substitution to Charles Snowden, who again nominated Pedro Manegat, the notorious slave dealer, but who was described in that document merely as a merchant at the Havana, to sell and transfer the "Mary."

Eight days afterwards, Pedro Manegat professedly sold the "Mary" to a person named Pedro Sabate, of New Orleans, who, on the 2d May, appointed as her master Charles Snowden, the same person who, three months before, had named Pedro Manegat as his agent to sell the "Mary;" and on the 18th June Pedro Sabate replaced Snowden by appointing David Tomlinson to the command.

This Pedro Manegat, the pretended seller but real purchaser of the "Mary," is the same individual who, in like manner, owned the following nominally American vessels, namely: the "*Hyperion*," which left the Havana in December, 1838, as an American vessel, and was afterwards condemned as the Spanish schooner "*Isabel*;" the schooner "*Hazard*," which was detained and erroneously released in February, 1839, under circumstances similar to those which mark the case of the "*Mary*;" and the "*Octavia*," also condemned as Spanish property—which last-named vessel Pedro Manegat had only employed, as he did the "Mary," namely, to carry goods for the purchase of slaves to agents on the coast.

The Spanish master, Tomas Escheverria, and a Spanish crew, were shipped on board the "Mary" as passengers. Among them were several individuals who were recognised as having been formerly captured in slave vessels—Escheverria himself having been master of the Spanish schooner "*Norma*," when that vessel was captured with 234 slaves on board. The ship's articles set forth that the crew was engaged to navigate the "Mary"

from the port of Havana to the Gallinas, or wherever else the master may direct.

In two of three papers which the master, *David Tomlinson*, produced to prove his American citizenship, he is styled *Pils B. Tomlimerty*, and in the third *P. B. Tomlinson*; while in the log, enclosed in Mr. Stevenson's note, he is called Captain Thomason.

The clearance and bills of lading show that the owners of the cargo were Blanco & Carvelho, Pedro Martinez & Co., Pedro Manegat, and Tomas Escheverria, the Spanish captain, all well-known slave traders; and the consignees, Tomas Rodriguez Baron, Ignacio P. Rolo, and Theodore Canot, of the Gallinas, long and well known to the naval officers employed in suppressing the slave trade on the coast as factors for the purchase and shipment of slaves.

Thus the papers produced to the captain of the *Forester*, by Tomlinson, were of themselves sufficient to show that this was one of the then frequent cases in which the flag of the United States had been fraudulently assumed; and all doubt was removed as to the real character of the undertaking on which the vessel was employed, when, on further search, there were found on board of her slave coppers, two bags of shackles, large water leaguers, and a slave deck—the latter being noted as shipped under the denomination of five hundred feet of lumber.

Under these circumstances, the undersigned is of opinion that the commander of Her Majesty's ship "*Forester*" was fully justified in considering the "*Mary*" to be a Spanish vessel, and, consequently, when taking her before the British and Spanish court; and accordingly, when the British commissioners reported to Her Majesty's Government that the judges had refused to allow the "*Mary*" to be libelled in that court, under the impression that the mere fact of her having the American flag hoisted should have protected her from visitation and search by a British cruiser, the British commissioners were told that there was, in the opinion of Her Majesty's Government, reason to suppose that the "*Mary*" was a Spanish, and not an American vessel, and that the judges ought, therefore, to have allowed her to be libelled in the British and Spanish court; for that, although British ships of war are not authorized to visit and search American vessels on the high seas, yet if a vessel, which there is good reason to suppose is in reality Spanish property, is captured and brought into a port in which a mixed British and Spanish court is sitting, the commissioners may properly investigate the case; and, upon sufficient proof being adduced of the Spanish character of the vessel, and of her having been guilty of a breach of the treaty between Great Britain and Spain for the suppression of the slave trade, the court may condemn her, notwithstanding that she was sailing under the American flag, and had American papers on board.

With respect to the general question of the search of vessels under the American flag by British cruisers, the undersigned begs to refer Mr. Stevenson to his other note of this day's date, relative to the case of the "*Susan*," in which the undersigned has fully, and he hopes satisfactorily, replied to the representations made by Mr. Stevenson on that subject.

The undersigned begs to return to Mr. Stevenson the log kept by John Hutton, while acting as mate on board the "*Mary*;" and avails himself of this occasion to renew to Mr. Stevenson the assurances of his distinguished consideration.

PALMERSTON.

Lord Pulmerston to Mr. Stevenson.—[copy.]

FOREIGN OFFICE, *August 27, 1841.*

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has the honor to acknowledge the receipt of the note from Mr. Stevenson, envoy extraordinary and minister plenipotentiary from the United States at this court, dated the 14th August, 1840, in reply to the note of the undersigned dated the 23d April, 1840, on the subject of a complaint made by the American Government against the officer in command of Her Majesty's brig "Grecian," for having boarded the American merchant ship "Susan," when off the light of Cape Frio, in the month of April, 1839.

The undersigned begs leave to state to Mr. Stevenson, in reply to the remarks contained in his last note, that Her Majesty's Government do not pretend that Her Majesty's naval officers have any right to search American merchantmen, met with in time of peace at sea; and if in some few cases such merchantmen have been searched when suspected of having been engaged in slave trade, this has been done solely because the British officer who made the search imagined that he was acting in conformity with the wishes of the United States Government, in endeavoring to hand over to the United States tribunals ships and citizens of the Union found engaged in a flagrant violation of the law of the Union.

Such things, however, will not happen again, because orders have been given which will prevent their recurrence.

But there is an essential and fundamental difference between searching a vessel and examining her papers to see whether she is legally provided with documents entitling her to the protection of any country, and especially of the country whose flag she may have hoisted at the time. For though, by common parlance, the word "flag" is used to express the test of nationality, and though, according to that acceptation of the word, Her Majesty's Government admit that British cruisers are not entitled, in time of peace, to search merchant vessels sailing under the American flag, yet Her Majesty's Government do not mean thereby to say that a merchantman can exempt himself from search by merely hoisting a piece of hunting with the United States emblems and colors upon it; that which Her Majesty's Government mean is, that the rights of the United States flag exempt a vessel from search, when that vessel is provided with papers entitling her to wear that flag, and proving her to be United States property, and navigated according to law.

But this fact cannot be ascertained unless an officer of the cruiser whose duty it is to ascertain this fact shall board the vessel, or unless the master of the merchantman shall bring his papers on board the cruiser; and this examination of papers of merchantmen suspected of being engaged in slave trade, even though they may hoist an United States flag, is a proceeding which it is absolutely necessary that British cruisers employed in the suppression of the slave trade should continue to practise, and to which Her Majesty's Government are fully persuaded that the United States Government cannot, upon consideration, object; because what would be the consequence of a contrary practice?

What would be the consequence, if a vessel engaged in the slave trade could protect herself from search by merely hoisting an United States flag? Why, it is plain that in such case every slave-trading pirate, whether

Spanish, Portuguese, or Brazilian, or English, or French, or of whatever nation he might be, would immediately sail under the colors of the United States; every criminal could do that, though he could not procure genuine American papers; and thus all the treaties concluded among the Christian Powers, for the suppression of slave trade, would be rendered a dead letter. Even the laws of England might be set at defiance by her own subjects, and the slave trade would be invested with complete impunity. Her Majesty's Government are persuaded that the United States Government cannot maintain a doctrine which would necessarily lead to such monstrous consequences; but the undersigned is bound in duty frankly to declare to Mr. Stevenson, that to such a doctrine the British Government never could or would subscribe. The cruisers employed by Her Majesty's Government for the suppression of slave trade must ascertain, by inspection of papers, the nationality of vessels met with by them under circumstances which justify a suspicion that such vessels are engaged in slave trade; in order that, if such vessels are found to belong to a country which has conceded to Great Britain the mutual right of search, they may be searched accordingly; and that, if they be found to belong to a country which, like the United States, has not conceded that mutual right, they may be allowed to pass on, free and unexamined, to consummate their intended iniquity. Her Majesty's Government feels convinced that the United States Government will see the necessity of this course of proceeding.

But Her Majesty's Government would fain hope that the day is not far distant when the Government of the United States will cease to confound two things which are in their nature entirely different; will look to things, and not to words; and, perceiving the wide and entire distinction between that right of search which has heretofore been a subject of discussion between the two countries, and that right of search which almost all other Christian nations have mutually given each other for the suppression of the slave trade, will join the Christian league, and will no longer permit the ships and subjects of the Union to be engaged in undertakings which the law of the Union punishes as piracy.

The undersigned avails himself of this occasion to renew to Mr. Stevenson the assurances of his distinguished consideration.

PALMERSTON.

A. STEVENSON, Esq., &c.

Mr. Stevenson to Lord Aberdeen.—[COPY.]

32 UPPER GROSVENOR STREET,

September 10, 1841.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to acquaint the Earl of Aberdeen, Her Majesty's principal Secretary of State for Foreign Affairs, that he has had the honor to receive the two communications addressed to him by Lord Viscount Palmerston, Her Majesty's late principal Secretary of State for Foreign Affairs, under date of the 27th ultimo, upon the subject of the improper and harassing conduct of British cruisers towards the vessels and flag of the United States in the African seas. In communicating

the decision of Her Majesty's Government upon the claims submitted to its consideration, it would have given the undersigned great satisfaction to have represented that decision as one calculated to do justice to the individual claimants, and in accordance with the just rights and interests of his country. He had indulged a confident hope that the complaints which had been made upon the subject would have been followed not only by suitable atonement and reparation, but by an immediate abandonment of the system of wrong and violence to which the vessels and commerce of the United States had been so long exposed, through the misconduct of British cruisers in the African seas.

This course he had expected, not less from the justice of Her Majesty's Government than the friendly relations subsisting between the two countries.

It is therefore with painful surprise and regret that the undersigned now learns, from Lord Palmerston's communications, that those proceedings of Her Majesty's cruisers have not only been approved and justified, and the injuries which ensued to remain unredressed, but that a right is now asserted by Her Majesty's Government over the vessels and flag of the United States, involving high questions of national honor and interest, of public law, and individual rights.

Having heretofore, in his correspondence with Lord Palmerston, discussed the merits of these claims and the principles involved in them, and presented the views and expectations of his Government upon the subject, the undersigned does not feel it incumbent upon him, at this time, to open again the general discussion, or recapitulate the particular circumstances by which these cases might justly claim to be distinguished. Referring Lord Aberdeen to the previous correspondence which has taken place, the undersigned will refrain from the further discussion of the individual cases, and content himself with a brief examination of those parts of Lord Palmerston's notes in which a power is, for the first time, distinctly asserted by Her Majesty's Government, over the vessels and flag of the United States, in time of peace, on the high seas. In order to ascertain the precise nature and character of this new and extraordinary power, it may be proper to quote those parts of his lordship's communication in which it is asserted. They are in the following words :

"The undersigned begs leave to state to Mr. Stevenson, in reply to the remarks contained in his last note, that Her Majesty's Government do not pretend that Her Majesty's naval officers have any right to search American merchantmen met with in time of peace at sea ; but there is an essential and fundamental difference between searching a vessel and examining her papers to see whether she is legally provided with documents entitling her to the protection of any country, and especially of the country whose flag she may have hoisted at the time. For though by common parlance the word flag is used to express the test of nationality, and though, according to that acceptation of the word, Her Majesty's Government admit that British cruisers are not entitled, in time of peace, to search merchant vessels sailing under the American flag, yet Her Majesty's Government do not mean thereby to say that a merchantman can exempt herself from search by merely hoisting a piece of bunting, with the United States emblems and colors upon it. That which Her Majesty's Government mean is, that the rights of the United States flag exempt a vessel from search when that vessel is provided with papers entitling her

to wear that flag, and proving her to be United States property, and navigated according to law." And again: "The cruisers employed by Her Majesty's Government for the suppression of slave trade must ascertain, by inspection of the papers, the nationality of vessels met with by them under circumstances which justify a suspicion that such vessels are engaged in slave trade, in order that, if such vessels are found to belong to a country which has conceded to Great Britain the mutual right of search, they may be searched accordingly; and if they be found to belong to a country which, like the United States, has not conceded that mutual right, they may be allowed to pass on, free and unexamined, to consummate their intended iniquity."

Here is a direct assertion of a right, on the part of British cruisers, to board and detain all vessels sailing under the flag of the United States, whether American or not, for the purpose of ascertaining, by an examination of their papers, their national character, and deciding whether they are entitled to the protection of the flag of the country under which they sail. Now, it is proper to remark, that the attempt which his lordship makes to distinguish between the right of search (a right, however, which he disclaims) and that which he asserts is wholly fictitious. They are essentially the same, for all the purposes of the present discussion. Indeed, the right to board, detain, and decide upon the national character of vessels navigating the ocean in time of peace, may justly be regarded as more odious and insulting, and giving place to wider and more important injuries, than the right of search, which is purely a belligerent right, and cannot be enforced in time of peace. But if the distinction was admitted to be a sound one, yet nothing would be gained in support of the right, which Lord Palmerston claims for Her Majesty's Government. The inquiry must still arise, whether a power even of *visitation* or *detention* can be rightfully and lawfully exercised by one nation over the ships of another, in time of peace, upon the high seas. That it cannot, the undersigned will now proceed briefly to show.

And, first, as to the principles of public law and the usage of nations. By these it is expressly declared that the vessels of all nations, in time of peace, navigating the ocean, shall be exempt from every species and purpose of *interruption* and *detention*, unless engaged in some traffic contrary to the law of nations, or expressly provided for by treaty or compact. Now, although piracy is admitted to be an offence against the public law, and therefore punishable in every country and by every nation, no matter where committed, it must yet be borne in mind that all piracies are not offences against the law of nations. Piracy, therefore, by international law, and that which may be made so by the municipal law of particular States, are essentially of a different character, and to be treated accordingly. Hence it is that offences declared to be piracy by the municipal laws of any State can only be tried and punished by the country within whose jurisdiction, or on board of whose ships on the ocean, the offence may have been committed. Now, slave trade is not cognizable under the laws of nations. Although prohibited by most nations, and declared to be piracy by their laws, and especially by the statutes of Great Britain and the United States, it is yet not an offence against the public law, and its interdiction cannot be enforced by the ordinary right of *visitation*, *detention*, or search, in the manner that it might be if it was piracy by the law of nations. That this is the acknowledged doctrine of international

law cannot, it is presumed, be doubted. It is so expressly declared by all writers upon the law of nations, and has been acknowledged by the British Government through its highest judicial tribunals. Her annals are full of instruction on the subject. The following is the language held by one of her most distinguished jurists: "We are disposed to go as far in discountenancing this odious traffic as the law of nations and the principles recognised by English tribunals will allow us in doing; but beyond these principles we do not feel at liberty to travel. Formal declarations have been made and laws enacted in reprobation of this practice, and plans, ably and zealously conducted, have been taken to induce other countries to follow our example, but at present with insufficient effect; for there are nations which adhere to the practice under all the encouragement which their own laws give. What is, then, the doctrine of our own courts of the laws of nations? Why, that this practice is to be respected; the slaves, if taken, to be restored to their owners; and, if not taken under innocent mistake, to be restored with costs and damages."

Again: "It would be, indeed, a most extravagant assumption, in any court of the law of nations, to pronounce that this practice—the tolerated, the approved, the encouraged object of law ever since man became subject to law—was legally criminal." Does Her Majesty's Government now mean to contend that the slave trade is contrary to the law of nations? On the contrary, is not the trade lawful to all Governments who have not forbidden it, and, consequently, no right given to any one nation over the slave ships of another in time of peace, independent of express treaty stipulations, by which the extent of the power to be exercised must be regulated? The right, then, which Lord Palmerston asserts, derives no support from the principles of the public law, but is left to stand upon the grounds of *expediency* and *necessity*, as the means of executing the existing treaties for the suppression of the slave trade, and without which his lordship asserts they would *become a dead letter*. Whether this be so or not, the undersigned has no means of judging, and deems it, therefore, unnecessary either to admit or deny it.

The question is not whether the power asserted might be necessary or expedient, but whether any such power exists. It is incumbent, then, upon Her Majesty's Government to show upon what principles of justice and right it claims the power of deciding upon the right of an independent nation to navigate the ocean in time of peace; and this, too, for the purpose of executing treaties to which such nation is not a party, and consequently not bound. The signal error of Lord Palmerston is, in assuming the *necessity* and *expediency* of the power, as proof of its existence. Was such a power ever before asserted in the manner or to the extent which is now done? On the contrary, has not the right of visitation and search been always regarded as exclusively one of a belligerent character? In proof of this, the undersigned need only refer Lord Aberdeen to the authority of Great Britain herself on the subject: "I can find no authority (says the late Sir William Scott) that gives the right of interruption to the navigation of States upon the high seas, except that which the right of war gives to belligerents against neutrals. No nation can exercise a right of visitation and search upon the common and unappropriated parts of the ocean, except upon the belligerent claim." And again: "No nation has the right to force their way for the liberation of Africa by trampling upon the independence of other States, on the pretence of an eminent good by means that are unlawful, or to press forward to a great principle by breaking

through other great principles which stand in the way. Now, of all the principles ever attempted to be established in the past history of the dominion of the sea, few probably could be selected of more offensive and objectionable character than those asserted in Lord Palmerston's note. Indeed, it is difficult to believe that his lordship, or Her Majesty's Government, could seriously expect that any independent nation could for a moment acquiesce in doctrines involving the extravagant supposition of yielding to another the right of determining upon the terms and conditions upon which it should navigate the ocean in time of general and profound peace. Such a power once submitted to, and there would be no species of national degradation to which it might not lead. That such would be the consequence the undersigned feels himself at liberty to suppose. But if it were admitted, for the purpose of illustration, that such a right was even doubtful, still the United States, as well as other commercial nations, would be bound to demand its discontinuance, if attempted to be exercised in the manner indicated in Lord Palmerston's note. Under what restrictions and limitations could such a power be enforced? What competent tribunal would there be to determine upon the degree of suspicion which is to justify the boarding and detention, and the right of determining the national character of all vessels under the flag of the United States? Would it not make every subordinate commander of a British cruiser the exclusive judge, and not only lead to angry and exciting irritations upon the ocean, but to painful discussions between the two Governments? What security would American merchantmen have against decisions made without evidence, or where all the rules of evidence might be violated with impunity? Would it not, from its very nature, be a power the exercise of which, in whatever form it might be guarded, could admit of no just limitation? The answer to these questions will best show how inconsistent with the peace of Great Britain and the rights of other States the exercise of any such power would be attended. But it is unnecessary to press this view of the subject further upon Lord Aberdeen's attention. The objection is one of *principle*, and not of *expediency*, and is, therefore, wholly incapable of being overcome by the manner or discretion with which the power might be exercised, or the limitations thrown around it. However softened in terms, or restricted, it must still be regarded as imposing restrictions upon the lawful commerce of neutral nations, and an innovation upon the liberty of the seas; a power which no independent State could ever submit to without surrendering its independence and sovereignty, and disregarding the high obligations of duty which it owes to itself and the other nations of the world. Nor is there any force in the view alleged by Lord Palmerston, and upon which great reliance is placed, that the flag of the Union is grossly abused by other nations, as a cover to their slave traffic. To what extent the flag of the United States may have been used for this purpose, the undersigned and his Government have no means of judging. That it has been grossly abused, however, there is too much reason to believe and deplore; but whatever this abuse may have been, it can have no just influence either to strengthen or weaken the right asserted by Her Majesty's Government.

In relation to the conduct of other nations, who seek to cover their infamous traffic by the fraudulent use of the American flag, the Government of the United States cannot be responsible. It has taken the steps which it deemed best to protect its flag as well as its character from abuse, and will follow it up by such other measures as may appear to be called for.

The Government of the United States are not insensible to the force of the considerations which belong to the subject of the African slave trade, nor have they failed to manifest their sensibility to whatever concerns its abolition. Nothing is further from the wish of the American Government than a desire to increase the difficulties or throw obstacles in the way of the execution of the existing treaties for its final extinction. This the undersigned has upon more than one occasion had the honor of assuring Her Majesty's Government, and takes leave now to repeat to Lord Aberdeen. Anxious, however, as the Government of the United States are to promote the views of Her Majesty's Government on this subject, it cannot consent to do so by sacrificing the rights of its citizens or the honor of its flag.

Her Majesty's Government cannot be insensible of the importance and value of guarding the rights of neutrality from every species of violation. This duty belongs especially to great and powerful nations, such as Great Britain and the United States, not only as the best means of preserving peace, but giving security to weaker communities, under the shadow of impartial justice. Among neutral nations, there is probably not one more deeply interested than the United States. Their attitude is that of a neutral and peaceful Power. The consistent and persevering policy of their Government has been displayed in defence of the rights of neutrality and the liberty of the seas. Desirous to manifest cordial good will to all nations, and maintain with each not only relations of the most perfect amity, but those of a commercial character, upon the basis of a fair, equal, and just reciprocity, the United States will continue to give to their system of policy a sincere and steady adherence. Upon this basis, the relations between Great Britain and the United States, as well as all other nations, can alone be expected to continue. The undersigned, therefore, is happy to see in these relations, as well as the justice of Her Majesty's Government and the firmness of his own, the best reason to expect not only an abandonment of the power which is now asserted, with the whole system of vexatious interruption and surveillance to which the vessels and commerce of the United States have been subjected, but the future relations of the two countries placed upon the solid foundation of mutual interest and comity, and a more enlarged and liberal policy.

These are the views which the undersigned has deemed it his duty to submit to Lord Aberdeen's consideration, upon the doctrines contained in Lord Palmerston's note, of a character so new and alarming to national sovereignty and sensibility and the friendly relations of the two countries. He has presented them with the frankness and earnestness which their importance merited, and with the high respect due to Her Majesty's Government. He has, therefore, no other duty now to perform than to transmit copies of Lord Palmerston's communications to his Government, and to protest, in the most solemn manner, against their doctrines, as alike inconsistent with the principles of public law, with the rights and sovereignty of the United States, and with that sense of justice and right which belong to the British nation.

The undersigned prays Lord Aberdeen to accept assurances of his high consideration and respect.

A. STEVENSON.

To the Right Hon. the Earl of ABERDEEN.

Lord Aberdeen to Mr. Stevenson.—[COPY.]

FOREIGN OFFICE, *October 13, 1841.*

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has had the honor to receive the note of Mr. Stevenson, envoy extraordinary and minister plenipotentiary of the United States of America, dated on the 10th of September, in continuation of a correspondence with the predecessor of the undersigned in this office, and relating to the visitation of vessels bearing the American flag, and suspected of being engaged in the African slave trade.

If the undersigned feels it necessary to offer some remarks upon the note of Mr. Stevenson, he is desirous of doing so in the manner best calculated to ensure a candid and impartial consideration; for he would deeply regret that any harshness or asperity of expression should aggravate the difficulties of a subject which is, at all times, but too liable to produce excitement and irritation. The undersigned is aware of the susceptibility of national feeling in all that affects national honor, and he requests Mr. Stevenson to believe that it is with the most unfeigned respect for the rights, honor, and independence of the United States that he now proceeds to address him.

The undersigned will forbear from entering into any particulars of the visitation of the vessels, which has formed the principal matter of Mr. Stevenson's complaint to Her Majesty's Government, and which has been fully discussed in his correspondence with the predecessor of the undersigned.

That proceeding may have been justifiable or otherwise, and the undersigned will be prepared, if necessary, to enter with Mr. Stevenson into the details of the question; but his present object is that of a more general nature. He is desirous of placing very briefly before Mr. Stevenson the consequences of those principles which he has laid down, and to appeal to his candor—the undersigned had almost said to the dictates of plain sense—in order to reject such a conclusion as that which must necessarily flow from the arguments contained in Mr. Stevenson's note.

Mr. Stevenson claims for the American flag an absolute exemption from all interference, and utterly denies the right of the British Government, under any circumstances whatever, to visit, in time of peace, merchant vessels bearing the flag of the Union.

Mr. Stevenson quotes the opinion delivered by Lord Stowell upon this subject, who declares that, in order to extirpate this odious traffic, it would not be lawful to capture vessels, even if they had slaves on board, and, also, that, for the same purpose, however laudable, no right of search could be admitted to exist.

Now, the undersigned is the last person who would presume to question the authority of the distinguished jurist to whom Mr. Stevenson has referred. But Mr. Stevenson will recollect that the judgment of Lord Stowell was delivered in the case of a French vessel which had actually been captured, and was condemned by a British tribunal. The sentence was reversed by Lord Stowell in the year 1817. At that period, Great Britain had no reason to presume that the slave trade was regarded as criminal by the whole civilized world, or that all nations had united their efforts for its suppression. And, even if such had been the case, it would have been very far from affording any justification of the sentence reversed. But the

undersigned must observe, that the present happy concurrence of the States of Christendom in this great object, not merely justifies, but renders indispensable, the right now claimed and exercised by the British Government. The undersigned readily admits, that to visit and search American vessels in time of peace, when that right of search is not granted by treaty, would be an infraction of public law and a violation of national dignity and independence. But no such right is asserted.

We sincerely desire to respect vessels of the United States; but we may reasonably expect to know what it really is that we respect. Doubtless the flag is *prima facie* evidence of the nationality of the vessel; and if this evidence were, in its nature, conclusive and irrefragable, it ought to preclude all further inquiry. But it is sufficiently notorious, that the flags of all nations are liable to be assumed by those who have no right or title to bear them.

Mr. Stevenson himself fully admits the extent to which the American flag has been employed for the purpose of covering this infamous traffic.

The undersigned joins with Mr. Stevenson in deeply lamenting the evil, and he agrees with him in thinking that the United States ought not to be considered responsible for this abuse of their flag. But if all inquiry be resisted, even when carried no further than to ascertain the nationality of the vessel, and impunity be claimed for the most lawless and desperate of mankind in the commission of this fraud, the undersigned greatly fears that it may be regarded as something like an assumption of that responsibility which has been deprecated by Mr. Stevenson.

While Mr. Stevenson deplures the prevalence of this abuse, and the nefarious character of the trade, can he be satisfied that no remedy should be applied or attempted?

The undersigned hopes and believes that the number of *bona fide* American vessels engaged in the trade is very small, and thus the danger of interference with such vessels by British cruisers must be of rare occurrence.

Mr. Stevenson will admit that his objection to this interference would, under any circumstances, tend in its consequences to the protection of an abominable traffic, stigmatized by the whole Christian world; but the confession of Mr. Stevenson, that the trade is extensively carried on under the fraudulent use of the American flag, does in truth justify the whole claim put forward by the British Government.

It constitutes that reasonable ground of suspicion which the law of nations requires in such a case. The admitted fact of this abuse creates the right of inquiry.

The undersigned renounces all pretension on the part of the British Government to visit and search American vessels in time of peace. Nor is it as American that such vessels are ever visited. But it has been the inviolable practice of the British navy, and, as the undersigned believes, of all navies in the world, to ascertain by visit the real nationality of merchant vessels met with on the high seas, if there be good reason to apprehend their illegal character.

In certain latitudes and for a particular object the vessels referred to are visited, not as American, but either as British vessels engaged in an unlawful traffic, and carrying the flag of the United States for a criminal purpose, or as belonging to States which have by treaty conceded to Great Britain the right of search, and which right it is attempted to defeat by fraudulently bearing the protecting flag of the Union; or, finally, they are

visited as piratical outlaws, possessing no claim to any flag or nationality whatever.

Now, it can scarcely be maintained by Mr. Stevenson that Great Britain should be bound to permit her own subjects, with British vessels and British capital, to carry on before the eyes of British officers this detestable traffic in human beings, which the law has declared to be piracy, merely because they had the audacity to commit an additional offence by fraudulently usurping the American flag.

Neither could Mr. Stevenson, with more reason, affirm that the subjects of States which have granted to Great Britain the right of search should be enabled to violate the obligation of their treaties, by displaying the flag of the Union, contrary to the will and in defiance of the American Government itself.

Still less would Mr. Stevenson pretend to claim immunity for piratical adventurers who should endeavor to shelter their lawless proceedings under the ensign of the United States.

But unless Mr. Stevenson be prepared to maintain these propositions, the whole fabric of his argument falls to the ground; for the undersigned admits, that if the British cruiser should possess a knowledge of the American character of any vessel, his visitation of such vessel would be entirely unjustifiable.

He further admits, that so much respect and honor are due to the American flag, that no vessel bearing it ought to be visited by a British cruiser, except under the most grave suspicions and well-founded doubts of the genuineness of its character.

The undersigned, although with pain, must add that if such visit should lead to the proof of the American origin of the vessel, and that she was avowedly engaged in the slave trade, exhibiting to view the manacles, fetters, and other usual implements of torture, or had even a number of these unfortunate beings on board, no British officer could interfere further.

He might give information to the cruisers of the United States, but it would not be in his own power to arrest or impede the prosecution of the voyage and the success of the undertaking.

It is obvious, therefore, that the utmost caution is necessary in the exercise of the right claimed by Great Britain. While we have recourse to the necessary, and indeed the only means for detecting imposture, the practice will be carefully guarded, and limited to cases of strong suspicion. The undersigned begs to assure Mr. Stevenson that the most precise and positive instructions have been issued to Her Majesty's officers on this subject.

The United States have stigmatized this abominable trade in terms of abhorrence as strong as the people of this country.

They are also actively engaged in its suppression. But if, instead of joining their efforts to those of Great Britain, and laboring with her for the attainment of this great blessing to humanity, the United States had wished to follow a different course, the reasoning employed in Mr. Stevenson's note is precisely such as would be resorted to for its defence and justification.

The undersigned, with his conviction of the perfect good faith and sincerity of the Government of the United States, would almost fear to offend Mr. Stevenson even by disclaiming any such suspicion; but he believes Mr. Stevenson will agree with him in lamenting that the effects of the

policy of the United States should have any tendency to create a different impression in the minds of those who are disposed to think less favorably and less justly upon this subject.

Great Britain makes no pretension, claims no right, which she is not ready and desirous to concede to the United States.

A mutual right of search, regulated in such a manner as to prevent the occurrence of any irritating circumstances, has always appeared to the undersigned to be the most reasonable, the most simple, and most effectual method of attaining the great object which both Governments have in view.

But this proposal has already been rejected by the United States, and the undersigned is not instructed again to offer it for consideration.

It is for the American Government alone to determine what may be due to a just regard for their national dignity and national interests; but the undersigned must be permitted to express his conviction, that rights which have been mutually conceded to each other by the Governments of Great Britain and France can scarcely be incompatible with the honor and independence of any State upon the face of the earth.

The undersigned avails himself of this occasion to request of Mr. Stevenson to accept the assurances of his distinguished consideration.

ABERDEEN.

A. STEVENSON, Esq., &c.

Mr. Stevenson to Lord Aberdeen.—[COPY.]

32 UPPER GROSVENOR STREET,

October 21, 1840.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States of America, has the honor to acknowledge the receipt of the note which Lord Aberdeen, Her Majesty's principal Secretary of State for Foreign Affairs, did him the honor to address to him, under date of the 13th instant, in answer to the one from the undersigned of the 10th of September, relative to the visitation and interruption to which the vessels and commerce of the United States have been subjected by British cruisers in the African seas, and which has been made the subject of complaint to Her Majesty's Government, and, having considered with the attention which their importance merits the arguments presented by Lord Aberdeen's note, the undersigned has now the honor to submit to his lordship's consideration the observations which he feels himself called upon to make.

Before proceeding to do so, however, the undersigned will take occasion to remark, that he shares fully in the opinion expressed by Lord Aberdeen as to the importance of avoiding, in the discussion of grave questions of national character, every thing calculated to embarrass or throw difficulties in the way of impartial and dispassionate consideration. The undersigned, therefore, with great sincerity, assures Lord Aberdeen of the readiness and zeal with which he is disposed to conduct the negotiations between the two countries on his part, in a manner the most conciliatory and best calculated to preserve peace; and that he should equally deplore with Lord Aberdeen that any harshness or asperity of expression should be suffered to mingle in the discussion of a question involving national sensibility and feeling, and so liable, as his lordship justly supposes, to produce

excitement and irritation. He begs Lord Aberdeen, therefore, to believe that it is under the influence of such feelings, and with the most perfect respect both for himself and Her Majesty's Government, that he now proceeds to reply to those parts of his lordship's note which he deems it his duty to notice.

To enable him to do this, it may be important to ascertain what is the real question at issue between the two Governments, and the precise nature of the power asserted by Her Majesty's Government over the vessels and commerce of the United States. It may be thus briefly stated:

The Government of Great Britain, with that of other nations, regarding the African slave trade as a great evil, united in measures for its abolition. For that purpose, laws were passed and treaties concluded giving to the vessels of each of the contracting parties the mutual right of search, under certain limitations. Independent of these treaties, and under the principles of public law, this right of search could not be exercised. The United States were invited to become a party to these treaties; but, for reasons which they deemed satisfactory, and growing out of the peculiar character of their institutions and systems of Government, they declined doing so. They deemed it inexpedient, under any modification or in any form, to yield the right of having their vessels searched or interfered with, in time of peace, upon the high seas. With the history of the negotiations which took place on this subject, between the two Governments, Lord Aberdeen is doubtless informed. In the mean time, some of the Powers who were parties to these treaties, and others who refused to become so, continued to prosecute their slave traffic; and, to enable them to do so with more effect, they resorted to the use of the flags of other nations, but more particularly that of the United States. To prevent this, and enforce her treaties, Great Britain deemed it important that her cruisers in the African seas should have the right of detaining and examining all vessels navigating those seas, for the purpose of ascertaining their national character. Against this practice the Government of the United States protested, and the numerous cases out of which the present discussion has arisen became subjects of complaint and negotiation between the two Governments. Her Majesty's Government, however, having refused to make reparation in any of the cases, and still asserting the right of her cruisers to continue the practice of detaining and examining all vessels on the coasts and in the African seas, it becomes important that the precise character and extent of the right thus claimed should be clearly ascertained. In the last note which the undersigned had the honor of addressing to Lord Aberdeen, he attempted to show, in the first place, that the right asserted by Her Majesty's Government, in Lord Palmerston's note of the 27th of August, was substantially a *right of search*; and in the next place, that, if it was not, still the right of interference in the manner asserted with the vessels or flags of other nations, not parties to these treaties, was not less unlawful and unjustifiable.

Now, Lord Aberdeen disclaims the right of searching American vessels on the high seas, and admits that to do so would be a gross infraction of the public law, and a violation of national sovereignty and independence. But his lordship contends, that in requiring vessels sailing under the flag of the United States to submit to the operation of examination, in the manner and for the objects proposed by his Government, there would be no violation of national rights or honor, and, consequently, nothing to which

the Government of the United States ought rightfully to object. Upon this branch of the subject, the undersigned does not intend to repeat the arguments contained in his previous correspondence with Her Majesty's late principal Secretary of State for Foreign Affairs. Referring Lord Aberdeen to that correspondence, he will content himself with submitting such additional observations as his lordship's last note has rendered necessary.

Is the right, then, claimed by Her Majesty's Government, less an infraction of the principles of public law and the rights of independent States than that of search, which is disclaimed?

Now, Lord Aberdeen will remark, that the right asserted by his predecessor for Her Majesty's Government is clear and explicit. It is thus stated in Lord Palmerston's note: "That Her Majesty's Government have decided that the flag of the United States shall exempt no vessel (whether American or not) from search by Her Majesty's cruisers in the African seas, unless such vessel shall be found provided with papers entitling her to the protection of the flag she wears, and proving her to be United States property, and navigating the ocean according to law." Of what law, however, whether public or municipal, his lordship does not state, but leaves to be inferred. This doctrine Lord Aberdeen is understood to affirm. Now, in the first place, here is an actual denial of the right of vessels of the United States to navigate the ocean in time of peace, without being subjected to detention and examination, and without proof of their being the property of citizens of the United States, and documented according to law. It constitutes the commandant of every British cruiser the exclusive judge to decide whether such vessels, in the language of his lordship, be "*properly provided with papers entitling them to the protection of the flag they wear, and proving them to be United States property, and navigating the ocean according to law.*" What essential difference, then, is there between the right of search, in its harshest form, and that of arresting the vessels of an independent nation on their voyage, compelling their officers to leave their vessels, and subjecting them and their papers to the examination and decision of every subordinate naval commander? Is it not the right of placing British cruisers on any part of the ocean that Her Majesty's Government may select, and prescribing the terms upon which other nations are to participate in the freedom of the seas? Is it not, in effect, a claim of jurisdiction over the whole of the African coasts and seas, as exclusive as that which could only be enjoyed within the acknowledged limits of local sovereignty? To these questions but one answer can be given. It must be in the affirmative. But to what consequences would not such a power lead, if once submitted to? Where would it end? If Great Britain can exercise such a power, why may not other nations do the same? What is there to prevent those States, especially, who have entered into treaties for the abolition of slavery, from subjecting the vessels and commerce of the United States to similar interruptions and embarrassments? Why should not Hayti (who has lately been induced to prohibit the slave trade) authorize her cruisers to follow the example of Her Majesty's Government? By one of her recent laws upon the subject, she did assert a similar right; but it was afterwards changed, at the instance of Great Britain, upon the ground that no nation had the right in time of peace to enforce the provisions of their laws and treaties against States who were not parties to them, and, consequently, not bound by them. In the note addressed by the undersigned to Lord Palmerston, under date of the 27th

of February, 1841, and referred to in the one to Lord Aberdeen, allusion was made to the proceedings of Her Majesty's Government, under which the Haytian Government were induced to change their laws. At that time at least, it is presumed, Her Majesty's Government had not determined to assert this right of dominion over the sea. But, again, why might not the right of search for seamen and deserters, and that of impressment, be defended upon the principles of the present claim? Let it be supposed, for purposes of illustration, that Great Britain had entered into treaties with other nations, by which the right of search for seamen or deserters was given to the vessels of each other, and that some of the contracting States, in order to evade their engagements, should resort to the fraudulent use of the flags of other nations. And suppose, also, that, with a view of enforcing these treaties, it should be deemed expedient to assert a right of boarding and examining, upon the high seas, the vessels of nations who had not surrendered the right, and were not parties to the treaties? Does Lord Aberdeen or Her Majesty's Government believe that such a power would be tolerated by any independent nation upon the face of the earth? And yet, what difference would there be between such a case and the one under consideration, except that the one would relate to slavery and the other to impressment?—subjects probably equally important in the view of Her Majesty's Government.

It was against the exercise of any such right that the distinguished jurist, to whom reference has been made, declared (whilst sitting as a court under the law of nations) "that no authority could be found which gave any right of *visitation or interruption* over the vessels and navigation of other States, on the high seas, except that which the right of war gives to belligerents against neutrals; and that Great Britain had no right to force her way to the liberation of Africa, by trampling upon the rights and independence of other nations, for any good, however eminent."

Upon what principles, then, of public law or of common right or justice such a power as that now asserted is to be defended or justified, Her Majesty's Government have not deemed it expedient to state. As yet, it has been left to stand for its whole efficacy upon the grounds of expediency. The undersigned must, therefore, repeat the opinion expressed in his note to Lord Aberdeen, that there is no essential difference whatever between the right of search and that now asserted for Her Majesty's Government. But Lord Aberdeen contends that, in resisting the exercise of this right in the form in which it has been made, the undersigned is necessarily compelled to claim, not only immunity for the flag of the United States, and all the piratical adventurers who are endeavoring to shelter themselves under it, but to maintain that Great Britain herself would be bound to permit her own subjects, with British vessels and British capital, to carry on their traffic under their own eyes, provided it was done under the fraudulent use of an American flag; and his lordship further declares that, unless the undersigned is prepared to maintain to their full extent these propositions, the whole fabric of his argument must fall to the ground.

Now, the undersigned begs to observe that Lord Aberdeen has greatly misapprehended the principles and arguments contained in the note which he had the honor of addressing to his lordship, and which it becomes proper to seize the earliest moment of correcting. This the undersigned

will the more readily do, because he is persuaded, from the spirit in which Lord Aberdeen's note is written, that he will take pleasure in correcting any misapprehension into which he may unintentionally have been drawn. Indeed, the undersigned must have expressed himself very imperfectly, if, in denying the right of interfering with vessels under the American flag, he did not convey the opinion that he intended to limit his objection to vessels *bona fide* American, and not to those belonging to nations who might fraudulently have assumed the flag of the United States. With the vessels of other nations, whether sailing under their own or another flag, the Government of the United States can have no authority or desire to interfere. The undersigned, therefore, did not mean to be understood as denying to Great Britain, or any other nation, the right of seizing their vessels, or punishing their subjects for any violation of their laws or treaties, provided, however, it should be done without violating the principles of public law or the rights of other nations. Nor are such the consequences which can fairly be deduced from the argument which he had the honor of addressing to Lord Aberdeen, and which his lordship seems so greatly to have misapprehended. Great Britain has the undoubted right, and so have all other nations, to detain and examine the vessels of their own subjects, whether slavers or not, and whether with or without a flag purporting to be that of the United States; but, in doing this, it must be borne in mind that they have no color of right, nor will they be permitted to extend such interference to the vessels or citizens of the United States sailing under the protection of the flag of their country.

If Great Britain, or any other nation, cannot restrain the slave traffic of their own people upon the ocean, without violating the rights of other nations and the freedom of the seas, then indeed the impunity of which Lord Aberdeen speaks will take place. This may be deplored, but it cannot be avoided. But Lord Aberdeen asserts, that it has been the invariable practice of the British navy, and he believes of all the navies in the world, to ascertain, by visit, the real character of merchant vessels met with on the high seas, if there be good reason to apprehend their illegal character. Now, the undersigned must be excused for doubting whether any such practice as that which Lord Aberdeen supposes, certainly not to the extent now claimed, has ever prevailed in time of peace. In war, the right of visitation is practised, under the limitations authorized by the laws of nations, but not in peace. What other nation than Great Britain has ever asserted or attempted to exercise it? None, it is believed. There is another misapprehension, also, into which Lord Aberdeen seems to have fallen, that it may be important to correct. It relates to an admission which his lordship supposes the undersigned to have made, as to the extent of the abuse of the American flag for purposes of slave traffic. Now, the undersigned would submit, that he did not intend to express, nor did he, any opinion as to the extent to which the flag of the United States was abused by other nations. So far from it, he expressly stated, as Lord Aberdeen will perceive by reference to his note, that neither he nor his Government had the means of forming any opinion upon the subject. He admitted the abuse of the flag, and deplored it; but to what extent he gave no opinion. Nor can the undersigned yield to the force of the reasoning employed by Lord Aberdeen, arising out of the limited number of *bona fide* American vessels engaged in the slave trade, to prove that the danger of interference with American vessels will be of rare occurrence. He readily admits, with

Lord Aberdeen, that there are few American vessels, if any, engaged in the slave trade; but, in admitting the fact, he does not perceive very clearly what bearing it can have upon the present discussion, or how the smallness of the number of American slavers can at all guard against the evils which Lord Aberdeen supposes. For if it be true, as his lordship contends, that the abuse by other nations of the flag of the United States is one of increasing extent, and that it can in no way be prevented but by the examination of all vessels sailing under the flag of the United States; and as it must also be admitted, that there are numerous American vessels engaged in lawful commerce in the African seas, which, with other vessels, are to be subjected to detention and examination, what possible effect can the number of American slavers have in preventing the interference to that more numerous class of merchantmen who are to be found engaged in commerce throughout the whole of the African seas? If there was not a single vessel of the United States engaged in the slave trade, the evils and interruptions which Lord Aberdeen is so desirous of avoiding must still take place, whenever the right shall be attempted to be enforced against those vessels that are not slavers. But the great caution which is to be observed in the exercise of the right, and the careful manner in which it will be guarded, is greatly relied on by Lord Aberdeen in its defence. Indeed, his lordship declares, that so much honor and respect are due to the flag of the United States, that it is only to be exercised in certain latitudes, and exclusively confined to cases where the strongest suspicion and well-founded doubts exist. Now, the undersigned would respectfully ask, of what consequence it can be to the United States, if their rights or the honor of their flag are violated, whether it be done upon one part of the ocean or another? In relation to the well-founded suspicion to which Lord Aberdeen refers, it might have been desirable (if the manner of exercising an unlawful power can excuse it) that his lordship should have stated what the particular character and degree of the suspicion was to be, which was alone to justify the interference of Her Majesty's cruisers. That such a right as that claimed, if it existed, could not safely be confided to those of Her Majesty's cruisers who have heretofore been in the habit of exercising it, the undersigned feels himself warranted in supposing. This, he presumes, will be satisfactorily shown by the cases which he has heretofore presented to Her Majesty's Government, and for which no reparation has yet been made. These cases will show the embarrassments and injuries to which the trade and commerce of the United States, throughout the whole of the African seas, have already been subjected by the vexatious seizures and detentions of Her Majesty's cruisers, and in most of them without justification or excuse.

That the right asserted by Her Majesty's Government may be regarded as important, may not be doubted. Indeed, the undersigned would not act frankly towards Lord Aberdeen if he were to pretend that the consequences of refusing the exercise of the right by the American Government might not throw very great difficulties in the way of executing the existing treaties for the abolition of the slave trade; but, as he has taken occasion heretofore to observe, the admission can neither strengthen the claim of right nor diminish the force of the objections to it on the part of the United States.

There remains only one other part of Lord Aberdeen's note which the undersigned deems it necessary at this time to notice. It is that in which

his lordship expresses the opinion, that any right of search which shall have been conceded by two such Governments as France and Great Britain can scarcely be considered as incompatible with the honor and independence of any nation upon earth. Now, if Lord Aberdeen's remark was intended to apply to the proposal which was made by Her Majesty's Government to that of the United States for a mutual right of search, secured and guarded by treaty stipulations, the undersigned has no objection to make; but if this opinion of his lordship was intended to apply to the right now asserted by Great Britain, and proposed by her Government to be exercised in the absence of all conventional arrangement, then the undersigned must be allowed to express his decided dissent. That the exercise of mutual rights, properly secured, might not be incompatible with national honor and sovereignty, he readily admits; inasmuch as the contracting parties would stand upon the footing of equality and security. This he presumes to be the case between France and Great Britain; but such would not be the case between Great Britain and the United States. The undersigned must therefore, after the most careful consideration of the arguments advanced in Lord Aberdeen's note, repeat the opinion which he has heretofore expressed, that if a power, such as that which is now asserted by Her Majesty's Government, shall be enforced, not only without consent, but in the face of a direct refusal to concede it, it can be regarded in no other light by the Government of the United States than a violation of national rights and sovereignty and the incontestable principles of international law. That its exercise may lead to consequences of a painful character, there is too much reason to apprehend. In cases of conflicting rights between nations, the precise line which neither can pass, but to which each may advance, is not easily found or marked, and yet exists, whatever may be the difficulty of discerning it. In ordinary cases of disagreement, there is little danger; each nation may, and often does, yield something to the other. Such, however, it is to be feared, is not the present case. The peculiar nature of the power asserted, and the consequences which may be apprehended from its exercise, make it one of an important and momentous character. Involving, as it does, questions of high and dangerous sovereignty, it may justly be regarded as deeply endangering the good understanding of the two countries. Ought Her Majesty's Government, then, under such circumstances, to insist upon its enforcement? That it will not, the undersigned cannot permit himself to doubt. He will therefore continue to cherish the hope that, upon a careful review of the whole subject, Her Majesty's Government will see the importance of adopting other measures for the suppression of the slave trade than those now proposed, and which will be far better calculated, not only to accomplish the object desired, but to preserve the friendly relations of the two countries upon principles consistent with the interest and honor of both.

The undersigned avails himself of the occasion to renew to Lord Aberdeen assurances of his distinguished consideration and respect.

A. STEVENSON.

To the Earl of ABERDEEN.

JUNE 21, 1842.

The following message was received from the President of the United States, and referred to the Committee on Foreign Affairs:

To the House of Representatives:

A resolution of the House of Representatives, of the 13th instant, has been communicated to me, requesting, "so far as may be compatible with the public interest, a copy of the quintuple treaty between the five Powers of Europe, for the suppression of the African slave trade; and, also, copies of any remonstrance or protest addressed by Lewis Cass, envoy extraordinary and minister plenipotentiary of the United States at the court of France, to that Government; against the ratification by France of the said treaty, and of all correspondence between the Governments of the United States and of France, and of all communications from the said Lewis Cass to his own Government, and from this Government to him, relating thereto."

In answer to this request, I have to say, that the treaty mentioned therein has not been officially communicated to the Government of the United States; and no authentic copy of it, therefore, can be furnished. In regard to the other papers requested, although it is my hope and expectation that it will be proper and convenient at an early day to lay them before Congress, together with others connected with the same subject, yet, in my opinion, a communication of them to the House of Representatives, at this time, would not be compatible with the public interest.

JOHN TYLER.

WASHINGTON, June 20, 1842.

The following is a copy of the quintuple treaty referred to in the above message, signed at London on the 20th of December, 1841:

THE QUINTUPLE TREATY.

ART. I. Their Majesties the Emperor of Austria, King of Hungary and Bohemia, the King of Prussia, and the Emperor of all the Russias, engage to prohibit all trade in slaves, either by their respective subjects, or under their respective flags; or by means of capital belonging to their respective subjects, and to declare such traffic piracy. Their Majesties further declare, that any vessel which may attempt to carry on the slave trade shall, by the fact alone, lose all right to the protection of their flag.

ART. II. In order more completely to accomplish the object of the present treaty, the high contracting parties agree, by common consent, that those of their ships of war which shall be provided with special warrants and orders, prepared according to the forms of the annex A of the present treaty, may search every merchant vessel belonging to any one of the high contracting parties which shall, on reasonable grounds, be suspected of being engaged in the traffic in slaves, or of having been fitted out for that purpose, or of having been engaged in the traffic during the voyage in which she shall have been met with by the said cruisers; and that such cruisers may detain, and send, or carry away such vessels, in order that they may be brought to trial in the manner hereafter agreed upon.

Nevertheless, the above-mentioned right of searching the merchant vessel of any one or the other of the high contracting parties shall be exercised only by ships of war whose commanders shall have the rank of

captain or that of a lieutenant in the royal or imperial navy, unless the command shall, by reason of death or otherwise, have devolved upon an officer of inferior rank. The commander of such ship of war shall be furnished with warrants according to the form annexed to the present treaty, under letter A.

The said mutual right of search shall not be exercised within the Mediterranean sea. Moreover, the space within which the exercise of the said right shall be confined shall be bounded, on the north, by the 32d parallel of north latitude; on the west, by the eastern coast of America, from the point where the 32d parallel of north latitude strikes that coast, down to the 45th parallel of south latitude; on the south, by the 45th parallel of south latitude, from the point where that parallel strikes the eastern coast of America, to the 80th degree of longitude east from the meridian of Greenwich; and on the east, by the same degree of longitude, from the point where it is intersected by the 45th parallel of south latitude up to the coast of India.

ART. III. Each of the high contracting parties which may choose to employ cruisers for the suppression of the slave trade, and to exercise the mutual right of search, reserves to itself to fix, according to its own convenience, the number of the ships of war which shall be employed on the service stipulated in the second article of the present treaty, as well as the stations on which the said ships shall cruise.

The names of the ships appointed for this purpose, and those of their commanders, shall be communicated by each of the high contracting parties to the others; and they shall reciprocally apprise each other every time that a cruiser shall be placed on a station, or shall be recalled thence, in order that the necessary warrants may be delivered by the Governments authorizing the search, and returned to those Governments by the Government which has received them, when those warrants shall no longer be necessary for the execution of the present treaty.

ART. IV. Immediately after the Government which employs the cruisers shall have notified to the Government which is to authorize the search the number and the names of the cruisers which it intends to employ, the warrants authorizing the search shall be made out according to the form annexed to the present treaty, under letter A, and shall be delivered by the Government which authorizes the search to the Government which employs the cruisers.

In no case shall the mutual right of search be exercised upon the ships of war of the high contracting parties.

The high contracting parties shall agree upon a particular signal, to be used exclusively by those cruisers which shall be invested with the right of search.

ART. V. The cruisers of the high contracting parties authorized to exercise the right of search and detention in execution of the present treaty shall conform themselves strictly to the instructions annexed to the said treaty, under letter B, in all that relates to the formalities of the search and of the detention, as well as to the measures to be taken, in order that the vessels suspected of having been employed in the traffic may be delivered over to the competent tribunals.

The high contracting parties reserve to themselves the right of making in these instructions, by common consent, such alterations as circumstances may render necessary.

The cruisers of the high contracting parties shall mutually afford to each other assistance in all cases when it may be useful that they should act in concert.

ART. VI. Whenever a merchant vessel, sailing under the flag of one of the high contracting parties, shall have been detained by a cruiser of the other, duly authorized to that effect, conformably to the provisions of the present treaty, such merchant vessel, as well as the master, the crew, the cargo, and the slaves who may be on board, shall be brought into such place as the high contracting parties shall have respectively designated for that purpose, and they shall be delivered over to the authorities appointed with that view by the Government within whose possession such place is situated, in order that proceedings may be had with respect to them before the competent tribunals, in the manner hereafter specified.

When the commander of the cruiser shall not think fit to undertake himself the bringing in and the delivery up of the detained vessel, he shall intrust that duty to an officer of the rank of lieutenant in the royal or imperial navy, or at least to the officer who shall at the time be third in authority on board the detaining ship.

ART. VII. If the commander of a cruiser of one of the high contracting parties should have reason to suspect that a merchant vessel sailing under the convoy of, or in company with, a ship of war of one of the other contracting parties, has been engaged in the slave trade, or has been fitted out for that trade, he shall make known his suspicions to the commander of the ship of war, who shall proceed alone to search the suspected vessel; and in case the last-mentioned commander should ascertain that the suspicion is well founded, he shall cause the vessel, as well as the master, the crew, the cargo, and the slaves who may be on board, to be taken into a port belonging to a nation of the detained vessel, to be there proceeded against before the competent tribunals, in the manner hereafter directed.

ART. VIII. As soon as a merchant vessel detained, and sent in for adjudication, shall arrive at the port to which she is to be carried, in conformity with annex B, to the present treaty, the commander of the cruiser which shall have detained her, or the officer appointed to bring her in, shall deliver to the authorities appointed for that purpose a copy, signed by himself, of all the lists, declarations, and other documents specified in the instructions annexed to the present treaty, under letter B; and the said authorities shall proceed, in consequence, to the search of the detained vessel, and of her cargo, as also to an inspection of her crew, and of the slaves who may be on board, after having previously given notice of the time of such search and inspection to the commander of the cruiser, or to the officer who shall have brought in the vessel, in order that he, or some person whom he may appoint to represent him, may be present thereat.

A minute of these proceedings shall be drawn up, in duplicate, which shall be signed by the persons who shall have taken part in, or who shall have been present at, the same; and one of these documents shall be delivered to the commander of the cruiser, or to the officer appointed by him to bring in the detained vessel.

ART. IX. Every merchant vessel, of any one or other of the five nations, which shall be searched and detained in virtue of the provisions of the present treaty, shall, unless proof be given to the contrary, be deemed to have been engaged in the slave trade, or to have been fitted out for that traffic, if in the fitting, in the equipment, or on board the said vessel, dur-

ing the voyage in which she was detained, there shall be found to have been one of the articles hereafter specified, that is to say :

1. Hatches with open gratings, instead of the close hatches which are used in merchant vessels.

2. Divisions or bulkheads, in the hold or on deck, in greater number than is necessary for vessels engaged in lawful trade.

3. Spare plank, fitted for being laid down as a second or slave deck.

4. Shackles, bolts, or handcuffs.

5. A larger quantity of water, in casks or in tanks, than is requisite for the consumption of the crew of such merchant vessel.

6. An extraordinary number of water casks, or of other receptacles for holding liquid, unless the master shall produce a certificate from the custom-house at the place from which he cleared outward, stating that sufficient security had been given, by the owners of such vessel, that such extra number of casks or of other receptacles should only be used to hold palm oil or for other purposes of lawful commerce.

7. A greater quantity of mess tubs or kids than are requisite for the use of the crew of such merchant vessel.

8. A boiler, or other cooking apparatus, of an unusual size, and larger, or capable of being made larger, than requisite for the use of the crew of such merchant vessel ; or more than one boiler, or other cooking apparatus, of the ordinary size.

9. An extraordinary quantity of rice, of the flour of Brazil, manioc, or cassada, commonly called farina, or of maize, or of Indian corn, or of any other article of food whatever, beyond the probable wants of the crew ; unless such quantity of rice, farina, maize, Indian corn, or any other article of food, should be entered on the manifest, as forming a part of the trading cargo of the vessel.

10. A quantity of mats or matting greater than is necessary for the use of such merchant vessel, unless such mats or matting be entered on the manifest as forming part of the cargo.

If it is established that one or more of the articles above specified are on board, or have been on board during the voyage in which the vessel was captured, that fact shall be considered as *prima facie* evidence that the vessel was employed in the traffic ; she shall in consequence be condemned, and declared lawful prize, unless the master or the owners shall furnish clear and incontrovertible evidence, proving, to the satisfaction of the tribunal, that at the time of her detention or capture the vessel was employed in a lawful undertaking ; and that such of the different articles above specified as were found on board at the time of detention, or which might have been embarked during the voyage on which she was engaged when she was captured, were indispensable for the accomplishment of the lawful object of her voyage.

ART. X. Proceedings shall be immediately taken against the vessel detained, as above stated, her master, her crew, and her cargo, before the competent tribunals of the country to which she belongs ; and they shall be tried and adjudged according to the established forms and laws in force in that country ; and if it results from the proceedings that the said vessel was employed in the slave trade, or fitted out for that traffic, the vessel, her fittings, and her cargo of merchandise, shall be confiscated ; and the master, the crew, and their accomplices, shall be dealt with conformably to the laws by which they shall have been tried.

In case of confiscation, the proceeds of the sale of the aforesaid vessel shall, within the space of six months, reckoning from the date of the sale, be placed at the disposal of the Government of the country to which the ship which made the capture belongs, in order to be employed in conformity with the laws of that country.

ART. XI. If any one of the articles specified in article IX of the present treaty is found on board a merchant vessel, or if it is proved to have been on board of her during the voyage in which she was captured, no compensation for losses, damages, or expenses, consequent upon the detention of such vessel, shall in any case be granted, either to the master, or to the owner, or to any other person interested in the equipment or in the lading, even though a sentence of condemnation should not have been pronounced against the vessel, as a consequence of her detention.

ART. XII. In all cases in which a vessel shall have been detained in conformity with the present treaty, as having been employed in the slave trade, or fitted out for that traffic, and shall, in consequence, have been tried and confiscated, the Government of the cruiser which shall have made the capture, or the Government whose tribunal shall have condemned the vessel, may purchase the condemned vessel for the service of its royal navy, at a price fixed by a competent person, selected for that purpose by the said tribunal. The Government whose cruiser shall have made the capture shall have a right of preference in the purchase of the vessel. But if the condemned vessel should not be purchased in the manner above pointed out, she shall be wholly broken up immediately after the sentence of confiscation, and sold in separate portions after having been broken up.

ART. XIII. When, by the sentence of the competent tribunal, it shall have been ascertained that a merchant vessel detained in virtue of the present treaty was not engaged in the slave trade, and was not fitted out for that traffic, she shall be restored to the lawful owner or owners. And if, in the course of the proceedings, it shall have been proved that the vessel was searched and detained illegally, or without sufficient cause of suspicion; or that the search and detention were attended with abuse or vexation, the commander of the cruiser, or the officer who shall have boarded the said vessel, or the officers who shall have been intrusted with bringing her in, and under whose authority, according to the nature of the case, the abuse or vexation shall have occurred, shall be liable in costs and damages to the masters and the owners of the vessel and of the cargo.

These costs and damages may be awarded by the tribunal before which the proceedings against the detained vessel, her master, crew, and cargo, shall have been instituted; and the Government of the country to which the officer who shall have given occasion for such award shall belong shall pay the amount of the said costs and damages within the period of six months from the date of the sentence, when the sentence shall have been pronounced by a tribunal sitting in Europe, and within the period of one year when the trial shall have taken place out of Europe.

ART. XIV. When, in the search or detention of a merchant vessel effected in virtue of the present treaty, any abuse or vexation shall have been committed, and when the vessel shall not have been delivered over to the jurisdiction of her own nation, the master shall make a declaration, upon oath, of the abuses or vexations of which he shall have to complain, as well as of the costs and damages to which he shall lay claim; and such declaration shall be made by him before the competent authorities of the

first port of his own country at which he shall arrive, or before the consular agent of his own nation at a foreign port, if the vessel shall in the first instance touch at a foreign port where there is such an agent.

This declaration shall be verified by means of an examination, upon oath, of the principal persons amongst the crew or the passengers who shall have witnessed the search or detention; and a formal statement of the whole shall be drawn up, two copies whereof shall be delivered to the master, who shall forward one of them to his Government, in support of his claim for costs and damages.

It is understood, that if any circumstance beyond control shall prevent the master from making his declaration, it may be made by the owner of the vessel, or by any other person interested in the equipment or in the lading of the vessel.

On a copy of the formal statement above mentioned being officially transmitted to it, the Government of the country to which the officer to whom the abuses or vexations shall be imputed shall belong shall forthwith institute an inquiry; and if the validity of the complaint shall be ascertained, that Government shall cause to be paid to the master, or the owner, or to any other person interested in the equipment or lading of the molested vessel, the amount of costs and damages which shall be due to him.

ART. XV. The high contracting parties engage reciprocally to communicate to each other, when asked to do so, and without expense, copies of the proceedings instituted, and of the judgments given, relative to vessels searched or detained in execution of the provisions of this treaty.

ART. XVI. The high contracting parties agree to ensure the immediate freedom of all the slaves who shall be found on board vessels detained and condemned in virtue of the stipulations of the present treaty.

ART. XVII. The high contracting parties agree to invite the maritime Powers of Europe, which have not yet concluded treaties for the abolition of the slave trade, to accede to the present treaty.

ART. XVIII. The acts or instruments annexed to the present treaty, and which it is mutually agreed to consider as forming an integral part thereof, are the following:

A. Forms of warrants of authorization, and of orders for the guidance of the cruisers of each nation, in the searches and detentions to be made in virtue of the present treaty.

B. Instructions for the cruisers of the naval forces employed in virtue of the present treaty, for the suppression of the slave trade.

ART. XIX. The present treaty, consisting of nineteen articles, shall be ratified, and the ratifications thereof shall be exchanged at London at the expiration of two months from this date, or sooner if possible.

In witness whereof, the respective plenipotentiaries have signed the present treaty, in English and French, and have thereunto affixed the seal of their arms.

Done at London, the 20th day of December, in the year of our Lord 1841.

ABERDEEN.
KOLLER.
ST. AULAIRE.
SCHLEINITZ.
BRUNOW.

IN SENATE, AUGUST 11, 1842.

Extract from the message of the President of the United States to the Senate, submitting to the consideration of that body the treaty concluded between the United States and Great Britain.

The treaty obligations subsisting between the two countries for the suppression of the African slave trade, and the complaints made to this Government within the last three or four years, many of them but too well founded, of the visitation, seizure, and detention of American vessels on that coast, by British cruisers, could not but form a delicate and highly important part of the negotiations which have now been held.

The early and prominent part which the Government of the United States has taken for the abolition of this unlawful and inhuman traffic is well known. By the tenth article of the treaty of Ghent, it is declared that the traffic in slaves is irreconcilable with the principles of humanity and justice, and that both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition; and it is thereby agreed that both the contracting parties shall use their best endeavors to accomplish so desirable an object. The Government of the United States has, by law, declared the African slave trade piracy; and at its suggestion other nations have made similar enactments. It has not been wanting in honest and zealous efforts, made in conformity with the wishes of the whole country, to accomplish the entire abolition of the traffic in slaves upon the African coast; but these efforts, and those of other countries directed to the same end, have proved to a considerable degree unsuccessful. Treaties are known to have been entered into, some years ago, between England and France, by which the former Power, which usually maintains a large naval force on the African station, was authorized to seize and bring in for adjudication vessels found engaged in the slave trade under the French flag.

It is known that, in December last, a treaty was signed in London by the representatives of England, France, Russia, Prussia, and Austria, having for its professed object a strong and united effort of the five Powers to put an end to the traffic. This treaty was not officially communicated to the Government of the United States, but its provisions and stipulations are supposed to be accurately known to the public. It is understood to be not yet ratified on the part of France.

No application or request has been made to this Government to become party to this treaty; but the course it might take in regard to it has excited no small degree of attention and discussion in Europe, as the principle upon which it is founded; and the stipulations which it contains have caused warm animadversions and great political excitement.

In my message at the commencement of the present session of Congress, I endeavored to state the principles which this Government supports respecting the right of search and the immunity of flags. Desirous of maintaining those principles fully at the same time that existing obligations should be fulfilled, I have thought it most consistent with the honor and dignity of the country that it should execute its own laws, and perform its own obligations by its own means and its own power. The examination or visitation of the merchant vessels of one nation, by the cruisers of another, for any purpose except those known and acknowledged by

the law of nations, under whatever restraints or regulations it may take place, may lead to dangerous results. It is far better by other means to supersede any supposed necessity, or any motive, for such examination or visit. Interference with a merchant vessel by an armed cruiser is always a delicate proceeding, apt to touch the point of national honor as well as to affect the interests of individuals. It has been thought, therefore, expedient, not only in accordance with the stipulations of the treaty of Ghent, but at the same time as removing all pretext on the part of others for violating the immunities of the American flag upon the seas, as they exist and are defined by the law of nations, to enter into the articles now submitted to the Senate.

The treaty which I now submit to you proposes no alteration, mitigation, or modification, of the rules of the law of nations. It provides simply that each of the two Governments shall maintain on the coast of Africa a sufficient squadron to enforce, separately and respectively, the laws, rights, and obligations of the two countries, for the suppression of the slave trade.

Another consideration of great importance has recommended this mode of fulfilling the duties and obligations of the country. Our commerce along the western coast of Africa is extensive, and supposed to be increasing. There is reason to think that, in many cases, those engaged in it have met with interruptions and annoyances, caused by the jealousy and instigation of rivals engaged in the same trade. Many complaints on this subject have reached the Government. A respectable naval force on the coast is the natural resort and security against further occurrences of this kind.

[The following are the 8th and 9th articles of the treaty:]

ARTICLE VIII. 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 suitable numbers and descriptions, 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 the two Governments stipulating, nevertheless, to give such orders to the officers commanding their respective forces as shall enable them most effectually to act in concert and co-operation, upon 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.

ARTICLE IX. Whereas, notwithstanding all efforts which may be made on the coast of Africa for suppressing the slave trade, the facilities for carrying on that traffic and avoiding the vigilance of cruisers by the fraudulent use of flags and other means, are so great, and the temptations for pursuing it, while a market can be found for slaves, so strong, as that the desired result may be long delayed, unless all markets be shut against the purchase of African negroes, the parties to this treaty agree that they will unite in all becoming representations and remonstrances with any and all Powers within whose dominions such markets are allowed to exist; and that they will urge upon all such Powers the propriety and duty of closing such markets effectually, at once and forever.

TWENTY-SEVENTH CONGRESS, THIRD SESSION.

DECEMBER 7, 1842.

Extract from the annual message of President Tyler at the commencement of the 3d session 27th Congress.

Next to the settlement of the boundary line, which must always be a matter of difficulty between States, as between individuals, the question which seemed to threaten the greatest embarrassment was that connected with the African slave trade.

By the 10th article of the treaty of Ghent, it was expressly declared that "whereas the traffic in slaves is irreconcilable with the principles of humanity and justice, and whereas both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavors to accomplish so desirable an object." In the enforcement of the laws and treaty stipulations of Great Britain, a practice had threatened to grow up, on the part of its cruisers, of subjecting to visitation ships sailing under the American flag, which, while it seriously involved our maritime rights, would subject to vexation a branch of our trade which was daily increasing, and which required the fostering care of Government. And although Lord Aberdeen, in his correspondence with American envoys at London, expressly disclaimed all right to detain an American ship on the high seas, even if found with a cargo of slaves on board, and restricted the British pretension to a mere claim to visit and inquire, yet it could not well be discerned by the Executive of the United States how such visit and inquiry could be made without detention on the voyage, and consequent interruption to the trade. It was regarded as the right of search, presented only in a new form, and expressed in different words; and I therefore felt it to be my duty distinctly to declare, in my annual message to Congress, that no such concession could be made, and that the United States had both the will and the ability to enforce their own laws, and to protect their flag from being used for purposes wholly forbidden by those laws, and obnoxious to the moral censure of the world. Taking the message as his letter of instructions, our then minister at Paris felt himself required to assume the same ground in a remonstrance which he felt it to be his duty to present to M. Guizot, and through him to the King of the French, against what has been called the quintuple treaty; and his conduct, in this respect, met with the approval of this Government. In close conformity with these views, the eighth article of the treaty was framed, which provides that "each nation shall keep afloat in the African seas a force not less than eighty guns, to act separately and apart, under instructions from their respective Governments, and for the enforcement of their respective laws and obligations." From this it will be seen that the ground assumed in the message has been fully maintained, at the same time that the stipulations of the treaty of Ghent are to be carried out in good faith by the two countries, and that all pretence is removed for interference with our commerce, for any purpose whatever, by a foreign Government. While, therefore, the United States have been standing up for the freedom of the seas, they have not thought proper to make that a pretext for avoiding a fulfilment of their treaty stipulations, or a ground for giving counte-

nance to a trade reprobated by our laws: A similar arrangement by the other great Powers could not fail to sweep from the ocean the slave trade, without the interpolation of any new principle into the maritime code. We may be permitted to hope that the example thus set will be followed by some, if not all of them. We thereby also afford suitable protection to the fair trader in those seas; thus fulfilling at the same time the dictates of a sound policy, and complying with the claims of justice and humanity.

SUPPRESSION OF THE AFRICAN SLAVE TRADE.

Lord Ashburton to Mr. Webster.

WASHINGTON, August 9, 1842.

SIR: By the 3d article of the convention which I have this day signed with you, there is an agreement for the reciprocal delivery, in certain cases, of criminals, fugitive from justice; but it becomes necessary that I should apprise you that this article can have no legal effect within the dominions of Great Britain until confirmed by act of Parliament. It is possible that Parliament may not be in session before the exchange of the ratification of the convention, but its sanction shall be asked at the earliest possible period, and no doubt can be entertained that it will be given. In Her Majesty's territories in Canada, where cases for acting under this convention are likely to be of more frequent occurrence, the Governor General has sufficient power, under the authority of local legislation, and the convention will there be acted upon so soon as its ratification shall be known; but it becomes my duty to inform you of the short delay which may possibly intervene in giving full effect to it, where the confirmation by Parliament becomes necessary for its execution.

I beg, sir, to renew to you the assurance of my high consideration.

ASHBURTON.

HON. DANIEL WEBSTER, &c.

Mr. Paine to Mr. Webster.

WASHINGTON, May 2, 1842.

SIR: The agreement between Commander William Tucker, of the British navy, and myself, is so connected with numerous instructions respecting proceedings on the coast of Africa, that I should furnish a copy of all, if the object were to justify myself; but as the wish of the State Department seems to be ascertain the nature of the agreement itself, and the action of myself thereon, and as I wish to forward this view promptly, I shall restrict myself to these points, commencing with the agreement, of which the following is a copy:

“Commander William Tucker, of Her Britannic Majesty's sloop *Wolverine*, and senior officer on the west coast of Africa, and Lieutenant John S. Paine, commanding the United States schooner *Grampus*, in order to

carry into execution, as far as possible, the orders and views of their respective Governments respecting the suppression of the slave trade, hereby request each other and agree to detain all vessels, under American colors, found to be fully equipped for and engaged in the slave trade; that, if proved to be American property, they shall be handed over to the United States schooner Grampus, or any other American cruiser; and that, if proved to be Spanish, Portuguese, Brazilian, or English property, to any of Her Britannic Majesty's cruisers employed on the west coast of Africa, for the suppression of the slave trade, so far as their respective laws and treaties will permit.

"Signed and exchanged at Sierra Leone, this 11th day of March, 1840.

"JOHN S. PAINE,

"*Commanding the U. S. schooner Grampus.*

"WILLIAM TUCKER,

"*Commanding H. B. M. sloop Wolverine, and senior officer of west coast of Africa.*"

The objects of this agreement were, mainly:

1st. To meet the very common case with slavers, that of having on board two sets of papers.

2d. To let it be known that there subsisted between the British and American force a good understanding, and a disposition to co-operate for the purpose indicated, as far as possible, without violating existing treaties.

A copy was forwarded by me to the Navy Department, to which I received the following reply:

"NAVY DEPARTMENT, June 4, 1840.

"SIR: Your letter of the 23d March last, with its enclosures, has been received.

"The instructions given you, for your government, when you left the United States, while they indicated a friendly co-operation with the commanders of the British cruisers in the suppression of the slave trade on the coast of Africa, as likely to aid in detecting the frauds resorted to by those engaged in it for the purpose of avoiding discovery and escaping punishment, were not intended to authorize any such arrangement as that which it appears you have made with the commander of Her Britannic Majesty's sloop Wolverine, and by which you delegated to that officer the right to seize vessels under American colors, and, under certain circumstances, to detain them, with the view of turning them over to the Grampus or other United States cruiser.

"Such a delegation of power is not only unauthorized by your instructions, but contrary to the established and well-known principles and policy of your Government, and is therefore not sanctioned by the Department.

"You will make known the views of the Department on this subject to the commander of the Wolverine, and inform him that the arrangement made with him, having been disapproved by your Government, cannot, on your part, be complied with; the great object of the co-operation being to obviate the difficulties of capture, growing out of assuming Portuguese, English, Spanish, or Brazilian colors, when overhauled by an American, or American colors when overhauled by a British cruiser.

"For this purpose you are authorized to cruise in company and in co-operation with any British vessel of war employed on the slave coast, in the pursuit of objects similar to your own.

"I am, respectfully, your obedient servant,

"J. K. PAULDING.

"Lieutenant JOHN S. PAINE,

"*Commanding U. S. schooner Grampus,*

"*Sierra Leone, coast of Africa.*"

In compliance with this, I addressed Captain Tucker as follows:

"U. S. SCHOONER GRAMPUS, *April 27, 1841.*

"Sir: I am directed to make known to you the views of my Government respecting the agreement signed and exchanged with you on the 11th of March, 1840, at Sierra Leone.

"The Secretary of the Navy says: 'Inform him that the arrangement made with him, having been disapproved by your Government, cannot, on your part, be complied with; the great object of the co-operation being to obviate the difficulties of capture, growing out of the practice adopted by slavers, of assuming Portuguese, English, Spanish, or Brazilian colors, when overhauled by an American, or American colors when overhauled by a British cruiser. For this purpose, you are authorized to cruise in company and in co-operation with any British vessel of war employed on the slave coast, in pursuit of objects similar to your own.'

"From the above extract you will perceive that the Secretary of the Navy at Washington is careful to avoid giving countenance to the practice of detaining American vessels, even though they be slavers, unless by American vessels of war.

"The best, if not the only means of co-operation left, would seem to be exchanging information or cruising in company.

"If any thing can be effected by this vessel, within such limits, while on the coast, it will be gratifying to me to aid you, or any of Her Majesty's officers, in forwarding so desirable an object.

"I am, with very high respect, sir, your obedient servant,

"JOHN S. PAINE,

"*Lieutenant commanding.*

"Captain WILLIAM TUCKER,

"*Commanding H. B. M. sloop Wolverine, and senior officer of H. B. M. naval forces on the coast of Africa.*"

Hoping to meet Captain Tucker, I did not despatch the letter, but finally, finding that his successor had arrived, I addressed to him the following:

[EXTRACT.]

"UNITED STATES SCHOONER GRAMPUS,

"*Sierra Leone, June 17, 1841.*

"While cruising here last year, I had made an arrangement with Commander William Tucker, of a similar character to that recommended, which, however, was not approved by the Secretary of the Navy; and as I have not fallen in with Captain Tucker since the receipt of a communication

from Washington on the subject, I have deemed it proper to enclose to you a letter to Captain Tucker, with a copy of the agreement referred to therein.

"In conclusion, I tender to you my sincere wishes for your success in the prosecution of duties so interesting to the cause of humanity.

"I am, with the highest respect, sir, your obedient servant,

"JOHN S. PAINE,
"Lieutenant commanding.

"Captain _____,

"Commanding H. B. M. ship *Isis*,
and senior officer on the western coast of Africa."

Any expression of my opinion of Mr. Paulding's letter to me would have been improper, and would still be indecorous. I shall be grateful to be informed if you think any explanation or defence necessary. I have never believed so.

I have the honor to be, with the highest respect, sir, your obedient servant,

JOHN S. PAINE,
Commander United States Navy.

HON. DANIEL WEBSTER,
Secretary of State.

Mr. Webster to Captains Bell and Paine.

DEPARTMENT OF STATE,
Washington, April 30, 1842.

GENTLEMEN: Your experience in the service on the coast of Africa has probably enabled you to give information to the Government on some points connected with the slave trade on that coast, in respect to which it is desirable that the most accurate knowledge attainable should be possessed. These particulars are:

1. The extent of the western coast of Africa, along which the slave trade is supposed to be carried on; with the rivers, creeks, inlets, bays, harbors, or parts of the coast, to which it is understood slave ships most frequently resort.

2. The space or belt along the shore within which cruisers may be usefully employed for the purpose of detecting vessels engaged in the traffic.

3. The general course of proceeding of a slave ship, after leaving Brazil or the West Indies, on a voyage to the coast of Africa for slaves; including her manner of approach to the shore, her previous bargain or arrangement for the purchase of slaves, the time of her usual stay on or near the coast, and the means by which she has communication with persons on land.

4. The nature of the stations or barracoons in which slaves are collected on shore, to be sold to the traders; whether usually in rivers, creeks, or inlets, or on or near the open shore.

5. The usual articles of equipment and preparation, and the manner of fitting up, by which a vessel is known to be a slaver, though not caught with slaves on board.

6. The utility of employing vessels of different nations to cruise together, so that one or the other might have a right to visit and search every vessel which might be met with under suspicious circumstances, either as belonging to the country of the vessel visiting and searching, or to some other country, which has, by treaty, conceded such right of visitation and search.

7. To what places slaves from slave ships could be most conveniently taken.

8. Finally, what number of vessels, and of what size and description, it would be necessary to employ on the western coast of Africa, in order to put an entire end to the traffic in slaves, and for what number of years it would probably be necessary to maintain such force to accomplish that purpose.

You will please to add such observations as the state of your knowledge may allow, relative to the slave trade on the eastern coast of Africa.

I have the honor to be, &c.

DANIEL WEBSTER.

Captains BELL and PAINE,
United States Navy.

Commanders Bell and Paine to the Secretary of State.

WASHINGTON CITY, May 10, 1842.

SIR: In accordance with the wishes expressed in your communication of the 30th ultimo, we have the honor to submit the following statement:

In reply to the first particular, viz: "The extent of the western coast of Africa along which the slave trade is supposed to be carried on, with the rivers, creeks, inlets, bays, harbors, or parts of the coast, to which it is understood slave ships most frequently resort."

The slave trade from western Africa to America is carried on wholly between Senegal, latitude 16 deg. north, longitude 16½ deg. west, and Cape Frio, in latitude 18 deg. south, longitude 12 deg. east, a space (following the windings of the coast at the distance of three or four miles) of more than 3,600 miles. There are scattered along the coast five English, four French, five American, six Portuguese, six or eight Dutch, and four or five Danish settlements, besides many which have been abandoned by their respective Governments.

These settlements are generally isolated; many of them only a fortress without any town, while a few are a cluster of villages and farms.

The British, French, and particularly the American settlements, exercise an important influence in suppressing the slave trade.

The influence of the Danes and Dutch is not material.

The Portuguese influence is supposed to favor the continuance of the trade, except the counter influence of the British, through treaty stipulations.

North of the Portuguese cluster of settlements, of which Bissao is the capital, and south of Benguela, (also Portuguese,) there is believed to be no probability of a revival of the slave trade to any extent.

This leaves about 3,000 miles of coast, to which the trade (principally with Cuba, Porto Rico, and Brazil) is limited.

There are hundreds of trading places on the coast, calling themselves

"factories," and each claiming the protection of some civilized Power. Some of these were the sites of abandoned colonies; others have been established by trading companies or individuals.

The actual jurisdiction of a tribe on the coast seldom exceeds ten miles, though these small tribes are sometimes more or less perfectly associated for a greater distance.

Of these factories and tribes, a few have never been directly engaged in the slave trade, and are opposed to it, but the great preponderance is of the slave-trading interest.

To enumerate the rivers and inlets of this coast would not convey a just idea of the slave country or practices, as the embarkation often takes place from the beach where there is no inlet; but we will state a few of the most noted.

Commencing at Cape Roxo, in latitude 12 deg. 30 min. north, and running down the coast as far as the river Mellacoree, in latitude 9 deg. north, the slave trade is more or less carried on, but (in consequence of the vigilance of cruisers) not to the same extent it was a few years ago.

Another portion of the coast, from the limits of the Sierra Leone colony to Cape Mount, (a space including the mouths of six or more rivers,) the slave trade is extensively prosecuted. Here commences the jurisdiction of the American Colonization Society, which extends to Grand Bassa. There are several slave stations between Grand Bassa and Cape Palmas. From thence eastwardly to Cape Coast Castle, situated near the meridian of Greenwich, we believe there are no slave stations; but eastward of this, and in the bights of Benin, and Biafra along the whole coast, (which includes the mouths of the great rivers Benin, Formosa, Nun, Old and New Calabar, Bonny, Camerons, Gaboon, and Congo,) with few exceptions, down to Benguela, in latitude 13 deg. south, the slave trade is carried on to a very great extent.

2. "The space or belt along the shore, within which cruisers may be usefully employed for the purpose of detecting vessels engaged in the traffic."

Men of war should always cruise as near the shore as the safety of the vessel will admit, in order to take advantage of the land and sea breezes. Twenty or thirty miles from the coast there are continual calms, where vessels are subject to vexatious delays; besides which, ships engaged in the slave trade keep close in with the land, in order to reach their places of destination.

3. "The general course of proceeding of a slave ship, after leaving Brazil or the West Indies, on a voyage to the coast of Africa, for slaves, including her manner of approach to the shore, her previous bargain or arrangement for the purchase of slaves, the time of her usual stay on or near the coast, and the means by which she has communication with persons on land."

Vessels bound from the coast of Brazil or the West Indies to the coast of Africa are obliged, in consequence of the trade winds, to run north as far as the latitude of thirty or thirty-five, to get into the variable winds; thence to the eastward, until they reach the longitude of Cape Verd islands; then steer to the southward to their port of destination; and, if bound as far to the eastward as the Gulf of Guinea, usually make the land near Cape Mount or Cape Palmas. Vessels from Brazil, bound to the southern part of the coast of Africa, run south as far as the latitude of 35 degrees south, and make up their easting in the southern variables.

Slave vessels are generally owned or chartered by those persons who have an interest in the slave establishments on the coast of Africa, where the slaves are collected and confined in barracoons, or slave prisons, ready for transshipment the moment the vessel arrives. They are therefore detained but a short time after arriving at their place of destination. Instances have come to our notice of vessels arriving at the slave station in the evening, landing their cargo, taking on board all their slaves, and sailing with the land breeze the following morning.

It is not unusual, however, for vessels, unconnected with any particular slave establishment, to make their purchases after arrival. If any delay is likely to occur, an agent is landed, and the vessel stands to sea and remains absent for as long a time as may be thought necessary to complete their arrangements. The slavers communicate with the shore either with their own boats, or boats and canoes belonging to the Kroomen in the employment of those on shore.

4. "The nature of the stations, or barracoons, in which slaves are collected on shore, to be sold to the traders; whether usually on rivers, creeks, or inlets, or on or near the open shore."

The slave stations are variously situated; some near the mouth, others a considerable distance up the rivers, and many directly on the sea shore. The barracoons are thatched buildings, made sufficiently strong to secure the slaves, and enough of them to contain, in some instances, several thousands. The slaves are collected by the Negro chiefs in the vicinity, and sold to the persons in charge of the stations, where they are kept confined until an opportunity offers to ship them off. Materials of all kinds necessary to convert a common trader into a slave ship are kept on hand, and the change can be completed in a few hours. A number of Kroomen are employed, and boats and canoes ready for immediate service.

The slave stations are generally fortified with cannon and muskets, not only to guard against a rising of the slaves, but to protect them from sudden attacks of the natives in the vicinity, and to command their respect.

5. "The usual articles of equipment and preparation, and the manner of fitting up, by which a vessel is known to be a slaver, though not caught with slaves on board."

Vessels engaged in the slave trade are either fitted up with a slave deck, or have the materials on board, prepared, to put one up in a few hours. Their hatches, instead of being close, as is usual in merchantmen, have gratings; they are supplied with boilers sufficiently large to cook rice or farinha for the number of slaves they expect to receive; an extra number of water casks, many more than are sufficient for a common crew; also, a number of shackles to secure their slaves. Most of these articles, however, are concealed, and every thing is done to disguise the vessel.

It is not unusual for them to have several sets of papers, two or more persons representing themselves as captains or masters of the vessel, and flags of all nations; every device is resorted to, to deceive, should they encounter a cruiser.

Some are armed with only a few muskets, others have a number of heavy guns, according to the size of the vessel; and they range from sixty to four hundred tons burden, with crews from ten to upwards of one hundred men.

6. "The utility of employing vessels of different nations to cruise together, so that one or the other might have a right to visit and search every vessel which might be met with under suspicious circumstances, either as

belonging to the country of the vessel visiting or searching, or to some other country which has, by treaty, conceded such right of visitation and search."

We are of opinion that a squadron should be kept upon the coast of Africa, to co-operate with the British or other nations interested in stopping the slave trade; and that the most efficient mode would be for vessels to cruise in couples, one of each nation.

7. "To what places slaves taken from slave ships on the coast could be most conveniently taken."

If captured under the American flag, send them to Cape Mesurado, Liberia; or if convenient, to such other of the American settlements as the agent of the United States there may wish.

8. "Finally, what number of vessels, and of what size and description, it would be necessary to employ on the western coast of Africa, in order to put an entire end to the traffic in slaves; and for what number of years it would probably be necessary to maintain such force to accomplish that purpose; adding "such observations as the state of your knowledge may allow, relative to the slave trade on the eastern coast of Africa."

As our personal knowledge of the coast extends to only that part of it comprised between Cape Verd and Cape Palmas, it is difficult to state the exact force required for this service; not less, however, than the following, we think necessary.

- One first class sloop-of-war;
- One steamer, from 200 to 300 tons burden;
- Two (eight or ten gun) brigs or schooners;
- Ten schooners of about one hundred tons, each with four guns;
- One store ship, of from 250 to 300 tons.

All the vessels to have one tenth less than their complements of men, to be filled up with Kroomen on their arrival on the coast.

A steamer (to be fitted up, if possible, to burn either wood or coal, as circumstances require) will be essentially necessary.

That part of the coast of Africa from which slaves are exported is subject to light winds and calms. A steamer propelled at the rate of six miles an hour could easily overtake the fastest sailing vessels, and would be a great auxiliary in ascending rivers and towing boats, in order to attack slave stations. Less duty is performed by sailing cruisers on this coast, than on any other we are acquainted with, from the reasons just stated; and the importance of steam vessels is much increased by this difficulty.

We cannot state confidently how long such force would be necessary, but we are of opinion that in three years the trade would be so far destroyed as to enable the United States to withdraw a greater part, while a small force of observation would be necessary, until the natives had become accustomed to other occupations, and lost all hope of again engaging in the traffic.

In connexion with this subject, we beg leave to remark, that the American fair trader is sometimes obstructed in the most vexatious manner by armed British merchantmen, sustained by British cruisers. This arises from the practice which exists with the commanders of single cruisers, the agents of trading companies, the masters of merchantmen, and others, making agreements, treaties, or, as the expression there is, "books," securing to themselves the exclusive trade with the tribe or district. A late instance of this unreasonable, and probably unauthorized, spirit of monopoly has

come to our notice near Cape Mount, where the native chief was induced to believe that he could not make a treaty with the American colonists, because he had made one with the commander of a British cruiser.

The same commander, it is asserted, has also threatened the governor of the colony at Monrovia that he will make reprisals on the commerce of the colony, for exercising the usual jurisdiction at Bassa Cove, only two or three miles from their town of Bassa and Edina.

Our knowledge of the commanders of British cruisers authorizes us to say that their conduct is not usually thus unfriendly; but many instances show the propriety of guarding the interests of the fair dealer, who is generally opposed to the slave trade.

Respecting these treaties or agreements with the tribes, we think that only the commanders of squadrons or governors of colonies should be permitted to make them; and with those over whom their Government cannot reasonably claim jurisdiction, treaties should not be made to the exclusion of other mercantile Powers trading on the coast, as has sometimes been done; and all treaties should contain a prohibition of the slave trade. Commanders of squadrons and governors of colonies should be authorized and directed to seize every opportunity, and make use of all honorable means, of inducing the native tribes, and particularly the emperor of Ashantee, the empress or potentate at Loango, and other powerful nations, to enter into agreements to put a stop, as far as their influence extends, to the traffic; to seize and send home for trial all foreigners found on the coast engaged in the slave trade, whether belonging to vessels or residing on the coast, (for should these persons be permitted to remain, even after their slave stations are destroyed, they will erect others at points probably less assailable,) and should be enjoined to extend their protection to fair traders, though not of their own nation.

Commanders of squadrons and governors should be directed to destroy all slave factories within the reach of the force employed, and to proclaim to the tribes in the vicinity that they must not be renewed, on pain of having their villages also destroyed.

We have little knowledge of the details respecting the slave trade on the eastern coast of Africa. No instance has come to our knowledge of the use of the American flag there. From the best information we can obtain, it seems that a large trade is carried on by Portuguese colonies, the Arab chiefs, and Negro tribes. Their greatest markets are the Mahometan countries bordering on the Red Sea and Persian Gulf, the Portuguese East India colonies, Bombay, and perhaps other British possessions in the East Indies; this part of the trade is probably in the hands of the Arabian vessels. Many are also shipped to Brazil, and some perhaps find their way to Cuba and Porto Rico.

In concluding this subject, we beg leave to remark, that the field of operations to carry on the slave trade is so extensive, the profits so great, and the obstacles in the path so many, so various, so difficult, that every means should be used by civilized nations, and particularly by the United States and Great Britain, to effect the object; and we do not believe that any material good can result without an earnest and cordial co-operation.

We have the honor to be, with high respect, your obedient servants,

CHARLES H. BELL,

JOHN S. PAINE,

Commanders U. S. Navy.

Hon. DANIEL WEBSTER, *Secretary of State.*

Letter from the Secretary of the Navy, in relation to the strength and expense of the squadron to be employed on the coast of Africa.

NAVY DEPARTMENT, December 29, 1842.

SIR: On the subject of the resolution of the Senate of the 14th December, which you have referred to me, I have the honor to report:

The annexed paper (marked A) shows—

1. "The value of the vessels which will be required for the African squadron, under the late British treaty."
2. "The probable annual cost of repairing said vessels."
3. "The number of men and officers which the equipment of the squadron will require."
4. "The probable annual expense of said squadron, under all the heads of expenditure incident to the service."
5. "The caliber of the guns to be used," and the "other arms."
6. "The whole number of guns which it is expected to have afloat in the United States navy during the year 1843, and the estimated expense of the naval establishment for the year, including all expenses incident to keeping up a navy."

It is to be remarked, that the obligation assumed by the Government to keep a squadron on the coast of Africa does not create any absolute necessity for an increase to that amount of our present naval force. Vessels already in the navy will be selected for that service. Of course, "the annual cost of repairing said vessels" is but a part of the usual and necessary expenditure for the naval service. It is not proposed to *increase* the navy, with the particular view of supplying this squadron; nor would it be proposed to *reduce* the navy, if this squadron were not necessary. It is merely a part of the customary and *useful* employment of our vessels of war.

It is also to be remarked, that the caliber of the guns, and the general armament and equipment of the vessels, cannot, in the nature of things, be the same at all times. The vessels will be changed, as the convenience of the service may require, and will not consist, at all times, of the same number in each class. The estimate presented is for sloops-of-war, brigs, and schooners, which, it is supposed, will be most proper for that service.

In regard to the "probable annual loss of men, from deaths, disabilities, and other casualties, on board said squadron," it is impossible to give a definite answer. The coast of Africa is considered very unhealthy, and probably not without reason, if we are to judge from the mortality which has often prevailed there among European visitors. This mortality, however, is easily accounted for. Our trading vessels often ascend the rivers, and necessarily pass much of their time in ports. Their crews are exposed to hard labor under the burning heats of the day, and to the noxious exhalations from swamps and morasses at night. Hence, they suffer with what is usually called the African or coast fever, and hence the frightful stories which render that climate so formidable in the eyes of strangers. At a time when the character of the climate was not understood, the crews of vessels of war, neglecting or not knowing the precautions which it requires, suffered scarcely less than those of trading vessels. At this day, however, the African coast has lost its terrors, so far as cruising vessels are concerned. The climate is found to be unhealthy to Europeans *only on shore and in the night time*. There is, on most parts of the coast, good

and safe anchorage for ships of war within a quarter of a mile of the shore, so that there is no necessity that the crews should expose themselves in unhealthy ports. It is found that by keeping at this distance from the land at night, and by protecting the crews by awnings from the intense heat of noon and the floods of rain which fall at particular seasons, they enjoy as good health as in any other part of the world. The *Vandalia*, recently returned from that coast, lost but two men in a cruise of seven months; one of these died of consumption, the other of chronic dysentery.

The few simple precautions necessary to preserve the health of our crews are now well understood, and easily taken. With an ordinary degree of prudence, it may be safely asserted that the coast of Africa will be found *less* unhealthy to our cruisers than the East India seas, and not *more* unhealthy than many ports of the West Indies, the Gulf of Mexico, and South America.

To the question, "Whether it is intended to make the squadron consist of more than eighty guns," I can only say that no such intention is entertained at this time. In the estimates which were presented with my annual report, provision was contemplated for no larger force than this for service on the western coast of Africa. Independent of any treaty stipulation, I should have considered it necessary to keep at least eighty guns distributed among a number of small vessels on that coast. Our commerce is carried on through the whole range of seaboard country, from Goree to the bight of Biafra, a distance of about two thousand miles. Our commerce along this coast may now be estimated at one million of dollars, employing from four to five thousand tons of shipping. "If this trade were stationary, it could not be considered fairly entitled to the protection of so large a squadron as one of eighty guns. But it is *not* stationary; on the contrary, it is rapidly on the increase, not only in the *quantities* of the commodities hitherto entering into it, but in new commodities presenting themselves from time to time." We now send to this part of Africa, tobacco, cotton fabrics of various kinds, brown drills, rum, whiskey, muskets, gunpowder, beef, pork, flour, bread, bacon, lard, butter, cheese, salt and dried fish, soap, candles, iron and tin ware, and other articles of American production and manufacture; and we import, in return, palm oil, dyewoods, ivory, gold dust, hides and skins, gums, pepper, and similar articles. The trade in palm oil is of recent date, and is so rapidly increasing in value and extent, as to claim an important place in our import trade. The cultivation of coffee also is rapidly extending itself, and, from the specimens already sent to our country, the African coffee bids fair to rival the best which is now imported. The information which I have received from the most intelligent men, well acquainted with the African coast, fully authorizes the belief, not only that our commerce with that country is becoming more and more worthy of attention from year to year, but that it holds out at this time greater inducements to commercial enterprise than any other part of the world. The statistical tables furnished by the Treasury Department afford but an imperfect view of it. A successful voyage to the African coast can scarcely be completed in less than twelve or fifteen months. The articles carried out are of comparatively small value, but the various exchanges which are made in the course of a long voyage among different tribes generally yield a profit of from fifty to one hundred per cent. The *returns* are not always in the commodities of the country subject to entry at our custom-houses. A very large proportion of them—not less, proba-

bly, than one third—is received in gold, and in bills on London and the United States. Hence, our statistical tables do not show its full value. It is not, however, so much its present as its prospective value that demands the presence of a naval force. The want of such a force heretofore has enabled the English to exclude us from the most valuable part of the trade of the Gambia and Sierra Leone, and the French to exclude us entirely from the Senegal. The trade in palm oil, already very valuable, and rapidly increasing from year to year, is so conducted that the articles with which it is purchased must be landed and placed in the hands of native chiefs and trade agents. The American trader has nothing to rely on but the integrity and honor of these people; a precarious dependence, which renders the trade of very little value to him. The English, on the contrary, keep a sufficient naval force constantly on the coast, and, being thus in a condition to enforce their contracts, the natives do not venture to break them. Hence, this trade is nearly engrossed by the English, and is very valuable to them, although most of the articles necessary to carry it on can be more cheaply furnished by the United States than by them. It is in vain to hope that our commerce with Africa can be maintained even in its present condition, and still more vain to hope that it can be greatly extended, unless we offer it the protection which it would derive from the constant presence of our ships of war. Instead of trading with us, the native chiefs think only of plundering our vessels and murdering their crews. The *Mary Carver*, alluded to in my annual report, is not the only case of this sort which has already occurred, nor will it be the last, unless the native chiefs shall be taught to respect and fear us, by proper exhibitions of our naval flag. A less force than that contemplated in our treaty with England would be wholly unavailing along a coast of two thousand miles in extent.

It is worthy of consideration that the colony of Liberia, an object of great interest to the American people, would derive great confidence and support from the more frequent presence of our ships of war. But the suppression of the slave trade, to which this country is so deeply pledged, requires the full force of eighty guns, distributed among not fewer than five vessels. The coast through which that trade is prosecuted is not less than twelve hundred miles in extent. The persons engaged in it are adroit, watchful, and daring; their vessels are generally constructed to sail rapidly; they are also well armed, and their crews, when they are detected, have no alternative but victory or death. Hence it is not only necessary that they should be closely watched, but that the vessels sent against them should be strong enough to contend with them. Certainly, the squadron now contemplated is as small as this service would require under any circumstances. The treaty stipulation, therefore, does not, in effect, impose any new obligations, nor exact any expenditure which would not otherwise have been necessary and proper. The pledge given to England is but the pledge given to all nations in the treaty of Ghent, and in the general course of our policy with reference to the slave trade. We keep our faith to the civilized world, upon this interesting point, by simply preserving our own consistency, and rendering due protection to the interests of our people.

Entertaining these views of the subject, I cannot undertake to say that I shall not, at any future time, consider it proper to increase the African squadron. This must depend on considerations such as control all similar arrangements for other parts of the world. In the administration of this

Department; I feel it to be my duty to afford *adequate* protection, so far as the means at my command will admit of it, to American interests, wherever they may be found, and to vindicate, as far as I can, the good faith of our country in the eyes of other nations. Whatever naval force these objects may require, in Africa or elsewhere, it is my intention to furnish, if I shall be permitted to do so.

A. P. UPSHUR.

To the PRESIDENT of the United States.

A.

Number and class of vessels.	Cost of the vessels.	Ann'l cost of repairs, and wear and tear.	Number of officers.	Number of petty officers, seamen, and marines.	Annual expense under all heads of expenditure, except wear and tear.
Two sloops of 1st class - - -	\$257,655	\$20,000	42	366	\$133,986
Four brigs or schooners - - -	166,587	20,000	40	260	107,196
Total - - - - -	424,242	40,000	82	626	241,182

Number of guns for the vessels estimated for 1843, 946.

Total estimated expense of the naval establishment for the year 1843, \$6,983,245.

N. B.—The armament of a sloop-of-war of the 1st class is as follows, viz: 2 8-inch Paixhan guns, 20 32-pound medium guns, 80 muskets, 80 pistols, 150 cutlasses, 110 boarding pikes.

The armament of a brig or schooner is as follows, viz: 10 32-pound carronades, 40 muskets, 40 pistols, 60 boarding pikes, 80 cutlasses.

FEBRUARY 28, 1843.

Message from the President of the United States, transmitting to the House of Representatives a report from the Secretary of State, in answer to the resolution of the House of the 22d February, 1843.

To the House of Representatives:

In compliance with the resolution of the House of Representatives of the 22d instant, requesting me to communicate to the House "whatever correspondence or communication may have been received from the British Government respecting the President's construction of the late British treaty concluded at Washington, as it concerns an alleged right to visit American vessels," I herewith transmit a report made to me by the Secretary of State.

I have also thought proper to communicate copies of Lord Aberdeen's letter of the 20th December, 1841, to Mr. Everett, Mr. Everett's letter of the 23d December in reply thereto, and extracts from several letters of Mr. Everett to the Secretary of State.

I cannot forego the expression of my regret at the apparent purport of a part of Lord Aberdeen's despatch to Mr. Fox. I had cherished the hope

that all possibility of misunderstanding as to the true construction of the 8th article of the treaty lately concluded between Great Britain and the United States was precluded by the plain and well-understood language in which it is expressed. The desire of both Governments is to put an end as speedily as possible to the slave trade; and that desire, I need scarcely add, is as strongly and as sincerely felt by the United States as it can be by Great Britain. Yet it must not be forgotten that the trade, though now universally reprobated, was, up to a late period, prosecuted by all who chose to engage in it; and there were unfortunately but very few Christian Powers whose subjects were not permitted and even encouraged to share in the profits of what was regarded as a perfectly legitimate commerce. It originated at a period long before the United States had become independent, and was carried on within our borders, in opposition to the most earnest remonstrances and expostulations of some of the colonies in which it was most actively prosecuted. Those engaged in it were as little liable to inquiry or interruption as any others. Its character, thus fixed by common consent and general practice, could only be changed by the positive assent of each and every nation, expressed either in the form of municipal law or conventional arrangement. The United States led the way in efforts to suppress it. They claimed no right to dictate to others, but they resolved, without waiting for the co-operation of other Powers, to prohibit it to their own citizens, and to visit its perpetration by them with condign punishment. I may safely affirm that it never occurred to this Government that any new maritime right accrued to it from the position it had thus assumed in regard to the slave trade. If, before our laws for its suppression, the flag of every nation might traverse the ocean unquestioned by our cruisers, this freedom was not, in our opinion, in the least abridged by our municipal legislation.

Any other doctrine, it is plain, would subject to an arbitrary and ever-varying system of maritime police, adopted at will by the great naval Power for the time being, the trade of the world in any places or in any articles which such Power might see fit to prohibit to its own subjects or citizens. A principle of this kind could scarcely be acknowledged, without subjecting commerce to the risk of constant and harassing vexations.

The attempt to justify such a pretension from the right to visit and detain ships upon reasonable suspicion of piracy would deservedly be exposed to universal condemnation, since it would be an attempt to convert an established rule of maritime law, incorporated as a principle into the international code by the consent of all nations, into a rule and principle adopted by a single nation, and enforced only by its assumed authority. To seize and detain a ship upon suspicion of piracy, with probable cause and in good faith, affords no just ground either for complaint on the part of the nation whose flag she bears, or claim of indemnity on the part of the owner. The universal law sanctions, and the common good requires, the existence of such a rule. The right, under such circumstances, not only to visit and detain, but to search a ship, is a perfect right, and involves neither responsibility nor indemnity. But, with this single exception, no nation has, in time of peace, any authority to detain the ships of another upon the high seas, on any pretext whatever, beyond the limits of her territorial jurisdiction. And such, I am happy to find, is substantially the doctrine of Great Britain herself, in her most recent official declarations, and even in those now communicated to the House. These declarations may well

lead us to doubt whether the apparent difference between the two Governments is not rather one of definition than of principle. Not only is the right of *search*, properly so called, disclaimed by Great Britain, but even that of mere visit and inquiry is asserted with qualifications inconsistent with the idea of a perfect right.

In the despatch of Lord Aberdeen to Mr. Everett of the 20th of December, 1841, as also in that just received by the British minister in this country, made to Mr. Fox, his lordship declares that if, in spite of all the precaution which shall be used to prevent such occurrences, an American ship, by reason of any visit or detention by a British cruiser, "should suffer loss and injury, it would be followed by prompt and ample remuneration;" and in order to make more manifest her intentions in this respect, Lord Aberdeen, in the despatch of the 20th December, makes known to Mr. Everett the nature of the instructions given to the British cruisers. These are such as, if faithfully observed, would enable the British Government to approximate the standard of a fair indemnity. That Government has in several cases fulfilled her promises in this particular, by making adequate reparation for damage done to our commerce. It seems obvious to remark, that a right which is only to be exercised under such restrictions and precautions, and risk, in case of any assignable damage, to be followed by the consequences of a trespass, can scarcely be considered any thing more than a privilege asked for, and either conceded or withheld, on the usual principles of international comity.

The principles laid down in Lord Aberdeen's despatches, and the assurances of indemnity therein held out, although the utmost reliance was placed on the good faith of the British Government, were not regarded by the Executive as a sufficient security against the abuses which Lord Aberdeen admitted might arise in even the most cautious and moderate exercise of their new maritime police; and therefore, in my message at the opening of the last session, I set forth the views entertained by the Executive on this subject, and substantially affirmed both our inclination and ability to enforce our own laws, protect our flag from abuse, and acquit ourselves of all our duties and obligations on the high seas. In view of these assertions, the treaty of Washington was negotiated, and, upon consultation with the British negotiator as to the quantum of force necessary to be employed in order to attain these objects, the result to which the most deliberate estimate led was embodied in the eighth article of the treaty.

Such were my views at the time of negotiating that treaty, and such, in my opinion, is its plain and fair interpretation. I regarded the eighth article as removing all possible pretext, on the ground of mere necessity, to visit and detain our ships upon the African coast because of any alleged abuse of our flag by slave traders of other nations. We had taken upon ourselves the burden of preventing any such abuse, by stipulating to furnish an armed force regarded by both the high contracting parties as sufficient to accomplish that object.

Denying, as we did and do, all color of right to exercise any such general police over the flags of independent nations, we did not demand of Great Britain any formal renunciation of her pretension; still less had we the idea of yielding any thing ourselves in that respect. We chose to make a practical settlement of the question. This we owed to what we had already done upon this subject. The honor of the country called for it; the honor of its flag demanded that it should not be used by others to cover an

iniquitous traffic. This Government, I am very sure, has both the inclination and the ability to do this; and, if need be, it will not content itself with a fleet of eighty guns, but, sooner than any foreign Government shall exercise the province of executing its laws and fulfilling its obligations, the highest of which is to protect its flag alike from abuse or insult, it would, I doubt not, put in requisition for that purpose its whole naval power. The purpose of this Government is faithfully to fulfil the treaty on its part, and it will not permit itself to doubt that Great Britain will comply with it on hers. In this way, peace will best be preserved, and the most amicable relations maintained between the two countries.

JOHN TYLER.

WASHINGTON, *February 27, 1843.*

DEPARTMENT OF STATE,

Washington, February, 1843.

The Secretary of State, to whom has been referred a resolution of the House of Representatives of the 22d instant, requesting that the President of the United States "be requested to communicate to that House, if not in his opinion improper, whatever correspondence or communication may have been received from the British Government, respecting the President's construction of the late British treaty, concluded at Washington, as it concerns an alleged right to visit American vessels," has the honor to report to the President that Mr. Fox, Her Britannic Majesty's envoy extraordinary and minister plenipotentiary, came to the Department of State on the 24th instant, and informed the Secretary that he had received from Lord Aberdeen, Her Majesty's principal Secretary of State for Foreign Affairs, a despatch, under date of the 18th of January, which he was directed to read to the Secretary of State of the United States. The substance of the despatch was, that there was a statement in a paragraph of the President's message to Congress, at the opening of the present session, of serious import, because, to persons unacquainted with the facts, it would tend to convey the supposition, not only that the question of the right of search had been disavowed by the plenipotentiary at Washington, but that Great Britain had made concessions on that point.

That the President knew that the right of search never formed the subject of discussion during the late negotiation, and that neither was any concession required by the United States Government, nor made by Great Britain.

That the engagement entered into by the parties to the treaty of Washington, for suppressing the African slave trade, was unconditionally proposed and agreed to.

That the British Government saw in it an attempt, on the part of the Government of the United States, to give a practical effect to their repeated declarations against that trade, and recognised with satisfaction an advance towards the humane and enlightened policy of all Christian States, from which they anticipated much good. That Great Britain would scrupulously fulfil the conditions of this engagement; but that from the principles which she has constantly asserted, and which are recorded in the correspondence between the ministers of the United States in England and her-

self, in 1841, England has not receded and would not recede. That he had no intention to renew, at present, the discussion upon the subject. That his last note was yet unanswered. That the President might be assured that Great Britain would always respect the just claims of the United States. That the British Government made no pretension to interfere, in any manner whatever, either by detention, visit, or search, with vessels of the United States, known or believed to be such; but that it still maintained, and would exercise when necessary, its own right to ascertain the genuineness of any flag which a suspected vessel might bear; that if in the exercise of this right, either from involuntary error, or in spite of every precaution, loss or injury should be sustained, a prompt reparation would be afforded; but that it should entertain, for a single instant, the notion of abandoning the right itself, would be quite impossible.

That these observations had been rendered necessary by the message to Congress. That the President is undoubtedly at liberty to address that assembly in any terms which he may think proper; but if the Queen's servant should not deem it expedient to advise Her Majesty also to advert to these topics in her speech from the throne, they desired, nevertheless, to hold themselves perfectly free, when questioned in Parliament, to give all such explanations as they might feel to be consistent with their duty, and necessary for the elucidation of the truth.

The paper having been read, and its contents understood, Mr. Fox was told, in reply, that the subject would be taken into consideration, and that a despatch relative to it would be sent, at an early day, to the American minister in London, who would have instructions to read it to Her Majesty's principal Secretary of State for Foreign Affairs.

DANIEL WEBSTER.

To the PRESIDENT.

Mr. Everett to Mr. Webster.—[EXTRACT.]

LEGATION OF THE UNITED STATES,

London, December 28, 1841.

I received on the 23d instant a note from Lord Aberdeen, on the African seizures, in reply to one addressed to him by Mr. Stevenson, in the last hours of his residence in London, and which, as it appears, did not reach Lord Aberdeen's hands till Mr. Stevenson had left London. As some time must elapse before I could give a detailed answer to this communication, I thought it best at once to acknowledge its receipt, to express my satisfaction at its dispassionate tone, and to announce the purpose of replying to it at some future period. The President, I think, will be struck with the marked change in the tone of the present ministry, as manifested in this note and a former one addressed by Lord Aberdeen to Mr. Stevenson, contrasted with the last communication from Lord Palmerston, on the same subject. The difference is particularly apparent in Lord Aberdeen's letter to me of the 20th instant. Not only is the claim of Great Britain relative to the right of detaining suspicious vessels stated in a far less exceptionable manner than it had been done by Lord Palmerston, but Lord

Aberdeen expressly declines being responsible for the language used by his predecessor.

You will observe that Lord Aberdeen disclaims, in a more distinct manner than it has ever been done, all right to search, detain, or in any manner interfere with American vessels, whether engaged in the slave trade or not; that he limits the pretensions of this Government to boarding vessels strongly suspected of being those of other nations unwarrantably assuming the American flag; and promises, where this right has been abused, to the injury of American vessels, that full and ample reparation shall be made. As the United States have never claimed that their flag should furnish protection to any vessels but their own, and as very strict injunctions have been forwarded to the cruisers on the coast of Africa not to interfere with American vessels, I am inclined to think that cases of interruption will become much less frequent; and, if this Government should redeem in good faith Lord Aberdeen's promise of reparation where injury has been done, I am disposed to hope that this subject of irritation will in a great measure cease to exist. I shall not engage in the discussion of the general principles, as now avowed and explained by this Government, till I hear from you on the subject, and know what the President's views are; but I shall confine myself chiefly to urging the claim for redress in the cases of the Tigris, Sea Mew, Jones, and William and Francis, which were the last submitted to my predecessor, and on which no answer has been received from this Government.

Among the reasons for supposing that fewer causes of complaint will hereafter arise, is the circumstance that the seizures of last year took place under the agreement of Commodore Tucker, the British commander on the African station, and the officer in command of the American cruiser. I find nothing on the files of the legation showing what order, if any, has been taken by our Government on the subject of this arrangement. It is taken for granted by this Government, that this agreement is disavowed by that of the United States; and, since February last, positive orders have been given to the British cruisers in the African seas not to interfere with American ships, even though known to be engaged in the slave trade. I shall await with much anxiety the instructions of the President on this important subject.

Mr. Everett to Mr. Webster.—[EXTRACTS.]

LEGATION OF THE UNITED STATES,

London, December 31, 1841.

* * * * *

At a late hour on the evening of the 26th, I received a note from the Earl of Aberdeen, requesting an interview for the following day, when I met him at the Foreign Office, agreeably to the appointment. After one or two general remarks upon the difficulty of bringing about an adjustment of the points of controversy between the Governments, by a continuance of the discussions hitherto carried on, he said that Her Majesty's Government had determined to take a decisive step towards that end, by sending a special minister to the United States, with a full power to make a final settlement of all matters in dispute.

This step was determined on from a sincere and earnest desire to bring the

matter so long in controversy to an amicable settlement; and if, as he did not doubt, the same disposition existed at Washington, he thought this step afforded the most favorable, and, indeed, the only means of carrying it into effect. In the choice of the individual for the mission, Lord Aberdeen added that he had been mainly influenced by a desire to select a person who would be peculiarly acceptable in the United States, as well as eminently qualified for the trust; and that he persuaded himself he had found one who, in both respects, was all that could be wished. He then named Lord Ashburton, who had consented to undertake the mission.

Although this communication was of course wholly unexpected to me, I felt no hesitation in expressing the great satisfaction with which I received it. I assured Lord Aberdeen, that the President had nothing more at heart than an honorable adjustment of the matters in discussion between the two countries; that I was persuaded a more acceptable selection of a person for the important mission proposed could not have been made; and that I anticipated the happiest results from this overture.

Lord Aberdeen rejoined, that it was more than an *overture*; that Lord Ashburton would go with full powers to make a definitive arrangement on every point in discussion between the two countries. He was aware of the difficulty of some of them, particularly what had incorrectly been called the right of search, which he deemed the most difficult of all; but he was willing to confide this and all other matters in controversy to Lord Ashburton's discretion. He added, that they should have been quite willing to come to a general arrangement here, but they supposed I had not full powers for such a purpose.

This measure being determined on, Lord Aberdeen said he presumed it would be hardly worth while for us to continue the correspondence here, on matters in dispute between the Governments. He, of course, was quite willing to consider and reply to any statement I might think proper to make on any subject; but, pending the negotiations that might take place at Washington, he supposed no benefit could result from a simultaneous discussion here.

Lord Aberdeen to Mr. Everett.

FOREIGN OFFICE, *December, 20, 1841.*

The undersigned, Her Majesty's principal Secretary of State for Foreign Affairs, has the honor of addressing to Mr. Everett, envoy extraordinary and minister plenipotentiary of the United States, the observations which he feels called upon to make, in answer to the note of Mr. Stevenson, dated on the 21st of October.

As that communication only reached the hands of the undersigned on the day after the departure of Mr. Stevenson from London, on his return to America, and as there has since been no minister or chargé d'affaires from the United States resident in this country, the undersigned has looked with some anxiety for the arrival of Mr. Everett, in order that he might be enabled to renew his diplomatic intercourse with an accredited representative of the republic. Had the undersigned entertained no other purpose than to controvert the arguments of Mr. Stevenson, or to fortify his own in treating of the matter which has formed the subject of their correspond-

ence, he would have experienced little impatience; but, as it is his desire to clear up doubt and to remove misapprehension, he feels that he cannot too early avail himself of the presence of Mr. Everett at his post to bring to his knowledge the true state of the question at issue.

The undersigned agrees with Mr. Stevenson in the importance of arriving at a clear understanding of the matter really in dispute. This ought to be the first object in the differences of States as well as of individuals; and, happily, it is often the first step to the reconciliation of the parties. In the present case this understanding is doubly essential, because a continuance of mistake and error may be productive of the most serious consequences.

Mr. Stevenson persists in contending that the British Government assert a right which is equivalent to the claim of searching American vessels in time of peace. In proof of this, Mr. Stevenson refers to a passage in a former note of Viscount Palmerston, addressed to himself, against which he strongly protests, and the doctrine contained in which he says that the undersigned is understood to affirm.

Now, it is not the intention of the undersigned to inquire into the precise import and force of the expressions of Viscount Palmerston. These might have been easily explained to Mr. Stevenson by their author, at the time they were written; but the undersigned must request that his doctrines upon the subject, and those of the Government of which he is the organ, may be judged of exclusively from his own declarations.

The undersigned again renounces, as he has already done in the most explicit terms, any right on the part of the British Government to search American vessels in time of peace. The right of search, except when specially conceded by treaty, is a purely belligerent right, and can have no existence on the high seas during peace. The undersigned apprehends, however, that the right of search is not confined to the verification of the nationality of the vessel, but also extends to the object of the voyage and the nature of the cargo. The sole purpose of the British cruisers is to ascertain whether the vessels they meet with are really American or not. The right asserted was, in truth, no resemblance to the right of search, either in principle or in practice. It is simply a right to satisfy the party who has a legitimate interest in knowing the truth that the vessel actually is what her colors announce. This right we concede as freely as we exercise. The British cruisers are not instructed to detain American vessels, under any circumstances whatever; on the contrary, they are ordered to abstain from all interference with them, be they slavers or otherwise. But where reasonable suspicion exists that the American flag has been abused, for the purpose of covering the vessel of another nation, it would appear scarcely credible, had it not been made manifest by the repeated protestations of their representative, that the Government of the United States, which has stigmatized and abolished the trade itself, should object to the adoption of such means as are indispensably necessary for ascertaining the truth.

The undersigned had contended, in his former note, that the legitimate inference from the arguments of Mr. Stevenson would practically extend even to the sanction of piracy, when the persons engaged in it should think fit to shelter themselves under the flag of the United States. Mr. Stevenson observes that this is a misapprehension on the part of the undersigned; and he declares that, in denying the right of interfering with vessels under

the American flag, he intended to limit his objection to vessels *bona fide* American, and not to those belonging to nations who might fraudulently have assumed the flag of the United States. But it appears to the undersigned that his former statement is by no means satisfactorily controverted by the declaration of Mr. Stevenson. How is this *bona fide* to be proved? Must not Mr. Stevenson either be prepared to maintain that the flag alone is sufficient evidence of the nationality of the vessel, which, in the face of his own repeated admissions, he cannot do; or must he not confess that the application of his arguments would really afford protection to every lawless and piratical enterprise?

The undersigned had also expressed his belief, that the practice was general, of ascertaining by visit the real character of any vessel on the high seas, against which there should exist reasonable ground of suspicion. Mr. Stevenson denies this; and he asks what other nation than Great Britain had ever asserted, or attempted to exercise, such a right. In answer to this question, the undersigned can at once refer to the avowed and constant practice of the United States, whose cruisers, especially in the Gulf of Mexico, by the admission of their public journals, are notoriously in the habit of examining all suspicious vessels, whether sailing under the English flag or any other. In whose eyes are these vessels suspicious? Doubtless in those of the commanders of the American cruisers. But, in truth, this right is quite as important to the United States as to Great Britain; nor is it easy to conceive how the maritime intercourse of mankind could safely be carried on without such a check.

It can scarcely be necessary to remind Mr. Everett that the right thus claimed by Great Britain is not exercised for any selfish purpose. It is asserted in the interests of humanity, and in mitigation of the sufferings of our fellow-men. The object has met with the concurrence of the whole civilized world, including the United States of America; and it ought to receive universal assistance and support.

The undersigned cannot abstain here from referring to the conduct of an honorable and zealous officer, commanding the naval force of the United States on the coast of Africa, who, relying on the sincere desire of his Government for the suppression of the slave trade, and sensible of the abuse of the American flag, entered into an engagement, on the 11th of March, 1840, with the officer in command of Her Majesty's cruisers on the same station, by which they mutually requested each other and agreed to detain all vessels under American colors employed in the traffic. If found to be American property, such vessels were to be delivered over to the commander of any American cruiser on the station; or, if belonging to other nations, they were to be dealt with according to the treaties contracted by Her Majesty with the respective States. The undersigned believes, and, indeed, after the statements of Mr. Stevenson, he regrets to be unable to doubt, that the conduct of this gallant officer, however natural and laudable in its object, has been disavowed by his Government.

It is not the intention of the undersigned, at present, to advocate the justice and propriety of the mutual right of search, as conceded and regulated by treaty, or to weigh the reasons on account of which this proposal has been rejected by the Government of the United States. He took occasion, in a former note, to observe that concessions sanctioned by Great Britain and France were not likely to be incompatible with the dignity and independence of any other State which should be disposed to follow their ex-

ample. But the undersigned begs now to inform Mr. Everett, that he has this day concluded a joint treaty with France, Austria, Russia, and Prussia, by which the mutual right of search, within certain latitudes, is fully and effectually established forever. This is, in truth, a holy alliance, in which the undersigned would have rejoiced to see the United States assume their proper place among the great Powers of Christendom—foremost in power, wealth, and civilization, and connected together in the cause of mercy and justice.

It is undoubtedly true that this right may be abused, like every other which is delegated to many and different hands. It is possible that it may be exercised wantonly and vexatiously; and, should this be the case, it would not only call for remonstrance, but would justify resentment. This, however, is in the highest degree improbable; and if, in spite of the utmost caution, an error should be committed, and any American vessel should suffer loss and injury, it would be followed by prompt and ample reparation. The undersigned begs to repeat, that with American vessels, whatever be their destination, British cruisers have no pretension, in any manner, to interfere. Such vessels must be permitted, if engaged in it, to enjoy a monopoly of this unhallowed trade; but the British Government will never endure that the fraudulent use of the American flag shall extend the iniquity to other nations by whom it is abhorred, and who have entered into solemn treaties with this country for its entire suppression.

In order to prove to Mr. Everett the anxiety of Her Majesty's Government to prevent all reasonable grounds of complaint, the undersigned believes that he cannot do better than to communicate to him the substance of those instructions under which the British cruisers act, in relation to American vessels, when employed on this service.

If, from the intelligence which the officer commanding Her Majesty's cruiser may have received, or from the manœuvres of the vessel, or from other sufficient cause, he shall have reason to believe that, although bearing the American flag, the vessel does not belong to the United States, he is ordered, if the state of the wind and weather shall admit of it, to go ahead of the suspected vessel, after communicating his intention by hailing, and to drop a boat on board of her, to ascertain her nationality, without detaining her, if she shall prove to be really an American vessel. But, should this mode of visiting the vessel be impracticable, he is to require her to be brought to, for this purpose. The officer who boards the vessel is merely to satisfy himself of her nationality, by her papers or other proofs; and should she really be an American vessel, he will immediately quit her, offering, with the consent of her commander, to note on her papers the cause of suspecting her nationality, and the number of minutes she was detained (if detained at all) for the object in question. All the particulars are to be immediately entered on the log books of the cruiser, and a full statement of them is to be sent, by the first opportunity, direct to England.

These are the precautions taken by Her Majesty's Government against the occurrence of abuse in the performance of this service; and they are ready to adopt any others which they may think more effectual for the purpose, and which shall, at the same time, be consistent with the attainment of the main object in view.

Mr. Stevenson has said that he had no wish to exempt the fraudulent use of the American flag from detection; and this being the case, the undersigned is unwilling to believe that a Government like that of the United

States, professing the same object and animated by the same motives as Great Britain, should seriously oppose themselves to every possible mode by which their own desire could be really accomplished.

The undersigned avails himself of this occasion to convey to Mr. Everett the assurances of his distinguished consideration.

ABERDEEN.

EDWARD EVERETT, Esq.

Mr. Everett to Lord Aberdeen.

LEGATION OF THE UNITED STATES,

December 23, 1841.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, has the honor to acknowledge the reception of a communication from Lord Aberdeen, Her Majesty's principal Secretary of State for Foreign Affairs, bearing date the 20th instant, in reply to a note of Mr. Stevenson of the 21st October.

The undersigned will avail himself of an early opportunity of addressing some remarks to the Earl of Aberdeen on the very important topics treated in his note. In the mean time, the undersigned begs leave to express his great satisfaction at the conciliatory and dispassionate tone of Lord Aberdeen's communication, from which the undersigned augurs the happiest influence on the renewed discussion of the subject.

The undersigned begs leave to renew to Lord Aberdeen the assurance of his distinguished consideration.

EDWARD EVERETT.

THE EARL OF ABERDEEN, &c.

Mr. Webster to Mr. Everett.—[EXTRACT.]

DEPARTMENT OF STATE,

Washington, January 29, 1842.

By the "Britannia," arrived at Boston, I have received your despatch of the 28th December, (No. 4,) and your other despatch of the 31st of the same month, (No. 5,) with a postscript of the 3d of January.

The necessity of returning an early answer to these communications (as the "Britannia" is expected to leave Boston the 1st of February) obliges me to postpone a reply to those parts of them which are not of considerable and immediate importance.

The President expresses himself gratified with the manner in which the Queen received you, to present your letter of credence, and with the civility and respect which appear to characterize the deportment of Lord Aberdeen in his intercourse with you; and you will please signify to Lord Aberdeen the President's sincere disposition to bring all matters in discussion between the two Governments to a speedy as well as an amicable adjustment.

The President has read Lord Aberdeen's note to you of the 20th of

December, in reply to Mr. Stevenson's note to Lord Palmerston of the 21st of October, and thinks you were quite right in acknowledging the dispassionate tone of that paper. It is only by the exercise of calm reason that truth can be arrived at, in questions of a complicated nature; and between States, each of which understands and respects the intelligence and the power of the other, there ought to be no unwillingness to follow its guidance. At the present day, no State is so high as that the principles of its intercourse with other nations are above question or its conduct above scrutiny. On the contrary, the whole civilized world, now vastly better informed on such subjects than in former ages, and alive and sensible to the principles adopted and the purposes avowed by the leading States, necessarily constitutes a tribunal, august in character and formidable in its decisions. And it is before this tribunal, and upon the rules of natural justice, moral propriety, the usages of modern times, and the prescriptions of public law, that Governments which respect themselves and respect their neighbors must be prepared to discuss, with candor and with dignity, any topics which may have caused differences to spring up between them.

Your despatch of the 31st December announces the important intelligence of a special minister from England to the United States, with full powers to settle every matter in dispute between the two Governments; and the President directs me to say, that he regards this proceeding as originating in an entirely amicable spirit, and that it will be met, on his part, with perfectly corresponding sentiments. The high character of Lord Ashburton is well known to this Government; and it is not doubted that he will enter on the duties assigned him, not only with the advantages of much knowledge and experience in public affairs, but with a true desire to signalize his mission by assisting to place the peace of the two countries on a permanent basis. He will be received with the respect due to his own character, the character of the Government which sends him, and the high importance, to both countries, of the subjects intrusted to his negotiation.

The President approves your conduct, in not pursuing, in England, the discussion of questions which are now to become the subjects of negotiation here.

Mr. Webster to Mr. Everett.

DEPARTMENT OF STATE,

Washington, March 28, 1843.

SIR: I transmit to you with this despatch a message from the President of the United States to Congress, communicated on the 27th of February, and accompanied by a report made from this Department to the President, of the substance of a despatch from Lord Aberdeen to Mr. Fox, which was by him read to me on the 24th ultimo.

Lord Aberdeen's despatch, as you will perceive, was occasioned by a passage in the President's message to Congress at the opening of its late session. The particular passage is not stated by his lordship; but no mistake will be committed, it is presumed, in considering it to be that which was quoted by Sir Robert Peel and other gentlemen in the debate in the House of Commons on the answer to the Queen's speech on the 3d of February.

The President regrets that it should have become necessary to hold a diplomatic correspondence upon the subject of a communication from the head of the Executive Government to the Legislature ; drawing after it, as in this case, the further necessity of referring to observations made by persons in high and responsible stations, in the debates of public bodies. Such a necessity, however, seems to be unavoidably incurred in consequence of Lord Aberdeen's despatch ; for although the President's recent message may be regarded as a clear exposition of his opinions on the subject, yet a just respect for Her Majesty's Government, and a disposition to meet all questions with promptness, as well as with frankness and candor, require that a formal answer should be made to that despatch.

The words in the message at the opening of the session which are complained of, it is supposed, are the following :

"Although Lord Aberdeen, in his correspondence with the American envoys at London, expressly disclaimed all right to detain an American ship on the high seas, even if found with a cargo of slaves on board, and restricted the British pretension to a mere claim to visit and inquire, yet it could not well be discerned by the Executive of the United States how such visit and inquiry could be made without detention on the voyage, and consequent interruption to the trade. It was regarded as the right of search presented only in a new form, and expressed in different words ; and I therefore felt it to be my duty distinctly to declare, in my annual message to Congress, that no such concession could be made, and that the United States had both the will and the ability to enforce their own laws, and to protect their flag from being used for purposes wholly forbidden by those laws, and obnoxious to the moral censure of the world."

This statement would tend, as Lord Aberdeen thinks, to convey the supposition not only that the question of the right of search had been disavowed by the British plenipotentiary at Washington, but that Great Britain had made concessions on that point.

Lord Aberdeen is entirely correct in saying that the claim of a right of search was not discussed during the late negotiation, and that neither was any concession required by this Government, nor made by that of Her Britannic Majesty.

The 8th and 9th articles of the treaty of Washington constitute a mutual stipulation for concerted efforts to abolish the African slave trade. This stipulation, it may be admitted, has no other effects on the pretensions of either party than this : Great Britain had claimed as a right that which this Government could not admit as a *right*, and, in the exercise of a just and proper spirit of amity, a mode was resorted to which might render unnecessary both the assertion and the denial of such claim.

There probably are those who think that what Lord Aberdeen calls a right of visit, and which he attempts to distinguish from the right of search, ought to have been expressly acknowledged by the Government of the United States ; at the same time, there are those on the other side who think that the formal surrender of such right of visit should have been demanded by the United States, as a precedent condition to the negotiation for treaty stipulations on the subject of the African slave trade. But the treaty neither asserts the claim in terms, nor denies the claim in terms ; it neither formally insists upon it, nor formally renounces it.— Still, the whole proceeding shows that the object of this stipulation was to avoid such differences and disputes as had already arisen, and the serious practical evils and inconveniences which, it cannot be denied, are always liable to

result from the practice which Great Britain had asserted to be lawful. These evils and inconveniences had been acknowledged by both Governments. They had been such as to cause much irritation, and to threaten to disturb the amicable sentiments which prevailed between them. Both Governments were sincerely desirous of abolishing the slave trade; both Governments were equally desirous of avoiding occasion of complaint by their respective citizens and subjects; and both Governments regarded the eighth and ninth articles as effectual for their avowed purpose, and likely, at the same time, to preserve all friendly relations, and to take away causes of future individual complaints. The treaty of Washington was intended to fulfil the obligations entered into by the treaty of Ghent. It stands by itself, is clear and intelligible. It speaks its own language, and manifests its own purpose. It needs no interpretation, and requires no comment. As a fact, as an important occurrence in national intercourse, it may have important bearings on existing questions respecting the public law; and individuals, or perhaps Governments, may not agree as to what these bearings really are. Great Britain has discussions, if not controversies, with other great European States upon the subject of visit or search. These States will naturally make their own commentary on the treaty of Washington, and draw their own inferences from the fact that such a treaty has been entered into. Its stipulations, in the mean time, are plain, explicit, satisfactory to both parties, and will be fulfilled on the part of the United States, and it is not doubted on the part of Great Britain also, with the utmost good faith.

Holding this to be the true character of the treaty, I might perhaps excuse myself from entering into the consideration of the grounds of that claim of a right to visit merchant ships for certain purposes in time of peace, which Lord Aberdeen asserts for the British Government, and declares that it can never surrender. But I deem it right, nevertheless, and no more than justly respectful towards the British Government, not to leave the point without remark.

In his recent message to Congress, the President, referring to the language of Lord Aberdeen in his note to Mr. Everett of the 20th of December, 1841, and in his late despatch to Mr. Fox, says: "These declarations may well lead us to doubt whether the apparent difference between the two Governments is not rather one of definition than of principle."

Lord Aberdeen, in his note to you of the 20th of December, says: "The undersigned again renounces, as he has already done in the most explicit terms, any right on the part of the British Government to search American vessels in time of peace. The right of search, except when specially conceded by treaty, is a purely belligerent right, and can have no existence on the high seas during peace. The undersigned apprehends, however, that the right of search is not confined to the verification or nationality of the vessel, but also extends to the object of the voyage and the nature of the cargo. The sole purpose of the British cruisers is to ascertain whether the vessels they meet with are really American or not. The right asserted has, in truth, no resemblance to the right of search, either in principle or practice. It is simply a right to satisfy the party who has a legitimate interest in knowing the truth, that the vessel actually is what her colors announce. This right we concede as freely as we exercise. The British cruisers are not instructed to detain American vessels under any circumstances whatever; on the contrary, they are ordered to abstain from interference with them, be they slavers or otherwise. But where reason-

able suspicion exists that the American flag has been abused for the purpose of covering the vessel of another nation, it would appear scarcely credible, had it not been made manifest by the repeated protestations of their representative, that the Government of the United States, which has stigmatized and abolished the trade itself, should object to the adoption of such means as are indispensably necessary for ascertaining the truth."

And in his recent despatch to Mr. Fox, his lordship further says that—

"The President might be assured that Great Britain would always respect the just claims of the United States; that the British Government made no pretension to interfere in any manner whatever, either by detention, visit, or search, with vessels of the United States, known or believed to be such; but that it still maintained, and would exercise when necessary, its own right to ascertain the genuineness of any flag which a suspected vessel might bear; that if, in the exercise of this right, either from involuntary error, or in spite of every precaution, loss or injury should be sustained, a prompt reparation would be afforded; but that it should entertain, for a single instant, the notion of abandoning the right itself, would be quite impossible."

This, then, is the British claim, as asserted by Her Majesty's Government.

In his remarks, in the speech already referred to, in the House of Commons, the first Minister of the Crown said: .

"There is nothing more distinct than the right of visit is from the right of search. Search is a belligerent right, and not to be exercised in time of peace, except when it has been conceded by treaty. The right of search extends not only to the vessel, but to the cargo also. The right of visit is quite distinct from this, though the two are often confounded. The right of search, with respect to American vessels, we entirely and utterly disclaim; nay, more, if we knew that an American vessel were furnished with all the materials requisite for the slave trade; if we knew that the decks were prepared to receive hundreds of human beings, within a space in which life is almost impossible, still we should be bound to let that American vessel pass on. But the right we claim is, to know whether a vessel pretending to be American, and hoisting the American flag, be *bona fide* American."

The President's message is regarded as holding opinions in opposition to these.

The British Government then supposes that the right of visit and the right of search are essentially distinct in their nature, and that this difference is well known and generally acknowledged; that the difference between them consists in their different objects and purposes; one, the visit, having for its object nothing but to ascertain the nationality of the vessel; the other, the search, being an inquisition, not only into the nationality of the vessel, but the nature and objects of her voyage, and the true ownership of her cargo.

The Government of the United States, on the other hand, maintains that there is no such well known and acknowledged, nor, indeed, any broad and genuine difference between what has been usually called visit, and what has been usually called search; that the right of visit, to be effectual, must come in the end to include search; and thus to exercise, in peace, an authority which the law of nations only allows in time of war.

If such well-known distinction exists, where are the proofs of it? What writers of authority on the public law, what adjudications in courts of admiralty, what public treaties recognise it? No such recognition has

presented itself to the Government of the United States ; but, on the contrary, it understands that public writers, courts of laws, and solemn treaties, have, for two centuries, used the words "visit" and "search" in the same sense. What Great Britain and the United States mean by the "right of search," in its broadest sense, is called by the continental writers and jurists by no other name than the "right of visit." Visit, therefore, as it has been understood, implies not only a right to inquire into the national character, but to detain the vessel, to stop the progress of the voyage, to examine papers, to decide on their regularity and authenticity, and to make inquisition on board for enemy's property, and into the business which the vessel is engaged in. In other words, it describes the entire right of belligerent visitation and search. Such a right is justly disclaimed by the British Government in time of peace ; they nevertheless insist on a right which they denominate a right of visit, and by that word describe the claim which they assert ; therefore, it is proper and due to the importance and delicacy of the questions involved, to take care that, in discussing them, both Governments understand the terms which may be used in the same sense. If, indeed, it should be manifest that the difference between the parties is only verbal, it might be hoped that no harm would be done ; but the Government of the United States thinks itself not justly chargeable with excessive jealousy, or with too great scrupulosity in the use of words, in insisting on its opinion that there is no such distinction as the British Government maintains, between visit and search ; and that there is no right to visit in time of peace, except in the execution of revenue laws or other municipal regulations, in which cases the right is usually exercised near the coast, or within the marine league, or where the vessel is justly suspected of violating the law of nations by piratical aggression ; but, wherever exercised, it is a right of search. Nor can the United States Government agree that the term "right" is justly applied to such exercise of power as the British Government thinks it indispensable to maintain in certain cases.

The right asserted is a right to ascertain whether a merchant vessel is justly entitled to the protection of the flag which she may happen to have hoisted, such vessel being in circumstances which render her liable to the suspicion, first, that she is not entitled to the protection of the flag ; and, secondly, that if not entitled to it, she is, either by the law of England, as an English vessel, or under the provisions of treaties with certain European Powers, subject to the supervision and search of British cruisers.

And yet Lord Aberdeen says : "That if in the exercise of this right, either from involuntary error or in spite of every precaution, loss or injury should be sustained, a prompt reparation would be afforded."

It is not easy to perceive how these consequences can be admitted justly to flow from the fair exercise of a clear right. If injury be produced by the exercise of a right, it would seem strange that it should be repaired as if it had been the effect of a wrongful act. The general rule of law certainly is, that in the proper and prudent exercise of his own rights, no one is answerable for undesigned injuries. It may be said that the right is a qualified right ; that it is a right to do certain acts of force at the risk of turning out to be wrongdoers, and of being made answerable for all damages. But such an argument would prove every trespass to be matter of right, subject only to just responsibility. If force were allowed such reasoning in other cases, it would follow that an individual's right in his

own property was hardly more than a well-founded claim for compensation, if he should be deprived of it. But compensation is that which is rendered for injury, and is not commutation or forced equivalent for acknowledged rights. It implies at least, in its general interpretation, the commission of some wrongful act.

But without pressing further these inquiries into the accuracy and propriety of definitions, and the uses of words, I proceed to draw your attention to the thing itself, and to consider what these acts are which the British Government insists its cruisers have a right to perform, and to what consequences they naturally and necessarily lead. An eminent member of the House of Commons thus states the British claim, and his statement is acquiesced in and adopted by the first Minister of the Crown :

“The claim of this country is for the right of our cruisers to ascertain whether a merchant vessel is justly entitled to the protection of the flag which she may happen to have hoisted ; such vessel being in circumstances which render her liable to the suspicion, first, that she was not entitled to the protection of the flag ; and, secondly, if not entitled to it, she was, either under the law of nations or the provisions of treaties, subject to the supervision and control of our cruisers.”

Now, the question is, *by what means* is this ascertainment to be effected ?

As we understand the general and settled rules of public law in respect to ships of war sailing under the authority of their Government “to arrest pirates and other public offenders,” there is no reason why they may not approach any vessels descried at sea, for the purpose of ascertaining their real characters. Such a right of approach seems indispensable for the fair and discreet exercise of their authority ; and the use of it cannot be justly deemed indicative of any design to insult or injure those they approach, or to impede them in their lawful commerce. On the other hand, it is as clear that no ship is, under such circumstances, bound to lie by or wait the approach of any other ship. She is at full liberty to pursue her voyage in her own way, and to use all necessary precautions to avoid any suspected sinister enterprise or hostile attack. Her right to the free use of the ocean is as perfect as that of any other. An entire equality is presumed to exist. She has a right to consult her own safety ; but, at the same time, she must take care not to violate the rights of others. She may use any precautions dictated by the prudence or fears of her officers, either as to delay or the progress or course of her voyage ; but she is not at liberty to inflict injuries upon other innocent parties, simply because of conjectural dangers.

But, if the vessel thus approached attempts to avoid the vessel approaching, or does not comply with her commander's order to send him her papers for his inspection, nor consent to be visited or detained, what is next to be done ? Is force to be used, and, if force be used, may that force be lawfully repelled ? These questions lead at once to the elemental principle, the essence of the British claim. Suppose the merchant vessel be in truth an American vessel, engaged in lawful commerce, and that she does not choose to be detained. Suppose she resist the visit. What is the consequence ? In those cases in which the belligerent right of visit exists, resistance to the exercise of that right is regarded as just cause of condemnation, both of vessel and cargo. Is that penalty, or what other penalty, to be incurred by resistance to visit in time of peace ? Or suppose that force to be met by force, gun returned for gun, and the commander of the cruiser, or some of

his seamen, be killed, what description of offence will have been committed? It would be said, in behalf of the commander of the cruiser, that he mistook the vessel for a vessel of England, Brazil, or Portugal; but does this mistake of his take away from the American vessel the right of self-defence? The writers of authority declare it to be a principle of natural law, that the privilege of self-defence exists against an assailant, who mistakes the object of his attack for another whom he had a right to assail.

Lord Aberdeen cannot fail to see, therefore, what serious consequences might ensue, if it were to be admitted that this claim to visit in time of peace, however limited or defined, should be permitted to exist as a strict matter of right; for, if it exist as a right, it must be followed by corresponding duties and obligations, and the failure to fulfil those duties would naturally draw penal consequences after it, till ere long it would become, in truth, little less, or little other, than the belligerent right of search.

If visit, or visitation, be not accompanied by search, it will be, in most cases, merely idle. A sight of papers may be demanded, and papers may be produced; but it is known that slave traders carry false papers and different sets of papers. A search for other papers then must be made, where suspicion justifies it, or else the whole proceeding would be nugatory. In suspicious cases, the language and general appearance of the crew are among the means of ascertaining the national character of the vessel. The cargo on board, also, often indicates the country from which she comes. Her log book, showing the previous course and events of her voyage, her internal fitment, and equipment, are all evidences for her, or against her, on her allegation of character. These matters, it is obvious, can only be ascertained by rigorous search.

It may be asked, if a vessel may not be called on to show her papers, why does she carry papers? No doubt she may be called on to show her papers; but the question is, where, when, and by whom? Not in time of peace, on the high seas, where her rights are equal to the rights of any other vessel, and where none has a right to molest her. The use of her papers is, in time of war, to prove her neutrality, when visited by belligerent cruisers; and, in both peace and war, to show her national character, and the lawfulness of her voyage in those ports of other countries to which she may proceed for purposes of trade.

It appears to the Government of the United States that the view of this whole subject which is the most naturally taken, is also the most legal, and most in analogy with other cases. British cruisers have a right to detain British merchantmen for certain purposes; and they have a right, acquired by treaty, to detain merchant vessels of several other nations for the same purposes. But they have no right at all to detain an American merchant vessel. This, Lord Aberdeen admits in the fullest manner. Any detention of an American vessel by a British cruiser is therefore a wrong, a trespass, although it may be done under the belief that she was a British vessel, or that she belonged to a nation which had conceded the right of such detention to the British cruiser, and the trespass, therefore, an involuntary trespass. If a ship of war, in thick weather, or in the darkness of night, fire upon and sink a neutral vessel, under the belief that she is an enemy's vessel, this is a trespass, a mere wrong, and cannot be said to be an act done under any right, accompanied by responsibility for damages. So, if a civil officer on land have process against one individual, and through mistake arrest another, this arrest is wholly tortious. No one would think

of saying it was done under any lawful exercise of authority, subject only to responsibility, or that it was any thing but a mere trespass, though an unintentional trespass. The municipal law does not undertake to lay down beforehand any rule for the government of such cases; and as little, in the opinion of the Government of the United States, does the public law of the world lay down beforehand any rule for the government of cases of involuntary trespasses, detentions, and injuries at sea; except that, in both classes of cases, law and reason make a distinction between injuries committed through mistake and injuries committed by design; the former being entitled to fair and just compensation, the latter demanding exemplary damages, and sometimes personal punishment. The Government of the United States has frequently made known its opinion, which it now repeats, that the practice of detaining American vessels, subject to just compensation, however guarded by instructions, or however cautiously exercised, necessarily leads to serious inconvenience and injury. The amount of loss cannot be always well ascertained. Compensation, if it be adequate in the amount, may still necessarily be long delayed; and the pendency of such claims always proves troublesome to the Governments of both countries. These detentions, too, frequently irritate individuals, cause warm blood, and produce nothing but ill effects on the amicable relations existing between the two countries. We wish, therefore, to put an end to them, and to avoid all occasion for their recurrence.

On the whole, the Government of the United States, while it has not conceded a mutual right of visit or search, as has been done by the parties to the quintuple treaty of December, 1841, does not admit that by the law and practice of nations there is any such thing as a right of visit, distinguished by well-known rules and definitions from the right of search. It does not admit that visit of American merchant vessels by British cruisers is founded on any right, notwithstanding the cruiser may suppose such vessel to be British, Brazilian, or Portuguese. It cannot but see that the detention and examination of American vessels by British cruisers has already led to consequences, and it fears that, if continued, it would still lead to further consequences, highly injurious to the lawful commerce of the United States.

At the same time, the Government of the United States fully admits that its flag can give no immunity to pirates, nor to any other than to regularly documented American vessels; and it was upon this view of the whole case, and with a firm conviction of the truth of these sentiments, that it cheerfully assumed the duties contained in the treaty of Washington, in the hope that thereby causes of difficulty and of difference might be altogether removed, and that the two Powers might be enabled to act concurrently, cordially, and effectually, for the suppression of a traffic which both regard as a reproach upon the civilization of the age, and at war with every principle of humanity and Christian sentiment.

The Government of the United States has no interest, nor is it under the influence of any opinions, which should lead it to desire any derogation of the just authority and rights of maritime Powers. But in the convictions which it entertains, and in the measures which it has adopted, it has been governed solely by a sincere desire to support those principles and those practices which it believes to be conformable to public law, and favorable to the peace and harmony of nations.

Both Houses of Congress, with a remarkable degree of unanimity, have

made express provisions for carrying into effect the 8th article of the treaty. An American squadron will immediately proceed to the coast of Africa. Instructions for its commander are in the course of preparation, and copies will be furnished to the British Government; and the President confidently believes that the cordial concurrence of the two Governments, in the mode agreed on, will be more effectual than any efforts yet made for the suppression of the slave trade.

You will read this despatch to Lord Aberdeen, and, if he desire it, give him a copy.

I am, sir, your obedient servant,

DANIEL WEBSTER.

EDWARD EVERETT, Esq., &c.

[From the National Intelligencer of April 1, 1843.]

PIRACY AND THE SLAVE TRADE.

Having recently bestowed some attention on the history of the convention negotiated between the United States and England for the suppression of the slave trade in 1824, but which was never finally ratified, we have thought it might be useful to advert to some other topics connected with the general subject.

The laws of the United States declare that any citizen of the United States found engaged in the African slave trade shall be deemed guilty of piracy? What is piracy? Against what laws is it an offence? How is slave trading made piracy? And what is the history of the legislation of the United States in this respect?

Having availed ourselves of the suggestions of a professional friend, in order that we may keep ourselves right in matters of a legal nature and of technical definitions, we have collected and propose to state in a popular form some general principles and received ideas in answer to these several questions; and to refer also to a few facts and occurrences in the history of our laws.

We understand, then, that by the law of nations, robbery or forcible depredation on the sea is piracy. A pirate is a sea robber. He is an offender against the universal law of society; he is an enemy of the whole human race; he has renounced all human restraint and all government; and, as his hand is thus turned against every man, every man's hand may be justly turned against him. As he has proved himself to possess a heart void of all social duty, he is denied the benefit of all social relations and social protection. He carries a wolf's head; and, therefore, wherever he comes from, whatever country may have had the misfortune to give him birth, whatever language may be on his own tongue, or on that of his confederates, he may be lawfully pursued, hunted down, seized, and destroyed, by the power of any Government.

Such is a pirate by the law of nations; and the ancient common law of England, not only in England itself, but wherever else that common law prevails or has made its way, as it generally does and has done, to a greater or less extent, in all Governments and all communities having an English origin, recognises piracy, as understood and defined by the law of

nations, enforces its own sanctions against and punishes it ; this universal law of nations being necessarily a part of the law of every civilized community.

By the Constitution of the United States, power is given to Congress "to define and punish piracies and felonies committed on the high seas and offences against the law of nations."

It has been asked, if piracy be a crime already well known and understood in the law of nations, what cause was there for giving to Congress a power to *define* as well as to punish it?

To this, we understand, the general answer has been, that the clause comprises "felonies" and "offences against the law of nations," as well as "piracies;" and that it may be supposed that it was in respect to these descriptions of crimes, and especially those "felonies," that a propriety was supposed to exist in giving authority to define as well as to punish. It has been held, nevertheless, that an act of Congress providing for the punishment of piracy *as defined by the law of nations* gives a sufficient definition of that offence ; as Congress may as well define, by using a term of known and determinate meaning, as by an express enumeration of all the particulars or demerits included in that term.

There would seem to be another reason, however, of a broader character. Municipal law has frequently given the name and annexed the penalty of piracy to acts which do not amount to piracy *by the law of nations*. These statute piracies, in order to be punished, must necessarily be first defined. Thus, by an act of Parliament, in the reign of King William and Queen Mary, in the time of the celebrated William Kidd and his associates, a British subject committing any act of hostility on the high seas against another British subject, under color of a commission from a foreign Power, shall be adjudged guilty of piracy, although if he had been an alien it would only have been an act of war. And by an act of George the First it was made piracy to trade with known pirates, furnish them with stores, or consult or correspond with them. So, by the same act, to board a merchant vessel, forcibly and without authority, is piratical, although no goods be carried off or destroyed, or the vessel or crew be not robbed of any thing. And, by a statute in George the Second's reign, subjects of England committing hostilities against fellow-subjects on the sea, or assisting an enemy on that element, are liable to be tried and convicted as pirates.

In these and other like cases, piracies have been *defined* as well as punished by statute laws. Such being known to have been the legislation of other countries, it was quite natural, and quite proper, that the Constitution should empower Congress, not only to provide for the punishment of piracy, as that offence was understood in the universal law of nations, but also to define certain other descriptions of piracy, or, in other words, to declare what acts should be regarded as piracy under the municipal law of the country, and punished as such, though they should not amount to piracy by the law of nations.

And Congress accordingly, in the first law on the subject, that is to say, in the act of the 30th of April, 1790, "for the punishment of certain crimes," not only provided for the punishment of murder and robbery on the seas, the piracy of the law of nations, but they adopted, and indeed extended, the list of *municipal* piracies, so to call them, which was found in British acts of Parliament.

The section stands thus :

SEC. 8. *And be it enacted*, That if any person or persons shall commit, upon the high seas, or in any river, haven, basin, or bay, out of the jurisdiction of any particular State, murder or robbery, or any other offence which, if committed within the body of a county, would, by the laws of the United States, be punishable with death ; or if any captain or mariner of any ship or other vessel shall piratically and feloniously run away with such ship or vessel, or any goods or merchandise to the value of fifty dollars, or yield up such ship or vessel voluntarily to any pirate ; or if any seaman shall lay violent hands upon his commander, thereby to hinder and prevent his fighting in defence of his ship or goods committed to his trust, or shall make a revolt in the ship, every such offender shall be deemed, taken, and adjudged to be a pirate and felon, and, being thereof convicted, shall suffer death : and the trial of crimes committed on the high seas, or in any place out of the jurisdiction of any particular State, shall be in the district where the offender is apprehended, or into which he may first be brought."

On this provision, so far as we notice, the law of the country stood till after the general pacification of Europe and the termination of the last war between the United States and England. These events discharged from service, in the European and American navies, a great many individuals of maritime habits and pursuits, all of them enterprising, and perhaps some of them of reckless character. They naturally sought employment, and were ready for adventure ; and a field seemed open to them, even their own chosen and favorite field of the ocean, by the wars then immediately breaking out between Spain and her American provinces, and which terminated ultimately in wresting from that ancient and once powerful monarchy her vast possessions in this hemisphere. The Governments established in the various countries and regions, thus rescued from that Spanish dominion under which they had lived from the times of Cortes and Pizarro, issued letters of marque, and granted commissions to privateers, not only before they had acquired maritime power themselves, but before they possessed any considerable mercantile marine, or had, indeed, regular admiralty tribunals. These commissions were obtained by adventurers from all nations. The United States contributed their share ; and, very shortly, captures were made, under commissions and authority from the new republics, which, so often as through design or by accident prizes were brought within the reach of the jurisdiction of the Government of the United States, gave rise to serious and long-continued litigation. The courts were crowded with cases of alleged illegal captures of Spanish property ; illegal, because, as was asserted, though made under commissions from the Governments of the new independent States, they were captures, nevertheless, really made by vessels owned, officered, and manned, by citizens of the United States, in direct and gross violation of our treaty with Spain of 1795. That great and illustrious man, the late Chief Justice Marshall, is remembered to have said that he had heard a great deal of unmeaning complaint against law-making courts ; but that, in these South American prize causes, the courts seemed obliged to make law, as questions continually arose which ought to have been, but which were not, provided for by acts of Congress. Acts of Congress, for example, had prescribed the manner in which a foreigner could become a citizen ; but no act of Congress had regulated the mode, process, or time, in which a citizen could become a foreigner. And, in the absence of legislative

provisions on the subject, many loose ideas had sprung up, respecting what was called the natural right of *expatriation*, or change of allegiance; so that when Spain complained of wrongs and injuries committed on her commerce by native-born citizens of the United States, these persons, calling themselves "Don Carlos," "Don Fernando," &c., denied their American citizenship, and insisted that they were national enemies of Spain, and citizens of Venezuela, Colombia, or Buenos Ayres. We remember to have been in the Supreme Court of the United States while the record of a suit was in reading, in which a very worthy man, an acquaintance of our own, belonging to a neighboring city, still living, as we are happy to know, and in active and useful employment, appeared as a "Don" with so many strange epithets and additions, that we hardly recognised an old friend, covered up as he was under his load of Spanish appellations.

But while these belligerent operations were going on, with a strange jumble or confusion of national character, various other irregularities, committed without the semblance of any military or national authority, appeared to be already harassing the commerce of the United States, and threatening it with still further disturbance.

This, as we take it, led Congress to pass the act of the 3d of March, 1819, "to protect the commerce of the United States and punish the crime of piracy."

This act authorizes the President to instruct the commanders of public armed vessels of the United States to capture and send into port any armed vessel or boat which shall have attempted any piratical aggression upon any vessel of the United States, or upon any other vessel; and to retake any vessel of the United States which shall have been unlawfully captured. It authorizes merchant vessels of the United States, owned wholly or in part by a citizen, to resist any aggression or search attempted by any armed vessel other than a public armed vessel of a nation in amity with the United States; and to retake any vessel owned, as aforesaid, which may have been captured by any such armed vessel; it provides for the condemnation to the use of the captors of any vessel captured under the provisions of the act; and it provides that persons committing the crime of piracy, as defined by the law of nations, if brought into or found in the United States, shall be punished with death.

At the commencement of the next session of Congress, that is to say, in December, 1819, Mr. Monroe, in his annual message, said:

"For the protection of our commerce in the Mediterranean, along the Southern Atlantic coast, in the Pacific and Indian ocean, it has been found necessary to maintain a strong naval force, which it seems proper for the present to continue. There is much reason to believe that, if any portion of the squadron heretofore stationed in the Mediterranean should be withdrawn, our intercourse with the Powers bordering on that sea would be much interrupted, if not altogether destroyed. Such, too, has been the growth of a spirit of piracy in the other quarters mentioned, by adventurers from every country, in abuse of the friendly flags which they have assumed, that not to protect our commerce there would be to abandon it as a prey to their rapacity. Due attention has likewise been paid to the suppression of the slave trade, in compliance with a law of the last session. Orders have been given to the commanders of all our public ships to seize all vessels navigated under our flag engaged in that trade, and to bring them in, to be proceeded against in the manner prescribed by that law.

It is hoped that these vigorous measures, supported by like acts by other nations, will soon terminate a commerce so disgraceful to the civilized world."

This portion of the message was referred, in the Senate, to the Committee on the Judiciary, viz: Messrs. Smith, (of South Carolina,) Leake, Burrill, Logan, and Otis.

On the 6th of April, 1820, Mr. Dickerson, of the Senate, on leave obtained, brought in a bill to continue in force "An act to protect the commerce of the United States and punish the crime of piracy," which was referred to the Committee on the Judiciary, by which committee it was reported without amendment, and passed the Senate.

As it was sent from the Senate to the House of Representatives, the bill was in the following form:

"*Be it enacted, &c.*, That the first, second, third, and fourth sections of an act entitled 'An act to protect the commerce of the United States and punish the crime of piracy,' passed on the 3d day of March, 1819, be, and the same are hereby, continued in force from the passing of this act for the term of two years, and from thence to the end of the next session of Congress, and no longer.

Sec. 2. And be it further enacted, That the fifth section of the said act be, and the same is hereby, continued in force, as to all crimes made punishable by the same, and heretofore committed, in all respects as fully as if the duration of the said section had been without limitation.

Sec. 3. And be it further enacted, That if any person shall upon the high seas, or in any open roadstead, or in any haven, basin, or bay, or in any river where the sea ebbs and flows, commit the crime of robbery, in or upon any ship or vessel, or upon any of the ship's company of any ship or vessel, or the lading thereof, such person shall be adjudged to be a pirate, and, being thereof convicted before the circuit court of the United States for the district into which he shall be brought, or in which he shall be found, shall suffer death. And if any person engaged in any piratical cruise or enterprise, or being of the crew or ship's company of any piratical ship or vessel, shall land from such ship or vessel, and on shore shall commit robbery, such person shall be adjudged a pirate, and, on conviction thereof before the circuit court of the United States for the district into which he shall be brought, or in which he shall be found, shall suffer death: *Provided*, That nothing in this section contained shall be construed to deprive any particular State of its jurisdiction over such offences, when committed within the body of a county, or authorize the courts of the United States to try any such offenders after conviction or acquittance for the same offence in a State court.

In the House of Representatives, so much of the President's message as related to the suppression of the slave trade had been referred to a select committee, consisting of Messrs. Hemphill, Mereer, Strong of New York, Edwards of Pennsylvania, Rogers, Lathrop, and Abbott. And the bill of the Senate being before the Committee of the Whole House, Mr. Mercer, in behalf of the select committee, moved to amend it by adding the following section:

"*Sec. 4. And be it further enacted*, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned in the whole or part, or

navigated for or in behalf of any citizen or citizens of the United States, shall land from any such ship or vessel, and, on any foreign shore, seize any negro or mulatto, not held to service or labor by the laws of either of the States or Territories of the United States, with the intent to make such negro or mulatto a slave, or shall decoy, or forcibly bring or carry, or shall receive such negro or mulatto on board any such ship or vessel, with intent as aforesaid, such citizen or person shall be adjudged a pirate, and, on conviction thereof before the circuit court of the United States for the district wherein he may be brought or found, shall suffer death.

"*SEC. 5. And be it further enacted,* That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned wholly or in part, or navigated for or in behalf of, any citizen or citizens of the United States, shall forcibly confine or detain, or aid and abet in forcibly confining or detaining, on board such ship or vessel, any negro or mulatto not held to service by the laws of either of the States or the Territories of the United States, with intent to make such negro or mulatto a slave, or shall, on board any such ship or vessel, offer or attempt to sell as a slave any negro or mulatto not held to service as aforesaid, or shall, on the high seas, or any where on tide water, transfer or deliver over to any other ship or vessel, any negro or mulatto, not held to service as aforesaid, with intent to make such negro or mulatto a slave, or shall land or deliver on shore from on board any such ship or vessel any such negro or mulatto, with intent to make sale of, or having previously sold, such negro or mulatto as a slave, such citizen or person shall be adjudged a pirate, and, on conviction thereof before the circuit court of the United States for the district wherein he shall be brought or found, shall suffer death."

These sections were agreed to in the House, adopted by the Senate, and thus became part of the bill as it finally passed, and now stands in the law, which bears date May 15, 1820.

We find, on recurring to our files, that in a brief notice which we took in the National Intelligencer of May 16, 1820, of the discussion on Mr. Mercer's amendment, it is stated that the discussion in the House was rather on the form than the substance of the amendments, and they were agreed to without a division; and that "in the Senate, the amendments were taken up on Thursday, and, on motion, the further consideration of them was postponed till Friday, when, after a spirited discussion for the late period of the session, they were passed by a very large majority. In favor of a motion to strike out that denomination of the offence which made the slave trade piracy, not more than five or six members rose from their seats. It is but justice to state, that of those gentlemen there was not one whose hostility to the odious traffic sought to be abolished could be doubted; so that the punishment of death has been annexed to this obstinate and inveterate crime by the almost unanimous voice of the National Legislature."

Slave trading, by any American citizen, was thus declared to be piracy by the authority of Congress.

We took occasion to say, in a former article, that the convention of 1824 was proposed to Great Britain, on the part of the United States, on the condition that Great Britain should follow this example of the United States, and declare the slave trade piracy. Great Britain accepted this

condition and complied with it, by the act of Parliament of March 31st, 1824, which declares that any British subject, or any person within the British dominions or possessions, who shall trade in slaves on the high seas, or in any haven, river, creek, or place, where the Admiralty has jurisdiction, "shall be deemed and adjudged guilty of piracy, felony, and robbery, and, being convicted thereof, shall suffer death without benefit of clergy, and loss of lands, goods, and chattels, as pirates, felons, and robbers, upon the seas ought to suffer."

Notwithstanding these enactments, the slave trade, we suppose, cannot be regarded (and we regret it) as piracy by *the law of nations*. It is not an offence, therefore, that any Government can prevent or punish without regard to the national character of the offender. And for this reason Lord Aberdeen admits, in his note to Mr. Everett of the 20th of December, 1841, and also in his recent communication to Mr. Fox, that if a British cruiser finds an American vessel crowded full of slaves, she must yet suffer her to proceed with her cargo of misery, and all her guilt on her head, to her destined market.

But here arises another question, which shows the difficulties which surround this whole subject. Suppose a British cruiser, meeting an American vessel with slaves on board, should not let her pass; suppose she should detain her, or take out the slaves and break up her voyage; what would be the consequence of all this? The cruiser would be acting against his instructions; but what would be the remedy for the owner or master of the slave vessel? What recourse would be left to him?

In a communication from the President to the Senate, of the 9th of January last, we find the following very important paragraph:

"Vessels of the United States found engaged in the African slave trade are guilty of piracy under the acts of Congress. It is difficult to say that such vessels can claim any interference of the Government in their behalf, into whosoever hands they may happen to fall, any more than vessels which should turn general pirates. Notorious African slave traders cannot claim the protection of the American character, inasmuch as they are acting in direct violation of the laws of their country, and stand denounced by those laws as pirates."

This seems to us entirely just, and to be the unavoidable result of our own law. He who, in the eye of that law, is a pirate, cannot come into the presence of his own Government and demand its interference against those, be they who they may, who have interrupted the successful progress of his piratical operations, and prevented him from consummating a transaction which the laws of that country regard as a most foul and heinous crime, justly punishable with death. Branded by a name odious to all men, ranked with murderers and sea robbers, and engaged in a traffic not less odious to humanity and atrocious in the sight of God than obnoxious to human law, how can he raise up his hands, still red and reeking with innocent blood, either to demand redress from man, or to supplicate mercy from Heaven? We trust, we most devoutly trust, and, we will add, we most confidently trust, that the Government of the United States, instead of interfering to ask redress or indemnity for whatever may have happened in a case tainted by well-founded suspicion of concern in the slave trade, will hand the whole case, and all who present it, and all found in any way connected with it, over to the criminal courts, to be dealt with as they deserve.

[From the American Colonization Journal of September, 1843.]

THE FRENCH IN AFRICA—THE OCCUPATION OF GAROVAY BY THE FRENCH.

Our readers will perceive, by the recent advices from Cape Palmas, that the French Government have actually taken possession of Garovay, and marked out a place for their town and fortifications. To all interested in Africa and the African, and in whatever light it may be viewed, this is a most important movement—a more important one to our little colonies on the coast than has transpired since their foundation. It is not only important in itself, as placing a European Government in possession of another prominent point on that coast, but when taken together with other transactions, as indicating the policy to be pursued hereafter by all the European Governments. To us it is only a matter of astonishment that, one and all, they have not long ere this seized upon the whole of the unoccupied part of that coast, which could be secured for the cost of one ship of the line.

We say it will affect those interested in the matter in various ways; but we are mainly affected by its action, either for good or evil, upon the colonies—the American emigrant and the native African—and the character of this action must mainly depend upon circumstances. If African colonization must continue to struggle unaided by the General and State Governments; if it must continue to suffer the vituperation of the abolitionists, the scoffs and scorn of the ignorant, the denunciations of the advocates for perpetual slavery, the frowns and contumely of the high and purse-proud; and if, in addition to all this, the American Protestant pulpit shall cease to advocate it as the means, *and the only means*, of civilizing and regenerating Africa; if the clergy shall cease to hold it aloft as one of the great objects for the support of the enlightened Christianity of the nineteenth century—then we say we hail with joy the occupation of the African coast by the French, the English, and by all the civilized European Powers; for although we prefer seeing planted on the African soil our free institutions, our free Christianity—although we prefer of all all things to see the redemption of Africa effected by her own returning children—yet if this cannot be, if the hopes too fondly cherished are to be crushed—if our beautiful model republic, the result of years of suffering and toil, of tears and of prayers, is to be demolished, then we say, welcome the Government, the Christianity of France—welcome any thing but a relapse to darkness and heathenism, to moral and political death. To the question, what will be the effect of a powerful French colony at Garovay upon the colony at Cape Palmas? the answer is ready; it is written in the history of all European possessions in the tropical world. The first step taken, the erection of a town and fortification, will call every laboring man from his farm at Cape Palmas. And why? First, because works of that nature cannot go on without them: white laborers will sicken and die, and the native African is not skilled in the use of tools or the erection of houses of the character required. Second, the colonist, with small or with no capital, will prefer to labor on hire, for liberal and ready pay, rather than to wait the growth of his coffee trees or his cotton crop. The present condition of the colonist will therefore be improved—he will be possessed of more wealth and better able to procure foreign luxuries; but this *mess of pottage* will be the price of his birthright, of his freedom.

What will be the result of the action of the European Governments; of which this movement of the French is but the indication, upon the Amer-

ican commerce on the African coast? This is well known to all, but known to no effect. What would avail our feeble efforts to illustrate the certain results, if the eloquence of such men as Mercer, Morehead, Rives, and Key, called forth by this very subject, and addressed to the then acting legislators of the land, falls dead upon their ears, and fails to arouse them to a sense of our danger and their own duty?

It is well known that the internal resources of that vast continent are becoming most rapidly developed, that the legitimate trade is most rapidly on the increase, and that it promises to exceed that of any part of the uncivilized world. It is well known, too, that at least one-half of the articles most in demand there are of American production—at least can be produced in America at less cost than in any other country; that the main article of traffic, *tobacco*, can only be procured in America. It is also well known that we are at present shut out, or that we shall be when it may be deemed advantageous, from most of the important points for trade on that coast; that we are not allowed to enter the French port of Senegal at all; that in the British ports of Gambia and Sierra Leone we are not allowed to enter any article except of American production, or any that will compete with the same from England or her colonies. It is well known that in all English ports and settlements, almost innumerable on that coast, the ability exists to establish the same regulations as at Gambia and Sierra Leone, and that such a course would most probably be followed by other European Powers. And what would be the result? Why, from the multiplication of colonies and posts, as those of the French at Garovay and Bassa, American vessels would, in a very short time, be entirely excluded from the coast; and a commerce, now worth a million annually, and yielding a greater profit than that of any other in the world, and which ought to increase more rapidly than any other, must be abandoned and surrendered to European competitors. Not only that, but with the present apathy on the part of our Government, and the jealous activity on the part of those of Europe, our *colonies* must be abandoned, and the very material best fitted for developing the resources of that vast and productive continent, the very medium through which could be prosecuted the most safe and advantageous commerce, placed there through American benevolence and American philanthropy, must be surrendered to them.

What will be the effect of the possession of Garovay and other points by the French Government in advancing the civilization and christianization of Africa? Why, in the abstract, favorable; but not so when compared with that of the American colonies, uninfluenced by foreign Governments. No matter however good may be the intentions of the French Government towards the natives in establishing her colonies, still the character of the agents which they must of necessity employ will essentially change the character of the operations from the intent of the Government. We have no guaranty that benefit to the African forms any part of the plan of the French Government; and doubtless any good that can result to them must be incidental, and entirely a secondary consideration. The extending of their empire and increasing their commerce are of course their main objects, and the influence of colonies established for such motives upon savage nations is already but too well known.

It will doubtless serve as a nucleus or point from which to extend a Roman Catholic mission among the natives. Should this be the case, and it be prosecuted with energy and conducted with judgment, certainly great good may be anticipated therefrom. For ourselves, as before stated, we

should prefer the tolerant religion of the American colonies to that of any one sect or church, exclusively.

Upon the whole, we cannot but consider the possession of the intermediate territory between our American colonies by the French or any European Government as highly prejudicial to the cause of colonization and the American colonies, as comparatively injurious to the natives, and as indicating a policy on the part of those Governments which will shortly prove destructive to American commerce with the western part of that continent.

[From the Religious Herald.]

EXPENSES OF EMIGRATION, &c., TO LIBERIA.

OFFICE OF THE COLONIZATION SOCIETY,

Washington, August 30, 1843.

SIR: I have perused your letter addressed to me in the Religious Herald, and communicate with pleasure such information as I possess in regard to the expense of emigration to Liberia, and the advantages enjoyed by emigrants after their arrival.

I need hardly observe that the American Colonization Society is limited in its direct operations by its constitution to free persons of color, though, as was originally expected, many slaves have, from time to time, been voluntarily emancipated and introduced to all the benefits of citizenship in Liberia.

It is true, as you state, that the funds of the society have been insufficient to meet all demands for its assistance, yet aid to the full extent of its ability has at all times been granted to respectable colored applicants for removal and establishment in Africa. In many instances, generous masters have conferred not freedom only upon their servants, but cheerfully advanced the means of their passage to the colony, and their comfortable settlement on its soil.

The cost of removal and settlement of emigrants will vary considerably, as the number sent at one and the same time is small or large, adults or children. Should the emigrant want the means of self-support, he is sustained by the society during six months after his arrival, and the cost for passage and support, has been estimated at sixty dollars for the adult, and half this sum for children, each, under twelve years of age. Were from three to five hundred emigrants to embark in the same ship at one time, this expense would be much reduced, probably from one-third to one-half.

The following regulations, adopted by the managers of the society in 1830, will show the existing provisions for the allotment and sale of the public lands of the colony:

“Every adult male shall, on his arrival, receive a building lot in one of the existing towns, or of such other towns as may be established by public authority, with five acres of plantation land as nearly adjacent as may be; if married—two for his wife and one for each of his children; no single family, however, to receive more than ten acres, and said family to reside thereon or on the town lot.” The same provision shall, at the discretion of the colonial agent, (governor,) extend to adult female emigrants.

“That such colonists have a right within five years to purchase, at the rate of one dollar per acre, for ready money, a quantity of land not ex-

ceeding ten acres, to be reserved as adjacent as may be to the quantity so allowed.

"That these provisions be applicable to the said towns and the district of country within three miles thereof.

"That, in respect to the country beyond three miles from the towns, each emigrant, as aforesaid, shall receive, if he prefer it, in lieu of the above donation, fifty acres of land for himself and family, they residing thereon, with the right of purchasing, within five years thereafter, at the rate of twenty-five cents per acre, ready money, fifty adjacent acres.

"That the said allotments and lands sold be laid out, as well in respect to town lots as otherwise, under the direction of the colonial agent, in such way as not to interfere with existing rights, and so as to make the lots and farms as regular in form and compact as may be, reserving in the gratuitous allotments to emigrants a quantity equal to that so allotted when requisite to satisfy the rights of pre-emption.

"That, beyond three miles from the said towns, sales of land be made, for ready money, as follows:

"To any one colonist, at the rate of twenty-five cents an acre, for any quantity of land not less than one hundred or more than two hundred acres; and at the same rate for any quantity of land, provided a settlement be made thereon by the permanent residence of one colonist to every hundred acres; provided, however, that in these cases the approbation of the colonial agent be requisite; and that, in authorizing them, he pay special regard to restraining the settlement within safe and prudent limits, reserving for the future benefit of the colony tracts containing mill seats, mines, or other specially valuable properties, or selling them at a price proportionate to their value.

"That the proceeds of all sales of lands made shall be for the benefit of the colony, but shall be strictly accounted for and applied by this board."

The allotments of land, thus regulated, if deemed small by those accustomed to extensive plantations in our Southern States, are sufficient, even those most limited, to occupy the time and effort of a single family, and, when well cultivated, to afford it abundant means of subsistence. The good policy or benevolence of sending to this new country women without husbands or means, and with families of small children, may justly be questioned. Although some aid might be extended to them from several charitable societies in the colony, and assistance be afforded (as is ever done in such cases) by the Colonization Society, should they become absolutely dependent upon others for support, it would as little accord with wisdom as humanity to transfer those exposed even in this country to the evils of pauperism, to a small colony with small capital, and where, from various and inevitable causes, such evils, if not aggravated, it would be more difficult to alleviate.

For several years past a public farm has been appropriated to the benefit and support of the poor of the colony, in the fruits of which all share; and such as may be able labor moderately in the cultivation of the soil or the mechanic arts.

It certainly is not for the interest of the colony to send thither emigrants without regard to character. From the notoriously vicious or criminal the society withholds aid; yet if not compelled, (which is too generally the case,) it would deem it right to regard rather the character of companies of emigrants than to inspect minutely that of each individual. It might be

deemed expedient to receive a worthy family of some eight or ten persons, even if among them was one who is thus favored, not for his own but for the merits of others. And if, as we believe, the circumstances, institutions, and laws of the colony exert a reforming influence, their efficacy may not unfrequently be seen in the change of "bad slaves" into "good freemen." The evidences of intellectual and moral improvement in the general mass of the colonial population is striking, and results inevitably from a condition of things remarkably and every way adapted to strengthen and discipline the mind, create the sense of responsibility, stimulate to action, excite self-respect, and supply the highest motives for elevated sentiments and noble conduct. Every citizen of Liberia naturally considers himself as one of the builders of a free and independent State, a Christian commonwealth, on the barbarous shore of a mighty continent, of deepest interest to millions of his race in two hemispheres—a permanent State, destined to enlarge itself for ages, and gather within the expanding influence and fold of its beneficence multitudes of the present and millions of future generations. The eyes of Europe, America, and Africa, are upon these humble and feeble colonists. Interest combines with duty, hope with fear, the sanctions of religion and the pressure of stern necessity urge them to act with manfulness and fidelity. Mournful recollections and glorious prospects, the past, present, future, earth and heaven, urge them onward, and retreat they cannot. They are *men*. Great occasions, great motives, make *men* great.

You remark, very justly and humanely, "that we are often the more attached to them, [our slaves,] and they to us in return, because of their sense of entire dependence upon us." But this dependence is unfavorable to the development of their powers and the elevation of their character. It is ordinarily by effort, toil, endurance—often by suffering, and the unrelaxed force of a necessity from which there is no escape—that a people, like individuals, rise to wealth, respect, and renown. If the colored people of this country are ever to attain a national existence and independence, it must be mainly by their own exertions. What field for such exertions so inviting, so encouraging, as that presented in Liberia?

The wages for mechanical labor in the colony are higher than in the United States; and, as I have already stated, the cultivation of the soil will generally reward the industry of the husbandman. In his last message to the Colonial Legislature, Governor Roberts says:

"Though the crops among the natives last year in a great degree failed, the colonists, especially in the upper settlements, were generally free from want, and in many instances were able to supply the neighboring natives. The past season has been one of rejoicing among the farmers. Rice crops, especially, have been abundant; and I rejoice to find that the people throughout the commonwealth are becoming awake to their true interests, and convinced that the future prosperity and independence of the colony depend upon the agricultural resources of the country. Several gentlemen, both in this and the Bassa country, are turning their attention to this subject, and are establishing coffee and sugar estates, though at present on a small scale. The experiment has proved successful, and established beyond a doubt the fact that farmers in Liberia, if industrious, frugal, and persevering, may become not only independent, but rich."

With great respect, sir, your friend and obedient servant,

R. R. GURLEY.

To T—— R——,
of Bedford county, Virginia.

INSTRUCTIONS TO AND LETTERS FROM NAVAL OFFICERS, &c., OF THE
UNITED STATES, AND OTHERS.

*Extracts from sundry letters to commanders of United States vessels, in
relation to the colonists in Africa, from June, 1822, to January, 15,
1825.*

TO CAPTAIN SPENCE, JUNE 11, 1822.

When you arrive on the coast of Africa, you will proceed off Cape Mesurado, and visit the colony established near that place, and afford all the aid and support in your power to Dr. Eli Ayres, the agent of the Government, and the colonists.

TO THE SAME.

By recent accounts received from Cape Mesurado, on the coast of Africa, it appears that the American settlement there has been attacked by the natives, and the safety of the people endangered; their situation is therefore such as requires immediate relief and protection. I wish you to remain near them until you shall be relieved, or receive further instructions from this Department, and afford to the settlement and to the agent of the Government all the aid and protection in your power.

TO THE SAME, APRIL 8, 1823.

For the greater security of the settlement made at Mesurado, be pleased to station at that place, so long as you shall continue on the coast of Africa, or while the settlement is endangered by the natives, as many marines as can conveniently be spared from the United States ship Cyane, under your command.

TO CAPTAIN WADSWORTH.

You will advise with Mr. Bacon as to the wants and situation of the colony at Sherbro.

TO COMMODORE RODGERS, JANUARY 15, 1825.

Pass down the coast of Africa, touching at Cape Mesurado, communicating with the agency for recaptured Africans at that place, and ministering to its wants as far as practicable.

*Extract of a letter from W. E. Sherman, captain of the Liberia, which
carried the colonists to Liberia in January, 1830, to Mr. Edward Hal-
lowell.*

PHILADELPHIA, May 10, 1830.

Monrovia, at present, consists of about ninety dwelling-houses and stores, two houses for public worship, and a court-house. Many of the dwellings are handsome and convenient, and all of them comfortable. The plot of the town is cleared more than a mile square, elevated about

seventy feet above the level of the sea, and contains *seven hundred* inhabitants. *The streets are generally one hundred feet wide, and, like those of our good city, intersect each other at right angles.* The Colonization Society have an agent and a physician there.

The agent is the chief magistrate of the colony and the physician his assistant. *No white people are allowed to reside in the colony for the purpose of trade, or of pursuing any mechanical business, such being intended for the exclusive benefit of the colored people.* The colonial secretary, collector of customs, surveyor, and constables, are appointed by the agent; the vice agent, sheriff, treasurer, and all other civil officers, are elective; and all the offices, except that of the agent and physician, are filled by colored people.

The court holds its sessions on the first Monday in every month; juries are empanelled as with us; and its jurisdiction extends over the whole colony. The trials are principally for larceny, and the criminals are generally natives, who commit thefts in the settlements. A few instances of kidnapping have occurred; these depredations were committed on the recaptured Africans. *To the honor of the emigrants be it mentioned, that but five of their number have been committed for stealing or misdemeanor since 1827.*

Two native kings have put themselves and their subjects (supposed to amount to ten thousand) under the protection of the colony, and are ready, should it be thought necessary or expedient by the settlers, to put into their hands arms, to make common cause with them, in case of hostilities by any of the natives, which, however, is not anticipated, as the most friendly disposition is manifested by all the natives of the country from whom any danger might have been apprehended.

There is much hospitality to be found in Monrovia, and among the inhabitants a greater proportion of moral and religious characters than in this city. *I never saw a man intoxicated, nor heard any profane swearing, during the three weeks I was among them.*

The two houses for religious worship are Baptist and Methodist. The Baptists have three, and Methodists five preachers, all intelligent colored men, merchants and traders, residing among them, so that the people have nothing to pay for the support of ministers. Five German missionaries, some ministers and teachers, reside there, a portion of whom preach at the Methodist church occasionally.

It has been objected, that the climate is very unhealthy; this is true as it respects the whites, but erroneous as respects the colored people. *Those from the Middle and Northern States have to undergo what is called a seasoning; that is, they generally take the fever the first month of their residence, but it has rarely proved fatal, since accommodations have been prepared for their reception; those from Georgia, the Carolinas, and the southern parts of Virginia, either escape the fever altogether, or have it very slightly.* Death occurs there, indeed, as in other places, but Doctor Mechlin, the agent, assured me that the bills of mortality would show a less proportion of deaths than those of Baltimore, Philadelphia, or New York.

W. E. SHERMAN.

Extracts of a letter from Captain Kennedy, of the United States ship Java, to the secretary of the society.

NORFOLK, June 22, 1831.

SIR: I have the honor to acknowledge the receipt of yours of the 11th instant, requesting my opinion of the condition and necessities of the colony at Liberia.

I hope I need not assure you that it affords me great gratification to comply with your request, and to lay before you a statement of the facts which presented themselves to me during the visit I made to Montserado, in the frigate Java, under my command.

The wisdom and talent which distinguished the councils of the society to which you belong, and the vast materials which your experience and zeal have enabled you to collect, caused great diffidence, on my part, in the suggestion of any new plan of operations. I was, however, not an idle observer during my stay among the colonists, and the conclusions which pressed upon my mind, as the results of my inquiries, shall be most cheerfully submitted, for your better judgment and consideration.

It may not be improper to observe, in the outset, that my inquiries were commenced under auspices very unfavorable to the practicability of the scheme of your society; for while, I trust, I yielded unfeigned acknowledgment of the piety and purity of purpose which governed its worthy and disinterested projectors, yet the vast difficulties attending the prosecution of their labors, and the very problematical results in the want of success, left an impression upon my mind altogether unfavorable to the institution. Under these impressions, therefore, I commenced my inquiry with great caution. I sought out the most shrewd and intelligent of the colonists, many of whom were personally known to me, and, *by long and weary conversations, endeavored to elicit from them any dissatisfaction with their condition, (if such existed,) or any latent design to return to their native country. Neither of these did I observe; on the contrary, I thought I could perceive that they considered that they had started into a new existence; that, disencumbered of the mortifying relations in which they formerly stood in society, they felt themselves proud of their attitude, and seemed conscious that, while they were the founders of a new empire, they were prosecuting the noble purpose of the regeneration of the land of their fathers.*

I was pleased to observe that they were impressed with the vast importance of a proper education, not only of their children, but of the children of the natives; and that to this they look confidently as the means of effecting their high object, namely, the civilization of their benighted brethren in Africa.

I observed, with great satisfaction, that their children, in many instances, could converse in the languages of the tribes by which the colony is surrounded. Thus the obstacles which formerly embarrassed its commerce with the interior, and which, by the by, are even now but few, must, in a very short time, cease entirely to exist. Most of the articles of traffic which can be profitably used in barter with the natives are familiar to your readers; but there are yet some which have not employed the enterprise of our citizens, and, of those embraced in their speculations, many improvements in quality might advantageously be enumerated. The inhabitants of King Boatswain's town (one hundred and eighty miles up the St. Paul's

river, and twenty miles from it, which empties into the bay of Montserado) interchange with the most friendly dispositions towards the colonists.

It gives me pleasure to state that the colonists are turning their attention to the cultivation of coffee. That this article of produce is to prove a source of vast wealth to the colonists there can be no doubt; the labor and expense of its cultivation will be comparatively small; indeed, they have but to clear away the forest trees, and the plantations are ready to their hands. *There are two descriptions of the plant indigenous: one a shrub, evidently the same as the Mocha, but yielding a berry of superior flavor; the other a tree, frequently attaining the height of forty feet; a specimen of the latter I brought with me to Cuba, in the Java, and left with Mr. Shaler, our consul, for the botanic garden of that city.*

That there are many vast resources yet undeveloped in Liberia, no one can entertain a doubt; that they will soon be brought forth, and made available, by the enterprise and intelligence of the colonists, is equally unquestionable. How earnestly, then, should every philanthropist apply himself to aid and advance the operations of a society, the object of which is not only to elevate so large a portion of our fellow-beings from the degrading relations in which they stand towards the rest of the human race, but to redeem from the thralldom of ignorance, superstition, and vice, a whole continent. That these great results are, under Providence, to be accomplished, is a conviction to which I have been brought by actual experience and scrutinizing observation.

EDWARD P. KENNEDY.

P. S.—It would be well perhaps to state that, in a conversation with one of the Kroos, or Kroomen, I was informed by him that he came, with his wife, from Timbuctoo, by water, with the exception of twenty-five miles, the distance that city stands from the Niger; he came down the St. Paul's to Montserado.

Extract of a letter from Captain Weaver, who visited the colony in 1831.

WASHINGTON, January 1, 1832.

The charge of unhealthiness against Liberia for the colored races cannot be supported. It is the birthplace of the black man, to which his constitution is peculiarly adapted; and, though estranged for a time from his native clime, nature will undoubtedly triumphantly resume her sway, whenever he returns to the land of his fathers. Africa is the black man's home, physically. Morally, he should aspire for a residence within her boundaries. He is *there* the lord of the soil; all mankind are *there* his equals; the distinction of color is *there* against the white man; for, in Africa, he is a sort of "*lusus naturæ*," an object to be pointed at by the finger of curiosity, an object of dread for his power, and of hatred for his avarice. Sir, I have faith in the success of the colony of Liberia; you have many difficulties to encounter, but they are not insurmountable. If our Government will deign to foster that colony, a very short time will suffice to render it of great importance in a commercial point of view, independent of home considerations. In the tobacco trade, we can have no rivals. The North and the South are deeply interested in the prosperity of our sable colony. The North will find a vent for her surplus manufac-

tures, and the South a home and a refuge for a portion of its population which every good citizen must wish to see speedily transferred thither—I mean the free colored population of the United States. The cost of transportation is, by many persons of intelligence, deemed an insurmountable barrier: Avarice brought them here. Shall we make the painful admission, that that vice so far exceeds the combined virtues of a Christian community as to render its deeds irrevocable? No, sir; it is in the power of the American people, with a due understanding of the case and of the magnitude of the object, to effect much by a simultaneous movement.

Letter from Captain Abels, of the schooner Margaret Mercer, dated

WASHINGTON, February 10, 1832.

Having just arrived in the United States from the colony of Liberia, to which place I went as master of the schooner Margaret Mercer, and where I remained thirteen days, during which time I was daily on shore, and carefully observed the state of affairs, and inquired into the condition of the people, I venture to state some facts in regard to the circumstances and prospects of the colony. On the 14th of December I arrived, and on the 15th went on shore, and was received in the most polite and friendly manner by the Governor, Dr. Meclin, who introduced me to the ministers and principal inhabitants. All the colonists appeared to be in good health. All my expectations in regard to the aspect of things, the health, harmony, order, contentment, industry, and general prosperity of the settlers, were more than realized. There are about two hundred buildings in the town of Monrovia, extending along the Cape Montserado, not far from a mile and a quarter.* Most of these are good substantial houses and stores, (the first story of many of them being of stone,) and some of them handsome, spacious, painted, and with Venitian blinds. Nothing struck me as more remarkable than the great superiority in intelligence, manners, conversation, dress, and general appearance in every respect, of the people over their colored brethren in America. So much was I pleased with what I saw, that I observed to the people, should I make a true report it would hardly be credited in the United States. Among all that I conversed with, I did not find a discontented person, or hear one express a desire to return to America. I saw no intemperance, nor did I hear a profane word uttered by any one. Being a minister of the gospel, on Christmas day I preached both in the Methodist and Baptist church, to full and attentive congregations of from three to four hundred persons in each. I know of no place where the Sabbath appears to be more respected than in Monrovia. I was glad to see that the colonial agent, or governor, is a constant attendant on divine service, and appears desirous of promoting the moral and religious welfare of the people. Most of the settlers appear to be rapidly acquiring property, and I have no doubt they are doing better for themselves and their children in Liberia than they could do in any other part of the world. Could the free people of color in this country but see the real condition of their brethren who have settled in Africa, I am persuaded they would require no other motive to induce them to emigrate. This is my decided and deliberate judgment.

* This is a great increase since the visit of Captain Sherman, two years before.

Extract of a letter from Mr. Mechlin, colony agent.

As to the morals of the colonists, I consider them much better than those of the people of the United States; that is, you may take an equal number of the inhabitants from any section of the Union, and you will find more drunkards, more profane swearers and Sabbath breakers, &c., than in Liberia. Indeed, I know of no country where things are conducted more quietly and orderly than in this colony. You rarely hear an oath; and, as to riots and breaches of the peace, I recollect of but one instance, and that of a trifling nature, that has come under my notice since I assumed the government of the colony. The Sabbath is more strictly observed than I ever saw it in the United States. Our Sunday schools are well attended, not only by the children of the colonists, but also by the native children who reside amongst us. The natives themselves are so well acquainted with our strict observance of this day, that you never find them offering any thing for sale, nor can you hire them to work for you; I mean those who have been amongst us, and at all acquainted with our customs.

[From the Amulet, a London annual, for 1832.]

Extract from an Essay on the African Slave Trade, said to be written by a distinguished British naval officer, who passed three years on the African coast.

On the subject of Sierra Leone, and the causes of its failure, so much has been said that it would be superfluous to repeat it here. Public expectation has not, certainly, been answered; but that these experiments are not of a fanciful or impracticable nature is completely proved by the success which has attended the colony which came next in succession on this coast. This is a bold promontory, called originally Monte Serrado, but corrupted, as all names are by negro pronunciation, into Mesurado. The American Colonization Society located here a number of free people of color, the offspring of African slaves, born in America, and liberated.

The settlement consists of two establishments. The first is Monrovia, on Cape Montserado, and the other Caldwell, seven miles up the river St. Paul. The whole population amounts to about three hundred families, comprising more than one thousand five hundred persons, (two thousand five hundred at present,) who have each farms allotted to them, some in the lower and some in the upper settlement. A regular and most improved system of husbandry is insisted on.

Nothing has tended more to suppress the slave trade in this quarter than the constant intercourse and communication of the natives with these industrious colonists. The American agent, Mr. Ashmun, took every opportunity and means in his power to extinguish a traffic so injurious in every way to the fair trader; and at Cape Montserado good and correct information was always to be obtained of any slave vessel on the coast, within the communication or influence of the colony. This active, respectable, and intelligent man is since dead, but his spirit still actuates all his people.

The character of these industrious colonists is exceedingly correct and

moral ; their minds strongly impressed with religious feelings ; their manners serious and decorous ; and their domestic habits remarkably neat and comfortable. Those who have visited them speak highly of their appearance and mode of living. They are a comely and well-formed race of negroes ; neat and clean in their persons ; modest and civil in their manners ; and regular and comfortable in their dwellings. Their houses are well built, ornamented with gardens and other pleasing decorations, and on the inside are remarkably clean ; the walls well whitewashed, and the rooms neatly furnished.

The complete success of this colony is a proof that negroes are, by proper care and attention, as susceptible of the habits of industry, and the improvements of social life, as any other race of human beings ; and that the melioration of the condition of the black people on the coast of Africa, by means of such colonies, is not chimerical. Wherever the influence of this colony extends, the slave trade has been abandoned by the natives, and the peaceful pursuits of legitimate commerce established in its place.

CAPTAIN NICOLSON'S LETTERS.

NEW YORK, *October 21, 1829.*

SIR : In answer to your note requesting my views relative to the colony of Liberia, I take leave to state that my impressions have not been altered since writing the enclosed letter addressed to the Hon. Henry Clay, vice president of the society, upon my return from Liberia.

I have had an opportunity since my return of conversing with several of the colonists who have visited this country, and have again returned to Liberia. From their conversation, with all the information derived from other sources, I am convinced more and more of the utility of supporting a colony, which will have the effect of again restoring the descendants of this race to their natural soil and climate, with every advantage of civilization, and, it is to be hoped, with the blessings of religion. Every philanthropist ought to rejoice at the prospect of sending the only missionaries which the climate will allow them to receive ; for the white man is not calculated, from this cause, to carry those blessings, the knowledge of which alone raises man above the savage.

I conceive this colony to be the most effectual mode of destroying the horrid traffic which has been and is now the disgrace of civilization. The slave trade no doubt has received a more effectual check since the establishment of the colony of Liberia than for a century before ; this is a powerful motive to call forth the best energies of our countrymen, who have so strenuously endeavored to destroy this traffic, both by the acts of our Government as well as individual exertion.

That the colony will in a few years be enabled to support itself by the product of the country and from commerce, I still have no doubt. The location of the settlement is a good one for health, as far as the climate will permit. The land is free from swamp, but of a rich alluvial soil, with a river running through the valley ; and the country, as far as the eye extends, is interspersed with hills of considerable magnitude, which, as understood from those who had visited the interior, extend far back. It was considered more healthy as you left the coast, as is the case in our South-

ern country. I cannot but believe it is one of the most important colonies which has been established since the settlement of our continent, both as regards religion and civilization. So much has been already said at the late meeting, by the gentlemen whose eloquence gave a charm to this interesting question, that it would be a useless attempt on my part to endeavor to excite your feelings, even had I the eloquence or power. I however beg to say, that, as far as my observations allow me to judge, a visit occasionally from the gentleman who may be (white) agent of the society would be sufficient to enable them to govern themselves in such a manner as to ensure to them the respect and confidence of the several nations around them. Thus throwing themselves more upon their own resources would give them confidence within themselves, nor do I believe that confidence would be abused. They appeared, when I was among them, to take pride in seeing their laws respected and obeyed, and none more so than those which related to religion and morality.

The prosperity of the society I cannot but take a lively interest in, and it will always afford me sincere pleasure to further its views, both in my public character, when in my power, as well as individually.

That you and the other gentlemen may be successful in calling the attention of our countrymen to this truly interesting and important question, is the sincere wish of, respectfully, sir, your obedient servant,

JOHN B. NICOLSON.

REV. J. M. WAINWRIGHT,
No. 1 Rector street.

Copy of a letter from Captain Nicolson, of the United States navy, to the Hon. Henry Clay.

WASHINGTON, March 17, 1828.

SIR: Having visited the colony of Liberia on my return to the United States from a cruise in the Mediterranean, I cheerfully comply with your request, by presenting to you such views of its present condition and probable growth as occurred to me in the course of that visit.

The soil in the possession of the colonists is rich, and will produce a superabundance for the support of the colony, as well as for external commerce. Sugar, cotton, coffee, rice, and various trees and plants yielding valuable dyes and medicinal gums, can be cultivated with success.

The population is now 1,200, and is healthy and thriving. The children born in the country are fine looking, and I presume can be raised as easily as those of the natives. All the colonists with whom I had any communication (and with nearly the whole I did communicate in person or by my officers) expressed their decided wish to remain in their present situation, rather than to return again to the United States. I cannot give you better evidence of the prosperity of the colony than by mentioning that eight of my crew, (colored mechanics,) after going on shore two several days, applied for and received their discharge, in order to remain as permanent settlers. These men had been absent from their country upwards of three years, and had, among them, nearly two thousand dollars in clothes and money. Had they not been thoroughly convinced that their happiness and prosperity would be better promoted by remaining among their free brethren in Li-

beria, they would not have determined on so momentous a step as quitting the United States, perhaps forever, where they all had left friends and relatives.

The appearance of all the colonists, those of Monrovia as well as those of Caldwell, indicated more than contentment. Their manners were those of freemen, who experienced the blessings of liberty, and appreciated the boon. Many of them had, by trade, accumulated a competency, if the possession of from three to five thousand dollars may be called so. As a proof of the growing importance of the commerce of the country, more than one hundred hogsheads of tobacco had been raised during the last year, and the demand was increasing. Ivory and camwood are now the prominent articles received in exchange for foreign imports; other dye woods, and many medicinal gums and roots, will be hereafter brought in, as they are already known to exist in the interior.

I take this occasion to suggest the propriety of permitting any of the colonists to purchase an additional number of acres of land from the agent. By permitting this, the more enterprising will be enabled to turn their attention to the culture of the coffee tree, which grows spontaneously in the vicinity of Monrovia. In fact, the soil will produce every thing which a tropical climate will allow to arrive at maturity.

From the good order and military discipline which appear to prevail among the colonists, I am induced to believe they could easily repel any attack which could be made upon them by any native force. They have arms, and, having associated themselves in volunteer companies, have acquired the knowledge of using them with effect against any probable force which might be brought to bear upon them by undisciplined and scattered tribes in their vicinity. It is true, they have no harbors for large vessels, as all their rivers are obstructed by bars. This is not of much consequence to their coasting trade, as they have many harbors and inlets which are accessible to small vessels. Large vessels have also one advantage—that most of the heavy winds are off the coast, which gives them a lee and a smooth sea. Off Cape Mesurado there is a good anchorage, and on the pitch of the cape they have planted a battery, which will protect any vessel that may need it from piratical depredations.

I would respectfully suggest for your consideration the propriety of making the principal agent of the colony a "commercial agent," as cases have occurred on the coast when such an appointment might have proved the means of rescuing American property from the hands of foreigners, who have maintained possession of it in consequence of there being no legalized American agent on the coast.

The importance of this colony, as regards the native tribes of the coast, is, in my estimation, great. They already begin to perceive that it is civilization and the blessings of religion which give superiority to man over his fellow-man. They had supposed it was the white skin; but now they see, in their neighborhood, men of their own color enjoying all those advantages hitherto deemed peculiar to the former. This has elicited a spirit of inquiry, which must tend to their benefit. The philanthropist may anticipate the day when our language and religion will spread over this now benighted land. The slave trade will cease as the colony progresses and extends its settlements. The very spot, where now exists a free people, was a depot for the reception of manacled slaves. This fact alone is en-

titled to consideration, and ought to arouse the zeal of the friends of humanity every where.

Our large cities complain of the number of free blacks who have, by their petty crimes, filled their penitentiaries. Would not the colony be benefited by the labor of these men, and the community relieved by their transportation? I certainly think the colony sufficiently strong, both morally and physically, to prevent any injury from their admission. I do not pretend to point out the mode or character in which they ought to be received. This I leave to those who are more able to judge on the subject. I see that the colony is now in want of numbers, to clear and cultivate a country which will amply repay them for the labor.

I take leave to mention that the climate is much like that of all similar latitudes; and, as the land is rich, and most of it still in woods, we must expect that bilious fevers will sometimes prevail; but I do not think it more unhealthy to the colored people than our extreme Southern coast; and, as the soil of Liberia becomes cleared and cultivated, I have no doubt it will be found as healthy as any other southern latitude. It was, I believe, never intended that the white man should inhabit this region of the globe; at least, we know that the diseases of this climate are more fatal to him than to the man of color. They luxuriate in the intense heat, while a white man sinks under its exhausting influence.

I confess, sir, that, since I have visited this colony, I have felt a strong interest in its prosperity, and hope that it will thrive under the auspices of a society, among whom are some of our most distinguished citizens.

If what I have communicated shall prove instrumental, in the slightest degree, to sustain you in the cause of humanity and of this degraded race, I shall rejoice that my duty called me to witness the growing prosperity of the colony of Liberia.

With sentiments of high respect, I have the honor to be your obedient servant,

JOHN B. NICOLSON,
Late Commander of the U. S. ship Ontario.

HON. HENRY CLAY,
Vice President of the Colonization Society.

Extract of a letter from Captain Robert T. Spence to the Secretary of the Navy, dated

UNITED STATES SHIP CYANE, QUARANTINE GROUND,
New York, June 27, 1823.

After an absence of twelve months from the United States, in the West Indies and on the coast of Africa, I have the honor to announce my arrival at this anchorage, last from a cruise among the Windward islands.

Up to the 24th of March, on which day my latest communications were addressed to you from Sierra Leone, you have been made acquainted with my official proceedings. Under that date, I informed you of the precarious situation of the colony at Cape Montserado, and of my intention to take prompt and effectual steps for its rescue and preservation. The schooner *Augusta* having been speedily equipped and made ready for sea by the activity of my officers, and such supply of necessary articles as would re-

lieve the immediate wants of the colonists taken on board, together with about forty Kroomen, (whose labor had been secured, free of any expense to the United States,) I proceeded without a moment's delay to the settlement, examining with due care the intermediate coast.

On my anchoring, after a short passage, at Cape Montserado, I received from Mr. Ashmun, the resident agent, a letter, which, with other communications hereto appended, disclose the indigent and distressed condition of the colony, and forcibly show that my arrival was not only most opportune, and my anticipation of their wants provident, but, in every respect, essential to their future safety and preservation. The presence of the ship at this critical juncture appeared, indeed, providential; for, without the succor it was my good fortune to afford, every thing might have been apprehended. A renewal of war was in agitation among the hostile princes; and, from all we could learn and observe, the conclusion was unavoidable, that the entire extermination of the colonists must have been the consequence. The head men were in the highest degree exasperated, appearing in no manner inclined to be appeased; declaring that they had never entertained a design of selling the Cape; that they had been overreached; that they never possessed a full understanding of the agreement, (or "book;") and, finally, that they never had sold, and never would consent to give up, Cape Montserado, the abode of one of their ideal beings of superstitious veneration.

Having made such provision for the maintenance of the "agency" during the approaching inclement season of the "rains," (nearly at hand,) and by a friendly intercourse and other means mollified as far as practicable the excited temper of the neighboring chiefs; having afforded all the aid to the establishment, which, under other circumstances, might have been deemed sufficient; my own health much impaired, my purser's wholly gone, and that of my officers by no means vigorous; having also placed a suitable vessel in the immediate vicinity of the colony—a cautionary measure, which should not be relinquished—I should have felt justified, considering the sickly season was about to set in, (particularly as the stores and supplies of the ship, from extraordinary calls, had become inadequate for a full expenditure for any length of time,) in leaving the coast for the United States; but, sir, I could not persuade myself to adopt this course, while much remained to be done for the security of a settlement, the object of which appears to be fraught with such benefits to our common country, especially as your instructions enjoined on me to do every thing for the agent and colonists which they might require, and it being the object of an officer to acquire the Government's, rather than his own approbation; to which end, I was ready to encounter any hardship, and to make any sacrifice.

The cause alleged on the part of the chiefs, for making war on the peaceable settlers at Montserado, is merged in the statement previously given: namely, their never having had any intention to sell the Cape, the spot consecrated to one of their deities, or beings of superstitious idolatry; that collusion had been practised in the purchase; that it was not a fair and fully explained contract, as they were ignorant of the paper they had signed; with others equally absurd and fallacious, founded neither in reason nor truth. Such, however, were the causes set forth by them, in the various interviews had with the officers of this ship, during our stay, for their inexcusable and unprovoked enmity. But other latent inducements existed, far more operative, which doubtless formed the true and only

cause of hostilities committed by them on an unoffending people. The most prominent of these may be discovered in the embarrassments thrown in the way of the slave traffic by a contiguous active check, restraining by its presence a trade they never can willingly forego, as also in the hope they entertained of being able to obtain, without risk or loss, the spoil and plunder of a successful war; for they had been led to believe, by emissaries sent among them by slave factors, that there would be much booty of stores, goods, &c. In these alluring hopes and prospects, at all times cogent with beings of their propensities and uncivilized habits, may be seen the leading motives for attacking the establishment at Cape Montserado.

Seeing these to have been their incitements; apprehending their present inaction was merely a truce for more vigorous preparation; finding that the chieftains were far from being inclined to abandon either their claims or intentions, but waited only for a season better suited to further both; convinced, also, that the defenceless condition of the colony invited aggression; I determined, in despite of the plausible objections my own mind furnished to a longer continuance on the coast, to exert myself, during the short period I was permitted to remain, with a view of placing the settlement in the best possible state of defence. This wish became strengthened by information received from Doctor Dix, (whose friendly and social interviews with the princes enabled him to obtain much useful matter,) that another attempt on the colony was positively meditated, when the season inimical to the health of its defenders should set in; that they were sanguine in the hopes of *then* accomplishing their object by the combined operations of war, sickness, and famine. My determination on this point received also additional strength from a perspective of the fatal consequences which would inevitably result from renewed incursions on the part of these barbarians; while the means of security were inadequate to inspire confidence on the side of the assailed, or apprehension on the part of the assailants, expulsion was certain. The entire extermination of a remnant of colonists, who, confiding in promises made them previously to embarking, had consented to leave the happiest country in the world to sojourn in the land of their forefathers, was not only possible, but too probable; added to which, the loss of a footing, happily acquired, in a situation second to none on the whole line of coast, after leaving Sierra Leone, and the consequent extinction of all future prospect of ever being again able to effect an establishment at a place so eligible, on terms so advantageous to the society, and creditable to those who negotiated the purchase. A martella tower I conceived well suited to effect the object in view; a fortress of this character was desirable on many accounts, nay, appeared indispensable, not only to the end of affording protection, and giving security in the hour of invasion, but as being also the best calculated to produce a change of policy on the part of the natives, and well suited to make such an impression as would deter them from a renewal of aggression, and thereby prevent the calamitous consequences justly to be apprehended—at all events, the consequences of harassing and vexatious depredations. Again, I considered it expedient to make also a proper impression on the minds of foreigners, jealous of an establishment, whose continuance and prosperity threatens an annihilation of the slave trade, in that particular section of country lying adjacent to the river Montserado. This with me was a consideration not without its influence. The foundation of the fortress being commenced, with the assistance of the Kroomen,

its progress was rapid; alacrity gave animation and activity, and promised a speedy completion of a competent defence. In fifteen days, a circular massive work of stone, measuring one hundred and twelve feet in circumference, eight feet in thickness, and ten feet in elevation, was seen to tower above the surrounding heights, commanding the site for the town and a wide range of the circumjacent country, capable of intercepting, by its position, any movement made either within or without the bar of Montserado river. In my expectations I was not disappointed. During the time this work was progressing, I had frequent opportunities of discovering its effect in neutralizing, in no small degree, the menacing designs of the natives. Every day brought me additional proof of a change in their intentions, wrought by an amicable and conciliatory conduct, conjoined with preparations for defence—formidable to any eye, but with them, to all appearance, impracticable. I was happy in perceiving this revolution in their sentiments, this change in their designs, as a friendly understanding with the powerful chiefs of the neighboring villages is the true policy to be observed on the part of the emigrants at Montserado. While this fortress was advancing, other operations, calculated in an eminent manner to improve the settlement, were also undertaken and carried through; indeed, nothing was left undone which I had the power to do, conceiving that both the spirit and letter of your instructions required the performance of every thing, which a limited means rendered practicable, tending in any way to ensure the success of an establishment instituted for colonizing the free men of color of the United States, and for the reception of captured emancipated slaves—objects commanding the approbation of every humane heart, and the benediction of thousands, who are to be benefited by their accomplishment. While I witnessed with satisfaction these laudable undertakings drawing to a completion, I felt no small impatience to leave the coast before the commencement of the “rains,” frequent tornadoes warning me of their approach, leaving impressions on my mind by no means tending to reconcile me to a stay of many days. The health of my crew was at this time comparatively good, considering the length of time we had experienced the debilitating effect of tropical heat, and I felt no small anxiety to preserve them in this state, for the service they were yet to encounter in the West Indies—a hope fondly indulged, but in which I was cruelly disappointed.

Our labors were nearly at a close, when my surgeon was suddenly taken down, and on the sixth day was no more. The sick list received several names in the course of a few days; cases, at first apparently slight, speedily assumed the symptoms of the coast fever. The appearance of this disease determined me, especially as the castle was finished, to delay no time in removing from the coast. In pursuance of this resolution, the crew were forthwith embarked, and the ship immediately put to sea. This measure, carried into effect with promptitude, encouraged a hope that there would be an end to a malady understood to be peculiar to the African coast, generated by the miasma and poisonous exhalations from vegetable decomposition and a deleterious atmosphere thrown from waters which, after the annual deluge has subsided, become stagnant and pestilential.

Such was my expectation from so salutary a change; this expectation doubtless would have been realized, had the winds been sufficiently fresh and favorable to have enabled us to reach, in a short time, a higher lati-

tude. It was not, however, our good fortune to be thus propitiated; but the reverse was our lot; fogs, calms, with an alternation of rains and intense suns, rendered our situation truly deplorable, and rapidly increased our sick list, so that, on the 25th of April, seven days after putting the ship to sea, the sick report contained the names of sixty of my officers and crew, and was for some time diminished only by death; not in fact diminished, for death but made room for others, brought down with similar symptoms, and threatened with a similar fate. The extreme humidity of the atmosphere, and the confined state of the ship, in consequence of torrents of rain, had changed, in a great degree, the character of this distemper, giving it all the features of the typhus. The symptoms were not altogether exclusively those attendant on this fever; they assumed a compound and multifarious appearance, not always equally violent, but in most cases equally fatal. In many instances, a general suffusion took place, the body exhibiting a deep yellow tinge, together with a highly discolored tongue, delirium, madness, instant prostration of strength, with convulsive contortions, carrying the victim off suddenly. In other cases, the symptoms were wholly different, vital decay producing a slow and destructive debility, resulting in extinction of life.

Extract of a letter from Lieutenant Perry to the Secretary, dated
U. S. SCHOONER SHARK, AT SEA, Nov. 18, 1821.

It is impossible for me to give a very correct description of Cape Mesurado, as I could observe it only from the ship. I understand, however, from the best authorities, that the soil is excellent, and capable of producing rice, indigo, coffee, cotton, sugar cane, and the fruits and esculents common to tropical climates.

The cape extends about three miles into the sea, forming on its northern side a fine bay or road, where vessels may anchor in ten fathoms of water, near the shore. It is "steep and elevated towards the sea, with a gentle declivity on the land side." "The summit forms a level plain." This is the most eligible spot that I have yet seen, for the location of the colony. The natives are less barbarous than those of the neighboring nations, and are more pacific in their dispositions; and the presumption is, that if the trees were cut down, and the land cultivated, it would prove comparatively a healthy situation, as its projection into the sea affords it the advantage of the sea breeze, the strongest preventive of disease.

Since the date of the foregoing remarks, I have been twice on the coast, and my more extensive observations have not altered my opinion as to the advantages possessed by Mesurado over any situation I am yet acquainted with *on the continent*.

Unfortunately, however, Mr. Mills is dead; by which event, the agents lose the benefit of his very great influence.

Colored people withstand the climate much better than the whites. Of the colonists, (exclusive of the agents,) but six have died, from the period of our departure in the Cyane up to the 1st of November last. The last season has been considered a remarkably unhealthy one, and the probability is that the blacks, having become seasoned to the climate, will hereafter enjoy tolerable health.

M. C. PERRY.

Letter from Captain Charles H. Bell, of the U. S. brig Dolphin.

MONROVIA, LIBERIA, April 3, 1840.

DEAR SIR: I avail myself of the opportunity of the return of the *Saluda* to the United States, to send you the following extracts from my private journal, giving some account of the present state of the colony of Liberia, and such other remarks as I suppose may be interesting, respecting this neglected and abused part of the world.

I adopt this mode of writing to you, as I am much engaged with my professional duties, and find it easier to copy what I have already written than to draw up a connected account.

The territory of Liberia, over which the Colonization Society has jurisdiction, extends from about six miles north of the St. Paul's river to Tabaconee, a few miles south of the river St. John. There is also a small detached settlement, called Greenville, at Sinou, about half way between this and Cape Palmas; this is also under the jurisdiction of the society. The colony established at Cape Palmas belongs exclusively to the Maryland Colonization Society, over which the former society has no control.

I am thus particular in defining the limits of the colony, as it has been stated, by some injudicious friends of the society, that it extends from Cape Mount to Cape Palmas; between which there is one of the most famous slave stations on the coast; and the enemies of the society, after hearing these statements, have said that the slave trade was permitted within the jurisdiction of the colony, when such is not the fact.

Immediately along the coast the land is low, but not swampy, except near the mouths of some of the rivers. Cape Mesurado is an exception to the general features of the country. It is a bold promontory, running a mile into the ocean, at an elevation of three hundred feet, making a fine bay at the north of it.

Liberia has a population of about three thousand. Many are engaged in mercantile pursuits, and have accumulated a handsome property; but, as this business was overdone, they are now turning their attention more to agriculture; coffee of the finest kind grows wild in the neighboring forests, and attempts have been made to transplant it, but with doubtful success; they are now sowing large quantities of seed in nurseries for their plantations. Sugar cane also grows luxuriantly, and is now beginning to be cultivated with some success. In time, these two productions will become the staple of the colony. Vegetables they raise in abundance; but something is wanted for exportation besides camwood, palm oil, and ivory, which they now obtain from the natives. Coffee, sugar, and rice, (which is also cultivated to some extent,) will be important productions to exchange for such articles as they must import. Hemp of the best description is also found in the colony.

The town of Monrovia is beautifully situated on the peninsula which joins the cape to the main land; it stands high, and has a fine prospect of the sea to the south, and Mesurado bay on the north. The lower part of the town is on the banks of the river Mesurado, where the storehouses are built near the landing. The town is extended over a space of forty acres, (each lot being a quarter of an acre) with wide streets crossing each other at right angles. Many of the houses have orange trees planted in front of them, which not only supply them with fine fruit, but are ornamental as shade trees.

Eight or ten small vessels, of about sixty tons, trade from this place along the coast; they were *built* here by the emigrants; and when it is considered that they were constructed principally by house carpenters, (and no carpenters at all,) it is wonderful what men can do, when thrown entirely on their own resources.

On the 26th February, I accompanied Gov. Buchanan in a trip up the Stockton and St. Paul's rivers. We left Monrovia at ten in the morning in his boat, pulled by four stout Kroomen. We ascended the Stockton, which is a branch of the St. Paul's, to its confluence with the latter river, above Bushrod island. On our way we stopped at the upper end of Bushrod island, to visit an experimental farm belonging to the society. The soil is a rich clay loam, planted with sugar cane, Indian corn, cassada, sweet potatoes, plantains, and bananas, all growing with the greatest luxuriance. Sugar mills for grinding the cane are about being erected, machinery for which is on the spot, lately sent out by the society. A number of hands, some of them liberated Africans, were employed in making brick.

A few miles above Bushrod island we landed on the south bank of the St. Paul's. Here are a number of farms delightfully situated. Near the banks of the river is an avenue opened, extending in a straight line for six miles, lined with plantain, banana, and orange trees. On this road, the farms, each of ten acres, are situated; having comfortable dwellings, and cultivated with cassada, Indian corn, rice, and sweet potatoes. Besides the fruit trees I have enumerated, they have growing near their dwellings the papaw, sour sop, and lime trees. The ground is undulating, elevated from ten to fifteen feet above the water, and commanding beautiful views of the river and opposite banks, which are nearly three quarters of a mile distant, and enjoying the sea breeze through the day. Nothing can exceed the splendor of an African forest; there is a variety from the lightest to the darkest green, and many of the trees of gigantic growth have beautiful flowers on the topmost branches. The air is alive with birds, who appear to sing in exultation at the commencement of civilization in this neglected part of the world; and build their nests upon the highest branches, to enjoy the breeze, and *perhaps* the prospect.

This settlement is called Caldwell. The emigrants appear contented; have their primary schools established among them; one of which we passed, containing about twenty children.

On our way through this settlement, we also passed a justice's court in session, trying some small cause.

On our return we stopped at New Georgia, situated on the left bank of the Stockton river. This was a settlement of liberated African slaves recaptured by our cruisers, and sent here by our Government; they also had farms given to them, and were industrious and happy; they call themselves *Americans*; and, from the little civilization they have acquired, feel greatly superior to the natives around them; they have the same privileges as the emigrants; have a vote at the elections; each man has his musket, and is enrolled in the militia. Their women, instead of being nearly naked, as all the native African women are, we found dressed in the same modest manner as our own emigrants; all take great pride in imitating the customs and manners of those who are more civilized, having furniture in their houses, and many comforts they never dreamt of in their own country. I asked a man who I had learned was from the river Congo, if he wished to return to his own country? His answer was, "No, if I go back to my

country, they make me slave; I am here free; no one dare trouble me; I got my land, my wife; my children learn book; all free; I am here a *white man*."

I will remark that the emigrants are called *white* by the natives on the coast; they appear to think the word denotes intelligence.

We also visited on this river a settlement of a part of a tribe driven from their country by one of the neighboring chiefs, who was collecting a drove for the slave market; they sought refuge and protection by entering the American colony; they also had lands given to them; they appeared much pleased with our visit, and are happy in their new homes, under the shade of their banana and plantain trees, "with none to make them afraid."

We returned in the evening to Monrovia, much gratified with our jaunt. On the rivers, we passed many canoes paddled by the emigrants, bringing the produce of the soil to Monrovia, which a little more than twenty years ago was freighted with the poor negro for the slave market.

I regretted it was not in my power to visit an interesting settlement further up the St. Paul's river, called Millsburg, about twenty miles from Monrovia. There are between three and four hundred emigrants settled on farms of ten or more acres each; the soil is rich and country healthy. They are cultivating the sugar cane to some extent, and introducing the coffee tree in their plantations. As this is considered an outpost, the inhabitants are well trained with the musket, and have a few field pieces. Although there is a dense population of natives within a few miles of them, they have little to fear; fifty emigrants being considered equal to five hundred of the natives.

The government of Liberia consists of a governor, appointed by the Colonization Society, (who is *generally* U. S. agent for recaptured Africans,) and the only white man who holds an office in the colony. They have a council, or legislature, consisting of ten persons, elected by the people, who pass such laws as they think necessary for the welfare of the colony. The governor has a veto on all such laws, and, before they can be carried into effect, they must be approved by the society in the United States. They also have their judges and magistrates; all their business, whether in the legislature or courts, is carried on with great decorum. Their government is simple, but enough for their present wants, and by permitting the people to have a share in it, they not only feel their importance, and take great interest in all matters relating to the colony, but are learning to take care of themselves, and paving the way for the time when they must be thrown on their own resources.

The soil, being purchased from the African chiefs, belongs originally to the society; but to each emigrant ten acres is allotted, who receives a title *in fee*, as soon as he builds a house and cultivates two acres. If, afterwards, they require more land, it is sold to them at the nominal value of fifty cents per acre.

The colony, even now in its infant state, has great influence with the neighboring kings or chiefs. Whenever they have disputes to settle, instead of going to war, as was formerly the case, they refer the matter in dispute to Governor Buchanan, and appear to be always satisfied with his decision. A short time previous to my arrival, five kings came to Monrovia on this errand, and, after a "palaver" with the governor, went away satisfied. The people of the surrounding country know that the colony is a friend to their race, and whenever they are oppressed, fly to the settlement for protection.

The worst part of the community is the free negro from our large cities. With some exceptions, they are lazy, and want enterprise; would sooner black boots or shave, than go into the field and work on a soil which requires but trifling labor to furnish all the necessaries of life. They are generally dissatisfied, and whine for the "flesh pots of Egypt;" while the negro from the country, and the slave who has been accustomed to work in the field, becomes here another being. He finds himself the owner of the soil; he cultivates, and takes pride in having his children educated, for which good schools are provided by the society; entitled to vote, and suffered to have arms in his house for the defence of his adopted country, he feels the change, and nothing would induce him to return. In the language of the country, he is a *white man*; "stands on vantage ground," beholds himself and his comrades treated as equals by the whites; but he also perceives the great difference between the races in point of intelligence. Instead of the equality *assumed* by these free negroes in the United States, which always degenerates into impudence, he is modest and retiring, anxious to obtain information, and grateful when it is given.

The most intelligent among them are those who have been longest in the colony, and were formerly slaves. The editor of the *Liberia Herald*, (a man of talent and education,) the colonial secretary, the lieutenant governor, the storekeeper of the colony, (a place of great responsibility,) were slaves; and old Colonel Johnson, the hero of five wars and many encounters with the natives, was also a slave. This last person was one of the first settlers, and, with eighteen men, defeated upwards of one thousand, during the time of Ashmun. This was the *turning point* of the settlement; a defeat would have exterminated every man, woman, and child in the colony.

Governor Buchanan having some business at Grand Bassa, and wishing also to visit Tradetown to make a treaty with the chief there, I invited him on board, as it was my intention to visit the slave station at New Cesters, situated between those two places, and just beyond the limits of the colony.

The coast is so entirely clear of reefs, shoals, or dangers of any kind, that I sailed close to the shore, and frequently saw the natives walking on the beach. We passed near the mouth of the St. John's river, in sight of the towns of Grand Bassa and Edina, both flourishing settlements of these emigrants. We anchored off New Cesters, and were soon visited by several Kroomen; from whom we learned that the barracoons, or slave prisons, contained about fifteen hundred slaves. The establishment belongs to a man by the name of Canot, a Florentine by birth, but no doubt a naturalized American, as he has resided in Boston many years. He is now at the Havana, but is soon expected on the coast, it is said with an armed slaver. Here we remained several days, chasing and boarding every vessel which came in sight. Not meeting with any slavers, I ran down to Tradetown, and anchored close to the shore.

I sent a small *dash*, as present, to Prince Young West, with a request to see his highness on board in the morning.

Early the next morning the messenger returned, bringing intelligence that the prince was at his capital, three or four miles in the interior, and that as soon as he arrived at Tradetown he would fire a *big gun*, when he hoped I would send a boat for him. On the signal being made, I despatched my gig, manned with five Kroomen; but, as I had given orders not to endanger the boat in the surf on the beach, his majesty was obliged

to go off to her in a canoe. He left the shore naked, to prevent his clothes from being spoiled by the salt water, and made his toilet after getting in my boat.

His dress consisted of white pantaloons and vest, a blue cloth uniform coat, with red cuffs and collar, and English navy buttons; this had evidently been a *dash* from some British officer; he wore two gold epaulets, "paired but not matched," as one had close bullion with a silver strap, and the other open bullion with a gold strap; on his head he wore a new black hat, such as are worn by civilized folks on shore; his feet were without stockings or shoes. One of his brothers, a tall, fine looking fellow, had a figured cotton mantle thrown around him, extending to the ground; this, with a black hat, composed his dress; the other brother had nothing but a handkerchief, and a piece of cloth tied around his loins.

His majesty was accompanied by his guard in a war canoe, consisting of thirty persons, each with a paddle, and armed with an old sword hung by a belt over the shoulder. Before they came alongside, they pulled three times around the vessel, making the most horrible yelling, yet keeping time with their paddles. A number of small canoes, containing from six to ten persons; also came off, so that in a short time the deck was crowded with naked negroes.

As I knew the strong love these sable gentlemen had for bits of iron, I took the precaution to have one of the gun's crew stationed at each of the gangs, to look out for priming wires, &c., and also to have an eye to the boarding pikes, battle axes, and other articles most coveted by these gentlemen of the bush.

With the thermometer at eighty-five, I invited his majesty and two brothers into the cabin, and they would have been followed by many of his suite, particularly as the steward had made a great display of detaners, tumblers, wine glasses, &c., on the table; but I hinted to the gentlemen, in a way that could not be misunderstood, that their room was (literally) better than their company. With a long, lingering look at the table, they reluctantly retired.

Young Prince West (which is his name as well as his title) is an intelligent negro, of about thirty years of age; speaks and understands English very well. He is at war with the prince of New Cesters, who is his uncle, and a deadly feud exists between them. He was very anxious that I should go and break up the slave barracoons at the latter place; said he would assist me with all his force, and that the slaves should be given to Governor Buchanan, to *make Americans of*.

He examined every thing on board with great attention, but nothing excited his admiration so much as the locks on the cannon, which he had never heard of before. I had one of the shot drawn, and the tall brother, with the mantle, fired it off in his presence; this he pronounced "very good!" "very saucy!" "hit with big iron ball, same as pickaniny ball of lead with musket; suppose you send your guns on shore, take all towns in Africa." I will remark here, that there is nothing of which the native African stands in so much dread as a heavy piece of ordnance.

The governor made a treaty with him, the amount of which was—never to be engaged in the slave trade; to render assistance to any Liberians who came in his country; to send word to the governor or myself if any slave vessels were in his vicinity; and if ever Governor Buchanan should

bring a force to break up the slave station at New Cesters, to march with all his force to assist him. Two copies were made, one of which he took, Prince West making his mark, and I signing as a witness. After getting through with this diplomatic business, we mustered up three old epaulets for a *dash*, and the governor obtained from our purser a piece of muslin and a few pounds of tobacco, which was also presented. I then sent him on shore, not, however, before he endeavored to make me promise that I would wait until he sent me a bullock from his capital, which I was obliged to decline.

In a few moments after leaving the vessel, he was followed in the same style as when he came on board, by the canoes, all in them yelling like devils in Pandemonium.

* * * * *

The Kroomen are an active and industrious race of men, scattered along the coast from Cape Verd to the Gulf of Guinea; on the approach of a vessel near the coast, these fellows pull off in their canoes several miles, go on board to offer their services or hear the news, for they are the greatest gossips in the world; then, after making their observations, return to the shore and tell all they have heard. Their country is situated to the north and west of Cape Palmas, and they return there once in two or three years, taking with them all the money they have made. They paddle along the coast for hundreds of miles, (landing occasionally for something to eat,) without any apparent fatigue; they are respected by the slave traders, who never molest them, as their services are necessary in transporting their slaves; and every man-of-war has from ten to fifty of them on board, to pull in boats, or for other severe labor in the scorching sun. The English train them to the use of the musket and cutlass; and, when joined by an equal number of whites, they fight with great courage, either against slavers or any one else; they are in fact here, what the Swiss were formerly in Europe, or rather superior to them, for they will not only fight, but work for any who will pay them.

They are a stout, powerful race, and are recognised immediately by a blue line extending from the hair on the forehead, straight down to the tip of the nose, marked with indigo tattooed on the skin; many of them are also tattooed on the head and cheeks. On the arrival of a vessel on the coast, they come on board to seek employment, each gang having a *head* man who is paid double, and who is looked upon and obeyed by his companions as an officer; they can be trusted with the boats, not making it necessary to send an officer with them. They wear no clothing, except a cloth around their loins; yet those I have on board take pride in dressing themselves every Sunday at muster, like the crew; and have drawn clothes from the purser for that purpose. They all have English names, which have been given to them by sailors trading on the coast; such as Tom Nimbley, Jack Smart, "Bottle of Beer," &c. In the event of Liberia extending her commerce, they will make a fine, hardy race of seamen to man their ships.

Governor Buchanan was with me ten days. He is an intelligent man, and is in every respect qualified for the station he holds. He is mild, but firm and determined; understands well the kind of people he has to govern. He has frequently exposed himself in conflicts with the natives, and they all respect and fear him; as he always heads his troops, they call him the war governor; say his name is Big Cannon (Buchanan) and that he

obtained that name by being so great a warrior in his own country. A better selection could not have been made by the Colonization Society to fill this important post; and I am convinced, if Mr. Buchanan could be prevailed on to remain here for four or five years, he would place the colony on such a basis, as would be felt for generations to come. It now, principally owing to his judicious management, has an influence far greater with the chiefs surrounding it than Sierra Leone, backed by the power of the British Government.

Sunday, 22d March.—I this day went to the Baptist church at Monrovia, and heard an intelligent discourse from the Rev. Mr. Teage; the congregation was respectable and attentive. When seated in church, I could not help reflecting that less than twenty-five years ago *that very spot* on which this church was built was the place where the natives assembled to worship the Devil, and was now consecrated to the adoration of the Living God! This fact is well known by every one in the colony. Can Christians say that the Colonization Society has done nothing?

Much has been said respecting the unhealthiness of the climate of this country. The mortality of the first settlers was occasioned, in a great measure, by privations, always incident to settling a new country, and by the miasma arising from clearing away the soil—greater here than in higher latitudes. Besides, the settlers were in constant apprehension of the natives, and we all know the effect the mind has upon the health of the body. At present, the colony enjoys about as good health as you will find in any community similarly situated. It is necessary, for those who come for the first time, to go through a *seasoning*, as they term it; and if common precautions are taken, they have the fever but slightly, and become acclimated without much risk. I will venture to say that, even for the white man, the climate is as good as Louisiana.

Along the sea coast the land is comparatively low; but as you advance into the interior the country becomes more elevated; and there is a range of mountains, probably three thousand feet above the level of the ocean, running parallel with the coast at from fifteen to thirty miles distant. When the country becomes more settled, and civilization extends itself farther into the interior, a climate may be found on these hills, which are clothed with verdure to their summits, as salubrious as in any country within the tropics.

Before I close this communication, I will endeavor to give you some account of the present state of the slave trade.

From the best information that could be obtained, there are now, and have been for several years past, shipped from Africa upwards of two hundred and fifty thousand slaves per annum. This appears incredible to those who have not examined into the subject; but when it is considered that *sixty-two* vessels, carrying, or prepared to carry, upon an average, three hundred each, were sent into Sierra Leone last year, in addition to those sent to the Cape of Good Hope, and captured in the West Indies and coast of Brazil, and that not more than one in six is captured, as I was credibly informed, it will be found to fall within the above estimate.

In consequence of the chance of capture, the poor negroes suffer ten-fold more misery than in the early stages of the traffic; they crowd them in small, fast sailing vessels, at the rate of two, and sometimes even four to the ton, with a slave deck but *two feet two inches* high, as was the case

with a slaver lately sent into Sierra Leone. So dreadful is their situation, that one in ten dies in crossing the ocean; consequently, *twenty-five thousand* human beings are thus destroyed in a year.

Previous to the settlement of Liberia, the mouths of the rivers St. Paul, Mesurado, and St. John, were the greatest marts for slaves on the windward coast. Thousands came annually down those streams for transportation; now those rivers are used by the husbandmen, to bring their produce to Monrovia; Grand Bassa, and Edina, and the negro paddles his canoe in safety, under the protection of the benevolent institutions founded by the Colonization Society. When these facts are so well known, is it not strange that the British Government, who appear so anxious to stop this traffic, do not use other means for this purpose?

It will occur to every one, that the only effectual way (on this part of the coast at least) to destroy this vile trade is to break up the slave stations.

As far as I could learn, there are but two between Cape St. Anne and Cape Coast Castle—one at Gallinas, and the other at New Casters. One hundred resolute men, landed at either of those places, would break up the whole concern in a few hours; under present circumstances, such is the immense profits, it never will stop. Pedro Blanco, who is one of the principal slave dealers at Gallinas, as well as others in the trade, say that if they can save *one* vessel in *three*, the business is still profitable. This can easily be believed; for I was informed, when at the Gallinas a few days ago, that slaves could be purchased for less than twenty dollars apiece *in trade*, and the price for them in Cuba is about three hundred and fifty dollars cash. A short time before I came on the coast, the ship Venus, of Havana, took on board at Gallinas nine hundred, and about eight hundred were landed in Cuba; and after paying for the vessel, and all expenses, she cleared two hundred thousand dollars.

The slave stations are generally owned by Spaniards or Portuguese, who pretend to place themselves under the protection of the negro king in their vicinity; they furnish him with muskets, ammunition, &c., which makes him more powerful than the chiefs around him, on whom he makes war. He attacks their towns, puts to death all the old persons and small children, and the rest are brought to the coast and sold to his employers. Here they are placed in slave barracoons, (or prisons,) ready to ship when a vessel arrives. At Gallinas there are now five thousand, waiting for opportunities to send off. A slaver anchors in the evening, takes on board three or four hundred that night, and is off with the land breeze in the morning. If she can run twenty miles without molestation, she is beyond the usual cruising ground of men-of-war, and safe until she arrives in the vicinity of the West Indies, where her chance of capture is very small.

Before I close this, I will remark, that the statement I have given you is intended for yourself, or any friend you may think proper to show it to, who feels an interest in this colony; but I beg of you not to have any part of it published.

With best wishes for your continued health and happiness, I am, with sincerity, very truly yours,

CHARLES H. BELL.

REV. ALFRED CHESTER,
Morristown, New Jersey.

Letter from Lieutenant John S. Paine
 CHARLESTOWN NAVY YARD, August 16, 1840.

DEAR SIR: Having lately visited the colonies of the colored people from the United States on the coast of Africa, in whose fate I am aware you take much interest, I am able to assure you that their condition confirms the hopes of the friends of colonization.

My opinion of their importance is quite changed, from a nearer view of their actual state and capacities.

I had supposed them weak, and their influence limited. I found them exercising a moral influence calculated to do more for the cause of humanity than I had believed possible, from the restricted means of the society in the United States.

This society and the colonies have suffered abuse in such varied forms, that I should hardly know where to commence their defence, but will offer you my own impressions on some points which I remember to have heard or seen selected to injure them with the community.

They have been accused of participating in the slave trade; this I consider entirely false.

They have been said to be inefficient in preventing the slave trade; this I conceive is a mistake.

The British colony of Sierra Leone, containing probably ten times the number of inhabitants, and which has cost the Government of Great Britain one hundred times the sum raised by the American Colonization Society, has now less real and permanent influence for good, than the little group of settlements commenced and sustained by private philanthropy in this country.

There are two principal reasons for this disparity in their influence. While the subscriptions to the funds of the society were at a low ebb, the colonists were taught to depend on themselves; and they made such use of the lesson that I have no doubt of their capacity to sustain themselves, to increase and extend their influence rapidly, even without further aid. When attacked, they have always defended themselves nobly, though obliged often to contend with vastly superior numbers. But the principal reason of their superiority to the African British colonists is, I think, that they have no whites to seize on the lucrative and respectable situations. I was so forcibly impressed with their position in this particular, that I will not disguise my opinion, which is, that no white man should be admitted into the colony as a resident, except perhaps the governor. If the missionary societies will support stations there, their messengers should be colored men. Colored men, I repeat, should hold all the situations which command respect and exercise important influence. The colonists of Sierra Leone, &c., are in a position similar to that held by the Africans of the non-slaveholding States; "among us, but not of us," with ample political, but no social advantages; and principally for the above reasons.

There is a considerable amount of trade carried on by the colonists, but I cannot inform you of its precise value; it is, however, enough to be considered of so much importance by the settlers, as to have created some discontent among the coast traders, with whom it was a monopoly.

The state of religion or morality (those of my faith have not learned to distinguish between them precisely) is very satisfactory, and much supe-

rior to that of the British colonies. It will, I feel sure, compare forcibly with any community containing a similar number of inhabitants.

No one who has seen their villages, their houses, their cultivated grounds, will doubt for a moment that they are an industrious community.

There are doubtless, as elsewhere, different degrees of individual merit; but the laws made by themselves, as well as the prudent management of the society here, through their high-minded, brave, and intelligent agent, Governor Buchanan, inspire me with perfect confidence in their prospects.

I am sorry that the want of statistical notes prevents my giving you a more exact view of the actual state of the colonies; in the mean time, I will repeat my opinion that real knowledge of their situation and capacities is sufficient to convert any unprejudiced American to the cause of colonization.

I am, sir, with high esteem and respect, your friend,

JOHN S. PAINE.

To Professor SIMON GREENLEAF, *Cambridge, Massachusetts.*

VISIT TO LIBERIA, &c.

Extracts from Sketches of Foreign Travel, (Liberia,) by Rev. Charles Rockwell, United States Navy—1836.

We are particularly interested in the visit of Mr. Rockwell to Liberia, and the impressions which that colony, its inhabitants and institutions, made upon his mind. He went thither with no possible motive to bias his judgment, and his testimony is that of an impartial witness. As a benevolent and religious man, he was deeply concerned to ascertain the truth, and not only availed himself of all means and opportunities for personal inquiry and investigation, but has evidently examined the history of African colonization, and calmly and dispassionately surveyed the wide field in which its beneficial results are to be developed. Indeed, the chapters on Liberia and western Africa comprise a great amount of facts in regard to the colonists, their habits, character, modes of life, and prospects, and also with respect to the productions of the country, and the customs, superstitions, and condition of the native inhabitants.

The following extract will give the impressions made upon the mind of our author on his arrival on the African coast.—*EDITOR AFRICAN REPOSITORY.*

The first decided indication we met with of our approach to Africa; that dark and benighted continent, so long the theatre of rapine and bloodshed, of revolting oppression and crime, was the appearance of a slave ship. As I was lying in my cot one morning, a colored servant boy came running to me, saying that there was a ship near us with the deck all covered with slaves, and urging me to rise and see it. It proved to be a prize recently taken by one of the British cruisers sent upon this coast for the suppression of the slave trade, and was bound to Sierra Leone for trial and condemnation. The Portuguese flag, under which it was taken, was still flying, and as the blacks were returning to their native land, there was no longer any need of confining them in irons below. They therefore, to the number of nearly five hundred, crowded the deck, all of them entirely naked, and presenting so striking an illustration of the disgusting horrors of the slave trade, as to lead one, if he had never before done so, from his inmost soul to abominate this infernal traffic. About twenty had died since they were taken, owing to disease contracted by previous confinement, and the body of one was thrown overboard, to be food for fishes, just as they passed us.

When a slave ship is captured, a prize crew, under an English officer, is put on board, and the captain and crew of the slave ship are imprisoned for a time, or sent ashore in Africa to take care of themselves, or forced to serve several years on board an English man of war. The ships, when condemned at Sierra Leone, are either destroyed or sold, and the recaptured slaves become free settlers there, or, as is often the case, return to the regions from whence they came. There are now between 30,000 and 40,000 of these settlers at Sierra Leone, who enjoy, to a considerable extent, the blessings of education and Christianity. The desire thus excited for similar instructions in the surrounding native tribes has been such as to lead them, in several instances, to erect churches of stone at their own expense, on condition of having missionaries sent among them. The number of slaves recaptured by the English cruisers on the coast of Africa has never exceeded 5,000 or 6,000 a year; a small number, indeed, when compared with the 60,000 or 80,000 who are annually carried from the old to the new world. I allude to this fact merely to show, that if the African slave trade is ever to come to an end, it must be by continued efforts to abolish slavery on the one hand, thus destroying the foreign demand, and on the other by a line of settlements on the coast of Africa, commanding the mouths of all the large rivers and inlets along the banks of which the slave trade is carried on. About 700 miles of the sea coast is now thus occupied by the English and American settlements united; and Sierra Leone alone has freed 120 miles of sea coast from the curse of the slave trade.

One obstacle which still exists to the suppression of this traffic is the fact, that the English cruisers are not permitted to land their men, and thus break up the slave factories or markets along the coast. A bill authorizing them to do so was introduced into the English Parliament two or three years since, but it was defeated. Another obstacle is the law which forbids the seizure of any vessel on board of which slaves are not actually found, though they may be waiting to be sent on board in crowds on shore, or may be thrown overboard during a pursuit. We, too, as a nation, deny the right of search; and thus, while on the one hand we have no right to seize slave ships belonging to another nation, on the other, our flag often protects slave ships from scrutiny.

We had on board our ship several seamen of intelligence, who had at different times been engaged in the slave trade; and there was one man, a petty officer, who avowed his intention of doing the same in future. His reasons, like those of the dealer in ardent spirits, were, that it was very profitable; and also, that if he did not do it some one else would; and who had a better right to these profits than himself? From these men I learned all the details of the business, as to the manner of procuring the slaves; their treatment on shipboard, and all the horrid rites of this infernal traffic. Vessels are frequently fitted out from New York and Baltimore, under the pretence of trading on the coast of Africa. They then proceed to Havana, and take in a Spanish captain and Spanish papers, that thus, when hailed, they may, either as Americans or Spaniards, escape detection, assuming, as they do in time of danger, to belong to that nation which their safety requires.

Sometimes vessels thus laden leave their goods at the Cape de Verd islands, and, crossing over to the coast of Africa, take in a load of slaves, and return again to the islands, receiving from those who carry them from

thence to the West Indies \$200 or more for each slave, as a compensation for the risk of being taken by the British cruisers. Fast-sailing Baltimore schooners, or clippers, as they are called, are also employed to run in during the night, and taking a load of slaves from the coast, sail quickly out and place them on board a large ship which is waiting for them in a given latitude and longitude, beyond the range of the British cruisers. The small vessel, by thus going and returning two or three times, obtains a full cargo for the larger one, while at the same time the risk is thus greatly lessened.

The price of slaves on the coast varies from ten to thirty dollars, and they are commonly paid for in tobacco, ardent spirits, fire-arms and ammunition, coarse calicoes, figured cotton handkerchiefs, and beads and other trinkets to which savages attach so high a value. Pedro Blanco, a famous slave dealer at Cape Mount, a point of land about sixty miles north of Monrovia, and in sight of which we passed, imported, the year previous to our visit to Africa, 150 hogsheads of tobacco, and other goods in proportion. This Blanco was a native of Havana, where he has sisters and other relatives, is about forty years old, and has made a fortune by the slave trade. He has large prisons, stores, and dwelling-houses for himself and clerks, which are made of stone, and neatly whitewashed. It is said that he has large funds vested in the city of New York, and that he intends before long to retire from business, and take up his residence there. Should he do so, his abolitionist neighbors would doubtless look upon him

with much such eyes as were cast upon the serpent by the angels, and as Gabriel did on Satan in Paradise." He has several ships, and sends off some 6,000 or 8,000 slaves a year; the great risk encountered from the British cruisers enabling him to charge a high price for them in market.

In 1837, one of Blanco's agents stated to an American missionary, that Blanco had between 90 and 100 vessels engaged in the slave trade, a princely mansion, six native wives, and that several of his daughters were married to men who navigated his vessels. During the preceding year eight of his vessels had been captured, but, as they were insured at a high rate, he sustained no loss. He was the purchaser of most of the captured slave vessels sold at Sierra Leone, and made a profit by them.

A letter from Africa, received since our return from that country, informs me that the English have advanced a claim to the territory which is now occupied by Blanco, and, should they press it, he may soon be forced to retire from his stronghold. In that case, there would be no place of any consequence from whence the slave trade would be carried on for a range of sea coast about 700 miles in extent; and this, too, a region from which, before colonies from Europe and America were planted there, vast multitudes of slaves were every year transported to the new world. Most of the towns in these colonies are built on the very places where before were flourishing slave factories, and, so late as the autumn of 1824, 500 slaves were shipped in a single month from Bassa Cove, at the mouth of the St. John's river, the place now occupied by the settlement of the colonization societies of New York and Pennsylvania. Since writing the above, the establishment of Blanco has been broken up by the English, a large amount of goods taken from his stores, several hundred slaves in his possession set at liberty, and he, himself, and his adherents, compelled to flee into the woods to escape from his pursuers. Canot, an Italian, who

was educated in a college in the United States, capitulated to the English about the same time, giving up his slave factory to them; they seeming disposed to use him as an instrument to advance their plans of possession and of commerce, to the injury of our colonies and trade in that region. Canot's factory was some distance south of that of Blanco, and near one of our colonial settlements.

From official returns, it appears, as has been already intimated, that the British cruisers have never taken more than 5,000 or 6,000 slaves from slave ships in a single year—a number not so large as Blanco alone sends to America. Before visiting Africa, I had no adequate conception of the important agency already exerted by the colonies there in lessening the slave trade, by confining it within narrower limits than it has formerly occupied; and on comparing their influence in this respect with that of cruisers off the coast, we may truly say, with the old proverb, that “an ounce of prevention is better than a pound of cure.”

We met and exchanged civilities with two of these British cruisers off the coast of Africa. They were armed brigs, and were partly manned by Kroomen, a tribe of native Africans, whose country lies to the north of Cape Palmas; but who, like the Maltese boatmen on the shores of the Barbary States and of Western Asia, are the watermen and sailors of all the western coast of Africa. They are a large, active, finely formed, intelligent, and athletic race of men, and many of them strongly reminded us, both as to form and color, of the bronze statues of Hercules; and the other heroes and gods of classic antiquity, with which we had so often met in the public galleries of Italy. The resemblance in this case was not the less striking from the fact, that these Africans, with the exception of a strip of cloth about the loins, and in some cases of an old hat, were entirely naked.

When we were several miles from the harbor of Monrovia, and approaching the coast under full sail, a company of these Kroomen met us, propelling forward their canoes with astonishing rapidity, and all loudly clamorous to gain our attention and secure employment on board our ship. These canoes are hollowed from a tree which is extremely light, and resembles what with us is called white wood. They are very thin, about a foot and a half wide in the middle, and ten or fifteen feet long. From the middle they gradually taper off, and rise from the water, until at each end they terminate in a handle so small that it can be grasped with a single hand, and thus two men easily carry them on shore to places where they will be secure from being stolen, or from being injured by the beating of the surf. There are commonly three or four persons in these little barks, though eight or ten sometimes crowd into them.

The first of these little barks which came alongside of our ship as we approached the coast had for its head man a fierce looking little Krooman, without a shred of covering, except a military cocked hat, which was perched in a knowing way upon his head. Such a ludicrous specimen of “brief authority” called forth a shout of laughter, and surely so comical a burlesque on military grandeur could hardly be met with elsewhere.

On coming to anchor in the harbor of Monrovia, we made an arrangement with one of the chiefs or captains of the Kroomen, by which we

secured the services of about thirty of his tribe to fill our ship with water from the neighboring river, and to perform other boat service, by which the health of our own crew would have been exposed. They had rations allowed them on board, and a part of them commonly slept there at night. As they had most of them either served for a time on board English men of war, or had had frequent intercourse with merchant ships of the same nation or of our own, they spoke a broken English, in which the pronoun *me* was almost the only one used. Sailors had also given them all sorts of ludicrous names, which, though not so long, and scriptural as those assigned to Cromwell's time, were yet sufficiently odd and ludicrous. Instead of their native names, such as Namboe, Niaie, Blattoo, Yiepam, and Woorawa, they had in the purser's books such titles as Peter Pitchem, Jim Nosegay, Tom Ropeyarn, Jack Fryingpan, Bill Centipede, Sam Marlinspike, and the like. Some of them were men of no little shrewdness and energy of character; and in visiting England, as at times they had done on board men of war, they had gone with their eyes open, and gave most amusing accounts of what they saw there. One of them told a long story of the severe manner in which he was treated by one Mr. Frost, and the numerous expedients he adopted to escape from him; and Yankees as his hearers were, and striking and accurate as was his description, yet it was not until after he himself gave the clew to the mystery that any one saw that it was honest Jack Frost, alias cold weather, of which he was speaking. They were also very communicative as to their religious rites and customs, their dances at the burial of their friends, and other similar ceremonies.

Sometimes, when the sailors were at leisure in the evening, they would collect the Kroomen on board together upon the fore-castle, and get them to show off some of their native dances. These had not a little of the kick and shuffle peculiar to the negro dances with us, though at times there were violent motions, somewhat like those of the shaking Quakers and howling Dervishes. They kept time to a loud, harsh, monotonous kind of music, somewhat resembling that used by the Spanish peasants, in connexion with the fandango and other national dances. On these occasions the dancers arrayed themselves in such clothes as had been given them on board. One would appear in a pair of sailor's trowsers, another with only a jacket, another still with nothing but a shirt, while one of them, more lucky than the rest, wore an old uniform frock coat, with bright yellow buttons and a standing collar, which the surgeon of the ship had given him. This last, with his coat buttoned up to the chin, in true dandy style, and his bare black legs appearing below, like those of a peacock under his plumes, made no contemptible figure, and many were the jokes which the sailors cracked upon him.

These Kroomen go to the distance of hundreds of miles from their native region, and building little villages of huts made of twigs and clay, and covered with thatch, they stay a few years, until, having acquired some property, they return to their families, whom they always leave in their own country, and are succeeded by others of their tribe. They are to Africa what the Gallegos are to Spain, or the Gibeonites of old were to the children of Israel—hewers of wood and drawers of water to those among whom they sojourned.

It was on the Sabbath, late in the month of November, 1836, that we came to anchor in the harbor of Monrovia. As the day is there observed as strictly as in a Scottish or New England village, we saw nothing of the

colonists until Monday, though they must have been anxious to know who we were, and what news we had brought them. During our visits to the different settlements along the coast, our intercourse with the colonists was every where free and familiar, and apparently gratifying to both parties.

Mr. Williams, who has for years been the acting governor at Monrovia, took the lead in entertaining us, and in doing the honors of the place. He was from Petersburg, Virginia, where, if I mistake not, he was once a slave. He has a peculiarly modest, sedate, gentlemanly deportment, and during his repeated visits to the United States has, by his intelligence and good sense, justly secured the esteem and confidence of those with whom he has had intercourse. He came to Africa as a clergyman of the Methodist church, and for a year or more was engaged in the self-denying labors of a missionary among the natives, at a distance of 150 miles in the interior. Under the title of vice agent, he has for years been at the head of the colony, and, as far as I could learn, has so discharged the duties of his office as to secure the confidence alike of his fellow-citizens and of the society from which he received his appointment.

The secretary of the colony, who is also the editor of the *Liberia Herald*, was a native of Virginia, but was educated in part in Boston. He is a man of dignified and gentlemanly deportment, and an able, correct, and vigorous writer. He came to Africa at so early an age that his manners are those of one who has known no superior, and who has never been trained to cringe and bow to those who, from having a skin whiter than his own, might have claimed the right of lording it over him. Such specimens of the colored race I have seen no where but in Africa; and surely to those who take pleasure in beholding in man the image of his Maker, it were worth a voyage to that continent to witness so pleasing a spectacle. The different physicians in the colony at the time of our visit were also men of color; and we met with individuals in other walks of life, whose intelligence, energy, and independence of character, would have done no discredit to any community.

We were every where hospitably received, taking our seats with the colonists at their tables, uniting with them in a public dinner which they gave us on shore, and entertaining them and their ladies on board our ship. The houses of the wealthier class are two stories high, of a good size, and with drawing-rooms furnished with sofas, sideboards, and other articles of luxury and ease. Most of the colonists, however, live in houses of a story and a half high, framed and covered as in New England, and having, besides the chamber, small but convenient rooms on the lower floor, while the cooking is commonly done, as in the Southern United States, in cabins distinct from the house, to avoid the annoyance of smoke and heat. In attending church at Monrovia, we met with an attentive and devout audience; and among the females it struck me that there was a larger proportion of silk dresses than is often to be met with in congregations with us. There is commonly preaching in all the churches three times upon the Sabbath, and once or more during the other days of the week.

At a wedding party which I attended, there was a degree of form and etiquette, such as to remind one of the remark made by a foreign traveller, that the colored people were the most polite class he met with in the United States. On the tables to which we were invited was beef, obtained from a small breed of native cattle which are very fat, together with mutton, ham, eggs, fowls, fine oysters and fresh fish, sweet potatoes, rice, oranges, bananas,

and other tropical fruits, with excellent bread, pastry, and sweetmeats. The cooking was very good, having been done by those who had been trained in the first families in our Southern States. Among our young officers, there were several who found in the colonies old family servants of their own, or of their near relatives and neighbors; and the feelings of interest and attachment that were exhibited in such cases, and the liberal presents made on both sides, showed that the meeting was far from being an unpleasant one.

And here it may not be amiss to give, somewhat in detail, a description of the soil, productions, and face of the country, in Liberia, together with the appearance of the different settlements, and the present condition and future prospects of the colonies.

Liberia is the name which has been given to the whole of that portion of western Africa which is occupied by colonies of free people of color from the United States. On approaching the coast, one is struck with the dark green hue which the rank and luxuriant growth of forest and of field every where presents. In this respect, it strongly resembles in appearance the dark forests of evergreens which line a portion of the coast of eastern Virginia. From Monrovia on the north to Cape Palmas, the settlement of the Maryland colony on the south is about 250 miles, as measured along the coast, while 100 miles more to the north of Monrovia is owned by the colony, and might be advantageously occupied by new settlements. At different points there are capes or promontories, rising from thirty or forty to one or two hundred feet above the level of the sea, while at other places the land, though somewhat uneven, has not, near the sea, any considerable hills. In some places, near the mouths of the rivers, are thickly wooded marshes; but, on entering the interior of the country, the ground gradually rises, the streams become rapid, and, at the distance of twenty miles or more from the sea, hills, and beyond them mountains, are often met with. In the British possessions, indeed, the Gambia is navigated by brigs of war to the distance of 400 miles from its mouth, where there are English settlements; but the rivers of Liberia cannot commonly be navigated more than twenty or thirty miles, and this only by light craft, except during the rainy season. This, however, will always furnish a ready and convenient communication with such towns as have been or may be founded on the banks of these rivers near the sea, while at the same time, as the native tribes upon the coast do not extend more than twenty-five miles inland, and are, in most places, separated from those in the interior by a forest of from a day and a half to two days' journey, constant intercourse with them may always be carried on by means of these same rivers.

The soil of Liberia is various, being affected by its position, its degree of elevation, and other similar causes. Directly on the ocean, and along the banks of rivers, a light, warm, sandy soil has in some places been thrown up by the water, which will yield sweet potatoes, beans, and cassada, but without manure the crops will be small.

The next variety is bottom land of strong, light-colored clay, which is sometimes mingled with sand and dark loam. It is productive, but is exposed to injury from the extremes of dry and wet weather. A specimen of this kind of soil may be seen at New Georgia, the settlement of the recaptured Africans on the St. Paul's river, a few miles from its mouth.

The richest soil, however, and that which is most prevalent in connexion with the different settlements, is a deep, loose, black mould, of alluvial forma-

tion. It extends back from the banks of the rivers, and derives its strength from the wash of the fertile uplands above and beyond it. It is sufficiently moist, is free from stones and gravel, and will give to any crop a rank and luxuriant growth.

In higher positions than the last, is a red, clayey soil, mingled with rocks and gravel of the same hue, which derive their color from the oxide of iron with which they abound. The soil is of a poor quality, but may be much improved by manuring.

The last variety we shall notice is a strong, rich soil, found in connexion with the higher and more rocky uplands. It produces a rank luxuriant growth of forest trees and plants, but will not produce well during the dry months of the year. Lands of this kind, however, are extremely favorable to the cultivation of coffee and other valuable plants and vegetables.

The climate of Liberia, though warm and moist, is, as to temperature, exceedingly uniform. Its extreme limits are 72 and 86 degrees of Fahrenheit; the thermometer, in the rainy season, standing during the day at about 77, and in the dry season at about 82 degrees. The heat by day seldom varies from that by night more than three or four degrees. Thus are both animal and vegetable life free from those checks and those sudden revulsions which result from great and sudden changes of temperature.

The seasons are divided into the wet and dry. The wet commences about the middle of May, and continues to the end of June. July and August are dry, pleasant months, favorable for clearing the fields of weeds, and putting such crops in the ground as were neglected before the spring rains. The second or long rainy season commences about the first of September and continues until near the middle of November. January, February, and March, are the driest months in the year, and March and April the hottest.

The rainy seasons commence and end with frequent thunder showers, and short and sudden tempests of wind from the land, which continue three or four weeks. During the wet season the rain falls in torrents for a few hours early in the morning, and again in the evening, while the rest of the day the sky is commonly clear. In cultivating new lands, the trees and brush are usually cut down in December and January; in February and March they are burned, and the lands cleared; in April and May they are fenced and planted; in July and August the crops are dressed and weeded, and cotton, coffee, and other trees, transplanted.

Owing to the copious rains, rice may be cultivated on any of the uplands of Liberia, and, unlike our Southern States, the marshes are but little used for this purpose. The upland crops are commonly sown in May; those of the lowland during the rains of autumn. The best lowland soils produce from forty to fifty bushels to the acre; the upland rarely more than thirty. Two bushels of seed are required for an acre, and, being covered with a hoe or harrow, it requires a careful weeding five or six weeks after planting, and sometimes another before it puts forth ears. The upland crop is gathered in September, and the lowland in March or April. The natives prefer the summer crop, but do not plant the same ground two years in succession. In order to do this successfully, the land must be thoroughly ploughed, which the natives have not the means of doing. There are three kinds of rice raised on the western coast of Africa: the red African rice, the round grained, and the large, white, Carolina rice, all

of which produce well, but the last is considered the best, especially for exportation.

The Rev. Mr. Wilson, a missionary from the United States stationed at Cape Palmas, though a native of the Southern States, and familiar with the extensive rice plantations to be met with there, yet, in speaking of an excursion which he made to the Cavally river, a few miles from where he resides, says "that on both sides of the river were large fields of rice, some of which were unsurpassed, or rather unequalled, by any that I ever saw before."

Indian corn is commonly planted in May, and ripens early in September, though good crops are often obtained by planting in July, and harvesting in November or December. In central Africa, two crops of corn a year from the same ground are common; and several kinds are cultivated, of which that called Egyptian corn is considered the best. It is there extensively used by the natives, not only for food, but also for making strong beer and other drinks.

Cassada is a most valuable article of culture, and its produce is greater than that of any other known vegetable. It grows to the height of several feet, and may be propagated from the seed, the root, or the stem. It may be planted any month in the year, dry sandy soils being the best for it, and a succession of crops may follow each other on the same ground. Portions of the stem are commonly buried at a distance of three feet from each other, in trenches three or four inches deep and four feet apart. As it grows, a thick hedge is formed, and, being hoed once in two months, it begins to be fit for use in six months, when it has reached half its growth, and will last from fifteen to eighteen months. Domestic animals may be fattened on the roots, and they are also easily converted into tapioca, which is valuable both as an article of commerce and for food.

Yams have a large root, resembling the sweet potato in form, though their taste is more like that of the common potato. They grow spontaneously on some parts of the coast, but are much improved by culture. Portions of the root are planted in rows about a foot and a half apart, and poles are placed for the vines to run on. They need hoeing three times, and two crops may be raised in a year from the same ground. Those which I ate were rather tough and tasteless, and bore much the same relation to an excellent sweet or common potato as codfish or shark meat does to a well-dressed pike or trout.

Sweet potatoes will grow every season of the year, and on almost every variety of soil. They may be reared from the seeds, roots, or vines. Though most easily and speedily produced from the vines, yet they are apt to degenerate where this course is pursued. I saw the colonists engaged in digging a very large kind, called the yam potato, which yielded most plentifully. The fact that so nutritious a vegetable may, with proper care, be had fresh from the ground every day in the year, speaks well for the means of support which Liberia affords. They were brought to us by the colonists in canoes, some of them coming twenty miles from the coast; and in such abundance were they offered us, that, though we supplied our crew of near five hundred men with them, yet many more were brought us than we could furnish a market for.

Pumpkins, as also most garden vegetables to be met with in the United States, do well in Liberia, while many of them, which with us are killed

by the frosts of winter, there continue to flourish from year to year. I saw beans, for example, which, by such a continuous growth, instead of mere slender vines, had become strong and firm bushes.

Of the plants and fruits peculiar to warm climates, to be met with in Liberia, we may notice the plantain, banana, orange, lime, papaw, guava, pine apple, cotton, sugar cane, coffee, arrowroot, aloes, indigo, and ginger. Oranges when ripe are very large, and almost entirely green, owing, perhaps, to the richness of the soil and to the want of the rays of the sun during the rainy season. Like plantains and bananas, they may be propagated by slips, as currants are with us; and like them, too, will produce fruit every month in the year. Pine apples of a fine quality I saw growing wild in abundance; and they may be easily propagated by planting the bud on the head of the ripe fruit, the suckers at the base of it, or the young shoots which spring from the roots.

Cotton is raised and manufactured into cloth by the natives of almost every portion of central and western Africa. The African cotton tree, of which several kinds grow wild, is different in some respects from any of the varieties of the cotton plant to be met with in the United States. The cotton is, however, of a good quality, and much the same modes of culture and of preparing it for use may be adopted as with us. It will grow well on light upland soils, and comes to maturity early in the dry season. It is raised from the seed in nurseries, until about three feet high, when it is transplanted and placed in rows about six feet from each other. The ground should be well hoed and the trees pruned, and they will continue to bear for a great number of years.

The sugar cane flourishes well on the rich lowland soils, and the crop may be several times renewed by cultivating the suckers which spring up from the old stocks, after the field has been cleared. It is said that half an acre of cane will furnish an ample supply of sugar and vinegar for a family of seven persons. A missionary now resident in Liberia, but who from his youth has been familiar with the culture of the sugar cane in the West Indies, says that the manufacture of sugar can be conducted far more profitably in Liberia than in the West Indies, owing to the great strength and productiveness of the soil.

Coffee has for ages grown wild in the woods of western Africa; and large branches, laden with the berries, were often brought on board our ship by the colonists. Both the tree and the berry are said to attain a size unknown elsewhere. It will grow on almost any soil, the dry upland producing the small-grained, fine-flavored kernel, but the rich lowlands yield the greatest crop. The trees are transplanted during the rainy season, when about two feet high, and placed several feet apart. They are carefully pruned, and the ground is kept free from weeds. They will begin to bear in three years, and the trees should be renewed once in ten years. This may be done by one of the shoots from the old stock or root. The crop is sure, and a single tree often produces four pounds in a season, which is double the amount obtained in the West Indies. When we were at Monrovia, a single colonist there had a plantation of twenty thousand trees.

Indigo grows spontaneously in western Africa, and is kept down with difficulty. It is commonly sown, however, one peck of seed being a large allowance for an acre; and it yields the greatest profit of any crop requir-

ing the same labor. It is cut six or eight times during the season, at intervals of six or seven weeks.

Ginger grows spontaneously, but is commonly planted in hills, and hoed like potatoes. Where the soil is good, it will yield sixty for one.

Camwood, which is valuable as a dye stuff, is an important article of commerce at Liberia, large quantities of it being brought there for sale by the native tribes in the interior. Mr. Ashmun, the former able and efficient governor of Liberia, also states that one-third of the forest trees in the vicinity of the colonies are camwood. Its fragrant blossoms, when they put forth, are said to impart a most delightful aroma to the atmosphere, though, when I saw it, there was nothing but its deep rich foliage to commend it to the eye.

Mr. Ashmun, in a paper addressed to the colonists in 1825, speaks thus of the region about Monrovia: "The upland of the Cape is not the best. The Creator has formed it for a town, and not for plantations. But the flat lands around you, and particularly your farms, have as good a soil as can be met with in any country. They will produce two crops of corn, sweet potatoes, and several other vegetables, in a year. They will yield a larger crop than the best soils in America; and they will produce a number of valuable articles, for which, in the United States, millions of money are every year paid away to foreigners. One acre of rich land, well tilled, will produce you three hundred dollars worth of indigo. Half an acre may be made to grow half a ton of arrowroot. Four acres laid out in coffee plants will, after the third year, produce you a clear income of two or three hundred dollars. Half an acre of cotton trees will clothe your whole family; and, except a little hoeing, your wife and children can perform the whole labor of cropping and manufacturing it. One acre of canes will make you independent of all the world for the sugar you use in your family. One acre set with fruit trees, and well attended, will furnish you the year round with more plantains, bananas, oranges, limes, guavas, papaws, and pine apples, than you will ever gather. Nine months in the year you may grow fresh vegetables every month; and some of you, who have lowland plantations, may do so throughout the year. Soon all the vessels visiting the coast will touch here for refreshments. You never will want a ready market for your fruits and vegetables. Your other crops, being articles of export, will always command the cash, or something better. With these resources, (and nothing but industry and perseverance are necessary to realize them,) you cannot fail to have the means of living as comfortably, independently, and happily, as any people on earth. If you forfeit such prospects through indolence or folly, thank yourselves for it. No one else, I promise you, will condole with you."

In confirmation of these remarks of Mr. Ashmun as to the productiveness of Liberia, it may be well here to add the statement of Dr. Hall, the recent governor of the Maryland colony at Cape Palmas, who says that he has found, in repeated instances, that individuals with only two acres of ground under cultivation had raised twice as much vegetable food as was needed for the support of a family of seven or eight persons. And here it should be remembered that in Africa, owing to the nature of the climate and the rich variety of tropical fruits, vegetable food furnishes a much larger proportion of the sustenance of the people than in colder and less genial climes.

To the means of sustaining life already noticed, we may add the small

fat native cattle, swine, sheep, goats, and the various kinds of domestic fowls, all of which have long been raised by the natives, and furnished to ships which visited the coast. There are also fine large oysters, and the sea and rivers furnish a variety of excellent fish.

As the forest trees of central and western Africa form an important item as well of the natural history as of the productive resources of those regions, it may not be amiss briefly to describe some of them here. Of valuable timber for building ships and houses there is an abundant supply, and of a very large size. Of these, we may notice an evergreen oak, five or six feet in diameter, which grows from sixty to one hundred feet or more before it puts forth a single limb; a species of teak, similar to that in Brazil, being very solid and durable, and losing much less of its weight and bulk in seasoning than oak does; a species of poplar, of a reddish color, used for the inside work of houses; and a brimstone wood, resembling mahogany, but of a lighter color. Coconut trees I saw growing only in gardens, where they flourish well. The gubberah, an immense tree found in the interior, resembles the fig, but is without its fruit. The trunk often measures from thirty to forty feet in circumference, and the branches sometimes cover more than half an acre. The kuka is a large and majestic tree; the trunk, which sometimes measures twenty-five feet in circumference, is porous and spongy; the leaves small, like those of the young ash; the flowers large, like the white garden lily; the fruit, which hangs by a long stalk, is brown, and larger than a coconut, with a hard shell, full of powdery matter of an agreeable taste, and which, when mingled with water, makes a pleasant drink. The leaves are dried, and, when boiled with gravies and meat, form a kind of clammy jelly. They are also used as food for horses and camels. The goorjee tree resembles a stunted oak, has a dark red flower, like the tulip, which is used by the natives in giving a red tinge to the mouth and teeth, as also in seasoning their food.

Mr. Wilson, missionary at Cape Palmas, in one of his excursions inland, met with a tree which, on measuring, he found to be between fifty and sixty feet in circumference, and of a corresponding height. The bamboo, a species of palm, has no trunk of any length, but sends forth a large number of reeds or stems, from fifty to one hundred feet in length, which gradually taper to the end, inclining towards the ground with a peculiarly graceful curve. It bears a nut or burr similar to that of white pine, which contains oil of a good quality, resembling palm oil. The baobab is an immense tree, and, like the banyan of India, drops its branches to the ground, which take root and spring up, thus extending itself over a wide space of ground.

On the tables of the colonists we often met with a very pleasant kind of sweetmeat or preserves, prepared from a species of red cherry, which grows wild abundantly in the woods. There are two kinds of mangrove trees—the upland or rock mangrove, and the lowland, which grows in marshes along the banks of the rivers. This latter species interested me much, from the fact that it shoots down long, straight, slender stems from its branches into the earth or water below, and these send up new trunks and trees, until the whole forest, thus interwoven and matted together, forms a fit retreat for crocodiles and other water reptiles. I have often seen these stems growing down from a height of forty feet or more from the water, of a uniform size, without leaves, and scarce an inch in diameter.

They hang from the branches like so many ropes; and often, when half way down or more, a stem will divide into four or five smaller ones, and these growing down side by side, each one becomes a separate tree. The roots of the parent tree, at the same time, as they grow, elevate its trunk into the air until it seems mounted on stilts; and being thus bound fast to the ground both from above and below, it rests in its place as securely as a man with his neck and his feet in the stocks.

To this list of forest trees others might be added, which I never saw or heard of except in Africa, and with regard to which I know of nothing peculiar, unless it be that, like every other product of vegetable life there, they grow to an immense size. We hasten, therefore, to the palm tree, of which there are several kinds. One of these is the palmetto, which is very much like the cocoanut and the cabbage tree of the Southern United States. But the more useful are those from which the palm oil and wine are produced, of which there are three varieties. Palm trees send up their smooth round trunks to the height of from twenty or thirty to eighty and one hundred feet, their long feathery branches shooting forth with a graceful curve from the highest point; and thus, as they here and there tower above the other trees of the forest, they give a peculiarly wild and oriental cast of beauty to the richly verdant landscape.

Palm wine is drunk extensively by the natives of central and western Africa, and has about the strength of common cider. The juice is obtained from the tree either by making a hole in the trunk, and inserting a portion of the leaf as a spout to conduct it off, much in the same way as the sap of the sugar maple is collected in New England; or, in other cases, the tree is cut down, the branches and leaves are removed, a trench is made in the upper surface as deep as the heart of the tree, and a slight fire being made upon this every morning, it will furnish from a quart to two gallons of sap daily for several successive weeks. Two or three gallons a day are obtained by the other process, the juice running mostly by night. It soon changes to the color of milk and water, and is a very sweet, pleasant drink; but within twenty-four hours it ferments so as to make palm wine, containing eight or ten per cent of alcohol. If kept some time longer, and exposed to the air, it becomes sharp vinegar.

This wine is commonly kept in earthen pots or jars, manufactured by the natives, their tops being covered with plaited leaves, to prevent the fermentation from going too far. When used by the natives, the master of the feast places the cup from which all are to drink between his feet, when a plate, containing a mixture of red pepper and salt, is passed around, of which each one puts a little on his tongue. The pot is then opened and the cup filled, when the woman from whose house the wine was brought takes the first draught, and the master of the feast the next, to relieve the minds of the company from all fear of poison; and for the same purpose the master of the feast is required to drink the dregs.

Palm oil is obtained from the nuts that grow on the palm tree, by boiling and then bruising them in a mortar, and pouring them into a vessel of cold water. The pulp is then agitated and squeezed by the hand until the oil is pressed out, when it is skimmed off and put in jars. In this crude state it is used by the natives and colonists, its color being a deep yellow, approaching to red. When clarified, it is colorless as lard, and then, as used with food, is thought by many to be equal to the best olive oil.

When slightly purified, it is said to be superior to whale oil for burning in lamps.

Palm oil is an important article of commerce, and the demand for it is constantly increasing, since it is the basis of most of the refined and cosmetic soaps which are used so extensively both in Europe and America. Cape Palmas alone could furnish one hundred and fifty puncheons of this oil annually when we were there, and twenty-five cents a gallon were paid for it. From the river Bonny, some distance below Cape Palmas, fifteen or twenty ships, of five or six hundred tons each, are annually loaded with palm oil; and thus are eight or ten thousand tons of it shipped each year to Liverpool, Bristol, and other English ports, from this single river alone. The cost there is not more than eight or ten dollars a cask, though in England it is worth ten times as much. The health is much exposed in this trade, as the seamen have to go up the rivers some distance; and such is the difficulty of obtaining crews, that they are commonly brought on board intoxicated, and hence know nothing of their destination until they are fairly at sea. This way of obtaining hands, however, is by no means confined to a single branch of trade, but is often resorted to in seaport towns. The male and female landsharks, who live by plundering poor Jack, will get him drunk and sell him to the highest bidder as soon as his pockets are empty; nor is it strange that, so long as by his drunkenness he makes a beast of himself, there should be found those who will treat him like a brute.

The shea or butter tree resembles the American oak in appearance, but is not larger than a common apple tree, and rarely measures more than two or three feet in circumference. I know not that it is found on the coast, but in the interior great numbers are met with. Like the tamarind, the nutta, and other valuable trees, it is there left standing when the forests are cleared; and, like the palm tree on the coast, it furnishes a valuable substitute for butter and a useful oil for lamps. The fruit, which is enclosed in a thin green rind, is shaped like a peach, but more pointed. The outer pulp is eaten, and the kernel or stone within is boiled, bruised, poured into water, and the butter skimmed off, the same as in the case of palm oil. Park says of it, that it will keep the whole year without salt, and is whiter, firmer, and of a richer flavor, than the richest butter from the milk of cows. To the east of the Niger it is used in a less pure state, not for food, but only for lamps.

The fruit of the nutta or doura tree, which is also found in the interior, is roasted like coffee, then bruised, and allowed to ferment in water; after which, it is washed and pounded to powder, which is made into cakes like chocolate, and forms an excellent sauce for food.

The natives used to bring palm nuts to us on board ship. The kernel is enclosed in a pleasant, oily pulp, of nearly the size and form of the common olive. It may be well here to notice the fact that the timber of the houses in Liberia is not liable, as in many other parts of Africa, to be destroyed by ants.

The following letter is from an active and intelligent young man of color, who recently emigrated to the colony. He was from Hartford, Connecticut. It gives his early impressions of the country:

MONROVIA, *December 21, 1841.*

DEAR SIR: It is with pleasure I write to you from this place. I am well, and hope these few lines will find you and all the family the same.

We had a voyage of fifty-two days. We experienced calms, which were the means of detaining us. On the voyage I was very sick most of the way, but since my arrival in this country my health has improved very much, and all the produce of the country is suited to my taste. I like the country very much, and I would not exchange it for America, notwithstanding we do not have some things to enjoy which you have there. This is the land for the colored man in all circumstances of life. The farmer, the merchant, the mechanic, all stand on one equal footing here.

But, when I say all men, I would not encourage the idler to emigrate; for the fact is, a man cannot get a living here without working at something; nor would I encourage a man who will drink rum.

I intend to remain here, if the Lord will. I choose this for my home before any other country, and I think I can do good in the colony in three ways, if my health is spared, and I have the means. First, I can farm; next, I can teach; thirdly, I can do joiner's work, if I can have the tools, for which I must look to America. I wish, sir, if you please, that you would send me a chest of joiner's tools of every sort. I have one more request to make; that is, for some nails for shingles, 8's and 10's, also 20's, for framing houses and roofing. But, sir, I leave it to yourself to say whether these things can be sent; and if so, when it will be convenient to send them.

Sir, you may wish to know how you will be reimbursed for what I wish to have sent, but you will please say whether you would be willing to take palm oil and camwood in return. I mention these two articles, for they are the chief currency of the coast. Please write me respecting this.

Your humble servant,

GEORGE L. SEYMOUR.

ANSON G. PHELPS, Esq.

Letter from a colored man, who was a liberated slave, and was sent to Africa, by way of New Orleans, about three years ago.

SINOU, WEST COAST OF AFRICA, *December 2, 1841.*

DEAR SIR: I embrace this opportunity of writing these few lines to you, to let you know our present and future prospects, to the best of my knowledge. We have a fine country here before us, and well wooded with excellent timber, fit almost for any use—a healthy colony, well situated for trade, which is greatly on the increase—a good landing place, with a fine river running at the back of the town, with every accommodation for the landing and shipping of goods. The soil of the country is good, and may be made to produce almost every thing by cultivation and attention.

I have planted a farm with three thousand coffee trees, and other produce; my stock of cattle consists of twenty-six head, besides pigs and other animals; my trade with the natives is large for palm oil and other commodities, and upon the whole I am doing very well—thank God for it. All

that we now want is a few emigrants to assist us to secure the place against the encroachment and impositions of the natives, who try to cheat and rob us in every possible manner. They have stolen and killed for me fourteen head of cattle this year.

I remain yours, truly,

EDWARD MORRIS.

P. S. I send you a few seeds of the palm tree, all I could procure.

[Extracts from the "Friend of Africa" for April, 1842.]

Denham says that it was with feelings of the highest satisfaction that he listened to some of the most respectable merchants, when they declared that, were *any other* system of trading adopted, they would gladly embrace it; and the Sheikh embodied the essential principle of Sir Fowell Buxton's plan in one brief but pregnant sentence: "You say true, we are all sons of one father! You say, also, that the sons of Adam should not sell one another; but what are we to do? *The Arabs who come here will have nothing else but slaves. Why don't you send us your merchants?*" Nor was this a mere transient feeling or hypocritical declaration; for when Lander was at Búrah, in 1830, he heard that the Sheikh had prohibited the exportation of slaves from the interior, further than Wawa, which would considerably affect the European trade. All classes of people listened with eagerness to the proposal for establishing a frequent communication with merchants from Europe, and Mr. Tyrwhitt was left at Kouka, at their express desire, "to receive," as they said, "the English merchants that were coming."

Already the desire of exchanging whatever their country produces for the manufactures of the more enlightened nations of the north exists in no small degree amongst them. A taste for luxury, and a desire of imitating such strangers as visit them, are very observable; and the man of rank is ever distinguished by some part of his dress being of foreign materials, though sometimes of the most trifling kind. It is true that these propensities are not yet fully developed, but they exist, and give unequivocal proof of a tendency to civilization, and a desire to cultivate intercourse with foreigners.

On the evening of the sixth day we anchored at the creek leading to Ibo. From all I have hitherto observed, I am inclined to think that we have come, if not at the best season of the year, at least in a very good season. The river is high, and the weather fine, with occasional rain, which is by no means unhealthy. The *Albert* and the *Soudan* arrived on the following day, the 27th, in the afternoon.

Negotiations were immediately commenced with the King of Ibo, who came on board. Our objects having been largely and clearly explained to him, he expressed himself willing to enter into a treaty with England, and to abolish the slave trade altogether. He admitted that that was a hard thing, but, notwithstanding, agreed to all the proposals. Our interpreter, Simon Jonas, acquitted himself very well; he is a liberated African of Sierra Leone, and a member of our church. He spoke most touchingly to the king of the miseries which slavery brings on the people at large, of the tears of their parents, the desolation produced to the country, and

of the kindness of England in rescuing them from the hands of the Spaniards and Portuguese, making them free, and teaching them how to make this life comfortable, and to prepare for the next. The king listened to him with the greatest attention, and expressed his approbation and surprise very frequently. He could not have believed that slaves could be treated with so much kindness; that they were ill-treated, he well knew.

The object of my coming, and my desires, were explained to him by myself and my interpreter, when he expressed an earnest desire to have teachers sent to him and his people. He most readily confessed that he was ignorant of God, and dependent on "white man" for instruction. I directed Simon to read some verses of Scripture to him, which astonished him not a little. That white men should be able to read and write, he expected as a matter of course; but that an Ibo slave should read was more than he could ever have expected. He seized Simon's hand, squeezed it most heartily, and said: "You must stop with me; you must teach me and my people; you must tell it to the white man; I cannot let you go until they return from the country." He could not be diverted from his object, but insisted on Simon's remaining; to which, after much consideration, we agreed. I much wish that he had more knowledge, and was better qualified for teaching, as a great door is opened to him. I have had an opportunity of watching him daily for the last ten or twelve months, and I believe him to be a sincere Christian. He has a correct knowledge of our religion; and I believe that he joined the expedition with a desire to do good to his country people. I trust he will daily pray for Divine direction, and be made the instrument, in the hands of God, of much good to his benighted countrymen.

This occurrence proves that the objection so often raised (that the Africans would not listen to their own country people if they were sent to them with the gospel) is perfectly groundless. The king of Ibo is willing, yea anxious, to hear of *the wonderful works of God* from the lips of one of his own country people, formerly a slave. I must be the more earnest in recommending native agency, as the place appears to me to be very unhealthy and prejudicial in a high degree to European constitutions. The town is an entire swamp at present. I was obliged to walk up to my knees in mud to the very door of the king's palace. Mr. Laird and Mr. Lander must have seen the town at a more favorable season, from the description which they give of it. A few pious intelligent Ibo men (there are such at Sierra Leone) might be further instructed, and a schoolmaster or two might no doubt be obtained for them.

August 23, 1841.—Simon Jonas and myself had some conversation with an Ibo man, from which we gathered, that there was not much traffic in slaves carried on at present, and that the people were chiefly engaged in preparing palm oil. He was told by the interpreter that he himself had been made a slave, but had been liberated and kindly treated by the English. The Ibo man could hardly credit it. He had hitherto believed that slaves were purchased by the white people to be killed and eaten, and that their blood was used to make red cloth. This notion is very prevalent among them.

HOUSE OF COMMONS, *March 4, 1842.*

Viscount Ingestrie said that the House would recollect that last year, shortly before the Niger expedition sailed, he had called its attention to

the subject, and had ventured to give utterance to the fears he entertained respecting the result of that expedition. He was sorry that his anticipations had been confirmed to a lamentable extent; and he would take the present opportunity, therefore, of asking if Her Majesty's Government intended to renew that expedition hereafter?

Lord Stanley said that the Niger expedition had been undertaken with the most humane and philanthropic intentions; with a desire to improve, if possible, the interior of Africa, by introducing and promoting commerce, and by putting a stop, as far as it could be done, to the practice or encouragement of the slave trade on the part of the chiefs who occupy territories on the banks of the Niger. Now, it was impossible to deny that, to a certain, and indeed to a lamentable extent, the expedition had proved a failure. He would not say that it had been altogether a failure, for there was on the part of the inhabitants of that country a desire to enter into trade, and to encourage commercial intercourse with this country; and if, in addition to that desire, it could be proved that there was any law recognised amongst those chiefs under which such commerce could be carried on successfully, there was nothing but the dangers of the climate that could prevent its being carried on by whites. But it was clear that the climate (upon the banks of the river at all events, nor did it appear to improve in the interior, but was rather worse, perhaps) was so deadly in its nature to white men, and likely therefore to produce such disastrous effects amongst expeditions composed of white men, that Her Majesty's Government did not feel themselves justified, even for the important objects for which it was thought right to despatch the last expedition, to run the risk of sacrificing the health and lives of more of Her Majesty's subjects by renewing the attempt; so far, then, as white men were concerned, it was not the intention of Her Majesty's Government to renew the expedition to the Niger. He must not omit to mention, however, that an attempt had been made to establish a farm consisting entirely of negroes, who carried with them into that country no small portion of the civilization, and knowledge, and religion, which they had acquired by their converse with this country. In connexion, therefore, with this fact, the subject deserved the serious consideration of the House. But, on the part of the Government, he disclaimed any intention of acquiring territory, or of assuming or accepting sovereignty there for the British crown, or of binding themselves to give protection where it could not be immediately and effectively given. He disclaimed, on the part of the Government, any intention of promising to any persons who might settle there, holding nominally British possession, protection by force of arms; so that if they settled there, they must settle, not under British protection, but under the laws of that country. At the same time, it was a matter of serious consideration whether the farm should be altogether abandoned by the Government, and whether, supposing it could be altogether given up to Negroes, whom the climate did not appear to affect, the Government should not afford that kind of moral support and protection which a small steamer going up the Niger under the British flag, but entirely manned by native sailors, for the purpose of occasionally calling to communicate with, countenance, and support them, might give. One thing, however, was quite certain—that, looking to the dreadful loss of life, and loss of health to the survivors of the late expedition, Her Majesty's Government did not intend to renew the expedition to the Niger upon the same scale and footing.

EXTRACTS FROM THE ANNUAL REPORTS OF THE SOCIETY.

Second annual report—January 9, 1819.

The memorial presented to the House of Representatives, in behalf of the American Colonization Society, at the 2d session of the 14th Congress, gave rise to a favorable report from the select committee to which it was referred. Having been submitted to the House at an advanced period of that session, which terminated, of necessity, on the 4th of March, the report remained unacted on amidst the mass of unfinished business. Upon its renewal, at the last session of the present Congress, the memorial was retained by the committee to which it was referred, in expectation of important intelligence from the missionaries of the society, then on the African coast. The committee, however, concurred in a favorable report, which was presented to the House of Representatives towards the close of the session. In consequence of the adoption of a rule which gives to the unfinished business of that session a priority to any arising after the first week of the present, a decision upon the report may be confidently expected in the course of this month.

One of the grounds assumed by the select committee, in support of the object of the memorial, is derived from its tendency to facilitate the execution of the laws of the United States prohibiting the importation of slaves, in a manner consistent with the spirit of the laws themselves; the long-established policy of the Southern States, and the genius of the Federal Constitution. It is well recollected that, as soon as Congress acquired the constitutional power of prohibiting the importation of slaves, which was on the 1st of January, 1808, they followed the example of the several States, in imposing heavy penalties upon the authors of this inhuman traffic. The first section of the act of the 2d March, 1807, declares that, "after the above period, it should not be lawful to import into the United States, or the Territories thereof, from any foreign country, any negro, mulatto, or person of color, with intent to hold, sell, or dispose of such person as a slave, or to be held to service or labor." The act subjects not only the American vessel employed in violating the law to *condemnation*, but "every person engaged in building, fitting out, equipping, loading, or otherwise preparing or sending out such vessel, knowing or intending it to be so employed, to the forfeiture of *twenty thousand dollars*." A subsequent section makes it "a *high misdemeanor* for any person to transport from any foreign country and sell any person of color, within the jurisdiction of the United States." Upon conviction, it subjects the offender to "an *imprisonment* of not less than *five* nor more than *ten years*, and to a fine not less than *one* nor exceeding *ten thousand dollars*." The *purchaser* or *seller* of any such person so imported, who shall knowingly purchase or sell the same, is subjected to a *forfeiture of eight hundred dollars* for every person of color "so purchased or sold." To this section, the following extraordinary proviso is annexed: "that the aforesaid forfeiture shall not extend to any seller or purchaser of any negro, mulatto, or person of color, who may be sold or disposed of *in virtue of any regulation which may be hereafter made by any of the Legislatures of the several States, in that respect, in pursuance of this act and the Constitution of the United States*."

The authority of the State Legislatures, to which the proviso refers, is conveyed to them by a clause of the section of this act next preceding the

last. It declares, that "neither the importer, nor any person or persons claiming from or under him, shall hold any right or title whatsoever to any negro, mulatto, or person of color, nor to the service or labor thereof, who may be imported or brought within the United States, or Territories thereof, in violation of the law, but the same shall remain subject to any regulations, not contravening the provisions of this act, which the Legislatures of the several States or Territories, at any time hereafter, may make, for disposing of any such negro, mulatto, or person of color."

A recent act of the Legislature of Georgia will show what construction has been given to this authority.

The second section of the act empowers the Governor to sell, for the benefit of the State, any negroes, mulattoes, or persons of color, brought into it in violation of the laws of the United States; and sales to a considerable amount have accordingly been made, and their proceeds paid into the State treasury!

The managers would be unjust, however, as well as ungrateful, if they passed unnoticed the last section of this act, which provides, "that if, previous to any sale of any such persons of color, the society for colonizing free persons of color within the United States will undertake to transport them to Africa, or any other foreign place which they may procure as a colony for free persons of color, at the sole expense of the society, and shall likewise pay to his excellency the Governor all expenses incurred by the State since they have been captured and condemned, he is authorized and requested to aid in promoting the benevolent views of the society in such manner as he may deem expedient."

The managers heard, with deep regret, of the execution of the second section of this act in the course of the past year, without having it in their power to avail themselves of the recognition of the existence and object of the American Society in the sequel of the act, and afford relief to the unfortunate beings whom violence and fraud had torn from the bosom of their native country, and a defect of the laws of the United States has consigned to hereditary slavery in the bosom of this. Surely, when the authority granted to the several States, by the act of Congress which had been recited, is thus exercised, it is without due regard to the limitations which accompany the concession. So far from such an exertion of power being "in pursuance of the act of Congress," it is in direct contravention, not only of its positive and express provisions, but of its very spirit and title. It is an act "to prohibit," not to admit "the importation of slaves." To contend that the consignment of innocent and injured foreigners to perpetual slavery is "in pursuance of the Constitution of the United States" is to cast a reproach on that instrument which it does not merit.

But if the Legislature of Georgia have overstepped the authority with which the act of Congress invested them, in a case, to their judgment, it is presumed, of apparent necessity, a necessity which they sought to avoid, it becomes the Government of the United States, which created the evil, to provide for it an adequate remedy. None can be found, short of a restitution of those injured people to the country from which they have been iniquitously torn; nor can such restitution be so effectually accomplished, in any other mode, as by their colonization upon the western coast of Africa, in conjunction with the free people of color of the United States, who may voluntarily seek the same asylum. In the distribution of free colonies along the coast of Africa frequented by the slave ships, and the employ-

ment of a suitable naval force to guard its peace; the managers believe that the most efficient, if not the only adequate remedy, will be provided for enforcing the existing laws of the United States against the African slave trade.

The act of Congress of 1807, to which the managers have already referred, expressly empowers the President of the United States, *shall he deem it expedient, to instruct and direct the commanders of the public armed vessels to seize and bring into any port of the United States all ships or vessels thereof, whenever contravening the provisions of the act; and subjects the vessels to condemnation, as prizes taken from an enemy in open war, and their commanders to exemplary punishment.* All that it remains in the power of Congress to superadd is the labor of colonization.

The managers, sensibly impressed with the inefficacy of the present laws against this abominable traffic, and firmly persuaded that its entire abolition is essential to the success of the leading objects of the society, offer no apology for having dwelt so long upon this branch of their report, nor for having enlarged its appendix by the admission of several documents that manifest the extent to which this cruel and iniquitous trade is still pursued by citizens of the United States.

If so many of the best interests, not only of these United States, but of mankind in general, are to be promoted by the colonization of Africa, may not the hope be confidently indulged, that the wisdom and patriotism of the General Government will countenance the hitherto imperfect efforts of the American Society?

Third annual report—January 8, 1820.

It ought not to be expected, it does not accord with the course of an inscrutable Providence, that a purpose of such enlarged benevolence as that which actuates the American Society, however prudently pursued, shall be accomplished without difficulty and labor.

The friends of humanity, in every age, have encountered opposition from those even whom they most intended to serve. The sneers of malignity, and the scoffs of insolence and pride, assailed the immaculate Author of Christianity, at the awful and affecting moment in which he expiated, by a cruel and ignominious death, the sins of his enemies. Let not his remote and humble followers expect to find a path of duty without an obstacle to be surmounted, or a single impediment to be removed. Even the temporal rewards of virtue are not attainable without patience and self-denial. Those hopes which are elevated to a higher prize should be fortified against corresponding trials. To despair of ultimate success in a cause which patriotism, benevolence, and piety recommend, is to distrust the justice or the omnipotence of Heaven.

The managers are led to these reflections by some of the obstructions which they have met in the past year. They have been encountered where they were least to have been expected, and have been maintained with a pertinacity worthy of a better cause.

That the accomplishment of all that they hope should be regarded as doubtful, or even impracticable, has excited neither indignation nor surprise. Of the success of any plan for the melioration of the condition of society,

men will think as differently as they will feel in relation to its purpose. And the charge of enthusiasm may be expected, and should be meekly borne, by all who promise to themselves, or to the world, any great and substantial good, out of the ordinary course of human experience. But those who intend well, deserve, at least, to have their motives candidly appreciated; and they have, especially, a right to expect that their *acts* and *declarations*, if not charitably interpreted, will be truly reported.

Not only have authorities with respect to the climate, health, soil, and population, of Africa, the seat of the contemplated colony, been cited against the spirit and earnest recommendations of the very authors themselves, from whom they have been borrowed, but a single sentence from a speech of one of the members of the American Society has been quoted; in order to fix the charge of selfishness upon the institution, against the whole tenor of the speech of the member himself, of the accompanying address of the president, and report of the managers, and the direct and obvious tendency of every act of the society.

The managers assert no claim for themselves, or their constituents, to superior humanity. They neither ask nor desire for the object of their institution, or the particular means which may be devised for its attainment, exemption from public criticism. They exult, with the nation at large, in that spirit of free and rational inquiry which constitutes the best security for the liberty and happiness of any people. In this spirit, they beg leave, before they close their report, to notice some of the objections which have been made to the colonization of Africa in the mode contemplated by the American Society.

It is believed that a comprehensive answer to most, if not all of them, would be furnished by simply repeating *what it is* that the society propose to do.

They propose, then, in the language of the Virginia resolution, to procure a suitable territory on the coast of Africa, for such of the free people of color as may choose to avail themselves of this asylum, and for such slaves as their proprietors may please to emancipate; and they purpose, moreover, to furnish the means of transporting the emigrants to Africa; or to enlarge the means which they may themselves provide.

They do *not*, therefore, *intend*, and *they have not the inclination*, if they possessed the power, to *constrain* the departure of any free man of color from America, or to *coerce any proprietor to emancipate his slaves*.

So far is this scheme from being impracticable, that one resembling it in all respects was accomplished by a private society in England, more than thirty years ago. In despite of every representation to the contrary, the colony of Sierra Leone boasts, at this moment, a greater degree of prosperity than distinguished any one of the British colonies, now the United States of America, at the same period after its first plantation. The population of Sierra Leone; its commerce and navigation; its churches, schools, and charitable institutions; its towns and hamlets; its edifices, public and private, surpass those of any one of these States at any time within twenty-five years from its first settlement. In a few months, most certainly within the present year, the practicability of founding a similar colony, with much better and more abundant materials, will be tested by actual experiment. The free persons of color of New York, Philadelphia, Baltimore, Richmond, Petersburg, and Charleston, who are preparing to remove to Africa;

will yield in moral character to no population of the same complexion which they may leave behind. Had the society competent funds, there are similar materials already offered to the managers for a much larger colony. In this early success of the object of the society, there is an unanswerable reply to the argument founded on the supposed unwillingness of the free people of color to quit America.

Some of the authors of this objection have first *persuaded them not to emigrate*, and then pronounced that they *will* not. Their prediction and their argument have both failed. And how could it be otherwise? Does not America every day present the spectacle of Europeans who have forever abandoned the natal soil of themselves and their progenitors? Such are their numbers, that humanity has interposed to prevent their crowding to fatal excess the ships which transport them. And can it be believed that the descendants of Africa will not return to the home of their fathers, when it shall have been prepared for their reception, and they are assured of its enjoyment in peace, freedom, and happiness? Do not the most intelligent of their friends recommend to them colonization somewhere, as essential to their moral and intellectual improvement? and, if anywhere, what country so fit as Africa? Is there on the habitable globe a soil more fertile, productions either richer or more varied, a climate better adapted to the constitution of the black man, than that which God hath given him? The fierce sun, which scorches the complexion and withers the strength of the white man, preserves to the children of Africa the inheritance of their fathers. That such is the current of their own opinions, when their natural feelings have not been warped by misrepresentations of the climate, soil, and population, of that devoted country, let the following facts attest.

Of the whole number of free blacks in Nova Scotia, amounting to very near twelve hundred, to whom the humane Clarkson addressed himself in 1792, but four or five individuals refused to embark with him for Sierra Leone. Almost all those in London yielded, about the same period, to this natural bias.

It is but a few years since Captain Paul Cuffee carried thirty-eight from Boston to Sierra Leone, chiefly at his own expense; and in a letter, written after his voyage, he declares that he could have obtained the consent of the greater part of the free people of color in that city and its vicinity to remove to Africa. And let it not be forgotten that, of those whom he actually carried, there was not one disposed to return with him to America. Nor should it cease to be remembered, that this generous and enlightened African, in the last moments, as through the last years of his useful and meritorious life, recommended colonization in Africa to his degraded countrymen here. To this authority should be added many others, but especially that of Kizell, the guide and friend of the missionaries Mills and Burgess, who, like Captain Cuffee, knew America as well as, and Africa much better than, any of the opponents of the plan of colonization.

Some of the free blacks in America who have been consulted on this subject have, it is true, not consented to the choice of country made for them by the society; but in the various cities on the coast they have agitated for many years some scheme of emigration. A few have removed to St. Domingo; and such was the desire of a number of those in the town of Providence, in Rhode Island, some years since, to change their abode, that they subscribed a sum of money, and deputed one of their own body

to visit the coast of Africa in search of a territory suited to their purpose. Their wishes were defeated by the dishonesty of their agent.

The free people of color on the banks of the Wabash, who have already encountered the hardships of settling and clearing a wilderness, have repeatedly expressed a similar desire.

And if this disposition to exchange America for Africa exists in those States wherein there are very few, if any, slaves, what should it be where emancipation is often a curse rather than a blessing; where the more reflecting among the people of color themselves, and the white inhabitants in their neighborhood, however afflicted by the spectacle of hereditary slavery, acknowledge that they are every day more and more convinced that it is impossible to advance the happiness of the slave by emancipation? How unhappy is that condition which, midway between servitude and freedom, knows neither the restraints of vice nor the incentives of virtue! And can those who regard themselves as the peculiar friends of the free people of color in America wish them to remain in this degraded, this abject state? No! even they begin to look out for a country in which this unfortunate race may rise in the scale of existence to the level of the white man, and they think that they have found it in the late French colony of St. Domingo.

Very far, indeed, are the managers of this society from dissuading any of the free people of color to accept the asylum generously offered to them by the Emperor of Hayti. But, independent of any reference whatever to the future conversion and civilization of Africa, is not the impediment of a foreign language, which the colonists must acquire before they can understand their new laws; of a religion to which they are strangers; of a government which savors, at least, of military despotism, sufficient to turn the scale in favor of Africa, to which the colonists would, in time, impart their own manners, religion, laws, and language? However disposed to cherish good will and respect for all other nations, an American, whether bond or free, would probably prefer an American to a French foundation for his civil and political institutions.

The general sentiment, then, of the free people of color in the United States, will probably settle down in favor of Africa, as the seat of their contemplated colony. The American Society have made this choice for them after much inquiry and reflection; and it is not probable that any objection will hereafter be made to this selection, if the colony about to be planted shall thrive in its infancy. On this subject, however, expectations too sanguine should not be indulged, nor temporary delays and disappointments produce despair. The beginnings of all nations not lost in fable have been inconsiderable, and their first progress tardy and laborious. The success of that which the American Society hope to found will be secured from misfortune and accident as far as human precaution can provide. Its prosperity will rest, at last, on that overruling Providence which guides the destiny of man.

It has been urged that this objection seems to comprise the very pith and marrow of all the arguments against the colonization of Africa on the principles of the American Society, that the colony will not be able to *receive* and *subsist*, nor the society to *transport thither, all the free people of color of the United States*.

The authors of this objection have not denied that a flourishing colony may be established on the African coast; and some of them have asserted that the present population of the United States have sprung from a com-

paratively very small number of emigrants. And if an empire, resembling in extent and prosperity these United States, can be founded on the western coast of Africa, with means so inconsiderable, and therefore so attainable, who would have the inhumanity to refuse his co-operation in a work so glorious?

It must be perceived, therefore, that this objection applies to the *earnest hopes*, rather than to the *express purpose*, of the American Society. But, as it is believed that the objection itself is susceptible of complete refutation, it is proper to examine the basis on which it rests.

It will be readily conceded that no colony, nor any number of colonies, can afford to receive, in any one year, a greater number of emigrants than the annual surplus product of their soil, aided by importation, will sustain; and, consequently, that, unless a number of *free people of color*, exceeding in amount the annual increase of that description of persons in America, can be annually provided for in Africa, the whole of that population cannot be there accommodated.

The same principle and deduction apply with the same force to any plan of colonizing *all the people of color*, bond and free. Their application shall be considered in both respects. For, although it is believed, and is indeed too obvious to require proof, that the colonization of the free people of color alone would not only tend to civilize Africa, to abolish the slave trade, and greatly to advance their own happiness, but to promote that, also, of the other classes of society, the proprietors and their slaves, yet the hope of the gradual and utter abolition of slavery, in a manner consistent with the rights, interests, and happiness of society, ought never to be abandoned.

The calculations upon this subject have proceeded on an estimate of the annual increase of the free people of color of the United States at five thousand souls, and of the slaves at little more than thirty-five thousand; making a total of forty thousand.

Now, so far as this estimate relates to the *free people of color*, it must afford an ample refutation of the conclusion deduced from it, to refer to the fact that there has been scarcely a State admitted into the American Union, the population of which has not been annually augmented for several years prior to its admission, and has not subsequently continued to be augmented annually by a greater emigration than of five thousand persons.

The State of Ohio, which boasts, at present, a militia more numerous than that of the ancient and populous State of Massachusetts, and probably contains, therefore, a population little, if at all, short of six hundred thousand souls, comprehended, in the year 1790, along with the whole North and Southwestern Territories of the United States, less than 37,000; ten years afterwards, when its census was blended with that of Michigan and Illinois, little more than 45,000; and, by the enumeration of 1810, 230,760. Allowing the Territories of Illinois and Michigan, which contained in 1810 17,000, to have doubled their population in the ten years next preceding, Ohio possessed, in 1800, 36,500 souls; and supposing that number to have been doubled, by their natural increase alone, in the last twenty years, and the population of that State to be now 600,000, as computed above, she has then been indebted, in twenty years, to emigration and its natural increase, for 527,000 of her present numbers; so that the annual augmentation of the population of Ohio for that period, exclusive of the natural increase of her original stock in 1800, has not fallen short of twenty-six thousand; all of whom have been sustained by the annual surplus produce

of the labor of that State, assisted but little, if at all, by importation from the neighboring States and Territories, and reduced considerably of late years by exportation.*

Two such colonies, therefore, planted on a soil and beneath a climate resembling that of Ohio, would provide not only for the natural augmentation of their first stock, after it had reached twenty-three thousand souls, but for an annual addition of 53,000 to their number; thus exceeding in the aggregate more than twelve thousand persons, the total annual increase of the colored population of the United States.

But on the soil and under the sun of Africa, which bring to maturity two crops of corn or rice in the same year, where no winter devours the autumnal harvest, but genial warmth and perpetual verdure gladden the whole year, the same labor would yield a double product and more than a triple surplus.

It is, too, for the first year only that this surplus would be required by the new mouths. The new hands would, in every succeeding season, not only provide for themselves, but swell the annual surplus destined for other colonists or for exportation.

And if, for the first year, there were no surplus, the mere food for five or for forty thousand people would be—what? Less than the surplus produce of a neighboring county of Maryland or Virginia.

Bread, it is true, although sufficient for human sustenance, does not comprise, in itself, a supply of all human wants. For the rest, however, for clothes and shelter, no comparison can be made between their necessary cost in a climate in which the thermometer ever ranges within twenty-five degrees *below* the greatest summer heat of America, and one wherein, for many months of the year, it rarely rises so high *above* the freezing point, and for half that period it is generally sunk below it.

Tropical Africa is known, at present, chiefly from its western coast, depopulated and wasted by the slave trade. The imperfect accounts of its interior promise to the civilization which shall hereafter explore it a milder climate and increased fertility.

It remains to be determined whether the Colonization Society can provide for such a number, or they can provide for themselves, the means of transportation.

And here, as on that branch of this inquiry which has been just disposed of, it should ever be borne in mind, as an antidote to every effort to impair the hopes of the philanthropist, that, short of complete success, there is much substantial good to be attained.

He cannot stand acquitted at the bar of his own conscience who pleads, as an excuse for total inaction, that he could have accomplished but a part of what he desired.

If the seeds of civilization shall be strewed along the coast of Africa, and protected from the blighting influence of the slave trade; if the chief impediment to gradual emancipation in America shall be removed; if, where slavery may continue to exist, the fidelity of the slave and the affection of the master shall be both augmented; if the free people of color shall be permitted to enter on the career of moral and intellectual improvement in the land of their fathers, under the guarantee of political independence; if

* It is certain, also, that, for the last three years, Ohio has furnished many emigrants to Indiana, Illinois, Michigan, and Missouri.

all, or any considerable part of these blessings, can be attained by opening the door of Africa to the return of her liberated children, it will be no reproach to the Colonization Society that they have not civilized an entire continent, or disenthralled a nation.

It is, indeed, most probable, that the American Society, unassisted by the resources of the individual States or of the Union, may be incapable of rendering such aid to the emigration of the people of color as would provide for colonizing their annual increase. But that the resources of the United States would prove incompetent to that purpose, is utterly denied, and can be most easily disproved. For what would be the expense of transporting 5,000 persons, the supposed annual increase of the free people of color alone, or 40,000, the estimated increase of both BOND and FREE? Computing the present population of the United States at ten millions, and allowing fifty dollars for the transportation of each colonist, there would be required for the latter a poll tax of but two and a half cents, and for both, one of twenty-five cents, on all the people of these States.

The amount of duties collected on foreign distilled spirits, during each of the first six years of Mr. Jefferson's administration, would defray the sum total of this expense, and furnish half a million of dollars annually to extinguish the principal, the entire stock of the heaviest calamity that oppresses this nation. A renewal of the internal taxes of 1815 would not only provide the means of exporting the annual increase of the whole colored population of the United States, but leave an equal sum to purchase that part of this number, to the exportation of which the consent of the proprietor could not be obtained. And were the same duties charged in the United States as in Great Britain on the consumption of this fatal poison of human happiness, their nett proceeds would, in less than a century, purchase and colonize in Africa every person of color within the United States.

This period is, indeed, remote; but eternity admits not of distribution into time. In the existence of nations, a century is but a day.

The preceding calculations are founded on the improbable supposition that no colonist would contribute any thing whatever to defray the expense of his own removal. Let those who indulge the most unfavorable anticipations of the expense of colonizing in Africa the free people of color of the United States behold the condition and number of those emigrants who are daily poured upon the American continent from every part of Europe; whom poverty and wretchedness drive from the home of their fathers, and whom no friendly counsel cheers, no friendly hand assists, at their port of embarkation, in their uncomfortable voyage across the Atlantic, or their toilsome journey to a remote settlement in a strange land; who heard, before they embarked, every possible misrepresentation of the country which they sought to reach; and encountered, in the Government which they were about to leave, every discouragement which oppression can oppose to the love of freedom and the desire of happiness; and yet, whose lot in Europe was preferable to that of the slave in America, and, in many respects, to that of the contemned, and therefore debased, free negro. Count the number of emigrants who entered the ports of North America in the past year only. Upwards of twelve thousand are said to have landed at the single port of Quebec; and the total number who have reached Canada, Nova Scotia, and the United States, cannot fall far short, if at all, of forty thousand. Many of them, in order to pay their passage, entered into ob-

ligations of service to be performed after their arrival in America; and thus sold their freedom for a few years, in order to perpetuate it to themselves and to their posterity.

They have come, it is true, in commercial ships, and some of them have paid less for their passage than the cost at which it is ascertained that any number of free people of color can be carried to Africa, in ships fitted for passage only.* But will not the time arrive when Africa will have her commerce too? Has not the single port of Sierra Leone exported, in one year since the abolition of the slave trade by England, a greater value than all western Africa (a coast of several thousand miles) yielded, exclusive of its people, for a like period anterior to that event? When this abominable traffic shall have been utterly exterminated; when the African laborer can toil secure from the treachery of his neighbor and the violence of the man-stealer, that continent will freight, for legitimate trade, those ships which now carry thither chains, fetters, and scourges, to return home with the bones, the sinews, the blood, and the tears of her children. Her gold, her ivory, her beautiful dyes, her fragrant and precious gums, her healing plants and drugs, the varied produce of her now forsaken fields and lonely forests, will be brought, by a joyous and grateful people, to the nations who, once their plunderers and persecutors, will at length become their protectors, friends, and allies.

New forms of government, modelled after those which constitute the pride and boast of America, will attest the extent of their obligations to their former masters; and myriads of freemen, while they course the margin of the Gambia, the Senegal, the Congo, and the Niger, will sing, in the language which records the Constitution, laws, and history of America, hymns of praise to the common Parent of man.

A revolution so beneficent, so extended, and so glorious, requires, to effect it, the concert and the resources of a nation. The people of America have the power to secure its success against the uncertainty of accident. They are summoned to the performance of this duty by the most urgent incentives of interest, the most awful appeals of justice, and the tenderest claims of humanity. Its final accomplishment will be a triumph over superstition, ignorance, and vice, worthy of a people destined, it may be fondly hoped, to surpass all other nations in the arts of civilized life.

The Colonization Society is about to lay the corner stone of this edifice. Whether it shall rise to strength and grandeur, it is for the Government and people of America, under the overruling Providence of Heaven, to decide.

Tenth annual report—January, 1837.

Ten years have now elapsed since a few individuals assembled in this city, and deliberately formed themselves into an institution for the purpose of establishing a colony of free people of color of the United States on the coast of Africa.

An enterprise of such a nature, so vast in conception, various in its rela-

* Two or three guineas have been frequently accepted for a passage from Great Britain to America, where the emigrant has found his own stores.

tions, and remote in its consequences and its benefits, was seen to be involved in uncertainty, because relying for its full execution upon the aid of those whose approbation could not reasonably be expected, until created by other evidences of its utility than those which the scheme, as merely theoretic, presented to the public mind. But should the means be contributed for demonstrating, experimentally, the utility of the plans of the society, so far as the actual establishment of a colony on the African coast could be regarded as such demonstration, still it was manifest that, on the delicate but momentous question of the probable effects of this colony upon the condition and interests of the great mass of our colored population, two opinions would be adopted, entirely contradictory, and both, therefore, widely varying from the real purposes and hopes of the institution.

The want of satisfactory information concerning the soil, climate, and natives of Africa, and the methods most expedient to be adopted for the acquisition of territory, and the very general aversion of the free people of color to a design which all of them could feel to be hazardous, but which few could comprehend, increasing, as it necessarily must, the indifference of those of our citizens who are governed rather by sympathy than reflection, constituted obstacles truly formidable, but which it was impossible to avoid.

It may not, perhaps, be irrelevant to the present occasion to consider for a moment by what motives and arguments the founders of this society were enabled to sustain themselves in their earliest efforts for a cause embarrassed by difficulties so numerous and immense, and so destitute of attraction to the eye of an ordinary observer.

There was a moral grandeur in the design itself, which rendered the bare possibility of its accomplishment a motive sufficient to justify every possible exertion. It presented itself in relations infinitely important to those whom it would remove from our shores; was seen connected with the domestic happiness, social order, political strength, and all the higher interests of our country, and seemed to offer the only hope of rescuing Africa from the invaders of her rights and the murderers of her children, and of imparting to her tribes, whose sable aspect is but the shadow of a darker mind, the pure and undying light of our religion.

In the operations of the society, it was obvious that the principal difficulties must be encountered at the outset. That a few enlightened citizens might be induced to furnish the means for exploring the coast of Africa, there was reason to hope; and a favorable report from those delegated for this purpose could not fail to secure aid for the emigration of such intelligent and energetic adventurers as have never been found wanting to enterprises of the most arduous and dangerous character. Every practical movement of the society would draw the public attention to its plans, and, if successful, exhibit evidence of their utility, which no development of a theory, however plausible, could produce. Accounts from Africa would be perused by all—by the fanciful and inquisitive for the novelty of their statements; by the thoughtful and pious to learn the character of its inhabitants, and the best methods of instructing them in the principles of our faith. Thus reflection would be excited, and the objects of the society become better understood; a knowledge of their nature would secure belief in their importance; the spirit of charity would advance with the progress of conviction; truth and time would soften down prejudice; and, through the agency of the press, unremitting efforts, and fervent prayer, the thoughts

which dwelt at first in the breast of a few might finally enlist the sympathies and command the powers of the nation.

Animated by such considerations, the original managers of this society resolved to proceed, and the history of their operations for the last ten years, as detailed in their annual reports, will show the sobriety of their purposes and the reasonableness of their hopes.

The facts connected with the efforts of the society during the last year, and now to be presented to this meeting, will add, the managers trust, no little weight to the accumulated evidence, heretofore adduced, of the practicableness and expediency of the scheme in which they are engaged.

It was stated by the managers, in their last report, that the liberality of their friends had enabled them to despatch for the colony the brig *Vine*, with thirty-four emigrants, a missionary, and printer, accompanied by the Rev. Horace Sessions, an agent of the society, who proposed to return in the same vessel; and that the Indian Chief was about to depart from Norfolk with a much larger number of passengers. The first of these vessels sailed from Boston on the 4th of January, and arrived at Liberia on the 7th of February; the last left Norfolk on the 15th of February, and completed her passage on the 22d of March.

A printing press, with all its necessary appendages, many valuable books, and other articles of equal importance, were shipped on board the *Vine* by the citizens of Boston, who evinced still further their liberality by assuming the whole expense of the printing establishment for the first year. Eighteen of the emigrants by this vessel were, just before their departure, at their own request, organized into a church; and the impressive exercises of the occasion, upon which thousands attended with heartfelt interest, deepened the concern for the prosperity of the expedition. But the councils of Heaven are too mysterious for human scrutiny, and the Almighty was pleased to visit this little company with a mortality unprecedented in the history of the colony. Scarcely had the managers seen announced, in the first sheet ever issued from the colonial press, the arrival of the *Vine*, before they received the mournful tidings of the decease of the Rev. Horace Sessions, Mr. Charles L. Force, the printer, and twelve of the emigrants, with whom others must now be reckoned, including the missionary, the Rev. Calvin Holton—making in all nearly half the whole number of those who embarked from New England. But the attention of the meeting is not left to dwell on this melancholy statement.

The Indian Chief conveyed to Africa one hundred and fifty-four persons, of which one hundred and thirty-nine were from the State of North Carolina. Not an individual of the latter number suffered materially from sickness, while some who left Norfolk in bad health derived, ultimately, benefit from the change of climate. All felt more or less severely the symptoms of fever, ague, and prostration of strength, which the system must necessarily experience on a transition from a temperate to a tropical climate; but they soon recovered their vigor, and proceeded to the erection of buildings and the clearing of their lands.

As both these expeditions sailed from the United States in the winter, the striking contrast in their subsequent condition is doubtless owing, in great measure, to the wide difference in the change experienced by the two companies of emigrants—a difference which must be estimated by comparing the less constitutional liability to tropical disease, and the lesser influence of the season affecting those from the South, with the greater liability, and

the more powerful influence of the season, to which those from the North were exposed. It has been very justly remarked by the colonial agent, that, as it would be rash for our friends in North Carolina to conclude that no emigrant from that State will hereafter suffer from the African climate, so it would be equally wide from sober calculation for the citizens of New England to determine, from a single experiment, that every similar movement would be attended with a like calamity.

The health of the colonists (those who arrived in the *Vine* excepted) has been well-nigh universal and uninterrupted, and no less animated and robust than that which they enjoyed in America. Among the passengers in the *Indian Chief*, the symptoms of disease were, in many instances, only sufficiently developed to show their specific character, and, in nearly every case, yielded readily to the power of medicine. Many of the children and youth exhibit as much activity and muscular strength as the natives themselves; and "the adults who have resided for some years in the colony seem to acquire for the climate a peculiar predilection." The natives of the coast are remarkable for their vigorous and well-proportioned frames, which are seldom broken or debilitated by disease. Probably no race of men enjoy health more uniformly, or in greater perfection. It is a fact also well ascertained, and peculiarly encouraging, in reference to the African climate, that the country gradually rises from the seaboard into the interior; and that between these two regions there exists a difference, both in temperature and elevation, nearly resembling what is found in our own Southern States.

The system of government established, with the full consent of the colonists, in the autumn of 1824, and which the managers had the happiness to represent in their last report as having thus far fulfilled all the purposes of its institution, has continued its operations during the year without the least irregularity, and with undiminished success. The republican principle is introduced as far as is consistent with the youthful and unformed character of the settlement; and, in the election of their officers, the colonists have evinced such integrity and judgment as afford promise of early preparation for all the duties of self-government. "The civil prerogatives and government of the colony, and the body of the laws by which they are sustained," says the colonial agent, "are the pride of all. I am happy in the persuasion I have, that I hold the balance of the laws in the midst of a people, with whom the first perceptible inclination of the sacred scale determines, authoritatively, their sentiments and their conduct. There are individual exceptions, but these remarks extend to the body of the settlers."

The moral and religious character of the colony exerts a powerful influence on its social and civil condition. That piety which has guided most of the early emigrants to Liberia, even before they left this country, to respectability and usefulness among their associates, prepared them, in laying the foundations of a colony, to act with a degree of wisdom and energy which no earthly motives could inspire. Humble, and for the most part unlettered men; born and bred in circumstances the most unfavorable to mental culture; unsustained by the hope of renown, and unfamiliar with the history of great achievements and heroic virtues, theirs was nevertheless a spirit unmoved by dangers or by sufferings, which misfortunes could not darken, nor death dismay. They left America, and felt that it was forever: they landed in Africa, possibly to find a home, but certainly a grave. Strange would it have been, had the religion of every individual

of these early settlers proved genuine; but immensely changed as have been their circumstances, and severely tried their faith, most have preserved untarnished the honors of their profession; and to the purity of their morals and the consistency of their conduct is in a great measure to be attributed the social order and general prosperity of the colony of Liberia. Their example has proved most salutary; and while subsequent emigrants have found themselves awed and restrained by their regularity, seriousness, and devotion, the poor natives have given their confidence, and acknowledged the excellence of practical Christianity. "It deserves record," says Mr. Ashmun, "that religion has been the principal agent employed in laying and confirming the foundations of the settlement. To this sentiment, ruling, restraining, and actuating the minds of a large proportion of the colonists, must be referred the whole strength of our civil government." Examples of intemperance, profaneness, or licentiousness, are extremely rare; and vice, wherever it exists, is obliged to seek concealment from the public eye. The Sabbath is universally respected; Sunday schools, both for the children of the colony and for the natives, are established; all classes attend regularly upon the worship of God; some charitable associations have been formed for the benefit of the heathen; and though it must not be concealed that the deep concern on the subject of religion, which resulted, towards the conclusion of the year 1825, in the public profession of Christianity by about fifty colonists, has in a measure subsided, and some few cases of delinquency since occurred; and though there are faults, growing out of the early condition and habits of the settlers, which require amendment—yet the managers have reason to believe that there is a vast and increasing preponderance on the side of correct principle and virtuous practice. One gratifying instance has occurred, in which two Methodist societies, long separated, have been induced, by juster views, unanimously to unite in the same discipline and worship. On *this* subject the managers will only add, that the moral interests of the colony have been most essentially promoted by the eminent piety and labors of its ministers.

The agriculture of the colony has received less attention than its importance demands. This is to be attributed to the fact, that the labor of the settlers has been applied to objects conducing more immediately to their subsistence and comfort. They have been too much occupied in the construction of houses and public buildings, and in conducting a profitable traffic with the natives, to leave much time to make permanent improvements on their plantations. The best methods of cultivation appear to be imperfectly understood, and the lands which were early cleared on the cape are inferior to those more recently surveyed and allotted to emigrants on the St. Paul's. Crops which exhibited the fairest promise until near the time of harvest, have been severely injured by the various and numerous animals and insects which inhabit the neighboring forests. "The cultivation of a larger number of contiguous farms will tend to preserve them all from depredations," and these destroyers can hardly retain their "accustomed haunts" another season.

It will not, the board trust, be concluded that, because more might have been done for the agricultural interests of the colony, what has been effected is inconsiderable. Two hundred and twenty-four plantations, of from five to ten acres each, were, in June last, occupied by the settlers, and most of them are believed to be at present under cultivation. One hundred and fourteen of these are on Cape Montserado, thirty-three on Stockton creek

(denominated the Halfway Farms, because nearly equidistant from Monrovia and Caldwell, the St. Paul's settlement,) and seventy-seven at the confluence of Stockton creek with the St. Paul's.

The St. Paul's territory includes the Halfway Farms, and is represented as a beautiful tract of country, comparatively open, well watered and fertile, and still further recommended as having been, for ages, selected by the natives, on account of its productiveness, for their rice and cassada plantations. The agricultural habits of the present occupants of this tract concur with the advantages of their situation in affording promise of success to their exertions. "Nothing," says the colonial agent, "but circumstances of the most extraordinary nature, can prevent them from making their way directly to respectability and abundance."

Oxen were trained to labor in the colony in 1825, and it was then expected that the plough would be introduced in the course of another year. Although commerce has thus far taken the lead of agriculture, yet the excellence of the soil, the small amount of labor required for its cultivation, and the value and abundance of its products, cannot fail, finally, to render the latter the more cherished, as it is certainly the more important interest of the colony.

The trade of Liberia has increased with a rapidity almost unexampled; and, while it has supplied the colonists not only with the necessaries, but with the conveniencies and comforts of life, the good faith with which it has been conducted has conciliated the friendship of the natives, and acquired the confidence of foreigners.

The regulations of the colony allowing no credits, except by written permission, and requiring the barter to be carried on through factories established for the purpose, has increased the profits of the traffic, and prevented numerous evils which must have attended upon a more unrestricted license.

Between the 1st of January and the 15th of July, 1826, no less than fifteen vessels touched at Monrovia, and purchased the produce of the country, to the amount, according to the best probable estimate, of \$43,980, African value. The exporters of this produce realize, on the sale of the goods given in barter for it, a profit of \$21,990, and on the freight, of \$8,786, making a total profit of \$30,776.

A gentleman in Portland has commenced a regular trade with the colony, and for his last cargo landed in Liberia, amounting to \$8,000, he received payment in the course of ten days. The advantages of this trade to the colony are manifest from the high price of labor, (that of mechanics being two dollars per day, and that of common laborers from 75 cents to \$1 25,) and from the easy and comfortable circumstances of the settlers. "An interesting family, twelve months in Africa, destitute of the means of furnishing an abundant table, is not known; and an individual, of whatever age or sex, without an ample provision of decent apparel, cannot, it is believed, be found." "Every family," says Mr. Ashmun, "and nearly every single adult person in the colony, has the means of employing from one to four native laborers, at an expense of from four to six dollars the month; and several of the settlers, when called upon in consequence of sudden emergencies of the public service, have made repeated advances of merchantable produce, to the amount of \$300 to \$600 each."

The managers are happy to state that the efforts of the colonial agent to enlarge the TERRITORY of Liberia, and particularly to bring under the government of the colony a more extended line of coast, have been judicious

and energetic, and in nearly every instance resulted in complete success. From Cape Mount to Tradetown, a distance of one hundred and fifty miles, the colonial government has acquired partial jurisdiction. Four of the most important stations on this tract, including Montserado, belong to the society, either by actual purchase, or by a deed of perpetual lease; and such negotiations have been entered upon with the chiefs of the country as amount to a preclusion of all Europeans from any possessions within these limits. The fine territory of the St. Paul's, now occupied by settlers, was described in the last annual report of the society.

The territory of Young Cesters, recently ceded to the society, is ninety miles south of Montserado, in the midst of a very productive rice country, affording also large quantities of palm oil, camwood, and ivory. The tract granted to the colony includes the bed of the Cesters river, and all the land on each side to the distance of half a league, and extending longitudinally from the river's mouth to its source. In compliance with the terms of the contract, the chief of the country has constructed a commodious storehouse, and put a number of laborers sufficient for the cultivation of a rice plantation of forty acres under the direction of a respectable colonist, who takes charge of the establishment.

The right of use and occupancy has also been obtained to a region of country on the south branch of the St. John's river, north nine miles from Young Cesters; and the trading factory established there, under the superintendence of a family from Monrovia, has already proved a valuable source of income to the colony. Rice is also here to be cultivated, and the chief who cedes the territory agrees to furnish the labor.

The upright and exemplary conduct of the individual at the head of this establishment has powerfully impressed the natives with the superiority of civilized and Christian men, and with the importance of inviting them to settle in their country; and, consequently, the offer made by the colonial agent, for the purchase of Factory island, has been accepted by its proprietor. This island is in the river St. John's, four miles from its mouth, from five to six miles in length, and one-third of a mile in breadth, and is among the most beautiful and fertile spots in Africa. A few families are about to take up their residence upon it, and prepare for founding a settlement, "which cannot fail," says Mr. Ashmun, "in a few years, to be second to no other in the colony, except Monrovia."

Negotiations are also in progress with the chiefs of Cape Mount, which, if successful, will secure to the colony the whole trade of that station, estimated at \$50,000 per annum, and may ultimately lead to its annexation to the territories of Liberia. "The whole country between Cape Mount and Tradetown," observes Mr. Ashmun, "is rich in soil and other natural advantages, and capable of sustaining a numerous and civilized population beyond almost any other country on earth. Leaving the seaboard, the traveller every where, at the distance of a very few miles, enters upon an upland country of moderate elevation, intersected by innumerable rivulets, abounding in springs of unfailing water, and covered with a verdure which knows no other changes except those which refresh and renew its beauties. The country directly on the sea, although verdant and fruitful to a high degree, is found every where to yield, in both respects, to the interior."

Much progress has been made the last year in the construction of public buildings and works of defence, though, with adequate supplies of lumber, more might doubtless have been accomplished. Two handsome church-

es; erected solely by the colonists, now adorn the village of Monrovia. Fort Stockton has been rebuilt in a style of strength and beauty. A receptacle, capable of accommodating one hundred and fifty emigrants, is completed. The new agency house, market house, Lancasterian, school, and town house, in Monrovia, were, some months since, far advanced, and the finishing strokes were about to be given to the government house on the St. Paul's. The wing of the old agency house has been "handsomely fitted up for the colonial library, which now consists of 1,200 volumes, systematically arranged in glazed cases, with appropriate hangings. All the books are substantially covered and accurately labelled; and files of more than ten newspapers, more or less complete, are preserved. The library is fitted up so as to answer the purpose of a reading room, and it is intended to make it a museum of all the natural curiosities of Africa which can be procured."

No efforts have been spared to place the colony in a state of adequate defence; and, while it is regarded as perfectly secure from the native forces, it is hoped and believed that it may sustain itself against any piratical assaults. "The establishment has fifteen large carriage guns and three small pivot guns, all fit for service." Fort Stockton overlooks the whole town of Monrovia, and a strong double battery is now building on the height of Thompsettown, near the extremity of the cape, which, it is thought, will afford protection to vessels anchoring in the roadstead. The militia of the colony consists of two corps, appropriately uniformed—one of artillery, of about fifty men; the other of infantry, of forty men; and on various occasions have they proved themselves deficient neither in discipline nor courage.

It is impossible for the managers to express the regret excited by the reflection that the system of education in the colony, second as it is to no one of its interests, is extremely defective, and that the best endeavors to improve it have, for the present, been arrested by the ordinations of an all-wise but mysterious Providence. Several primary schools continue in operation, but the ability of the teachers is only equal to the communication of the mere rudiments of knowledge. The plan of instruction commenced by the Rev. Mr. Holton promised inestimable benefits, but his sudden and lamented decease has shaded the prospect which seemed so fairly opening for the intellectual improvement of the colony. It is hoped that men of color may be found qualified to act in the capacity of teachers, and thus prevent the recurrence of so sad a disappointment. Regarding this subject as one of vital interest, the managers will not fail to give to it the most sedulous and unremitting attention.

It is a fact which cannot fail to awaken in this meeting the deepest concern, that the records of the colony afford abundant and unequivocal evidence of the undiminished extent and atrocity of the African slave trade. From eight to ten and even fifteen vessels have been engaged at the same time in this odious traffic, almost within reach of the guns of Liberia; and as late as July, 1825, there were "existing contracts for eight hundred slaves, to be furnished in the short space of four months," within eight miles of Monrovia. Four hundred of these were to be purchased for two American slavers. A boat belonging to a Frenchman, having on board twenty-six slaves, all in irons, was, in September, 1825, upset in the mouth of the St. Paul's, and twenty of their number perished. This is one of the lesser scenes of tragedy, says the colonial agent, which are daily acting in this wretched

country. But the crimes of these lawless invaders of human liberty are not confined to their acknowledged profession; they defy the laws of all civilized nations, and engage in every species of piracy.

The crew of a Spanish schooner recently boarded and robbed an English brig lying at anchor off Cape Montserado, the captain of the latter being at the time in Monrovia. The aid of the colonial agent was invoked for the punishment of the offence, who felt himself obliged, from regard to his own safety, not to leave unnoticed so flagrant a violation of the law of nations. The offer of a number of the colonial militia to proceed immediately to take possession of the factory built by the master of the piratical vessel a few miles from Monrovia was accepted, and the expedition resulted in the capture of fourteen slaves, and the entire destruction of the establishment. A few of the poor Africans thus relieved from their manacles, ignorant of the language of the settlement, and unable to appreciate the motives which led to their capture, and the benevolence which was still operating for their benefit, fled from the colony, and were soon after taken by the natives, and sold to a Frenchman who was then employed in purchasing slaves on the St. Paul's. When their situation was made known, the colonial agent demanded that they should immediately be delivered to the authorities of the colony. A peremptory refusal having been made to this demand, it was judged necessary to attempt their recovery by force, which was speedily effected, and possession at the same time obtained of the whole number of slaves at the factory, amounting in all to ninety-nine.

About the same time, two or three others of these recaptured Africans, who had escaped from the colony, were conveyed by the natives to a factory at Tradetown, a slave mart one hundred miles south of Cape Montserado, and the most notorious one existing between Cape Palmas and Sierra Leone.

An effort to recover these individuals peaceably proved entirely unsuccessful. It was known, also, that one of the three vessels then waiting for their complement of slaves at Tradetown had committed various piratical acts since her arrival on the coast. Justified, therefore, as was believed, by those principles of right which ought to govern all human actions, the agent, attended with thirty-two volunteers from the colony, assisted by the Colombian armed schooner Jacinta, Captain Chase, immediately embarked for Tradetown, detained the two vessels, (the third having been previously captured by a French brig of war,) effected a landing, seized fifty-three slaves, and reduced all the stores and buildings of the factory to ashes.

These bold and energetic measures have done much towards the exclusion of the slave trade from this part of Africa, and have indeed banished it entirely (at least for the present) from the whole district of country between Cape Mount and Tradetown. But the managers cannot hope that a traffic so long established, so gainful, so extensive, and which enlists in its support so many of the deep and malignant vices of the heart, will be exterminated without more decided and combined measures than have ever yet been adopted by the Powers of the Christian world.

The influence of the colony with the natives is great and increasing, and resulting, as it does, principally from the integrity and kindness manifested towards them by the colonial government in all its transactions, may be expected to be permanent. They begin to feel the superior advantages of civilized life, and to secure, through the settlement, by lawful trade, those articles which were formerly acquired only by the sale of their brethren.

“No man of the least consideration in the country,” says Mr. Ashmun, “will desist from his importunities until one at least of his sons is fixed in some settler’s family. We have their confidence and friendship, and these built on the fullest conviction that we are incapable of betraying the one or violating the other.”

Here the managers pause, to pay a mournful and affectionate tribute of respect to the memory of the dead. The Rev. Horace Sessions, the Rev. Calvin Holton, and Mr. Charles L. Force, the two former agents of the society, and the latter employed as printer for the African colony, have been called from the field of toil on which they had but just commenced exertions most honorable to themselves and useful to the society, to the invisible and eternal world. Mr. Sessions superintended the embarkation of the emigrants by the Vine, and accompanied them to Liberia, in the hope of acquiring information which might enable him more successfully to prosecute an agency for the society in the United States. Mr. Holton had devoted himself, with a martyr’s spirit, to Africa, and his instructions and missionary labors in the colony promised greatly to advance its literary, moral, and religious interests. But the will of Heaven has removed them, and to that will it becomes us to bow, in humble confidence that He who prepared them for usefulness in life will not leave to perish the influence of their example.

The events which have occurred in the United States during the year, favorable to this institution, are too numerous to be given in detail, and too important to be left unnoticed. They have been such as must confirm the faith of the wavering, strengthen the confidence of the irresolute, and stimulate the decided friends of our cause to higher and nobler exertions.

The number of subscribers to the African Repository and Colonial Journal has very much increased, and it is circulated at present in nearly every State in the Union.

The managers have heard with pleasure that an institution, denominated the Kosciusko School, has been founded in New Jersey, and that one of its prominent objects is to qualify young men of color for usefulness in Liberia. The name of Kosciusko is associated with this school, in honor of that illustrious individual, who, on his final departure from America, intrusted to Mr. Jefferson a fund to be applied by him to the purchase and education of African slaves; which fund is, on certain conditions, to be appropriated to the benefit of this seminary, which will long stand, we trust, a monument of the charity of that noble foreigner, whose valor and services in the cause of freedom and humanity are revered throughout our country and the civilized world.

The free people of color are becoming more generally and decidedly favorable to the views of the society, and many of the best informed and most industrious have resolved upon an early removal to Liberia. In Baltimore they have recently, in a memorial to the whites, implored the means of emigration, and expressed their full conviction of the benevolence and wisdom of the plans of the society.

The clergy of nearly all denominations have taken occasion, on the anniversary of our national independence, or on the Sabbath immediately preceding or succeeding that day, to explain to their congregations our design, and solicit contributions in its behalf, the amount of which has, it is believed, exceeded any similar collections in former years.

The brig *Doris* is now preparing to sail to Liberia, with a considerable number of emigrants, most of whom are from North Carolina.

The reports of the agents employed by the society in different sections of the country are of the most encouraging character, and prove that a deep, rapid, and extensive change, favorable to the interests of this institution, is taking place in the public mind. More than twenty auxiliary societies have been formed in the course of the year. Among these is the *Colonization Society of the State of Pennsylvania*, which, from its situation, (Philadelphia,) the energy with which it has commenced operation, and the liberality which has thus early been evinced in its support, may be expected to act very effectively in aid of our cause.

The managers are peculiarly gratified to know that the citizens of the Western States begin highly to appreciate the objects of the society, and that they are almost unanimously disposed to countenance and sustain them. They have this day received intelligence of the organization of a State society in Ohio, under circumstances so cheering as to justify the prediction that it will prove among the most important auxiliaries of the Union.

In conclusion, may not the managers be permitted to express the hope that this work, so auspiciously commenced, but for the completion of which private charity must prove inadequate, appealing, as it does, equally to our duty and interest—to the Christian, who recognises in man, wherever he is found, an heir of immortality; to the statesman, who would build up his country's glory on her justice and magnanimity, may be regarded as strictly national, worthy of the most earnest attention and liberal patronage of the Legislatures of the several States and of the Federal Government.

Eleventh annual report—1826.

The managers rejoice to state that Liberia and the adjacent country possess resources sufficient to meet the necessities of a very numerous population. On this subject, the board beg leave to make a short extract from an address of the colonists to the free people of color of the United States, dated the 27th August, 1827:

“Away with all the false notions that are circulating about the barrenness of this country; they are the observations of such ignorant or designing men as would injure both it and you. A more fertile soil and a more productive country, so far as it is cultivated, there is not, we believe, on the face of the earth. Even the natives of the country, almost without farming tools, without skill, and with very little labor, make more grain and vegetables than they can consume, and often more than they can sell. Cattle, swine, fowls, ducks, goats, and sheep, thrive without feeding, and require no other care than to keep them from straying. Cotton, coffee, indigo, and the sugar cane, are all the spontaneous growth of our forests, and may be cultivated at pleasure, to any extent, by such as are disposed. The same may be said of rice, Guinea corn, millet, and too many species of fruits and vegetables to be enumerated. Nature is here constantly renewing herself, and constantly pouring her treasures into the laps of the industrious.”

In confirmation of this testimony might be adduced the opinions of many disinterested individuals who have visited the colony; yet, considering the

fact; that, while neglected almost entirely, as has been the agriculture of this part of Africa, in consequence of the slave trade, African provisions can at present be purchased cheaper, by one-half, than American. None will question its truth. Fine cattle may be bought, at a little distance from the colony, at from three to six dollars the head; rice, of the best quality, for less than a dollar the bushel; and palm oil, answering all the uses of butter and lard for culinary purposes, at twenty cents per gallon—equal in cookery to six pounds of butter. “The colony is wholly supplied with coffee from its own limits.” It grows without culture, in great profusion, and may be purchased of the natives at about five cents the pound. The settlers find their time too valuable to be employed in gathering it; yet, in the opinion of Mr. Ashmun, it may, should no new plantations be made, finally be exported in considerable quantities from the colony.

Agriculture, it must be confessed, has received too little attention. The reasons of this are found in the perplexed and difficult circumstances of the earliest settlers; the unfavorable nature of the lands of the cape; the habits of many who first emigrated, acquired by their long residence in our large cities, and the ignorance of all of the modes of cultivation best adapted to the climate and productions of Africa; the necessity of employing time in the erection of houses and fortifications; and, above all, the strong temptation to engage in the very profitable trade of the country.

The inhabitants of Caldwell and other settlements on Stockton creek are beginning to engage in this pursuit with great decision and energy; and enough has already been accomplished to prove that we have not overrated, in the preceding remarks, the productiveness of Africa; and that time, experience, and effort, alone are requisite to realize all the advantages enjoyed by the cultivators of the soil in the most fertile and favored tropical countries.

The trade of the colony is rapidly increasing, and to this it is principally indebted for its present remarkable prosperity. “It is carried on (say the colonists, in their late address) in the productions of the country, consisting of rice, palm oil, ivory, tortoise shell, dye woods, gold, hides, wax, and a small amount of coffee; and it brings us, in return, the products and manufactures of the four quarters of the world. Seldom, indeed, is our harbor clear of European and American vessels; and the bustle and thronging of our streets show something already of the activity of the smaller seaports of the United States.”

By means of this trade, the managers are informed that many of the colonists have, in the course of three or four years, acquired property to the amount of several thousand dollars each; and that there exists, throughout the settlements, an abundance, not only of the necessaries, but of the comforts, and not a few of the luxuries of life. The great advantages of this traffic are manifest from the fact that the colonial agent estimates the annual nett profits of a small schooner, employed by him in conveying articles for barter to several factories, established, under the authority of the colony, to the leeward of Monrovia; and bringing in return the supplies accumulated in exchange for these articles, at \$4,700—a sum nearly adequate to defray the expense of the whole organization for the public service, both for the United States agency and the colonial government. In consequence of an injury done to the schooner, this intercourse has been for a season discontinued, but is probably resumed before

the present time. The possession of larger vessels would doubtless add immensely to the trade of the country and the interests of the colony.

The board rejoice to state that three new fortifications and thirteen public buildings, exclusive of the churches, are either completed already, or so far advanced as to authorize the expectation that they will be finished in the course of the year. Forty workmen, says Mr. Ashmun, in a letter of March last, are employed in erecting them. In the expense of many of them, it is true, (being indispensable to the fulfilment of the benevolent objects of its agency,) the Government has shared; yet several of great importance have been commenced, and depend for their completion upon the resources of the society and the colonists.

It is a fact highly creditable to the public spirit of the people, that a company has been incorporated for improving the navigation of Montserado river, and a subscription raised to the amount of about one thousand dollars, while, with laudable zeal, the stockholders have pledged themselves to increase the sum to four thousand, if necessary to effect their object. To encourage this object, the colonial agent has been authorized by the board of managers to subscribe for stock, should he judge expedient, to the amount of one thousand dollars.

The sum of fourteen hundred dollars annually, including three hundred dollars subscribed by the colonial agent in the name of the society, the colonists have voluntarily engaged to pay for the support of schools; and also expressed a disposition to aid liberally in securing the services of a physician.

The system of government adopted in 1824 has continued without any material changes during the year, and has fulfilled in a very efficient and satisfactory manner the great purposes for which government is instituted. At the last election, most of the officers of the preceding year were reappointed; and "we commence the year," says Mr. Ashmun, "with a better prospect of harmony in the different operations of our little civil machine than ever before. The principles of social order, and of a good, equable, and energetic government, are deeply and plentifully implanted in the minds of the influential part, if not of a majority, of the colonists, and promise the certain arrival (I do not think it will be early, however) of that state of improvement when the board can safely withdraw their agents, and leave the people to the government of themselves."

The managers have nothing to relate, in reference to the moral and religious interests of the colony, that will add much to the expectations which the statements of their last report were calculated to excite. The motives by which the earliest emigrants were animated, and the severity of the trials to which they were subjected on their first arrival in Africa, were well suited to invigorate their faith and to purify and exalt their religious character. Hence, no village, perhaps, in our own land exhibits less which is offensive, and more that is gratifying, to the eye of the Christian, than the village of Monrovia. Crimes are almost unknown; and the universal respect manifested for the Sabbath and the various institutions and duties of Christianity have struck the natives with surprise, and excited the admiration of foreigners. In the settlements more recently established there is, the managers regret to say, less attention to the peculiar duties of religion, and a sad deficiency in the number and qualifications of their ministers.

It were unreasonable to expect that a people so illiterate, so little accus-

turned to reflection, and whose moral habits want that firmness which a clear understanding of their reasonableness and importance alone can secure, should make any great advances in intelligence and piety, without the admonitions and instructions of well-educated, faithful, and persevering religious teachers. The managers regard, therefore, the benevolent efforts of several societies to establish missions in Liberia as promising incalculable benefits to the colony as well as to the African tribes. The Missionary Society of Basle, (Switzerland,) the American Board of Commissioners for Foreign Missions, and the Society for Domestic and Foreign Missions of the Protestant Episcopal Church, have all during the last year resolved to send missionaries to the colony. The managers perceive, by the public papers, that one individual has already left Germany, for the purpose of devoting himself to the cause of Christianity in Liberia.

The system of instruction, so happily organized under the Rev. Calvin Holton, on the Lancasterian plan, and which seemed well nigh suspended in its operations by his lamented decease, has been placed under the superintendence of the Rev. George McGill, an experienced teacher from Baltimore; and though the schools are conducted by persons of color, who are deficient in the higher branches of knowledge, yet their progress is by no means inconsiderable; and every child in the colony, native and American, enjoys their advantages. We have already mentioned the liberal support which they receive from the colonists.

Large and important accessions have been made, during the year, to the territories of Liberia. The negotiations which were stated in our last report to be in progress with the chiefs of Cape Mount (the trade of which is estimated at fifty thousand dollars per annum) have been satisfactorily concluded; and the actual possession of the soil, which may ultimately be expected, could not, in the opinion of the colonial agent, at the present time, be more advantageous to the colony. The chiefs have stipulated to build a large and commodious factory for the colonial government, to guaranty the safety of all persons and property belonging to the factory, to exact no tribute from those who may resort to it, to encourage trade between it and the interior, and forever to exclude foreigners from similar privileges, and from any right of occupancy or possession in the country.

The whole left bank of Stockton creek, from the Montserado to the St. Paul's, (nine miles,) was secured to the society by purchase in 1825; and upon this tract three prosperous settlements are already established. By recent treaty, that part of Bushrod island including the whole right bank has been ceded to the society, and a number of families have taken up their residence upon it. It is intended to connect this tract with Caldwell by a bridge one hundred and forty feet in length. The situation is represented as eligible, and the soil exceedingly fertile.

Perpetual and entire jurisdiction has been obtained of a territory, called the Junk, situated on the coast, forty miles to the southeast of Monrovia, between two rivers of that name, and by which there will, it is believed, be opened an extensive inland water communication from Montserado nearly to Young Cesters—a distance of about ninety miles.

The managers stated, in their last report, that the right of use and occupancy had been granted to the colonial government, of a region of country on the south branch of St. John's river, north nine miles from Young Cesters; that the factory established there had already proved profitable to the colony; and that the superintendent of this factory had, by his integrity,

so impressed the minds of the natives in favor of the colony, that the offer of the colonial agent to purchase Factory island, in the mouth of the St. John's, had been accepted. The managers have now the pleasure to add, that an invaluable tract of land, of indefinite extent, contiguous to this island, on the north branch of the St. John's, belongs to the society. Factories have been erected on the island, and on both branches of the river, and "they form," says Mr. Ashmun, "new links of union between the tribes along the St. John's and your colony. The interests of both, and all," he continues, "are, I trust, at no great distance of time, to become perfectly identical, and one numerous and Christian nation, using our language and enjoying our institutions, to cover the whole western coast of Africa."

No less than *eight stations*, from Cape Mount to Tradetown, one hundred and forty miles, are now under the government of the colony, and four of these have been acquired during the last year.

"We have already," says the colonial agent, "to some extent, connected with all our factories an agricultural appendage—a plan which has proved mutually advantageous, in different ways, both to the country people and the colony. A most desirable addition to be made to both is a school for the instruction of the native youth and children of the respective tribes in which our establishments are situated. Whether we regard such schools as a cheap means of extending the power of the colony, as the most effectual instruments of civilizing the continent, as a noble exercise of rational philanthropy, or the best expression of Christian piety, (and the object, I think, is susceptible of each of these views,) I can think of no work, connected with the rearing of the colony, of which the accomplishment is more desirable. I think it nearly capable of moral demonstration, that the *African tribes may be civilized without expulsion from their chosen settlements and villages, and without that fearful diminution of their population which has, from causes that do not exist here as in regard to the Indians of America, accompanied the march of civilization in that hemisphere.*"

Were it necessary to adduce other evidence of the extensive and powerful influence of the colonists over the natives of Africa, than that which is exhibited in the numerous successful negotiations for territory, we might state, that from Cape Mount to Tradetown (one hundred and forty miles) the chiefs have solemnly bound themselves to exclude others than the people of Liberia from their country; that the colony is at peace with all the native tribes; that the slave trade, formerly almost their only traffic, is nearly if not quite extinct; that to secure education for their sons in the colony is an object of earnest solicitude; that the colonial agent is not unfrequently addressed by them as head man of the whole country; and that in case of a recent robbery committed upon several individuals of Grand Bassa, in the service of the colony, more than one thousand men were actually marched thence, under arms, to seek directions how to proceed from the government of Liberia.

It has been ascertained that there exists in the interior, one hundred and fifty miles from the colony, a comparatively populous and civilized people, partially acquainted with agriculture and the arts, "where (to borrow the language of Mr. Ashmun) the horse is a common domestic animal; where every article absolutely necessary to comfortable life is produced by the soil or manufactured by the skill of the inhabitants; where the Arabic is

used, as a written language, in the ordinary commerce of life; where regular and abundant markets and fairs are kept; where a degree of intelligence and practical refinement exists, little compatible with the personal qualities attached, in the current notions of the age, to the people of Guinea."

Twelfth annual report—1829.

The general health of the colony has through the year been uninterrupted; and additional experience confirms the managers in the belief that there is nothing in the African climate to prevent the successful establishment of colonies of colored persons from the United States, but that its influences are well adapted to the constitutions of the colored race. A slight indisposition, soon after their arrival in Liberia, may be expected, but subsequently they enjoy more vigor and exemption from disease than in countries without the tropics.

The general aspect of affairs cannot be better described than in the language of Mr. Ashmun:

"The established state of the colony, a treasure of past experience, the confirmed health of the settlers, our better knowledge of materials for every useful work, and a path trodden smooth by use, begin now, as the fruit of perseverance in the unfavorable circumstances of former years, to require in a fuller measure the labor and expense bestowed on the improvements of the colony. Every month adds to it some new acquisitions; discloses some new resources, or produces some new valuable improvements."

A very valuable addition has the past year been made to the territory of the colony. Just before the illness of Mr. Ashmun, a company was chartered, with certain exclusive privileges for two years, to commence an agricultural settlement, in connexion with a public factory distant twenty miles from Monrovia, at the head of navigation on the St. Paul's, the Dey or St. Paul's chiefs having previously, for a small compensation, been induced to give their consent. The company proceeded to occupy the spot selected for the settlement on the 12th of February. A large tract of country, (including this settlement,) the finest, in the opinion of Mr. Ashmun, which he had seen in Africa, easily to be cleared, abounding in streams of fresh water, (the St. Paul's itself being sweet at the falls,) which had long been vacated, and left as a sort of barrier between the coast tribes and the interior, was on the 14th of April ceded to the society. From the acquisition of this may be expected advantages of the most valuable, extensive, and permanent character. Boatswain, a powerful chief, has already engaged to open a trade road from his own residence, about one hundred miles distant, but from the nearest part of the old route not more than fifty. Beyond the residence of Boatswain the roads are open, and, for aught that is known, a free communication to the great cities of central Africa.

It was stated in the last report, that the whole right or western bank of Stockton creek had been ceded to the society, and a settlement upon it already commenced. In transmitting the deed, Mr. Ashmun remarks: "We have thus occupied Bushrod island, which, containing a tract of twenty thousand acres of fine level land, is destined at some future period, to become the orchard and granary of the Montserado district of Liberia."

A country called Tabocanee, situated between Grand Bassa and Young Cesters, has been offered to the society; but, though abounding in coffee, and connecting two important stations, the sterility of the soil near the sea, and the want of any commodious harbors, have rendered doubtful the propriety of its immediate acquisition. The question in regard to it is still undecided. The native authorities at the head of Junk river have expressed an earnest desire that a settlement should be established in their country, which is represented as promising well for the interests both of agriculture and trade.

It is in contemplation among the colonists to form an agricultural establishment near the head of the Montserado river; and as the soil is good, and the attention of the people directed with more than usual interest to the culture of the earth, they will doubtless prosecute their plan with a commendable spirit. The managers cannot but regard these facts, taken in connexion with the detailed statements concerning territory in their last report, as affording evidence the most conclusive that a rich and almost unlimited country is opening to the enterprise of our colonists, and that the difficulty is not to find lands the most inviting, but men and means to plant and improve them.

The two great interests of the colony, its *agriculture and trade*, have advanced through the year with a sure and regular, if not a rapid progress. Though to foster and extend the first of these has been a primary object of the managers and their colonial agent, yet truth demands the avowal that to the latter is the colony principally indebted for its unexampled prosperity. Nor can we reasonably expect that this order of things will be speedily reversed.

It is a remark of the late lamented agent, "that the sources of trade and commerce naturally belonging to the colony, placed as it is on the central part of a coast of vast extent, and bordering on populous and industrious nations in the interior of the continent, are not a tenth part explored. And until they shall be (he adds) both explored and occupied, and so long as this vast field of commercial enterprise holds out new inducements to the settlers to enter upon and cultivate it, is *agriculture* destined to *follow* in the train of *trade*, and not to *lead* it." Admitting the correctness of this remark, yet the managers find reason, from a careful observation of the affairs of the colony during the year just past, to conclude that, if trade is to lead, agriculture is to follow not far behind, with a firm and assured step. A large proportion of the emigrants are by habit entirely unprepared for any but agricultural pursuits; the knowledge which experience in trade has given to the early settlers diminishes the chance of success to those who would now enter upon the same employment; several, who have conducted an extensive traffic, have been made to feel the precariousness of hopes founded upon commercial speculation; and, above all, the animating prospects of competency and abundance, clearly apparent before every industrious and persevering cultivator of the soil—these considerations have powerfully contributed to increase the disposition for agricultural exertions.

There remains not a doubt, said Mr. Ashmun some months ago, that the products of the colony will the ensuing year equal its consumption in every article except rice. Indeed, during the year, the spirit of agricultural industry and effort has, both at Caldwell and Millsburg, (the new settlement on the St. Paul's,) been exhibited with extraordinary energy, and in its

result have been seen the most convincing proofs of the productiveness of the soil and the best rewards of labor. The farmers of Caldwell have associated themselves into an agricultural society, at the weekly meetings of which the members report, individually, their progress on their plantations, discuss freely one or more practical questions, on which a vote is finally taken, and each question unanimously determined is recorded as a maxim in the practical agriculture of the settlement. These maxims the members are pledged to reduce to practice. The settlement of Millsburg, commenced (as we have already stated) in the month of February, is represented as in the most promising way; and early in the last summer the products of its farms had been sent down in considerable quantities to the market of Monrovia. An intelligent settler writes: "There are many fine mill seats on this new territory; and it would be almost incredible if I were to state the many advantages which are here visible. Nothing appears to be wanting but means and men of industry; in a short time the whole of the present colony might be supported by its own inhabitants along the banks of the noble Dey and in the adjacent country."*

Trade, however, is pursued by many with enthusiastic ardor and great success; and, while individuals have derived from it a very valuable profit, it has contributed most essentially to the general prosperity. It is carried on with the natives through the factories along the coast, or at home with the tribes of the interior and with vessels from the United States. It must (as has already been remarked) be regarded as in its infancy, and new sources will probably be annually developed in the wide and productive countries, and among the populous, powerful, but as yet unvisited tribes of the interior. At the commencement of the year, four small schooners had actually gone abroad in the coasting trade, under the flag of the colony; several others were about to sail, most of which had been built and fitted out at Monrovia.

Thirteenth annual report—January 18, 1830.

The late colonial agent, Dr. Randall, left the United States in November, 1828, and arrived at the colony on the 22d of the next month. Of Monrovia he writes: "Its situation is as delightful as can be imagined, and it enjoys the most important commercial advantages." In the stores of this place, he remarks, there are at this time not less than the value of \$70,000 in goods and African produce, and twice that amount, if we include all the convertible property in the settlement.

The trade of Monrovia is already considerable, and daily increases,

* It has occurred to the managers that they might perhaps gratify this meeting by here enumerating the different species of domestic animals and the various products now rearing in the colony, and which cannot hereafter be wanting, unless through the inexcusable negligence and indolence of the settlers. Of animals—horses, cattle in abundance, sheep, goats in abundance, asses are lately introduced, fowls, ducks, geese, Guinea fowls, swine numerous, fish no where found in greater quantities. Fruits are—plantains, bananas, in endless abundance, limes, lemons, tamarinds, oranges, soursop, cashew, mango, twenty varieties of the prune, guava, papaw, pine apple, grape, tropical peach, and cherry. Vegetables are—sweet potato, cassada, yams, cocoa, ground nuts, arrowroot, egg plant, ocre, every variety of beans, and most sorts of peas, cucumbers, and pumpkins. Grains are—rice, (the staple,) Indian corn, coffee excellent and abundant; pepper of three varieties, of which each is equal to Cayenne; millet and Guinea corn; cotton, staple good, but not yet cultivated. To these may be added indigo, which it is thought may be raised to advantage; and the sugar cane, which no way and doubtless will ultimately receive attention.

both in its capital and the number of vessels employed on the coast. We have now, besides six or eight smaller decked vessels, two larger schooners, the one above thirty, the other above forty tons, employed in the coasting trade. I presume the exports from this place may be estimated at \$60,000 or \$70,000. In addition to this, our colony has afforded facilities to American merchants, trading on the coast, to three times that amount.

With the condition and prospects of the agricultural villages he was highly gratified; and the description which he has given of their well-constructed houses, flourishing plantations, and prospects, not merely of securing the means of subsistence, but of rising to competency, and even wealth, entirely agree with the representations which had previously been made to the board. The lands, he observes, in these settlements are of the very best quality, admirably adapted to the cultivation of sugar and cotton, and equal, in every respect, to those most valued on the Southern rivers of the United States.

Very considerable improvements have been made, during the present year in the buildings of the colony, particularly at Monrovia; new and substantial ones have been erected; others are commenced, and the town on the cape now exhibits a beautiful and imposing appearance.

In regard to the general health of the colony, Doctor Randall observes, in a letter dated the 28th December, 1828, "the climate during this month is most delightful. Though this is regarded as the sickly season, we have but little disease, and none of an alarming character." In February, Doctor Mechlin writes: "This month, although called by those resident here the sickly season, has not, to judge from the few cases of illness that have come under my notice, merited that appellation. Indeed, I do not know any part of the United States where the proportion of the sick is not fully as great as here; nor are the cases of a refractory nature, almost all yielding to medicine." In April the same gentleman, having mentioned the prevalence of fever among the newly arrived emigrants, adds: "I never saw any fever in the United States yield more readily to medicine than the country fever among the emigrants at this season." In August he writes, "that only four or five cases of sickness exist, and that at no time had health been more generally enjoyed."

Attempts have been made during the year to penetrate into the interior—ascertain the soil, features, and resources of the country, and open a friendly communication with the more powerful and remote native tribes. As might have been expected, the enterprising spirit of Doctor Randall prompted him, as soon after his arrival as possible, to make an excursion up the river St. Paul's.

The clear waters of this river, revealing its bottom from the depth of thirty feet; its high and broken banks, covered with the richest and most variegated verdure; the native villages, their thatched huts intermingled with the broad green leaf of the plantain; the recent foot prints of the elephant; the artificial prairie, once the seat of a populous settlement, now adorned only by a few palm trees, lifting their majestic trunks to the height of nearly one hundred feet—excited his astonishment and admiration. Several of the colonists have, for the purposes of trade, visited King Boat-swain's town, situated, by the present route, about 150 miles (which, it is believed, may be reduced to 120) in the interior, which is represented as containing 1,000 houses, well fortified, and capable of bringing 8,000 armed

men to its defence. The country beyond abounds in gold, and is believed to be the only one intervening between Boatswain's and Foola Jallon, (the territory of the Foola, extremely rich, and whence much of the trade of Sierra Leone has been derived.) After passing the falls near Millsburg, the St. Paul's appears to be unobstructed and navigable to within twenty-five miles of the town; and, as Boatswain evinces the most friendly dispositions towards the colony, this river may be expected, at no remote day, to become the channel of a lucrative trade. The path to this town lies, for most of the way, through immense forests, filled with herds of elephants and other animals; but for twenty miles the country is open and well cultivated, with numerous cattle, and some horses.

In their last report, the managers expressed their belief that the colony possessed ample means of defence. In his first communication, Dr. Randall gave his opinion that these means were inadequate to the purpose, and proposed to rebuild the fortifications on an improved plan, should it meet the approbation of the board. By the latest accounts, this work is very far advanced, and its speedy completion may be expected.

The factories established by Mr. Ashmun at various points on the coast, and which were made, under his administration, to contribute very essentially to the support of the colony, were found by Dr. Randall in a languishing state; and, indeed, so small advantage had for some months been derived from them, that he was led to question the expediency of their continuance. We are glad to learn, however, that there is now a fairer prospect of their usefulness. "I find," observes Dr. Mechlin, "that the factory at Grand Bassa is the means of our exercising a considerable influence over a large tract of country. The chiefs have petitioned that it should remain, and promised in such case to pay their debts, and have nothing to do with the slave trade, and to permit no slaves to be sold on their territory."

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The system of education in the colony has remained for most of the year without any special improvement. Both Sabbath and day schools exist throughout the colony, and many native children seek to enjoy their advantages. No want, however, more urgent has existed in the colony than that of teachers, well qualified, by education and habit, to enlighten with various knowledge, and by a judicious discipline, the excitement of noble desires, and the inculcation of correct and honorable sentiments, to form the character of the youthful mind. The managers have observed with pleasure a resolution of the synod of Virginia to establish a high school in Liberia; and they are happy to learn that Joseph Shipherd, a colored teacher who formerly conducted with success a school in Richmond, and who took passage in the Harriet, is ready to give his whole time to the business of instruction. The board are still more gratified to state that Mr. J. B. Russwurm, a young man of color who received his education at Bowdoin College, Maine, left this country for the colony a few months ago, for the express purpose of superintending and improving the system of education. This young man is well prepared for his work, not only by his talents and information, but by a practical acquaintance with the best methods of instruction.

In the month of July the managers received a visit from two natives of Africa, of the tribe called Kroomen, six of whom, while seeking employment on board of a Mexican brig off Cape Montserado, lost their canoe in a gale of wind, and were compelled to come to the United States.

One of them, Prince Will, had been long in the service of Mr. Ashmun, stood by him during his attack on Tradetown, and shown himself, at all times, his faithful and devoted friend. These Kroomen expressed a strong desire that American settlements should be established in their country, (about 200 miles to the south of Monrovia,) and promised to do all in their power to secure to any settlements which might be made there the favor of their powerful tribe.

When it is recollected that the Kroomen are the laborers and watermen of the coast; that they are shrewd, industrious, and extremely sensible to kindness or insult; that their government is well nigh patriarchal; that slavery is not tolerated among them, and that they are to be found on every point of the coast, from the Senegal to the Zaire, it is obvious that the introduction of letters and Christianity into this tribe is an object of vast importance. Prince Will was furnished with a letter, recommending him to the friendly attentions of American merchants on the coast, and to the favor of humane and honorable foreigners.

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It is painful to state that the managers have reason to believe that the slave trade is still prosecuted to a great extent, and with circumstances of undiminished atrocity. The fact that much was done by Mr. Ashmun to banish it from the territory under the colonial jurisdiction is unquestionable; but it now exists, even on this territory; and a little to the north and south of Liberia it is seen in its true characters—of fraud, rapine, and blood! In the opinion of the late agent, the present efforts to suppress this trade must prove abortive. A frigate or two, sent out to pass two or three times a year down the coast, can effect little or nothing. Through the agency of natives, employed for the purpose, their movements are perfectly understood by the slave dealers. "In my opinion," says Dr. Randall, "the effectual method for breaking up this traffic would be to send upon the coast ten or twelve well-armed, light, fast-sailing schooners, which might touch at those places from whence the slaves are taken; which should relieve each other, and remain in this service the whole year. They should be accompanied by one or two sloops of war, with a force sufficient to break up the slave factories."

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Having taken this brief review of events more closely connected with the condition and progress of the African colony, the managers turn, with more animated feelings, to the improvement in the steady and sure advances of our cause, mentioned in the last report of this institution. The practical proofs (the best possible) of this improvement have been cheering and decisive. The receipts into the treasury during the summer and autumn have exceeded those of the same period in any former year; and, when we consider the extraordinary efforts of Bible and other kindred societies, and particularly the deeply depressing embarrassments which have weighed upon the pecuniary concerns of the country, this fact more clearly indicates the progress of the cause of this institution in the favorable opinion of the public. This cause has advanced against these obstacles more rapidly than ever, and indeed has been making the greatest progress in the very direction in which these obstacles were presented. We hail this indication that the day is approaching when the voice of encomium will be rendered nugatory by the most decisive and efficient acts of support. The most majestic and irresistible power often moves in silence.

Although in the Southern States no new and very interesting events have occurred, yet former results have been gaining strength; and in the North much has transpired to invigorate our hopes. The formation of new societies; the renewed and more energetic efforts of those already existing; the diffusion of more accurate and more thorough information on the subject; the entire conversion of those only partially enlightened, and of course undecided; and the almost unanimous voice of public bodies in favor of our cause—all these are cheering omens that its triumph is sure.

Sixteenth annual report—January 26, 1833.

In the review of the affairs of the society which the managers propose to take, they invite the attention of the general meeting, first, to the condition and progress of the colony.

It was stated in the last report, that measures had been adopted for exploring the country adjacent to the colony, and purchasing such territory as might be most eligible for new settlements. It was also mentioned that, in consequence of the favorable representations made of Grand Bassa, directions had been given that a settlement should be forthwith founded at that place. Though this object is not yet effected, the delay in regard to it has enabled the colonial agent to make arrangements to accomplish it speedily, with all advantages for promoting the health, security, and prosperity of the settlers. He has visited the country, conferred with the native chiefs, paid the amount remaining due for Factory island, (granted to the society during the agency of Mr. Ashmun,) purchased a valuable tract of land on the western bank of St. John's river, together with four large islands within the river, and obtained a pledge from the late owners that suitable buildings shall be constructed in the native style, at their expense, for the accommodation of the first emigrants. The observations of the colonial agent have confirmed the board in the opinion, that in fertility of soil, variety and value of products, and abundance of animals, Grand Bassa is exceeded by no country on the coast. An intelligent and confidential colonist has been sent to this place, to complete all arrangements for commencing a settlement, and by the last advices we were informed that all things would be in readiness for this purpose in the course of five or six weeks.

Possession has also been obtained of a tract of land at Grand Cape Mount, a position mentioned in former reports as eminently advantageous for trade, and from which the annual exports are now estimated at from \$60,000 to \$70,000. The territory here ceded to the society is situated at a short distance from the sea, on the shore of a lake, about twenty miles in length, navigable for small vessels, and into which flow several rivers, affording important facilities for commerce with the interior. The chiefs of the country, who are thought to be more advanced in civilization than any others south of Sierra Leoue, have granted an unquestionable title to this land, on the sole condition that settlers shall be placed upon it, and that schools shall be established for the benefit of native children. Some of these chiefs, having obtained the rudiments of an English education in Liberia, expressed earnest desires that the benefits of instruction should be afforded to their countrymen, and the young men declared their purpose

of submitting to the laws of the colony, and their willingness to make further grants of land, to any extent desired, whenever the terms of the present negotiation shall have been fulfilled. The spot selected for a settlement is said to be healthy, and the soil capable of producing almost every thing of value that grows within the tropics.

It is the intention of the colonial agent to examine, in conformity with the instructions of the board, the country above the falls, on the St. Paul's river, which, from the best accounts, is more salubrious, and at least of equal fertility with any other in the vicinity of the colony. The managers propose, with the least possible delay, to found and multiply settlements on the high lands of the interior.

The health of the colony has never been better or more general than during the last year. The skilful and unremitting efforts of the colonial physicians have been remarkably successful, and greatly diminished the danger to which newly arrived emigrants are exposed; and there are the best grounds for hope, that more experience, the clearing of the lands, and the early removal of such emigrants to stations at some distance from the coast, will still further reduce the danger resulting from the influence of the climate.

In reporting the state of health among the emigrants, by several expeditions, Dr. Todsen remarks: "You will see, by the above, that the mortality little exceeds that experienced in the most healthy countries of the world. Had these people been transported to England, or any other European soil, the probability is that the number lost would fully equal the within." In another letter he writes: "I have no doubt that even emigrants from the North, if they be placed and provided for in a proper manner, may, with few exceptions, be carried safely through the fever, and enjoy the same health as in the United States."

It gives the board pleasure to state that the colonists have become generally and deeply sensible of the primary importance of agriculture, and have engaged in it with a degree of resolution and energy that must ensure success. "Our settlements," writes the colonial agent, "every where present the cheering evidence of enterprise and improvement." "Most of the emigrants who arrived in the few last expeditions have already the promise of their labors being rewarded by abundant crops." The attention of several of the most respectable colonists has been turned to the cultivation of coffee, and twenty thousand trees have been planted by a single individual. The recaptured Africans, who occupy two neat villages, about three miles from Caldwell, are very contented and industrious, and their gardens and farms are in a high state of cultivation. At one of these villages, the agent lately observed "one tract of 150 acres planted with cassada, interspersed with patches of Indian corn and sweet potatoes;" and he remarks that "they raise not only sufficient for their own consumption, but a considerable surplus produce for the market."

Desirous of exciting still more a spirit of agricultural enterprise among the colonists, the managers appointed a committee some months ago to consider what means might best be employed for this end. The report made by this committee, and adopted by the board, proposes to allow premiums to such as shall within a reasonable time raise the largest quantities of the most necessary and useful products, also to such as shall first train cattle to labor, and use the plough in cultivation; that the introduc-

tion of certain valuable animals should in the same way be encouraged; that various seeds, fruit trees, and vines, be sent to the colony; that an assortment of agricultural implements be intrusted to the colonial agent, to be sold at moderate prices to the settlers; and that a public garden shall be put in cultivation, wherein may be shown, by careful experiments, what indigenous or exotic plants, fruits, and vegetables, will best reward the labors of the husbandman.

Commerce has advanced during the year, and new avenues for communication and trade have been opened with the tribes of the interior. Caravans from a considerable distance have visited the colony, and the people of the Dey country have agreed to permit traders, to pass without delay or molestation, through their territories to the colonial settlements. They had been in the habit of obstructing the trade by compelling the remote natives to employ them as their commercial agents, and thus monopolizing the productions of the country, and raising their price in the market.

By the treaty they have signed, the whole channel of trade with the remote tribes is left clear, which must increase greatly both its measure and value. During the year preceding the first of May last, 59 vessels had visited the port of Monrovia, of which thirty-two were American, twenty-five English, and two French. The exports during the same period (consisting chiefly of camwood, ivory, palm oil, tortoise shell, and gold) amounted to \$125,549 16—of imports, to \$80,000; and the merchandise and produce on hand on the 1st of January, 1832, to \$47,400. The colony is becoming known to tribes far distant from the coast, and Mandingo traders and others have visited it from the borders of Foota Jallou.

The great interests of education have been earnestly considered by the board and the colonial agent, and the managers report a manifest improvement in the state of the schools and the general desire of the colonists for the acquisition of knowledge. There are six day schools for children and one evening school for adults, comprising altogether 226 pupils. The two female schools (one at Monrovia and the other at Caldwell) are attended by 99 girls, and the salaries of their respectable and well-qualified teachers are defrayed by a society of benevolent ladies in Philadelphia. Inadequacy of funds alone has prevented the establishment of schools among the recaptured Africans, who are importunate for means of education; but the board rejoice to learn that the charity of the ladies just mentioned will satisfy the wishes of these Africans, and that under their patronage a teacher for them, of competent ability and excellent character, has already sailed for Liberia. Many of these people can now read, and a Sunday school (of which there are several in the colony) has been established among them, some of their own number acting as teachers. Some regulations have been adopted, which it is thought will render the colonial revenue sufficient for the support of a general system of common school education, by which alone, in the judgment of the managers, the colony can have power of self-preservation, or of salutary influence over the natives of Africa.

The relations of the colony to the native tribes are at present of the most friendly character; and it has ever been the desire of the board and

of the authorities of Liberia to maintain peace by strict adherence to justice, and by such acts of courtesy as best express the humane and benevolent feelings of the heart. Unfortunately, in the early part of last year, a controversy arose between some of the chiefs of the Dey country and the colonial government, that soon increased to hostilities, which proved, however, but of short duration. Several slaves, about to be sold, escaped from one of these chiefs, and sought protection among the recaptured Africans of the colony. A demand being made for them, the agent requested the chief to visit the colony, and declared himself ready to do justice in the case. This chief never complied with the request, but soon after died, and his sons immediately resolved on war, and endeavored to secure the support of the Dey and Gurrah kings. Several of the Dey chiefs openly united with them; while the Gurrahs secretly furnished men for the contest. A few of the colonists were seized and imprisoned; one of the recaptured Africans, in attempting to escape, was severely wounded, and the town of a native chieftain (a few miles from Caldwell) strongly fortified as a place of retreat for the aggressors. A messenger, sent to the enemy by the colonial agent, was treated with contempt, and the settlements of Caldwell and Millsburg threatened with destruction. About one hundred recaptured Africans were despatched against the hostile force on the 17th of March, but, on approaching the fortified town, they met with a repulse, and were compelled to retreat with the loss of one man. Prompt and energetic measures were now required. The colonial agent, therefore, on the 20th, placed himself at the head of a part of the colonial forces, amounting to 270 men, took with him a small piece of artillery, and, after a fatiguing march, on the 21st arrived in front of the fortifications at the town just mentioned, at half past one at night. An attack was instantly made upon the barricade, and in less than half an hour, the colonists were in possession of the town. For twenty minutes, the firing on both sides was incessant. The loss to the colonists was one killed (Lieut. Thompson) and two wounded; that of the natives, fifteen killed and many wounded. Kai Pa, the instigator of the war, received a wound when about to apply the match to a three-pounder, which, doubtless, prevented a much greater destruction of lives. The courage and ability exhibited by the colonial agent, as well as by the officers and men under his command, on this occasion, has left an impression on the minds of the natives, which, it is believed, will effectually deter them from any future attempts to disturb the public peace.

Six of the Dey chiefs appeared at Monrovia on the 30th of the same month, and signed a treaty of perpetual amity and peace with the colony, by which it is agreed that traders from the interior shall be allowed a free passage through their territories, and that all matters of difference which may arise between citizens of Liberia and the Dey people, with the evidences thereon, shall be referred for consideration and decision to the colonial agent. While the necessity of self-defence in any case cannot be too deeply regretted, and while the love of peace should be cherished as heavenly in its nature, and most benign in its effects; the managers still hope that the late contest will be followed by benefits of such magnitude and value as immensely to outweigh the evils that attended its existence. That the colonial government has secured the confidence of the natives, generally, in its neighborhood, is certain. "You can have no idea," says the colonial agent, "of the favorable impressions we have made on the na-

atives of the country; they are constantly sending messages requesting us to settle at different points on the coast, from Cape Mount to below Tradetown, (about 140 miles,) and means only are wanting to enable us to occupy any portion of the coast between these two points.”

Although the managers can report no great advancement in the moral and religious interests of the colony, they have reason to believe them justly appreciated by the settlers generally, and guarded by many with devout care. Open immoralities are rare, the Sabbath is strictly observed, and public worship attended, by nearly the whole community, with regularity and decorum. Three churches have been erected during the year—one at Monrovia, and two others in the villages of the recaptured Africans. The state of these recaptured Africans is most interesting. We have already mentioned their desire for knowledge, and we may add, especially for religious knowledge; some of them have already professed Christianity, and they are represented to be, as a people, contented and independent, and rapidly improving in intelligence and respectability.

Much has been added to the strength of the society, in the United States, during the year. Its plans and proceedings have been deeply and extensively thought of, and ably discussed and defended. While opposition has been embodied, and hurled against it reproach and defiance, its multiplied friends have stood forth calmly, but triumphantly, for its vindication, and borne its cause onward with resistless power.

The committee in the Legislature of Maryland, at its last session, to whom were referred memorials on the subject of the colored population, made a report, in which, assuming as an undisputed fact that this population is injurious to the prosperity of the State, and expressing a deep conviction that it cannot long be borne, they demonstrated that at an expense annually of \$26,040, the annual increase, and at that of \$40,200, the entire colored population, might, in the course of a single generation, be removed, and established in a separate community. The disposition to emancipate slaves, under circumstances which forbids their enjoyment of the chief blessings of freedom, so extensively prevails, that the committee believe provisions for abolition now unnecessary; and that, should means be provided for the removal of those voluntarily liberated, patriotism and benevolence will produce sufficient manumissions to give employment to all the resources that can be applied. The committee state that, should Maryland ever colonize her whole colored population, in addition to all the vast benefits, moral and political, she will have gained, she will be more than compensated for the work by the increased value of her lands. The Legislature expressed their approbation of the views of this committee by appropriating \$200,000 for effecting the object it proposed; and three managers have been appointed by the Governor and State Council to consider and direct the mode of its expenditure.

In the General Assembly of Virginia, African colonization has been the subject, in all its relations and extent, of a debate of unprecedented interest and vast power. That mighty evil, beneath which the minds of men had bowed in despair, has been looked at as no longer incurable; a remedy has been proposed; the sentiments of humanity, the secret wishes of the heart on “this momentous topic, have found a voice, and the wide air has rung with it.” A bill proposing an appropriation of \$35,000 for

the first, and of \$90,000 for the second year, to aid in the deportation of the free people of color from Virginia, passed at its last session the House of Delegates, but was rejected in the Senate by a small majority. The managers cannot doubt that the general sentiment of the State is in favor of such an appropriation, and that it will soon be granted.

Nearly half the colonists in Liberia have emigrated from Virginia, and many citizens of that State have sought aid from the society for removing thither their liberated slaves during the last year. The Legislatures of Tennessee, Alabama, Louisiana, Pennsylvania, and New York, have taken the cause of this society into consideration, but have not (though it is hoped they soon will) aided it by pecuniary appropriations.

Abundant and explicit testimony, founded on personal observation, in regard to the character and prosperity of the colony, has, since the last anniversary, come before the public, both from enlightened foreigners and respectable and disinterested citizens of the United States. It may be well to record here the opinion of an English officer who spent three years upon the African coast, (though perhaps already known to this meeting,) "that the complete success of the colony of Liberia is a proof that negroes are, by proper care and attention, as susceptible of the habits of industry and the improvements of social life as any other race of men; and that the amelioration of the condition of the black people on the coast of Africa, by means of such colonies, is not chimerical." He adds: "A few colonies of this kind, scattered along the coast, would be of infinite value in improving the natives."

The intelligent master of the ship James Perkins "did not hear, while at the colony, a discontented expression from any one," but found "all with whom he conversed apparently happy, and pleased both with the country and government."

Seventeenth annual report—January 20, 1834.

The board regret to state that the health of the colonists, particularly of those who arrived in the early part of the year, has suffered severely; and the mortality among the emigrants by the latest expeditions has been unusually great. By the return of Dr. Mechlin to the United States, within a few days past, certain facts on this subject have come to the knowledge of the board, which they deem it their duty to submit to the general meeting. From the Lafayette, Roanoke, Jupiter, American, Ajax, and Hercules, were landed 649 emigrants, of whom 134 have died. Though emigrants of no particular class, and from no particular section of the country, have been exempt from the fatal effects of the fever, the greatest mortality has occurred among those who had resided farthest to the North, and in the most elevated portions of our own country. The managers have sought to ascertain the true causes of this heavy and unexpected calamity, trusting that they would be found such as should not be permitted to weaken the efforts or dim the hopes of the society.

Dr. Todsen, a physician of much experience in the diseases of the African climate, deemed it necessary in the spring, for the benefit of his health, to visit the United States; and, in the course of the summer, Dr. Hall, his

only associate in medical practice, returned to this country for a similar purpose. The duties of physician for the whole colony were thus thrown upon the colonial agent, Dr. Meclin, who, owing to toils and exposures during a visit to Grand Bassa, had suffered severely under repeated attacks of disease, and now, while the sick were widely separated from each other, many of them at Caldwell, nine miles from Monrovia, found it impossible, even had all other concerns been neglected, to attend duly to their necessities. The emigrants from the most southern States felt confident that they would remain unharmed, and therefore unnecessarily exposed themselves to the various exciting causes of the fever, and, when seized by it, relied for remedies rather upon the judgment of some of their own number, than upon the advice of those whose experience would have proved a far safer guide.

The loss of so many lives is then, in the opinion of the board, to be attributed rather to the extraordinary unhealthiness of the season, the want of medical aid, and the incautiousness and use of improper medicines on the part of the emigrants, than to the general and permanent character of the climate.

The managers are confirmed in this opinion by the colonial census just received, which, though certainly unfavorable to the health of the colony, will not induce those to despair of success who are familiar with the history of colonization. The number which had been sent to the colony before the arrival of the expeditions above mentioned as so severely afflicted, was 1,872 persons; and the actual population of the colony (not including the recaptured Africans) in 1832, 1,697. The whole number of emigrants, including the expeditions of last year and the recaptured Africans, (a part of whom only were removed from this country,) has been 3,123, while the present population of the colony is stated to be 2,816. About fifty of the colonists are believed to have been absent in the country at the time this census was taken. Now, it should not be forgotten that the early emigrants were exposed to almost every variety of hardship and suffering; that several fell in a contest with the natives; that from twenty to fifty at least have returned; that some have perished by disasters upon the rivers and at sea; that all have had to contend with difficulties inseparable from their enterprise in an untried climate and on a distant and uncultivated shore; and, finally, that neither the information nor the pecuniary means of the society have at all times been such as to enable it adequately to fulfil the dictates of its own benevolence.

While the facts just stated must excite painful emotions in the breast of every member of this society, while all will feel that human life is not to be wantonly exposed or lightly regarded; neither, the managers may be permitted to say, on account of ordinary or temporary calamities, should a great cause, undertaken from the purest motives and for purposes of large and lasting good to mankind, be abandoned. The history of colonization in America proves how impotent were events, in themselves most afflictive and disheartening, to arrest the progress of settlements founded by men who grew wise in adversity, and gathered resolution and strength from defeat. The genius of our nation, sprung from the colonies of Plymouth and Jamestown, rebukes the despondency which would augur destruction to Liberia, because dark clouds have hung over it and many valuable lives perished in laying its foundations. Nearly one-half the first Plymouth emigrants died in the course of four months. The first three attempts to

plant a colony in Virginia totally failed. In six months, ninety of the one hundred settlers who first landed at Jamestown died. Subsequently, in the same brief period, the inhabitants of this colony were reduced from five hundred to sixty; and long after, when £150,000 had been expended on that colony, and nine thousand people had been sent thither, its population amounted to but 1,800 souls. It is the opinion of Dr. Mechlin, that the settlement just commenced at Grand Bassa is more favorable to health than Monrovia, and that future emigrants should be first sent to that place. It is stated that, at a small expense, a road might be opened to the distance of fifty miles in the interior, where the elevation of the country affords reason to believe there exists few if any unusual causes of disease. The removal of emigrants thither would probably conduce not only to their health, but to their more industrious and successful cultivation of the soil. It has been observed that the natives from the upper country are somewhat affected by the climate of the coast; yet the natives of the coast have vigorous constitutions and enjoy the best health. This fact shows, that, whatever may be the results of further inquiries and experience in regard to the dangers to which emigrants from this country may be exposed, the colony of Liberia will increase, and if more slowly, yet surely, confer on Africa the blessings it is designed to bestow.

A very valuable tract of country at Grand Bassa, lying between the central trunk, southeastern branch of St. John's river, the latter known by the name of Benson's river, and extending fifteen miles into the interior, containing from one hundred and fifty to two hundred square miles of the best land, with two eligible mill seats, and abounding in valuable timber, has, since the last anniversary, through the earnest and well-directed efforts of the colonial agent, Dr. Mechlin, been added to the territory of the colony. He remarks: "For fertility of soil, and the facilities for procuring articles of trade and subsistence, I know of no place within our limits that can compare with the country in the vicinity of St. John's river." On the tract of land purchased by the same gentleman, on the Little Bassa side of St. John's river, about one hundred and fifty emigrants established themselves early in the year, and have already built houses, enclosed their lots, and made encouraging progress in agricultural improvements. The town which has been commenced commands a fine view of the ocean, and is called Edina, in honor of the liberality of the citizens of Edinburgh, in Scotland.

Provisions are much cheaper at Grand Bassa than at Monrovia. The St. John's river abounds in fish, and Indian corn and a great variety of vegetables may be successfully cultivated. One of the native chiefs desired that his town might be included within the limits of the settlement, so that he might share in the privileges while he obeyed the laws of the colony. The natives in the vicinity of Edina manifest the most friendly disposition, and several of the Bassa chiefs have expressed their willingness to make grants of land to the society. The proprietor of a tract, (four or five miles south of the mouth of the St. John's river, forming an admirable harbor, in which ships may anchor, and boats land their cargoes safely at all seasons;) who, until recently, refused to cede any portion of it, has become so well convinced of the advantages he may derive from a civilized settlement, as to invite the colonial agent to select and purchase any part of his territory; and it is the purpose of the board to secure, as soon as possible, the benefits of this proposition.

The commercial prosperity of the colony has continued to increase, and the managers have only to regret that the immediate gains of trade are too generally preferred to the slower but surer profits of agricultural labor. Several vessels have been built at the colony. The Liberia Herald gives a list of sixty to seventy arrivals in the course of the last eight months, and measures have been taken to explore the country, with the view of establishing commercial connexions with the powerful tribes of the interior.

The managers state with regret that the hopes expressed by them in their last report, in regard to agriculture, have not been fully realized. They have deemed a vigorous cultivation of this great interest essential to the common prosperity, the durable independence of the colony. They have instructed their agent and urged the settlers to consider it of primary importance, and premiums have been offered to encourage agricultural industry and enterprise. But the temptations to indolence and trade with the natives, and in some instances the pressure of daily want, not to be satisfied with future relief, have overcome all opposing inclinations. The managers still hope that what could not be done by argument may be done by example. Some of the most respectable emigrants from Charleston have wisely resolved to devote themselves to agriculture, and have formed themselves into a company, that they may prosecute it with the more energy and success. Under date of August 1st, the Rev. Colston M. Waring writes: "Though I am not a farmer, I have cultivated six acres of coffee, and have this season planted five acres more, and am planting, besides, yams and an ample supply of vegetables. I feel very sanguine that my example will be followed by many in the culture of coffee and other articles." The farms of the recaptured Africans have well rewarded their labors, and the emigrants at Edina seem disposed to rely mainly upon their labors as husbandmen for the means of subsistence and prosperity. The demand for mechanical labor in the colony is great, and those who perform it receive a liberal compensation.

The cause of education is making progress; nearly all the settlers wish their children to enjoy its advantages, and the common schools, six in number, (three of them sustained by a benevolent society of ladies in Philadelphia,) are well conducted and attended. The Auxiliary Colonization Society of Massachusetts appropriated, early in the year, \$1,000 towards the establishment and support of a school, with two teachers, to be called the Massachusetts Colonial Free School. Ample and judicious regulations have been drawn up by that society for the management of this school, which is to be under the immediate control of a committee consisting of the colonial agent or the mayor of Monrovia, and two other persons, to be annually elected by the citizens of the colony, and it is expected soon to be in operation.

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The managers can add little to the statements in their last report in regard to the moral and religious interests of the colony. The number of churches or meeting-houses in the various settlements is nine; the Sabbath and public worship are well observed; many of the recaptured Africans have united themselves to the church; and the Christian community have manifested a desire to impart religious knowledge to the African tribes. In May last, the board of missions of the Baptist church in Monrovia appointed Adam W. Anderson a missionary for one year among the Vye people at Cape Mount, and instructed him not only to preach the gospel

to the adults of this tribe, but to teach the English language to their children.

All the native Africans in the neighborhood of the colony are prepared to receive instruction in letters, the arts, and Christianity; and many of the chiefs have offered to make grants of lands, on the simple condition that their youth shall enjoy the advantages of an English education. Thousands of human beings, debased in intellect and darkly bound in vice, invoke the spirit of missionary enterprise to extend its triumphs over an almost unlimited field, and, in their characters renovated and lives purified by its influence, to find for every labor and sacrifice an ample and durable reward.

The managers have been gratified to observe among Christians of various denominations, both in this country and Great Britain, a growing concern to civilize the manners and enlighten the minds of the people of Africa. They have rejoiced that all associations designed for the benefit of uncivilized men might derive aid from Liberia in their merciful efforts to rescue this people from their degrading superstitions, their odious customs, and that traffic which has cursed their race, and to bring them under the dominion of knowledge, reason, and the all-gracious power of divine truth.

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The managers state with regret that complaints have been made to them from various sources, during the year, highly injurious to the character and interests of the colony. That these are not wholly unfounded, that evils exist demanding for their remedy prompt and energetic measures, the board cannot doubt. They have sought to ascertain the causes of these evils, and the means for their removal. They are convinced that in the methods of supplying the necessities of newly arrived emigrants, of allotting to them their lands, of guarding their health, exciting their industry and public spirit, securing increased attention to agriculture, suppressing the traffic in ardent spirits, and conducting the operations and defraying the expenses of the colonial government, there is reason and room for improvement. Occasional errors in judgment are incidental to the management of affairs so remote as those of the colony from the personal inspection of the board; and if, through inexperience or inadequate information, such errors have been committed, they may hope by additional light to correct them; nor can they be slow to change or even abandon measures which are proved ineffectual to accomplish the good for which they were intended.

Nineteenth annual report—December 15, 1835.

Within the present year, several special opportunities, in addition to the current sources of information, have been used by the managers to ascertain the progress and effect of their plans of improvement at Liberia, and the true state of things in that community. Much detailed information on these subjects has been derived from their interviews with the Rev. John B. Pinney, Dr. Ezekiel Skinner, the Rev. John Seys, and Beverly R. Wilson, an intelligent colored man, formerly of Norfolk, in Virginia, who visited the colony about two years ago, in order to examine into its con-

dition. The result of their statements was in a high degree satisfactory to the board. Among the facts which did not contribute to this sentiment were some indicating a spirit of insubordination in a portion of the colonists. But it is not doubted that a vast majority of the citizens of Liberia justly regard the relations of the society to them as being wholly parental; and are satisfied that, until the period shall arrive when its authority can be withdrawn with safety to themselves, every proper indulgence will be accorded to their wishes. Misconceptions of the extent of this disposition have led to proceedings at the colony, which, on being made known to the managers, required and received a corrective. A recurrence of some difficulties which have been felt will be prevented by a new code of colonial laws, now in a course of preparation.

Mr. Pinney, the late colonial agent, returned in October last, in the brigantine Louisiana, having been disabled by the state of his health from executing the designs of the managers in some important particulars. All, however, that circumstances permitted him to do, was effected. When he left the colony, nine cottages had been erected, on lots of sixteen rods front, near the fork of Junk river, in view of the sea. The old storehouse being out of repair and unsafe, a new, substantial, and more capacious building, of stone, has been erected, and is now occupied by the storekeeper. Some progress had been made in the erection of a saw mill, but its completion was prevented by the want of funds and the ill health of Mr. Pinney. A road had been opened for more than a mile in the rear of the settlement at Millsburg, with the intention of erecting at its termination houses of native construction. The fulfilment of his intention was delayed by the want of funds; and it has since been postponed, from the hope that a more favorable location, further in the interior, might be obtained. Messrs. Whitehurst, Williams, and McGill, who had been appointed by the colonial government as commissioners to negotiate a peace among the tribes in the vicinity of Liberia, were also instructed to select a highland location suitable for an interior settlement. This object was not accomplished by them; but it is deemed so important that the agent has been again urged to strenuous exertions for effecting it.

The public farm directed by the board has been established, but languishes under the same pecuniary exigence which affects other plans of colonial improvement. The partial success of the experiment evinces, in the opinion of Mr. Pinney, that its vigorous prosecution would be economical to the society, and would stimulate the settlers to similar enterprises. The managers are pleased to find that an agricultural spirit has been excited in Liberia. During the present year, farming operations have been pursued with more energy and on a larger scale than at any former period of the colonial history. In illustration of the increased attention now given to this important subject, it may be mentioned that the inhabitants of Caldwell and New Georgia have exhibited for sale potatoes of superior size and flavor, and in such large quantities as to reduce the price one half below that of the last year. Grass, hay, and other forage, are abundant, of good quality, and obtainable at all seasons. Part of a small quantity of seed corn carried by one of the emigrants by the Rover was planted on a farm at Millsburg, and in the month of August was six or seven feet high, after having been in the ground only ten weeks. It was part of the second crop raised during the season on the field where it grew, and twelve months

before the field was an impenetrable forest. The owner has sold between twenty and thirty cords of wood from the land, at three dollars a cord, which was carried to the Cape de Verd islands, to be bartered for salt. A farmer at Caldwell has during the present season raised cassada, peas, beans, and rice, in great abundance. Two other persons have raised the most extensive field of rice ever cultivated in the colony. Their success is calculated to encourage a general cultivation of this valuable article. The editor of the Liberia Herald, after saying that the forests of Liberia "are covered with excellent timber for all the purposes of house and ship building;" that "the fields are filled with excellent and valuable esculent and medicinal herbs and roots, the woods with game, and the rivers with fish;" that "the climate produces all the most valuable productions of the tropics—such as cotton, coffee, sugar cane, and fruits in endless variety; and that these blessings nature has scattered with profuse liberality over the whole face of the country, as if to leave little else for the hands of industry than to render them tangible and available, by bringing them within immediate reach;" adds, "for those of our citizens that have turned their attention to agriculture we wish all the success which their laudable and praiseworthy efforts deserve."

To promote this success, by bringing into use the plough, harrow, and cart, the society resolved, at its last meeting, that such working animals as are best suited to a tropical climate should be introduced into the colony. It being understood that animals raised at the Cape de Verd islands were more suitable to it than those raised in the United States, a provision was inserted in the charter-party of the brig Rover, that the vessel should touch at those islands, and take thence as many horses, mules, and asses, as it could conveniently carry. This provision, however, was not carried into effect. Information having since been received, that mules are better adapted than horses to the colony, the master of the vessel which is to sail soon from Norfolk will be directed to purchase at the Cape de Verd islands ten good mules, and take them to the colony.

The managers had also determined, when the working animals should be brought into use there, to appoint, with a suitable compensation, a superintendent of agriculture, whose duty it should be to take charge of the public farm; to cultivate on it every kind of grain, plant, and vegetable, either native or foreign, which can be raised to advantage in the climate; to give employment to emigrants, on their arrival in the colony, till they find a place of permanent residence, and to others wanting work; to visit at stated periods all the farms in the colony, and offer such advice and suggest such improvements to the occupants as he might deem useful; to aid them in procuring suitable plants, seeds, implements of husbandry, &c.; to make to the agent periodical reports of the state of colonial agriculture, and to propose to that officer plans for its melioration, to be afterwards submitted to the managers. The efficacy of this system will, it is believed, be soon seen in the growth of articles of sustenance at Liberia sufficient for the maintenance of its inhabitants, and the consequent cessation of heavy colonial drafts on the treasury of the society, in payment for provisions of the first necessity, in addition to those forwarded from the United States.

The managers are of opinion that the office of superintendent of agriculture should be conferred on a well-qualified man of color. Indeed, they cannot avoid participating in the hope recently expressed by a reverend and learned gentleman, "that ere long some of the worthy and intelligent

colored persons of this country (and many such there are) will regard with deeply felt and operative sympathy their degraded fellows, and make some generous and determined efforts for their moral and political elevation, by emigrating to Africa, with as many as they can induce to accompany them, and thus become the *founders of cities and of empire*. No purpose, to an intelligent and worthy colored man, could be more honorable, more benevolent, or more gainful. He would thus enrol his name for perpetual glory with the pilgrim fathers, with *Penn*, with *Howard*, with *Washington*, and other great men and admirable philanthropists, and would offer inducements which will be constraining and attractive to every aspiring and honorable man of color in the United States.”*

In such a state of things, this society would find no difficulty in procuring suitable agents, physicians, missionaries, and teachers, who, having sprung from natives of a tropical climate, would not be subject to those fatal attacks of disease which have, year after year, carried off so many of our estimable white citizens.

The resolution already referred to, of the society, also expressed its opinion that wheels, cards, and looms, should be sent to Liberia, in order to afford useful employment to the women and children. The managers were solicitous to furnish to that portion of the population the means of self-support, and thus relieve their neighbors and the society from the burden of sustaining them; and, also, to be thereby enabled to grant applications from persons of that description for settlement in the colony, which had previously, from convictions of duty, been rejected. The measures adopted for promoting this policy have, however, been only partially carried into effect. The brigantine *Louisiana* carried out a dozen cotton cards and three cotton wheels, which were all that could be obtained at Norfolk when she touched at that port. The vessel about to sail for the colony will take a supply of wheels, looms, cotton, and cotton seed.

It is proper here to remark, that the evils of pauperism, to remedy or prevent which was one motive of the arrangements just noticed, and of other proceedings that have been adopted, do not appear to exist in Liberia to an extent disproportioned to that observable in some other communities which are regarded as prosperous. Mr. Pinney states that, during the latter period of his stay in the colony, the number of destitute persons receiving support from the funds of the society did not exceed forty or fifty—a proportion of about one-seventy-fifth or one-sixtieth of the whole population. At particular periods it had been greater.

Among the indications of moral advancement at Liberia, the disposition to apply its own resources to internal improvement, which has recently been manifested, is not the least prominent. The colonial council, by some revenue regulations, have so far increased their funds as to commence building a court-house and jail. The edifice is to be entirely of stone, and at the date of the last advices it had been raised one story, on the basement. A sufficient quantity of rock had been quarried for a lighthouse, the want of which was severely felt by captains of vessels entering the harbor of Monrovia at night. It is to be erected on the summit of *Cape Montserado*, and is to be thirty feet high. This altitude, added to 250 feet,

* See Dr. McCaughy's Address, July 4, 1835, at a meeting of the Washington County (Pennsylvania) Colonization Society.—*Afr. Rep.*, vol 11, p. 304.

the height of the cape, will make the elevation of the light above the level of the sea 280 feet.

Though the managers have been able to do but little directly to aid the cause of education in Liberia, it has not been neglected by religious and benevolent individuals. One hundred and forty-one children in the colony are now receiving instruction through the bounty of the ladies of Richmond and Philadelphia, and seventy-two through that of the Methodist church in the United States. The colored female employed by the Ladies' Society of Richmond for promoting female education in Liberia instructs thirty-two orphan girls between the ages of four and fourteen, in reading, writing, arithmetic, geography, plain sewing, and marking. These encouraging particulars notwithstanding, the board are satisfied that the schools in the colony are glaringly inadequate to its wants. A principal desideratum is a greater number of competent teachers; and these, in its present immature state, cannot be obtained without foreign aid.

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In the document before cited, the managers took occasion to say that they desired no emigrants to settle in Liberia, but persons "of good morals, of industrious habits, and friends and members of the temperance cause." The propriety of this restriction, while the colony is in its infancy, and the means of the society are adequate, under the most favorable circumstances, to grant but a very small portion of the applications for admission into the colony which are made, must be obvious to every candid mind. On several occasions the managers have laid before the public their views on the subject of temperance; the considerations which deterred them from wholly prohibiting the introduction of ardent spirits into the colony; and their reliance on the success of moral influences in bringing that pernicious article into disuse there, except for medicinal purposes. That this reliance has not been misplaced, appears from the progress of the temperance cause in Liberia. In January last, a temperance society of forty-three persons was formed at Monrovia, which soon received an accession of seventy-one additional members. Within a few months afterwards, five hundred and three persons had signed the pledge of total abstinence. The testimony of the Rev. John Seys and other intelligent observers to the temperate habits of the colonists is decided and gratifying. Lands in the vicinity of Millsburg had been laid off for the Albany temperance settlement, but its progress has been retarded by the ill health of the colonial agent.

When Mr. Pinney left the colony, possession had not been taken of the land which the society purchased at Cape Mount. He apprized the managers of some omissions yet to be supplied, in order to complete the rights which the society had intended to acquire by several former purchases within its present territory. During his administration, a treaty was nearly concluded for a desirable tract of land beginning five miles above the mouth of Junk river, extending twenty miles along the coast, to a point five miles below that river, and running back fifteen or twenty miles to the highlands. The consummation of this arrangement was deferred for want of funds.

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The brigantine Louisiana, on her return to the United States, brought the melancholy intelligence, that on the 10th of June last, King Joe Harris, one of the native sovereigns, had attacked the settlement founded at Bassa Cove by the Young Men's Colonization Society of Pennsylvania and the New York City Colonization Society, and had massacred about twenty of

the emigrants residing at Port Cresson. The survivors fled, under circumstances of extreme destitution, to settlements under the immediate direction of the parent society, and there received liberal aid from the citizens and others. The beneficence of Mr. John Hanson, of Philadelphia, on the occasion, excited lively gratitude at the colony, and deserves notice in this report. For several weeks, his brig, though navigated at a heavy expense, was continually in the service of the fugitives, voyaging between Monrovia and Edina; and at both places his boats, whenever requested, were lent. When the disaster became known in this country, measures required by the emergency were promptly adopted. On the 29th of November last, the brig Independence, Captain Howell, left Philadelphia for Bassa Cove, with supplies and fire arms. In contributing funds for obtaining the supplies, great liberality was manifested by the citizens of Philadelphia and New York.

When news of the events at Bassa Cove reached the other Liberian settlements, preparations were immediately made for defending Edina against an expected attack from King Joe Harris, and war was declared against him by the colonial authorities, subject to some simultaneous provisions for attempting a pacification. The proceedings of the colonists in this crisis indicate a stage of political advancement among them, which forms a practical argument of much cogency in favor of the colonizing system.

Despatches from the colonial agent, dated August 24, 27, and October 8, 9, 1835, were received during the last week, in which he states, that the colonial council had determined to erect fortifications at Millsburg and Caldwell; that his military means need an addition of four light field pieces mounted, and a good mortar; and in the contingency of his being obliged to penetrate King Joe's territories, in order to bring him to terms of peace, powder, lead, fixed cartridges for the artillery, fifty rifles for a rifle company to be formed, provisions, and a full store. Being almost without provisions for either charitable or belligerent purposes, he suggests an appeal in the United States to the friends of colonization for assistance.

On the 14th of July, one hundred and twenty volunteers embarked for Bassa, to accompany commissioners who had been appointed by the colonial government to negotiate a peace with King Joe. A general engagement took place, in which the colonists were victorious. The enemy was chased from their territories, and his towns and places of defence were demolished. The conduct of the officers and soldiers of the colonial army is represented to have been highly meritorious. Their success was not attended with the loss of a single man in their ranks. So late as the 9th of October, the colonial agent had been unable to visit Bassa Cove, or to make any effort for a settlement with King Joe; but had just received information that the king was desirous of a palaver, with a view to a peace.

Of the causes of the catastrophe at Bassa Cove, conclusive information has not yet reached the board. Enough, however, is known to justify the opinion, that the military weakness of the settlers was at once a principal temptation to the attack on them, and an adequate reason for its success. The despatches already mentioned state, as the result of an official inquiry into the causes of the war, that the natives observing that the Bassa Cove emigrants were unarmed, and believing that they were disconnected with the other settlements, resolved to rob them, and then to drive them from the country. From an exposition prepared by Dr. McDowall, and pub-

lished in the *Liberia Herald* for August, it appears that, in the early stages of the aggression, repeated applications were made by the residents of Port Cresson, to the authorities at Edina, for protection, accompanied with declarations that it was withheld by the agent at Bassa Cove. That the services of the people of Edina were accordingly tendered to this officer, but were declined by him; that, nevertheless, on a subsequent petition from the emigrants, an armed party of thirty citizens of Edina, headed by the superintendent of that settlement, crossed the river, and proceeded to Port Cresson; that the agent at Bassa Cove again rejected any interference; that the volunteers were informed that a large number of armed natives had assembled on the beach, dancing the war dance, and challenging the people of Edina to come on; that these armed natives fell back on a salt village belonging to King Joe, consisting of eight deserted houses, the contents of which had been carried away; that the object of this movement being, it was supposed, to decoy the volunteers into an ambuscade, the latter were ordered to fire into the surrounding bush, and the village was burnt; that the superintendent offered to leave a guard with the Bassa Cove agent, but that the latter declined the proposal, imputing to unworthy motives the interposition of the volunteers; and that about twilight the work of blood commenced. It is remarkable, adds Dr. McDowall, that the houses and persons of two of the emigrants, Benjamin Johnson and Charles Gray, were unmolested during the outrage; and that their safety proceeded from the fact that Johnson possessed a gun, and Gray had occasionally the loan of it.

The semblance of friendship to the colony at Bassa Cove, which King Joe Harris and his brother Peter Harris, a neighboring chief, had, at the period of its establishment, industriously exhibited, prevailed to secure the minds of its founders against any suspicion of danger from King Joe, and to inspire a confidence that his good faith would be sufficient armor for the settlers. The bloody result of the experiment guaranties, it may be assumed, all future emigrants to Africa against the risk of being placed, on the principles of peace and philosophy, defenceless within the grasp of fierce and treacherous barbarians.

Evidence is declared to exist that the Bassa Cove massacre is chiefly ascribable to the machinations of persons engaged in the slave trade, who apprehended that the new settlement would be destructive to their traffic. A fact stated by Dr. McDowall corroborates this opinion. A few days before the catastrophe, a slave-trading friend of King Joe anchored as usual in the cove; and, on finding an American settlement almost contiguous to the scene of his operations, informed the king "that he could not think of buying slaves so close to the *Americans*, and that he intended to establish his factory at the river Bonny." He refused to land any goods whatever. King Joe became much exasperated, and declared that "he would drive the *Americans* away."

It cannot be doubted that the effect on the slave trade anticipated by that savage prince has resulted from every former extension of the colonizing system in Africa. In parts of this unhappy continent which the system has not reached, it appears to be prosecuted with continued vigor and accumulated horrors. A communication from the colonial agent, dated December 7, 1834, contained some statements on the subject, which the managers felt it to be their duty to lay before the Secretary of the Navy. To such a height had the audacity of the slavers risen, that recently the Dey people

seized and abducted several Liberian boys. The captives were, however, finally liberated.

The managers cannot deny themselves the hope, that until the extirpation of the slave trade shall become a part of the international code of all Christian sovereignties, such modifications may be made in the laws of the United States as will give a practical significance to the title of piracy, by which they designate a traffic at once a libel on the name of man and a defiance of the justice of God.

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In closing this address, the managers remark with pleasure that the experience of the past year has not only confirmed their own confidence in the cause of African colonization, but has furnished many indications that, as its objects are understood and as its principles are explained by its practice, it advances in general esteem.

Twentieth annual report—December 13, 1836.

Although the number of applicants to the society for the means of removal to Liberia continues to be great, the managers have sought rather to improve the condition than increase the numbers of the colony. They regret that causes unexpected and beyond their control have delayed the execution of some important measures and cherished purposes. Several vessels which were directed to touch at the Cape de Verdes, and convey thence to the colony a number of mules and other animals, have failed to effect the object. The captain of the brig about to sail from North Carolina is instructed to neglect no means of introducing these animals into the colony. The ill health of the colonial agent, and his multiplied cares and labors, have not permitted him to devote the time and thought to agricultural improvements which were demanded by the obvious connexion of such improvements with the health, industry, and general prosperity of the colonists. The public farm and workshops, which are intended to give employment and support to the infirm and destitute, have not been opened, nor a superintendent of agriculture appointed. The managers are assured, however, from the best sources, that on the subject of agriculture a new spirit animates the settlers; that it prevails throughout the colony; that this interest is regarded as one in which the well-being of the people is involved; that those who have funds refuse to engage in trade, and are resolved to apply all their means to advance this interest; and, finally, that should the colonists exhibit the same zeal and energy in the cultivation of the soil during the future as during the last year, a short time only will elapse before the rich products of tropical agriculture will be exported from the colony. We have often declared, says the intelligent editor of the Liberia Herald, and we repeat the assertion, "that no reasonable man can desire greater facilities for an honorable living than are to be found in this country. The principal articles that are in foreign demand, if not indigenous to the country, are found springing up spontaneously through our mountains, hills, and valleys. Millions of coffee trees of sufficient sizes and ages may be gathered from the woods between this and Junk; we know from experiment that they will bear in three years from the time of transplantation; so that a man who will commence with spirit, and set out 15,000

or 20,000 plants, may calculate, with a good degree of certainty, on a large quantity of coffee in three years from the time he commences operation." It is, he very justly adds, absolutely a disgrace to us to have to inquire of foreigners, when they arrive, "have you any coffee? or can you spare me a little sugar? It must give them a most unfavorable opinion of our good sense and industry, when they hear that the trees and plants that produce these articles are scattered with a liberal profusion through our woods, almost within our very doors."

Of the general aspect and state of things in the colony the managers have nothing of very special interest to communicate since the last year. Thomas H. Buchanan, Esq., commissioned by the New York and Philadelphia societies to superintend their settlement and concerns at Bassa Cove, on his arrival in the colony at the commencement of the year, writes :

"I find a state of things here altogether better than I had ever anticipated, even when trying to imagine the brightest side of the picture; but with my present imperfect-ability to detect the errors of first impressions, shall withhold the remarks which my feelings would prompt. I visited New Georgia, Capetown, and Caldwell, on Tuesday last. With all these towns I was much pleased, but this term is too feeble entirely to convey the delightful emotions excited by the appearance of things in the two first-named villages, which are the residences of the recaptured Africans. Imagine to yourself a level plain of some two or three hundred acres, laid off into square blocks, with streets intersecting each other at right angles, as smooth and clear as the best swept sidewalk in Philadelphia, and lined with well-planted hedges of cassada and plum; houses surrounded with gardens, luxuriant with fruit and vegetables; a school-house full of orderly children, neatly dressed and studiously engaged; and then say whether I was guilty of extravagance in exclaiming as I did after surveying this most lovely scene, that had the Colonization Society accomplished nothing more than had been done in the rescue from slavery and savage habits of these three hundred happy people, I should be well satisfied." Again he remarks: "Liberia far exceeds, in almost every respect, all that I had ever imagined of her; nothing is wanted, I am persuaded, but a better system of agriculture, and the permanent establishment of schools, to bring the people of Liberia at a very early day to the very highest point in the scale of intellectual refinement and political consequence."

The Rev. Beverly R. Wilson, (whose name has been already mentioned,) under date of April 26, writes: "When I was in the United States, I said many things in favor of the colony; but I find that I said not half enough. Here is our home; the colony is in good health. Farming is going on well, and all is quiet at this time. Many of the farmers from Mississippi are doing well, and think they will be able to ship produce from here to the United States in less than three years; they are much engaged in their present crops. There is no doubt but we shall do well here. For my own part, I have never been so perfectly contented with my own situation in all my life. I am now at home."

David Moore, a very intelligent emigrant from Mississippi, under date of the 25th April, writes to the Rev. Mr. Butler, of Port Gibson: "I am glad to inform you that myself and family are well, and generally have enjoyed as good if not better health than in the United States; indeed, our expedition has suffered very little with the fever of the climate, and the proportion of deaths has been less than if we were in America. I assure you, Rev. sir, that I do truly thank God and my kind friends who directed my

feet to this land of liberty, with its concomitant blessings. We have, although a few privations to undergo, many of nature's blessings, and I expect in a few years to be able to say that we do then live in a land of unrivalled plenty and luxury."

James Brown, a worthy free man of color from this city, who has resided about two years in the colony, under date of July 27, writes: "I say now, as I have in former letters, and with more experience too, that nothing is required but proper management to make this one of the most desirable and happy places in the world. When I view the natural advantages of Liberia, I am ready to say, surely the benevolent God of nature intended it a happy asylum for the returning sons of Africa, and therefore the natural advantages of this country are more than would compensate them for their trouble in former days."

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On the 6th of November, of last year, a treaty of peace was concluded with the atrocious chief, Joe Harris, (whose war upon the unarmed settlement of Bassa Cove, and massacre of a number of its unoffending inhabitants, was described in the last report,) by which he is bound to restore any property taken by him from colonists, and now in his possession; to pay for such as has been consumed or destroyed; to grant to the New York and Pennsylvania societies all land belonging to him south of Benson's river; to refer all questions concerning hostilities, and between himself and three other native chiefs in his vicinity, to the colonial authorities; and to abandon the slave trade. Although this chief agreed to the terms of this treaty with the outward show of penitence for his crimes, he is not to be trusted, and is said to have lost his influence with his own people, and to have been forced by other chiefs into measures of peace to save his life.

A part of the unfortunate emigrants who had fled during the war from Bassa Cove, and found refuge in Monrovia, immediately returned to that place, and re-established their settlement. In a letter dated December 22, 1835, to the secretary of the New York society, the colonial agent observes: "I have laid out the town in squares of seventeen rods, containing four lots and a highway. The streets run east and west, north and south, by the compass. Fifteen town lots are already cut down, and one large thatched house nearly completed. This place, for salubrity and healthiness of location, cannot be exceeded by any spot on the western shore of Africa."

Two valuable tracts of land have been added to the territory of the colony during the year. The first, a small tract in the neighborhood of Edina, and on the margin of the bay that forms the outlet of St. John's river, was purchased of a native chief named Bob Gray, a faithful ally of the colony, who desires that the children of his tribe may learn the language and customs of the settlers. Between Edina and Bob Gray's town is a beautiful hill, on which, with permission of the society, the Baptist missionaries propose to found a mission school, on the manual labor plan, that may afford instruction both to the children of the native town and Edina. The second tract is near the mouth of Junk river, and embraces the very eligible spot upon which stands the village or town of Marshall. This tract had been bought by the former agent, Mr. Pinney; but the validity of the title granted to the society was not acknowledged by the Junk people; and it was thought best to conclude negotiations which will prevent all difference and contentions in future between the colonists and the native inhabitants.

Marshall stands upon an open, cleared, and rising plot of ground, between

the two rivers Junk and Red Junk, distant at least three miles from any mangrove swamps or other sources of disease, and fanned by the uncontaminated breezes of the ocean, that rolls its waves upon its beach. A few houses were erected here two years ago, by Mr. Pinney. A town of more than a mile square was laid off in 392 lots during the last spring, and a number of the colonists and recaptured Africans removed thither and commenced the construction of houses and the cultivation of the soil. "There cannot be (says Dr. Skinner) a healthy situation in any tropical climate, if this is not one. I should not have the least fear, had I a convenient house at Marshall, to bring out the remainder of my family, or to take under my care at that place any American for acclimation."

The united auxiliary societies of New York and Pennsylvania have continued during the year to prosecute their enterprise with honorable resolution and remarkable success. The unexpected and appalling event of savage warfare, involving the temporary overthrow of their settlement, indescribable distress, and the destruction of many lives, did not for a moment weaken their purposes; on the contrary, they regarded it as a new argument, an irresistible motive for effort and charity. "We could not," say the managers of the Young Men's Society of Pennsylvania, in their report, "but gratefully acknowledge the goodness of God in preserving, as in the hollow of his hand, the feeble germ, which, though in great weakness, was planted in prayer and watered with tears; nor could we forget that even with means most inadequate, and forced to contend at the same time with opposition the most determined and unrelenting at home, and with the obstacles necessarily occurring on a distant and savage coast, one star after another has risen on that benighted shore, and the success of half a dozen little colonies has triumphantly vindicated the system of colonization against the evil auguries of its adversaries.

"Impelled by these considerations, and cheered on by the confidence that our fellow-citizens would sustain us in this work of mercy, we lost no time in ministering to the necessities of our destitute colonists, and chartered the good brig Independence, of 260 tons, which, at a cost of about \$10,000, was despatched on the 23d of November, 1835, with ample supplies, to meet the exigencies of the case."

In this vessel went as passenger Thomas H. Buchanan, agent of the societies of Pennsylvania and New York, whose administration of the affairs of the community at Bassa Cove has been well adapted to cherish its growth, and give respectability to its character. Much was added to its strength by the expedition sent out in the summer by the New York society. By the last advices, bearing date September 24, 1836, it is stated that not a death has occurred there since its re-settlement. During the last summer, more than one hundred and fifty town lots have been cleared, and several houses erected for the accommodation of future emigrants. Several public buildings are far advanced towards a completion. "Our village," says the agent, "though so recently covered with a dense forest, presents a cheering picture of industry, neatness, and order. The well-cultivated gardens, full of various vegetables, impart an idea of comfort and independence, while the broad smooth streets, shaded here and there by the palm, with its long feathery leaves, throws over the whole an air of picturesque beauty that is quite delightful. Generally, the emigrants are sober, peaceful, contented, and happy. Their number exceeds two hundred."

The colony of Cape Palmas, founded by the State Colonization Society of Maryland, aided by the generous appropriation of the Legislature of that State, continues to prosper. From the origin of its enterprise in 1833, this society has sent to Africa seven expeditions, containing in all about three hundred emigrants. The village of Harper contains about twenty-five private houses and several public buildings; a public farm of ten acres has been, in part, cleared; about thirty acres have been put in cultivation by the colonists; their influence on the natives is salutary; schools have been established and prosper, and the people are pronounced by the late intelligent governor, Dr. Hall, moral, industrious, religious, and happy. This gentleman has resigned his office, and J. B. Russwurm, late a citizen of Monrovia, has been appointed to the station.

Allusion was made in the last report to the appointment of certain commissioners by the colonial government, to proceed into the interior as far as Bo Poro, the residence of King Boatswain, for the purpose of negotiating peace between certain hostile tribes, and opening a friendly and mutually advantageous intercourse with the people of that region. D. W. Whitehurst, one of these commissioners, visited the United States a few months ago, and made report to the managers of his observations during his absence of four months from the colony. The commissioners resided at Bo Poro (distant from 80 to 100 miles from Monrovia) several weeks; and though they failed, owing to the very disturbed state of the country, to effect the main object, they acquired information of great value, which, in the journal of Mr. Whitehurst, is already before the public. They passed through a fertile and beautiful country, upon which were scattered numerous fortified native towns, inhabited by a savage but active and industrious people, and abounding in the productions of tropical agriculture. Of a town within eight miles of Bo Poro, Mr. Whitehurst writes: "Every thing conspires to render this spot desirable for human happiness, if the propensity for war, which the people have, could be gotten over; but as it is, every thing is secondary to the grand object of conquest or capture. Groups of cheerful beings were passed through, either planting or grubbing; while at the towns the women were generally employed in spinning cotton. Cotton grows abundant throughout the country, and every town is furnished, more or less, with the apparatus for dyeing and weaving. The sugar cane, too, we observed frequently, while the plantain and banana were in the greatest profusion. The first notice, at times, that we would have of our proximity to a town would be the dense and beautiful foliage of those trees, giving us notice of human habitations. We approached Talma through beautiful walks of lofty and magnificent trees, very thickly interspersed with those of camwood, whose fragrant blossoms imparted delightful aroma to the atmosphere." He remarks: "The situation of Bo Poro is very obscure, being located in a valley formed by a chain of double mountains completely encircling it, and giving to their elevation a remarkable similitude to the seats of a theatre. The scenery by which the town is surrounded is magnificently grand; as far as the eye can see, you discern mountain towering above mountain, until they are lost in the distance. The chain runs regularly for some miles; then a portion more lofty than the rest towers aloft, whilst from base to summit the eye can behold but one expanse of the greenest foliage. The land then assumes a gentle acclivity, and its increasing altitude soon raises it upon an elevation with

other prominences, until the whole assumes the appearance of one continuous chain. Here, perhaps, the eye is met by a portion under cultivation, whilst there a path is distinctly visible, leading to regions beyond. At their base is to be seen the plantain, the sure evidence of the habitation of human beings, whilst from their shade will be seen ascending smoke from their various fires. On their summit the eye catches the outline of a distant town, whilst a barricaded one is more distinctly visible. Upon the whole, the scenery is more magnificent than any that I remember having seen; and it is to me a matter of great regret that I am unable to sketch what was most vividly impressed upon my mind."

But amid these scenes, so adorned and enriched by the hand of nature, and where the useful arts are not wholly unknown, men are the victims of the worst superstition and vice. By the slave trade they have been rendered more implacable foes to each other than are the leopards of their forests; and even cannibalism, a crime not against reason and the moral sense alone, but revolting even to instinct, exists among them.

Native wars (as we have already mentioned) have raged during the year among numerous tribes and along a great extent of the African coast. They have their origin mostly in the slave trade, which, to the reproach of Christendom, no means yet employed have been adequate to suppress. The Governments of England and France, in the year 1831, conceded to each other the mutual right of search within certain geographical limits, for the suppression of the slave trade, and resolved mutually to aid each other, and use their best endeavors to induce the other Powers of Europe to agree to the terms of their convention. Endeavors have been made to secure from Brazil, the Netherlands, Sweden, Portugal, and Spain, between whom and Great Britain treaties for the suppression of the slave trade had before existed, an agreement in all the articles of this convention; and "to all the other Powers of Europe, (says the Edinburgh Review,) and to the United States, France and England conjointly have made the strongest representations on the subject, and urged them, by every consideration of justice, humanity, and policy, to make a combined and simultaneous effort for at once annihilating what they themselves twenty years before denounced as the curse of Africa and the disgrace of Europe." Denmark and Sardinia have agreed to the convention. Austria, the Netherlands, and Sweden, have not declared their judgments on the subject. Prussia, Russia, and Naples, seem undecided. Brazil states that when the Portuguese trade shall cease, slaves will no longer be brought to her shore. Portugal evades the question. Spain enters into a treaty which extends the right of search even beyond the limits prescribed by the convention with France, provides for the punishment of those engaged in the traffic, for the condemnation of the vessels, and for delivery of the recaptured Africans to British authorities. This treaty leaves the suppression of the trade mostly to the activity of England; and the number of Spanish vessels captured under the new treaty, and sent into Sierra Leone for adjudication, has greatly increased. It is said that our own country has returned to the proposition of France and England a negative answer. We know not the reasons upon which this answer is founded; but if, as we suppose, they relate to the right of search, (although by the convention it exists but within narrow limits for one definite object, and is guarded by express stipulations,) we trust that a nation the first to adopt measures for the suppression of that trade, the first to denounce it by statute as piracy, will not fail to do

what may be necessary to prevent her own flag of freedom from covering this detestable commerce; that she will at least exert all her influence with Christian nations, that by common consent the slave trade may be known and punished as piracy by the laws of the whole civilized world.

The colonies planted by England and by citizens of the United States on the western coast of Africa have done much to expel this traffic from their neighborhood. "It is a fact," says the editor of the *Liberia Herald*; "known to all who have made any inquiries on the subject, that there is not a regular slaving establishment to the windward of Sierra Leone, nearer than the Rio Pongas; nor is there in the Rio Pongas, as far as we can learn, an established market for the avowed purpose. Vessels casually purchase slaves there; but there is no regular market for the purpose. Nor is there to the leeward of Sierra Leone, nearer than the Gallinas, a regular slaving establishment. Here there is an extent of coast of 120 miles cleared of the scourge by the influence of one settlement alone. Gallinas is the only slaving establishment between this and Sierra Leone; and to the leeward of us there is none nearer than Bassa." According to this, from an extent of coast of 360 miles this trade has been nearly extirpated by the influence of colonies, and this a region which it is said was visited formerly by a greater number of vessels engaged in that trade than now touch there for purposes of legitimate commerce.

Twenty first annual report—December, 1837.

Of the general health of the colony, the board have received very favorable reports. On his arrival, Dr. Bacon, after careful inquiry, found but about twenty-five cases of disease in Monrovia, Caldwell, Millsburg, and other places in that region—only two of which he considered really dangerous. "Throughout," he remarks in his first letter to the board, "the whole of my very brief experience here, I have found the few serious cases which have come under treatment to improve more rapidly than my most sanguine hopes had anticipated; and I feel every way encouraged to renew and strengthen the high hopes of usefulness and success which excited me to an enterprise which my most rational friends were so ready to condemn as desperate."

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In regard to the several African settlements under the general superintendence of this society, the board can report only gradual, but important improvements, in agriculture, education, and other interests essential to their growth, happiness, and stability. Respectable officers of the United States navy, recently from Liberia, concur with the officers and citizens of the colony in testifying to the general comfort and contentment of these communities, to the public spirit that animates them, and especially to their increasing endeavors to secure prosperity and independence by the cultivation of the soil. In their former reports, the managers have found cause to express regret at the too common neglect of this pursuit. They believe that it is now regarded by all industrious and intelligent settlers as of vital importance. A scarcity of provisions among nearly all the tribes bordering on the colony, produced by war and the slave trade, has proved the precarious nature of supplies to be derived from the natives, and shown that the colonists, to enjoy their independence or a comfortable subsistence,

must become agriculturists. Great advantages have been experienced, and more are expected, from a public farm, recently put under cultivation on Bushrod island, and designed especially to give employment to the poor, and aid in their support. This farm will also afford specimens of the best modes of tropical agriculture. The land is of superior fertility, and its situation so near Monrovia as to admit of easy communication to market, and yet so separated from it as to prevent any undesirable intercourse between its occupants and the citizens of that place. Twenty acres were under successful cultivation on the first of June, six acres of which were planted with the sugar cane. The plan of compelling paupers, when in health, to contribute by their labor to their support, has already greatly reduced their number. The whole number on this farm by the last advices was fourteen. It is designed to employ the women in the manufacture of cotton cloths, and in other occupations suited to their health and ability. A public farm has also been opened at the Junk settlement, on which individuals are permitted to labor in return for articles received by them from the public store. Thus far it has succeeded well.

An agricultural association has been formed in the colony, to encourage the cultivation of the sugar cane and the manufacture of sugar; and a few shares of the stock have been taken by the acting governor, in behalf of the society. "It is truly gratifying," he remarks, "to witness the zeal with which all classes of people are now turning their attention to the subject of farming. It is now with difficulty that a mechanic can be persuaded to work at his trade, even at an advanced price."

The United States ship of war *Potomac* visited the settlements of Liberia on her return from the Mediterranean in November and December of last year. The Rev. Mr. Rockwell, chaplain of this vessel, neglected no means in his power of ascertaining the condition and prospects of the people of Liberia. On his arrival in the United States, he stated publicly "that Monrovia had suffered somewhat from embarking too largely in trade; but that the other seven settlements were in a highly flourishing condition; that the colonists were industrious; their farms well cultivated; their children at school; their property increasing." He had asked numbers of them whether they would be willing to return to the United States, and had in every instance been answered, no.

The commander of this ship, Captain Nicholson, in concluding his report of this visit to the Secretary of the Navy, observes: "I would further say, that the colonies have now taken firm root in the soil of Africa; and though they may be depressed at times by adversity, yet by the gradual development of their resources, and the judicious assistance of their friends, they must finally flourish, to be an asylum to the colored man and an honor to their founders."

And here the managers are happy to introduce the opinions of the citizens of Monrovia, as deliberately expressed in the form of resolutions at a public meeting on the 29th of September, 1836, convened for the purpose of making known to the world their views of African colonization. This most interesting meeting was addressed by several citizens of the colony, under a deep sense of obligation to this society, and with an enthusiasm and eloquence worthy of the cause they had assembled to promote. Said one, "I arrived in Africa on the 24th of May, 1823; at that time the colony was involved in a savage war; immediately I had to shoulder my musket and do military duty. The circumstances of the colony were try-

ing in the extreme; but never have I seen the moment when I regretted coming to the colony. My object in coming was liberty; and, under the firm conviction that Africa is the only place under existing circumstances where the man of color can enjoy the inestimable blessings of liberty and equality, I feel grateful beyond expression to the American Colonization Society for preparing this peaceful asylum." Said another, "I thank God that he ever put it into the hearts of the Colonization Society to seek out this free soil, on which I have been so honored to set my feet. I and my family were born in Charleston, South Carolina, under the appellation of free people; but freedom I never knew until, by the benevolence of the Colonization Society, we were conveyed to the shores of Africa. My language is too poor to express the gratitude I entertain for the Colonization Society." Said a third, "I came to Liberia in 1832; my place of residence was the city of Washington, D. C., where I passed for a free man. But I can now say I was never free until I landed on the shores of Africa. I further state that Africa, so far as I am acquainted with the world, is the only place where the people of color can enjoy true and rational liberty. I feel grateful to the Colonization Society for what they have done and are doing for the man of color." Said a fourth, "I beg leave to state that my situation is greatly altered for the better, by coming to Africa. My political knowledge is far superior to what it would have been, had I remained in America a thousand years. I therefore seize this chance to present my thanks to the American Colonization Society for enabling me to come to this colony, which they have so benevolently established."

At this meeting a resolution was adopted expressing gratitude to the benevolent ladies of the United States, particularly of New York, Philadelphia, and Richmond, for their efforts to promote education in the colony, and testifying to the promising condition of the schools sustained by their contributions. These benevolent associations, and the faithful exertions of missionaries residing in the colony, have excited among its inhabitants ardent desires for knowledge, and inclined many of the chiefs and tribes of the country to solicit instruction for their children. Of common schools, the number is nearly if not quite sufficient. The American Society for the Promotion of Education in Africa has appointed a board of trustees and made an appeal to the public for aid in founding, at some eligible station in Liberia, a seminary in which youth may acquire a knowledge of agriculture, the mechanic arts, geography, navigation, and such other branches of science as may best qualify them for usefulness as teachers, or for success in the business of life. The missionary society of the Methodist Episcopal church, while having under its care seven regular day schools and others in the colony, has established at Millsburg, on a spot of singular beauty, salubrity, and fertility, under the care of the Rev. B. R. Wilson, a manual labor school, denominated the White Plains Manual Labor School, (in honor of the liberality of individuals in White Plains, New York, who have largely assisted to found it,) at which from thirty to fifty orphan or destitute children, either from among the colonists or natives, may receive support and education. These children are to be bound until they are twenty-one to the superintendent of the Liberia mission, who is pledged, as representative of the missionary society, to grant them ample means of living and of instruction in letters and the most useful arts. It is thought that the admission of children from the colony and

the bordering African tribes, to the same school, will tend to their mutual benefit, by inclining the former to regard the latter with more kindness, and the latter more earnestly to seek, and with more facility to acquire, the language, the manners, the habits, and the character of a civilized people.

Twenty-second annual report—December 11, 1838.

In their last report the managers noticed the progress made by the Mississippi State Society in establishing a colony in Africa, under the general control of the parent society. This colony is at the mouth of the river Sinoe, about midway between Bassa Cove and Cape Palmas. An annual sum of fourteen thousand dollars has already been subscribed for its benefit; and, from the spirit in favor of colonization which exists in Mississippi, there is no ground for apprehension that the settlement will be permitted to languish. The Louisiana State Society has adopted measures preliminary to the establishment of another settlement.

Though it has been possible to afford but little aid since the last annual meeting to the colony, the managers are happy to learn, as well from official communications transmitted by the colonial authorities, as from what may be regarded as more impartial testimony, that its general condition is satisfactory. The colonial settlements planted by the American Colonization Society, and still under its jurisdiction, are five in number, and contain about four-fifths of the colonial population on the western coast of Africa. Of these, Monrovia, at Cape Montserado, is the principal and the oldest. It has about 1,200 inhabitants, of whom commerce still continues to be the chief occupation; a preference suggested in part by its peculiar inducements, as an eligibly situated seaport to mercantile pursuits. It has its own shipwrights and other artisans, two forts, four churches, and two school-houses. A court-house and a jail are now in the course of being built.

New Georgia is located on Stockton creek, about four miles from Monrovia, with about 300 inhabitants, chiefly recaptured Africans, of the Ebo and Congo tribes. These people, but lately captives in slave vessels, are remarkable for good order, industry, and a desire of improvement. There are two schools in this settlement.

Caldwell, eight miles from Monrovia, is situated on St. Paul's river, which is here about a mile in width. It has two churches and two schools. The number of inhabitants is estimated to be 600, chiefly farmers.

Millsburg is twelve miles higher up the St. Paul's river, and twenty miles distant from Monrovia. It has two churches. The population is about 500, chiefly agricultural.

Marshall, the last settlement planted by the American Colonization Society, and yet an infant establishment, is situated at the Junk river, near its entrance into the sea. It contains about 150 inhabitants, chiefly recaptured Africans.

Edina, at present under the immediate jurisdiction of the affiliated societies of New York and Pennsylvania, under a conditional cession made in December, 1836, was founded by the parent society, about six years ago. It is situated on the St. John's river, and has about 300 inhabitants, two churches, and two schools.

The fondness for mercantile adventure, which long predominated at the colony, injuriously, in the judgment of the board, to its permanent interests, has of late years yielded to the influences which they have sought to move against it, and to the monitions of experience among the settlers. They are now, there is every reason to believe, convinced that the cultivation of the soil is the great source from which they are to expect substantial prosperity. A progressive attention to agriculture has been observable among them for several years past; the native productions are raised in increased abundance; and industry and skill have been successfully exerted in acclimating foreign seeds, plants, vegetables, and trees. The wisdom of this course is remarkably illustrated by the fact that, as farming pursuits have become popular, the number of paupers has proportionally decreased. In a despatch from the lieutenant governor, under date of the 31st of July last, and the latest from him which has been received, he says: "On the subject of agriculture in the colony, I am happy to be able to repeat what I have said in former communications. The interest manifested on the subject is daily increasing, and the prospect brightening. All here feel the necessity of raising first such articles of food as are required for our own wants, and in such quantities as to supply those wants. The greatest and only difficulty is to believe that, with the most abundant supply of Africa's produce, the articles to which we were accustomed in America are not indispensable to our condition." The temporary existence of the difficulty here indicated is natural. But the influence of habit must finally succumb to the influence of circumstances; and in no country is it likely that the change could be effected more rapidly than in western Africa; for in no country does the soil more promptly reward the toil of the husbandman. "Think," says the editor of the Liberia Herald, "of the unreasonableness of men complaining of being too poor to *farm it*, or of being unable to make a living by agriculture, when at the same time they possess an unlimited extent of soil, to which all articles necessary to comfort are indigenous, and of many of which it will produce two crops a year." The advance of agriculture at the colony has been hitherto retarded by the want of working animals. Circumstances heretofore explained have counteracted the efforts of the board to supply them. These efforts will doubtless be renewed by their successors. Captain Waters, of the packet ship *Saluda*, has it in charge to touch at the Cape de Verd islands, and there procure mules for the colony.

Despatches received from the colony in June last informed the board that, in April preceding, the colonial government had sent commissioners, under a military escort, to Little Bassa, to renew a demand unsuccessfully made eighteen months before, for payment of debts from natives to colonists, and compensation for public property alleged to have been forcibly seized. To those objects the country, according to the colonial statement, had been pledged on the occasion of the former demand, by the chiefs and head men, in solemn palaver, and became forfeited by the non-execution of the agreement then made. The renewed demand proving equally fruitless, the commissioners, in pursuance of their instructions, took possession of the pledged territory in right of the agreement and in the name of the society.

The official communication of these transactions and events being too imperfect to enable the board to decide on the propriety of the proceedings of the colonial government, they immediately directed that an ample re-

port should be transmitted to them. The opportunity was used to recall the attention of the colonists to the principles which must regulate their intercourse with the natives, so long as the society retains its African jurisdiction. From the justice, liberality, and forbearance, which have heretofore characterized that intercourse on the part of the Liberians, the managers indulge the hope that no deviation from those principles will be perceived in the present case, when fully explained and correctly understood.

In regard to the general condition and prospects of the settlements of Liberia, the managers might adduce the testimony of several gentlemen who have recently visited the United States after a residence of several months, and in some cases of several years, within their limits, to show that they are such as to demonstrate the wisdom and benevolence of the society, and leave little for its friends to regret but the deficiency of its means and the tardiness of its movements. In their general statements of the prosperity and promise of the colony, Messrs. Skinner, Seys, Matthias, Buchanan, McDowell, Savage, with Messrs. Shaw and Brown, (intelligent men of color, and the former a resident of more than fourteen years in Liberia,) concur. A letter of Doctor Goheen, a very respectable and well-educated physician, attached to the Methodist mission at Monrovia, dated the 8th of August, 1838, exhibits the most satisfactory evidence of the good character, contentment, and improvement of the settlers, as wonderful as it is gratifying to every humane and Christian heart. He remarks:

"It is a source of great pleasure to me to be able to inform you that all the colonies are in a prosperous condition. The vigorous exertions and anxious devotedness which characterize the efforts of the citizens to elevate and establish themselves permanently in the possession of privileges moral and political, almost amount to enthusiasm.

"The people are industrious and persevering in their attempts to gain a comfortable livelihood, temperate and economical in their habits, and appear to be really enjoying life.

"It is a mistaken idea that among the colonists there are contentious and dissatisfied spirits, who long 'for the flesh pots of Egypt,' and desire to turn back and enjoy 'the proud man's contumely' in America. No, no; there are here no restless persons, nor any who would give up their possessions in Africa for any station, no matter however elevated, in the country where they cannot have equal rights, but must ever be looked upon as the dark and degraded sons of Ham. Many to whom I have put the question, would you prefer to return to America, and live bondmen as you have been? have replied in substance, no, sir; we would rather remain here, possessed of half the privileges and happiness that we now have, than go back and be reported free men in any of the States.

"I have inquired diligently, and I have yet the first man to find who would leave Liberia for a residence in America on any terms.

"This account you will find fully corroborated by the numerous letters written by the colonists, and sent to their afflicted brethren throughout the Union. I am aware that it is not credited by some; but if men are not themselves the best judges of their own enjoyments and feelings, and are not to be believed when they thus publicly testify of the blessings and comforts which they possess, I ask what portion of this community is it that is better qualified to decide."

Again, observes Doctor Goheen:

"It is utterly impossible for you to form a correct estimate of the amount

of good that has resulted from the means thus far expended, unless you were here to observe with your own eyes the changes wrought. The man who was a slave in America is here a free citizen; the plebeian and servant there, the lord of the soil here; there the degraded child of affliction, here the claimant and occupant of the highest office in the gift of a free people. Here there are colonists of all professions and trades; governors, divines, lawyers, physicians, and mechanics. Here are those who possess wealth and live at ease; here the inhabitants enjoy all the comforts and luxuries of a soil the most fertile, well watered, and best timbered, that I have ever seen. And, here permit me to ask, why do you colonization folks, in every address that you make, speak of the burning sands and barren shores of Africa? Because, in the vast continent of Africa, the Zahara desert is found. Where is the continent that has no desert? Is there not a great desert within the territory of the United States? England and other European nations get all their ship building and other timber from Africa. The coast from Senegambia southward presents an almost impregnable forest, which contains a much greater variety of trees than you have in the States, and also a sufficiency to supply the world for centuries. But to return. There is here every possible inducement to prompt and stimulate the emigrant to action: a rich soil, a great variety of vegetables, and a ready market. The authorities of this town have recently established a market, which overflows with the products of the country. The comforts possessed by the farmers, mechanics, and merchants, far surpass the opinion that you would form of them, unless you could be present, to be received into houses as splendidly furnished and well provided with all the luxuries that are usually found in the possession of citizens of refined and populous towns.

"The moral and religious state of society is very good; this is emphatically a church-going community. In this town we have a 'Moral Friendship Society,' a 'Union Sisters of Charity Society,' a 'Female Benevolent Society,' a 'Missionary Society,' a flourishing 'Temperance Society;' and to the above list we have recently added a 'Liberia Lyceum.' The lyceum is well attended, and promises to bestow much lasting good upon the citizens.

"From the above facts it is evident that your cause is a good one, and has been blessed and prospered by Heaven's hand; it has found favor in the sight of God and man; it is fraught with considerations the most ennobling; it demands from every well wisher of the human family his suffrage, and appeals directly for assistance to all Christian believers in the coming millenium."

It is true that two or three individuals who have visited Liberia have made representations of its character and condition of a different and discouraging nature; but neither the sources from which they proceed, nor the circumstances under which they were made, can give them the credit to which the testimony just cited, and that by which it is confirmed, is entitled, in the judgment of sober and caudid minds. The managers are convinced that the history of colonization affords no instance in which the establishment of colonies in an uncivilized country has been more successful than on the shores of Liberia.

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In their last annual report, it was the painful duty of the managers to notice the continued existence, and, in some respects, augmented atrocities,

of the slave trade. Little in relation to it has since been done, which is consolatory to the friends of humanity. Evidence is stated to exist that slave dealers have resorted to new devices, as ingenious as they are detestable, for evading the international arrangements for suppressing the traffic, which had been adopted by our own Government and several of the European Powers. Of these Powers, only one has, of late, shown any practical disposition to enforce its professions, and to redeem its pledges of hostility to the object of their common denunciation. But it is animating to the hopes of philanthropy that the excepted instance is that of a nation possessing both the moral and physical strength to give significance to her interposition. A trade which the Congress of Vienna had described as having "degraded Europe, desolated Africa, and afflicted humanity," became, during the past summer, the theme of solemn council and action in the Parliament of England. The youthful Queen, responding to the wishes of that assembly, has announced her intention of proposing new treaties for annihilating the slave trade, and the still more important purpose of urging the fulfilment of former treaties on that subject, hitherto neglected or evaded. The promised coercion of one of the continental States is said to have been purchased at the cost of half a million sterling from the British treasury; and that of another, besides its pecuniary consideration, may have been prompted by deference to a constant and powerful protector. By these two Governments at least, the late movements of the English sovereign and Parliament will not, it may be supposed, be unheeded. A faithful and vigorous execution of their treaty engagements would so impair the foundations of the slave trade as materially to diminish the importance of any course which might be adopted by the other Powers of continental Europe. Our own country has borne emphatic testimony to her detestation of the nefarious traffic, by denouncing it under all the forms of law as PIRACY. The critic has smiled at this imputed solecism in language. The philanthropist may weep that the operation of the law has been too often as gentle as its tones are severe. Every friend to humanity, and to the true glory of the American name, must fervently desire that the wisdom of Congress may devise means for giving efficacy to its malediction of the most demoniac pursuit which the spirit of avarice ever prompted fallen man to engage in.

One of the most interesting aspects in which the plan of African colonization can be regarded, is its repressive influence on the slave trade. Without insinuating any extravagant claim for the society, the managers may be permitted to notice the historical fact, that, as its operations extended, the trade declined in the vicinity of its settlements, and that the trade has revived as the resources of the society have diminished. Three years ago, it was the subject of common remark, that wherever the society acquired territory, the neighboring slave dealer broke up his factory; that, in the language of a pious and intelligent missionary, wherever the society advanced its foot, the slaver fled before it. Unhappily, from causes for which it is not responsible, this benign influence has of late been less signal. But these causes are temporary, and inspire no distrust of the future. Nor can they affect the degree of credit due to the society through the fact that, on the very ruins of slave factories, a Christian republic has been erected, and now flourishes.

Information has reached the managers that vessels from the United States habitually supply the slave vessels on the African coast, and even the pro-

prietors of slave depots, with provisions and merchandise. This evil will, it is feared, continue till the several colonizing associations shall have obtained possession of the whole coast, and have lined it with colonists. The extent of the trade would, it is believed, be diminished, and its horrors mitigated, if vessels of war, belonging to nations united for the avowed purpose of suppressing it, were to cruise regularly on the coast, with authority to seize, not only vessels with slaves on board, but all vessels fitted out for the trade, on or near the coast, and ready to receive the unhappy prisoners. A practised eye can, it is said, easily distinguish such vessels. By the establishment of colonial settlements on the African coast, at a moderate distance from each other, not only would the present slave marts be destroyed, but such settlements would furnish the means of mutual defence against attacks, either from the slave vessels, or from the savage natives, instigated by the more savage slave dealers. Only a few years have passed since such alleged instigation produced an onslaught on the defenceless colonists at Bassa Cove, and their extermination and flight, before relief from remote settlements could reach them.

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In conclusion, the managers would urge every friend of this society to feel the importance of this cause of colonization in all its varied and most interesting relations to our country and to Africa. Great efforts, large resources, are demanded for its complete execution. Let the former be made, the latter contributed without delay. It is a work for the whole nation, worthy of its power and treasure. It is fraught with blessings of unspeakable worth to two races of men and two quarters of the world. Let all patriots, all Christians, hear the appeal of suffering millions, and come forward with warm hearts and generous hands for their relief.

Twenty-fifth annual report—January 18, 1842.

Much has been done during the last year to place the administration of justice and the execution of the laws upon a firm foundation. Circumstances of danger have arisen, which have shown some defects in the legal enactments of the colonial council, which have been promptly corrected or supplied. The exercise of the elective franchise has given rise, as in all other countries, to party preferences and political strife. The natives around have in some instances showed themselves in hostile attitudes. But through all these difficulties the majesty of the laws has been respected, and the government has kept on in the even tenor of its way. Much of encouragement is thus furnished to the friends of colonization. This strength and stability of the colonial government gives bright promise for the future. In the hour of peril, it has nerve and sinew sufficient to bear itself bravely through. Such a result will tend powerfully to establish this stupendous scheme of philanthropy in the confidence of the whole American people. After all the dark storms which have beat upon it have spent their force, the colony has emerged with renewed vigor from them all, and the bow of promise appears, at present, encircling with vivid colors that asylum for the oppressed and that home for the free.

The only *real* objection which has ever been urged against the magnificent scheme of colonization has been its impracticability. But now

this is removed. The most formidable obstacles have been overcome. We behold on that once barbarous coast several flourishing, industrious, and happy colonies, in which good order, pure morality, exemplary temperance, and fervent religion, are conspicuous.

The regular official reports which we have received in regard to the health of the inhabitants the past year have been of a highly encouraging nature. The several companies of emigrants sent out have passed through their acclimation with an unusually small amount of sickness, and comparatively few deaths. It is true that several deaths have occurred among the white residents, and during the past rainy season considerable sickness has prevailed among the old colonists, owing to the fact that the rains have been excessive beyond what the oldest inhabitants can remember to have witnessed; still the mortality has not been great.* The physicians now understand the diseases. Great credit is due to Dr. DAY, the colonial physician, for the zeal and skill with which he has discharged his responsible trust. He has himself had several attacks of the fever. But his exertions to take care of the lives and health of the newly arrived emigrants have been unremitting, and his success has been highly creditable to himself and fortunate for the society and the cause; and while his life and services are spared to the colony, we shall have great confidence in sending emigrants from any section of this country.

During the year that has passed, the vital interests of morality and religion have steadily advanced in the colony. Increased attention has been given to the education of the rising generation. Several schools have been supported by the missionaries of the Methodist Episcopal church, where they have educated the children free of any charge. It has been a part of their policy to devote a large share of their efforts to the rising generation in this way. In this respect they are now making some change. Hereafter all their *free* schools are to be for *native* children; while none are to be established in the colony but such as will maintain themselves. Several new churches have been built and dedicated to the worship of Almighty God. The Methodist mission is prosecuting this work with great zeal. There are few places in Christendom better supplied with the gospel than the various settlements in Liberia. One of the most interesting features in their operations during the past year is the increased attention which has been given to the spiritual wants of the native tribes in the neighborhood of the colonial settlements. A strong missionary spirit has been manifested among the colonists themselves. The most friendly and benevolent feeling has been shown towards the natives. Several new missionary stations have been formed, under the most encouraging prospects. The greatest anxiety is shown by multitudes of the natives to have schools established among them, and churches built, and the ordinances of the gospel administered. It may be said, with great truth, that "the fields are white ready to the harvest." It would be impossible to find in any country freer access to wider fields of usefulness. Several of the most important missionary societies in this country are turning their attention thither with more than their former earnestness. It is important, however, that they should seek out and send forth colored men as their missionaries. Two

* By examining the files of Africa's Luminary and the Liberia Herald, we find that in three months, during the sickliest season, there were 13 deaths, three of whom were white persons, five newly arrived emigrants, and five colonists, out of a population of over 2,000.

very essential considerations urge hem to this course: First, the fatality of the climate to the white man. During the past year, several of the missionaries have died; some of them even before they had entered on their labors. They had no sooner set foot on the soil, than death marked them as his prey. It is the country and the climate of the colored man. And there seems a prohibition of nature against the appropriation of it to the use of the white man. We are convinced from past experience that we cannot rely on the labors of white men to perfect the institutions of civil liberty and of Christianity in the dark places of Africa.

But the second consideration which should urge our missionary societies to send out colored missionaries is the fact that they will harmonize with the colonists more readily, and will also have more easy access to the natives, and more powerful influence with them than white men can have. There is no prejudice against them, while the natives have come to look upon the white man as their natural enemy.

These considerations induce us to hope that special efforts will soon be made to train up colored men to go as missionary pioneers into the heart of Africa. Our colony furnishes them an entrance and a defence, such as is enjoyed by no other missionaries. Under the ægis of its protection, and in co-operation with its citizens, they may labor with great security, and with the most flattering prospects of enlarged and ever-enlarging success.

Early in the past year, circumstances seemed to render it desirable that we should purchase from the natives the points on the seaboard lying between our various settlements. The slave factories for a long series of years having existed at New Cesters and Gallinas were broken up, and the internal slave trade was thereby seriously checked. New Cesters lies within the limits of coast that ought to belong to our colony, and it is indispensable that we should treat with the nations for it and several other points, in order that we may have an unbroken line of coast of about three hundred miles, to make a fair experiment of what can be done by a republican government on the shores of Africa. We supposed that the breaking up of these slave stations furnished an opportunity when, by prompt and vigorous action, advantages could be obtained and secured, which, if suffered to pass without improvement, might never return. It will be recollected, that on the western coast of Africa we have four distinct and important settlements, viz: Monrovia and its neighboring villages, Bassa Cove and its interior settlements, Sinou, and Cape Palmas. At Monrovia and Bassa Cove there is very little danger of the interference of any other nation, or of the slave trade being carried on; but this is not the case on the north of Monrovia, and between Bassa Cove and Sinou. This great extent of unoccupied territory furnishes eligible points for traders to establish factories for slaves or merchandise, which must seriously interfere with the government and general prosperity of our colony.

We gave the friends of the colonization scheme in this country fair warning of this danger, and appealed to them, through the press, by private letters, and with the voice of our agents, to afford us at once the large sum that was demanded to meet this exigency. We could not move in the matter without the requisite means. Governor Buchanan was most solicitous about the result. The same solicitude pervaded the board of directors and other friends of the cause.

But some months passed away, and the requisite money had not been received. A general sympathy was expressed, and liberal promises of

aid were given us. But there was no room for delay. Prompt action was considered the only efficient action. So fully were we impressed with this consideration, that we ventured to purchase, on credit, a small schooner and a valuable cargo of goods, the cost of which was \$12,010, and despatched them to the colony for the purpose of negotiating with the natives along the coast. But the *crisis* with one or two of the points had passed before the *Regulus* arrived or the governor had the means of making the purchases. It was impossible to prosecute the necessary negotiations along the coast without having a vessel at his command. Before he could obtain one, the slave traders, and others interested, had contrived to excite the natives at Gallinas and New Cesters in such a manner as that no treaty could be made with them. Since that time, the slave trade has been revived, at both New Cesters and Gallinas, or its neighborhood; so that for the present there is little prospect of obtaining jurisdiction over those two tracts of country. But we do not abandon the hope of being able to secure them at no very distant day. The slave trade cannot much longer survive so near our settlements. The natives will soon learn who are their real friends. And if the patrons of this cause will only furnish us the means, so that, when another auspicious moment occurs, we can promptly meet it, we shall doubtless be able to add this desirable consummation to our purchases along the coast.

We have the pleasure of communicating the fact, that our efforts to acquire territory have not been entirely without success. Two very important and highly beautiful tracts have been purchased, one lying north and the other south of the territory of Sinou. The tract on the north extends from Poor river, the boundary of Sinou, to Grand Boutau, about twenty-five miles, and running interior from fifteen to twenty-five miles. The tract on the south is called Blue Barre, which is about fifteen miles in extent, and is represented as one of the most desirable places on the coast; a splendid district of country, well watered, and abounding in the greatest variety and luxuriance of productions. This tract has been selected by the Louisiana State Colonization Society as the site for their colony. A location has been selected for the establishment of the first emigrants, and houses erected for the accommodation of about one hundred.

The purchase of these two parcels of territory is but a beginning of what must be done, and that speedily. The permanent prosperity of Liberia cannot be set down as the most certain of contingent events until we have an undisputed and indisputable claim to the whole line of coast between Cape Mount and Cape Palmas, a distance of about 300 miles. Every individual must be convinced that we ought to strain every nerve to gain possession of this continuous coast. What is wanted now is money to purchase this territory, so absolutely necessary to the unity and compactness of our colony, and its permanent peace and security. For it is certain, that if foreign traders come in and locate their trading establishments between our settlements, there will arise jealousies and dangerous collisions. And we cannot disguise the fact that we seriously apprehend trouble from this source. Already some difficulties have occurred between foreign traders who have established factories on the coast and our colonial authorities.* And there is evidently manifested a strong disposition

* In some instances, they have set up a claim to the territory themselves, and have denied the right of the native kings to cede their lands to the colony.

so to interfere as to prevent the natives from ceding the right of jurisdiction over the territory to the government of Liberia. It is painful to us to be compelled to speak on this subject. But it is vital to our prospects. Already our colonists are liable to constant annoyance from this source; and there can be no permanent peace and security till our right of government is established all along the coast. We therefore call upon the friends of the African race, and of the cause of colonization, to arouse, and receive the adequate impression of the real importance of this emergency. Let the facts relating to this subject be considered, and the sleeping zeal of many well wishers be renewedly awakened. The requisite funds must be collected, or a cloud will come over our prospect and a chill run through our hearts. The friends of this cause in the United States are so numerous and powerful that nothing but prompt and united action is requisite to achieve any thing that can be done by money.

* * * * *

The committee have felt the importance of doing something more to promote the cultivation of coffee among the colonists. There are but few persons among them who were familiar with its growth before they went to Liberia. And although it is very easy of cultivation, yet they have many things yet to learn in regard to it. They need an example before their eyes, and much counsel and advice in regard to the best kind of coffee, and the various improvements by which it may be made to yield a heavy crop. About the first of July last, a gentleman by the name of Harzen arrived at Monrovia from New Orleans, who had been brought up in the West Indies on a large coffee plantation, and was thoroughly acquainted with the business. Governor Buchanan effected a temporary arrangement with him, to take the superintendence of the public farm, while he recommended to this committee to make a permanent arrangement for employing him, so as to enlarge the public farm to at least 500 acres in coffee, and making all necessary improvements on it.

Being fully impressed with the ultimate value which would accrue from such a plan, we entered into it fully, accepted of Mr. Harzen's proposals, and directed Governor Buchanan to engage his services accordingly. But before the vessel carrying out our despatches had reached the colony Mr. Harzen was taken sick, and died in a few days.

The committee would recommend to make liberal proposals to any colored man or company of men who are thoroughly acquainted with the coffee business, and will emigrate to the colony, and engage to manage the public farm, or to open one for themselves. It is believed that they can open and carry on an extensive and successful business for themselves, besides doing much by the way of example and influence to stimulate the colonists to advance in this noble branch of industry. There cannot be a doubt but that coffee will be a chief staple of the western coast of Africa. The climate is the finest in the world, and the soil is inexhaustibly productive. Nothing, therefore, is necessary but to turn the public sentiment in this channel, and get the operations fairly and fully begun.

We hope that ere this present year rolls round we shall have the privilege of stating that many persons have gone to the colony well prepared to engage largely in this occupation. Had we it in our power, we would appeal to the most intelligent, refined, and comfortably situated of the colored population of *this* country, in view of the vast advantages they may gain by emigrating to the colony. If we are asked why those who have ample fortune, comfortable situation, and well-established reputation,

should emigrate, we answer, it is because, with all their dignity and talents, they never can enjoy equality of rights here; with their refinement and influence, they are doomed to the most degrading associations; in all the dearest intercourse of society, they must forever feel themselves depressed and excluded; and, above all, because they ought to be inspired with a burning desire to elevate their race, and redeem the land of their fathers, of their antiquity, and their glory, from the hand of the ruthless spoiler, from the chains of superstition, and the bondage of barbarity; and with a determination to give their brethren in this land a country and a name. With such motives as these, they may leave their native shores, and repair to the home of their fathers with gladness of heart, and that, too, with the certain prospect before them of enduring much hardship and toil, in entering a new country, felling the forests and clearing the ground, to make way for the ripening harvest. When the whole earth lay uninhabited and open for his occupancy, before their great progenitor, Ham, he selected Africa as the residence for himself and his descendants. Now, when all other parts of the earth are occupied with other races of men, why should his descendants not eagerly rush to that country, which is theirs by right of inheritance, and by adaptation to their peculiar constitution? Already have the colonists kindled there the light of civilization and Christianity, which, sooner or later, must shine over every portion of that ill-fated and unhappy continent. Have their kindred in this country no desire to aid in a work so grand, and share in triumphs so glorious?

In whatever light, therefore, the cause of colonization is considered, it addresses its claims to them with all the motives of patriotism, philanthropy, and Christianity; for it is at once and emphatically the cause of liberty, of humanity, and of religion. In no other way can they remove from their character that obloquy which now rests upon it. In no other country can they have opened to their vision such bright prospects of prosperity, usefulness, and enjoyment.

Believing, as we confidently do, that the scheme of colonization is eminently calculated to accomplish the object for which it has been adopted, and to advance the welfare of all concerned, we have improved every means of diffusing intelligence calculated to awaken the colored population of our country to their true interest.

* * * * *

In concluding this report, and closing our labors in connexion with the society, we most cordially commend the cause to the favor of a benevolent public and to the blessing of a kind and overruling Providence. Its pathway is not a smooth and flowery one. Rather is it surrounded with embarrassment, and fronted with obstacles. What great human enterprise was ever undertaken without difficulty? What ever failed within the compass of human power, while pursued with perseverance and blessed by the smiles of Heaven? Let the society prosecute, undismayed, its great work, appealing for succor to the reasonable, the virtuous, and the Christian portions of the public. Animated by what of encouragement is found in the past, let them proceed under the cheering prospects which are seen in the future. "Let them remember the condition of our forefathers, when, collected on the beach of England, they embarked for this distant land; amidst the scoffings of the assembled multitude, and here, in spite of all the perils of ocean and forest, successfully laid the foundations of this glorious republic." Prospects were never darker than theirs—results could not be more glorious. They can only have a parallel "when centuries

shall have rolled away, and the impartial historian of those future ages shall take a retrospect of the age in which we live, he will be led to contemplate with admiration the benevolent enterprise of African colonization, and will consider this as the brightest leaf in the page of the history of this country and of Africa! When a great republic of colored men shall have spread over the whole western coast of Africa, and shall have extended its influence to the very centre of that unexplored continent; when its history is traced back to its origin, then will this feeble society come into permanent notice, and will receive the honor of having laid the foundation of a great empire, and of having introduced and diffused among the numerous barbarous tribes of that continent all the arts and comforts of civilized life, and all the inestimable blessings of education and Christianity."

Then our present few, feeble, and sometimes despised colonists shall be the Pilgrim Fathers of that land, and Cape Mesurado their Plymouth Rock! And to the American Colonization Society shall they ever ascribe their warmest thanks and their sincerest gratitude for having conceived the splendid design of laying the foundations of their republic, and nursing and cherishing it in the days of its infancy.

Twenty-sixth annual report—February 17, 1843.

In no one year, since the origin of the society, have so many and extraordinary events occurred, more or less closely related to the enterprise of African colonization, as during that just elapsed; nor has this enterprise ever so attracted general attention, or commanded so favorably the judgment of mankind, as at this moment.

On the decease of Governor Buchanan, (to whose eminent abilities and virtues a just tribute was paid in the last report,) the administration of the colonial affairs devolved upon the lieutenant governor, General J. J. Roberts, one of the citizens of the colony, who was soon invested by the board of directors with all the immunities and powers of the chief magistracy of the commonwealth. Among the reasons for this appointment was the desire, ever cherished by the society, of placing the political destinies of the colony in its own hands, as soon as might be consistent with its welfare, and of giving assurance, even now, to its citizens, that the authority yet retained by the directors would be exerted in a way best adapted to qualify them for all the privileges and duties of self-government.

The individual chosen by the directors to succeed Governor Buchanan had, while in command of the colony, exhibited decided courage and talent, and, by the faithful discharge of his duties as lieutenant governor, as well as by his integrity in private life, won the confidence and respect of his fellow-citizens. As governor, he has well sustained his reputation, and left no doubt of his disposition and ability to administer the government with prudence, economy, and energy. Twice, during the year, has he visited the various settlements of the colony, examined their condition, ascertained their necessities, settled their differences with the native population—encouraged their hopes and industry, and sought duly to impress their minds with the necessity of a faithful performance of all their social, political, and religious duties.

The committee have heretofore expressed their conviction of the neces-

sity of extending, without delay, the colonial territory, so as to secure the uninterrupted and incontestable authority of the government of the colony over the whole line of coast from Cape Mount to Cape Palmas; and they are happy to state that two valuable acquisitions of land have been made since the last anniversary—one embracing some ten miles square, on the river St. John's; the other, of a still more important district, at Grand Cesters, abounding in rice and palm oil, and which has already excited the cupidity of foreigners. Other eligible regions of country are offered on moderate terms to the society; and Governor Roberts has been instructed to lose no opportunity, and to neglect no proper means, of extinguishing the native title on the entire coast from Cape Mount to Cape Palmas. While between these points not less than sixteen or seventeen valuable stations have been ceded to the society, several of them extensive, upon which settlements are founded, while to these emigration may be expected annually to increase, and while the decline of the slave trade, and the growth of legitimate commerce, mainly through the influence of the colony, invite to this region the traders of various nations, there is an obvious and increasing reason that this colony should be neither disturbed in its present possessions nor restricted within too narrow limits.

The agricultural interests of the colony have advanced during the year. The interest now manifested (says the governor, in his despatch of the 9th of June) by the farmers, I think, has never been surpassed. The success which has attended the sugar plantations at the colonial farm, the M. E. mission farm at White Plains, and Mr. Willis's farm at Millsburg, has convinced the people generally of the practicability of farming; and throughout the commonwealth, feeling its importance, they are making renewed efforts. Within the last four or five months, some eight or ten families have left the settlements of Edina and Bassa Cove, and established themselves on the banks of the St. John's river, determined to try their fortunes in this employment. Under date of August 11, he speaks of the remarkable increase of the agricultural spirit in the vicinity of Monrovia, and states that the supply of vegetable productions was unlimited. Still more recently, he observes: "I shall continue to do all in my power to encourage the settlers in their efforts to cultivate the soil; and they are becoming, daily, more impressed with the importance of making their own sugar, cotton, corn, &c.; and of being able soon to exchange African produce for American manufactures. They see that, without an effort on their own part, they cannot rise to independence."

As the colony suffers much for want of capital, so the mass of the people are without adequate knowledge of the best modes of tropical agriculture; and but few are well acquainted with some of the most useful arts.

The visits of three intelligent white men, one a sugar, another a coffee planter, and the third a practical ship builder, promised the greatest benefits; but the first two, having made successful experiments, died; and the third, having built one small cutter, owing to the failure of his health, returned to America. "The good" (says the colonial physician, Dr. Day) "which Mr. Jenkes (who devoted himself to the cultivation of the sugar cane) did lives after him. From him was learned something of the art of making sugar, but not so much as of the manner of planting and cultivating the cane. Following his directions, we can now grow more than double the quantity of cane on the same ground, and, I think I may safely add, at half the expense of labor. He also informed us that we were cul-

ivating a very inferior quality of cane, and at the same time we had some of the best quality in the world, which we are now extending as fast as the growth will permit. He has demonstrated, too, what was hitherto a problem, viz: that there is nothing in the soil or the atmosphere that will prevent our making, with the best kind of cane, as good, as much, and (with the same means of grinding) as cheap sugar as is made in the West Indies." Three thousand pounds of sugar, and several hundred gallons of molasses, were manufactured during the last season at the colonial farm; and, but for a defect (to be easily remedied hereafter) in the grinding of the cane, this quantity would have been more than doubled. The inhabitants of the village of Bexley, on the St. John's river, deserve great praise for their exclusive attention to agricultural pursuits. One individual of this settlement has, during the last fifteen months, by his own unaided labor, cleared, fenced, drained, and planted, a small spot sufficient for the support of himself and family; dug a well, from which it may be watered in seasons of drought; erected upon it a convenient and ample dwelling—and thus not only secured his own, but shows plainly to others the way to independence.

Of commerce, the committee are able to report a very considerable increase. "More produce," says the governor, "has been purchased by the colonists the past season, than for several preceding years."

Several valuable public buildings have been constructed during the year, and others, before in progress, completed. Among these are the *lighthouse* on Cape Mesurado, twenty-four feet square, and two stories high, the lower story of which is intended for an arsenal: and *Fort Norris-battery*, an apartment of which is fitted up for the use and convenience of the destitute, where they will be under the immediate inspection of the governor and colonial physician. This fort, which occupies a healthy situation, is to be surrounded by a garden, which the inmates may, as their health shall permit, cultivate. A commodious council and court house, fifty-six feet long and thirty-four wide, to be built almost entirely of stone, and two stories high, is far advanced, and will soon be finished in Monrovia. The building for the high school on Factory island, on St. John's river, is so far completed as to be tenantable, and the school under the care of Doctor Johnson already commenced. The committee are gratified to be able further to add, that some half dozen commodious stone buildings, and several frame houses, have been erected during the year at Monrovia; and that subscriptions have been, both there and at Caldwell, raised for the repair of the churches. Five small vessels, within the same time, have been commenced, and two completed.

Of the general condition of things in Liberia, the Rev. Hilary Teage, under date of September 5, writes:

"The colony is looking up. Two new vessels have lately been built here; two more are on the stocks, and others are in contemplation; two are building at Edina, and D. Washington has just returned from Sierra Leone with a vessel of fifty tons, which he purchased there. I have purchased the *Regulus*. Should my plans succeed, I intend loading her with camwood in the course of the next year, and taking her, with Liberia's flag at her mast head, into Liverpool."

Under date of the 15th of the same month, to a gentleman of Philadelphia, he writes:

"The colonizationists have done nobly. No one who will be at the

pains to come here and see for himself will deny this; unless he resolutely closes his eyes against facts and his mind against evidence. I honestly believe they have redeemed the pledge they gave the public, when, in 1816, they first met at Washington. They have led the colony along, and fostered it, until its bulk has grown too unwieldy for their unaided arm. From late developmen's—from attentively regarding scenes and movements around and in the midst of us, I am persuaded the elements, not only of future existence, but of future prosperity, exist within us. They are arousing into life, and will, not long hence, spring forth into vigorous and profitable exertion. That irresolution which has so long chained us down to our seats and to our poverty is rapidly melting from around us, and many of our people seem to be girding on their armor for a vigorous combat with poverty and dependence."

To the same gentleman, the Rev. J. B. Pinney, under date of October 12, Governor Roberts writes :

"I received communications from Washington, with the June number of the Repository, by which I find the cause of colonization is progressing rapidly. The colonization convention, I think, will have a good effect; and if the General Government can be induced to give some efficient aid, Liberia will soon rise triumphant above the scoffs of her bitterest foes. This she is destined to do, through the providence of God, as is shown by the signs of the times. He is manifesting himself in the affairs of these colonies, and by the great work of religion that is going on among the native tribes in our vicinity. It is manifest that Liberia is to be the centre, from which light and knowledge and the gospel of Christ are to make their way into the interior of this dark continent. If nothing more was to be gained by the establishing of colonies along this coast, but the spread of the gospel of peace among a barbarous and heathen people, it would be a sufficient motive for the friends of colonization to persevere in the scheme, and would more than compensate them for the great expense and trouble they have been subjected to. But, sir, colonization is doing more than this: it is establishing a permanent home for the oppressed in other countries, (especially in the United States,) where they may remove and enjoy that civil and religious liberty that some are expecting to enjoy some day in the United States. Their hope, however, is visionary—the thing is impossible, except by the intervention of the miraculous power of God. There are prejudices existing in the United States against the people of color, that in all probability will exist for centuries.

"Let them remove to Liberia or elsewhere, *at once*, and establish themselves as a separate and independent people. By the means of commerce, they will become acquainted with the world, and the world with them. They will form foreign connexions that will bring interest in contact with prejudice—when the latter must give way, and they will be brought more speedily into notice, and soon acquire a reputation and standing that will make them equal in every respect with the people of other countries. This appears to me to be the quickest and only feasible way to bring about that equality so strongly contended for by some in your country. The prejudices against Liberia, I think, will soon begin to vanish. The health of the colony (which has been the great scarecrow) has improved so much within the last few years, (owing, no doubt, to the clearing away of the forest, and cultivating the lands in the vicinity of the settlements,) that Liberians themselves are astonished. The mortality among newly arrived

emigrants has decreased within the last ten years, at least thirty-three per cent. This will continue to be the case, as the lands are cultivated and the country opened. It is my serious opinion, sir, that in a few years people may remove to Liberia with as little apprehension about the coast fever as if they were removing to any of the West India islands. The colony, too, is acquiring a reputation, and beginning to be known abroad. Our merchants are already visiting foreign countries, where they are received courteously, and treated with that respect due to their standing at home. Could our colored friends in America properly understand and appreciate the blessings of 'liberty and equality,' (as enjoyed by the people of these colonies,) they would rather live in Liberia (with all its imaginary evils) than to remain in any country (with all its luxuries) where they are cast out and degraded. And such men only as are fully convinced of their condition in the United States, and who are determined to enjoy freedom at all hazards, *somewhere*, do we wish to come to Liberia. I will warrant, sir, that ninety-nine out of a hundred of such men will never express even a wish to return."

A distinguished and generous friend of the society, John McDonogh, Esq., of New Orleans, expressed his desire, early in the year, of sending to the colony, on certain conditions, under the protection of the committee, eighty of his servants, who had long been in preparation, beneath his own eye, for the condition and advantages of liberty. Though permission sought by him of the State Legislature thoroughly to educate these people was denied, they had enjoyed through his kindness many and peculiar advantages, with a view to their participation in the rights, responsibilities, and duties of a free community. "I do not hesitate," (observes Mr. McDonogh, in offering them to the attention of the society,) "to say, (knowing them as I do, for the greater part have been born under my roof,) should they settle in Liberia, that they will be the most valuable acquisition for their number, which that colony has ever received into her bosom, and will tend, in a higher degree, to the advancement of her best interests, than ten times their number would do, taken from those of the same color generally through the United States. To say nothing of their moral and religious character, (which merits high commendation,) they have been reared to habits of order and industry; most of them read well, some write, and several among them, both male and female, are capable of becoming common school teachers. But, for their talents as artisans, mechanics, agriculturists, sugar makers, sugar-kettle setters, sugar-mill builders, builders of sugar-house chimneys, (each of which is a separate trade or profession,) blacksmiths, carpenters, masons, &c., they are emphatically the population which Liberia greatly needs, and who are formed to advance her interests. A few years after their arrival in the colony would see them in possession, I have no doubt, of fine sugar, cotton, and coffee estates. Some of them have pecuniary means, and all of them would have large means, (in such a country as that,) in their knowledge of agriculture and the arts of life."

Anxious to comply with the philanthropic views of this gentleman, as well as to aid many applicants for a passage from various sections of the Union, the ship *Mariposa*, was chartered and ordered to New Orleans, whence (after her outfit with all needful supplies, and the embarkation under the superintendance of the Rev. William McLain, the treasurer of the society, of seventy-nine persons, liberated by Mr. McDonogh, and one

other respectable colored family) she sailed on the 9th of June, for Norfolk, to receive there her complement of emigrants. This fine ship sailed from Norfolk, on the 7th of July, with a very intelligent and select company of two hundred and thirty-four emigrants, from the States of Louisiana, Alabama, Missouri, Illinois, Tennessee, Virginia, North Carolina, South Carolina, and the Territory of Iowa, and, after a voyage in all respects auspicious, arrived at Monrovia on the 21st of August. Immediately on the determination of the committee to despatch this expedition, instructions were transmitted to Governor Roberts to prepare for the reception and accommodation of Mr. McDonogh's people at Blue Barre, opposite the settlement of Greenville, on the Sinou river, a region of many advantages, particularly selected by their benefactor, and to which it was proposed to give the name of Louisiana in Liberia. The want of a perfect understanding with the native chiefs of Blue Barre, and of sufficient time to prepare adequate accommodations and defences, and especially the occurrence of hostilities between the principal tribes of that district, in connexion with the certain protection and superior comforts to be afforded, temporarily at least, on the banks of the St. Paul's river, induced Governor Roberts to comply with the earnest request of these people, and establish them for the present, with their companions on the voyage, at the latter place. There were also economical considerations in favor of the course adopted. Had the New Orleans emigrants gone to Blue Barre, much of the cargo must have been landed and reshipped, and the prevalence at that season of southeast winds, and of a strong current setting to the northwest, by prolonging the voyage, would have rendered the cost of their removal double the amount required at a more favorable season. In the prosecution of an enterprise, complex and remote, causes of embarrassment will occasionally arise; and while the committee trust that in this case disappointment will prove no calamity, they are prepared, should it be thought best, to carry out their original design.

The plan and policy of Mr. McDonogh, as explained by himself in a pamphlet recently given to the public, indicates an efficient and far-reaching philanthropy, worthy the attention of every benevolent and patriotic citizen of our Southern States.

Of the other emigrants by the *Mariposa*, *eighty* were from the State of Tennessee, (more than twenty of them emancipated, and to some extent assisted by generous masters,) and most of them, by their agricultural and mechanical knowledge, well qualified to overcome the difficulties which emigrants to new countries must inevitably encounter.

Seventeen, all with one exception liberated slaves, were from the State of Virginia:

Fourteen liberated by the will of the late Thomas Blackledge, Esq., of North Carolina, were not only supplied by this will with the means of emigration, but also with eight hundred dollars to enable them to commence with comfort and cheerfulness their new mode of life.

Ten were from Murfreesborough, North Carolina, emancipated by the will of the late Mr. Brown, of that place, and some small provision made for their benefit. Two enterprising free colored families, comprising fourteen persons, having experienced much unkindness from the people among whom they had resided, came by the way of New Orleans, from Illinois, to Norfolk, that they might embark for a land of real freedom. Another

family of four persons travelled by land from the Territory of Iowa, and took passage in this vessel.

A venerable colored minister of the Baptist church, from Alabama, who had received his freedom as the reward of merit, embarked with his wife and three children, in the hope that his other children (for whom he has paid more than \$7,000) will yet follow him. These, with a family of six persons from Louisiana, and the superintendents of the company, Messrs. Harris and Brown, completed the number of this expedition, which, whether regard be had to the character of the emigrants, their sobriety and industry, agricultural and mechanical employments, the regions of country from which they came, the ties by which they are connected with extensive neighborhoods of the colored population of the South, the interest manifested in many of them, but recently faithful servants, by their humane and religious masters, promises not only great benefits to the colony, but to reflect back an influence animating to the hopes of the society in the United States.

For the present, these emigrants are divided into two companies, the one accommodated at Monrovia, and the other at Caldwell, and both under the skilful care of the colonial physician, Dr. J. L. Day, assisted by two colored physicians, who have enjoyed good opportunities for medical practice. They have passed through the period of greatest danger to strangers, with small loss, up to November 11; several of those who have died being aged and infirm persons and children, and among them not one of those from Louisiana, who have been but slightly affected by the climate. Among the settlers generally health has prevailed during the last year.

On the 15th of last month, eighteen slaves, emancipated by W. B. Lynch, Esq., a young gentleman of Lynchburg, Virginia, embarked in a vessel chartered by the Maryland Colonization Society, under arrangements made by the committee, for Monrovia. Feeling the deepest concern for the welfare of these servants, Mr. Lynch visited the Northwestern States, and, observing the unfortunate condition of their colored population, persuaded them to choose Liberia for their home; and after supplying them with the necessary articles of clothing, mechanical tools, and implements of agriculture, accompanied them to Baltimore, defraying their expenses on the way, and contributed five hundred dollars to the society for their passage and settlement in the colony. Such acts merit not only record in the reports of the society, but in the annals of our country.

CONSTITUTION OF THE AMERICAN COLONIZATION SOCIETY.

ART. I. This society shall be called "the American Society for Colonizing the Free People of Color of the United States."

ART. II. The object to which its attention is to be exclusively directed is to promote and execute a plan for colonizing (with their own consent) the free people of color residing in our country, in Africa, or such other place as Congress shall deem expedient; and the society shall act, to effect this object, in co-operation with the General Government and such of the States as may adopt regulations on the subject.

ART. III. Every citizen of the United States who shall have paid to the funds of the society the sum of one dollar shall be a member of this society.

ART. IV. There shall be a board of directors, composed of delegates from the several State societies and societies for the District of Columbia and the Territories of the United States. Each society contributing not less than one thousand dollars annually into the common treasury shall be entitled to two delegates; each society having under its care a colony shall be entitled to three delegates; and any two or more societies uniting in the support of a colony, composing at least three hundred souls, to three delegates each. Any individual contributing one thousand dollars to the society shall be a director for life.

ART. V. The society and the board of directors shall meet annually at Washington, on the third Tuesday in January, and at such other times and places as they shall direct. The board shall have power to organize and administer a general government for the several colonies in Liberia; to provide a uniform code of laws for such colonies, and manage the general affairs of colonization throughout the United States, except within the States which planted colonies. They shall also appoint annually the executive committee, to consist of seven, with such other officers as they may deem necessary. Any two members of the executive committee, with the chairman, shall form a quorum for the transaction of ordinary executive business; but all appropriations of money, or measure involving the expenditure of funds other than for the payment of debts previously contracted by order of the executive committee, shall be approved by at least four members of the executive committee. The officers of the society shall be *ex officio* members of the board of directors, and shall have a right to speak, but not to vote. The said board of directors shall designate the salaries of the officers, and adopt such plans as they may deem expedient for the promotion of the colonization cause. It shall be their duty to provide for the fulfilment of all existing obligations of the American Colonization Society, and nothing in the following article of these amendments shall limit or restrain their power to make such provisions by an equitable assessment on the several societies. Whenever a meeting of the board of directors shall be regularly called, and there are not at least six members in attendance, in such case five members of the executive committee, the chairman being one, with such directors, not less than two, as may be present, shall constitute a board, and have competent authority to transact any business of the society; provided, however, the board so constituted shall carry no question unless the vote be unanimous.

ART. VI. The expenses of the general government in Africa shall be borne by the several associated societies, according to the ratio to be fixed by the Board of directors.

ART. VII. Every such society, which has under its care a colony, associated under the general government, shall have the right to appropriate its own funds in the colonization and care of its emigrants.

ART. VIII. The board of directors shall have the exclusive right to acquire territory in Africa, to negotiate treaties with the native African tribes, and to appropriate the territory and define the limits of the colonies.

ART. IX. The president and vice presidents of the society shall be elected annually by the society.

ART. X. It shall be the duty of the president (or in his absence the vice presidents, according to seniority) to preside at meetings of the society, and to call meetings when he thinks necessary.

ART. XI. The board of directors and the executive committee shall have

power to fill up all vacancies occurring in their respective numbers during the year, and to make such by-laws for their government as they may deem necessary, provided the same are not repugnant to this constitution.

ART. XII. This constitution may be modified or altered, upon a proposition to that effect by any of the said societies, transmitted to each of the societies three months before the annual meetings of the board of directors, provided such proposition receive the sanction of two-thirds of the board at their next annual meeting.

ART. XIII. The representatives of the societies present at the annual meeting adopting this constitution shall have the power to elect delegates to serve in the board of directors until others are appointed by their societies. The delegates shall meet immediately after their election, organize, and enter upon their duties as a board.

ART. XIV. All sums paid into the treasury of the American Colonization Society shall be applied, after defraying the expenses of collection of the same, and a ratable portion of the subsisting debts of the society, to the advancement, use, and benefit of the colony of Monrovia; and the agent of the society, or governor, shall reside therein.

CONSTITUTION OF THE COMMONWEALTH OF LIBERIA,

Adopted by the board of directors of the American Colonization Society, January 5, 1839.

The American Colonization Society hereby grants to the colonies or settlements in Liberia, on the western coast of Africa, under its care, the following constitution:

ART. I. The colonies or settlements of Monrovia, New Georgia, Caldwell, Millsburg, Marshall, Bexley, Bassa Cove, and Edina, and such other colonies hereafter established by this society, or by the colonization societies adopting the constitution of the American Colonization Society, on the western coast of Africa, are hereby united into one government, under the name and style of the commonwealth of Liberia.

LEGISLATIVE POWER.

ART. I. All legislative powers herein granted shall be vested in a governor and a council of Liberia, but all laws by them enacted shall be subject to the revocation of the American Colonization Society.

ART. III. The council shall consist of representatives to be elected by the people of the several colonies or settlements, and shall be apportioned among them according to a just ratio of representation. Until otherwise provided, Monrovia, New Georgia, Caldwell, and Millsburg, shall be entitled to six representatives; and Marshall, Bexley, Bassa Cove, and Edina, to four representatives—to be apportioned among them by the governor.

ART. IV. The representatives shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of the council, and in going to or returning from the

same ; and for any speech or debate therein they shall not be questioned in any other place.

ART. V. Until otherwise provided by law, the governor shall appoint and publish the times, places, and manner of holding elections, and making returns thereof, and the same for the meeting of the council.

ART. VI. The governor shall preside at the deliberations of the council, and shall have a veto on all their acts : provided, nevertheless, that if two-thirds of all the members elected to serve in the council shall concur in passing a bill or resolution, notwithstanding the veto of the governor, the same, when so passed, shall become a law, and have effect as such.

ART. VII. A colonial secretary shall be appointed by the governor ; and it shall be the duty of such colonial secretary to record in a book or books all the official acts and proceedings to the governor, of the council, and of the governor and council ; to secure and preserve the same carefully ; and to transmit a copy of each of such acts or proceedings to the American Colonization Society, from time to time : provided, however, that such acts and proceedings be so transmitted at least once a year.

ART. VIII. A great seal shall be provided for the commonwealth of Liberia, whereby the official and public acts of the governor shall be authenticated ; and the custody of the said seal shall be committed to the colonial secretary.

ART. IX. The governor and council shall have power—

To provide a uniform system of military tactics and discipline :

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the commonwealth :

To declare war in self-defence :

To make rules concerning captures on land and water :

To make treaties with the several African tribes, and to prescribe rules for regulating the commerce between the commonwealth of Liberia and such tribes ; except that all treaties for the acquisition of lands shall be subject to the approval of the American Colonization Society :

To prescribe uniform laws of naturalization for all persons of color.

All persons now citizens of any part of the commonwealth of Liberia shall continue to be so, and all colored persons emigrating from the United States of America, or any district or territory thereof, with the approbation or under the sanction of the American Colonization Society, or of any society auxiliary to the same, or of any State colonization society of the United States, which shall have adopted the constitution of the American Colonization Society, shall be entitled to all the privileges of citizens of Liberia, except the same shall have been lost or forfeited by conviction of some crime.

EXECUTIVE POWER.

ART. X. The executive power shall be vested in a governor of Liberia, to be appointed by, and to hold his office during the pleasure of, the American Colonization Society.

ART. XI. The governor shall be commander-in-chief of the army, of the navy, and of the militia of the commonwealth ; he shall have power to call the militia or any portion thereof into actual service, whenever the public exigency shall require ; and he shall have the appointment of all

military and naval officers, except the captains and subalterns of militia companies, who may be elected by their respective companies.

ART. XII. The lands owned by the society, and all other property belonging to the society, and in the commonwealth, shall be under the exclusive control of the governor and such agents as he may appoint under the direction of the society.

ART. XIII. The governor, with the advice and consent of the council, shall appoint all officers whose appointment or election is not otherwise specially provided for in this constitution.

ART. XIV. There shall be a lieutenant governor, who shall be elected by the people in such manner as shall be provided by law. He shall exercise the office of governor, in case of a vacancy in that office occasioned by the governor's death or resignation, or in case the governor shall delegate to him the temporary authority of governor during the governor's absence or sickness.

JUDICIAL POWER.

ART. XV. The judicial power of the commonwealth of Liberia shall be vested in one supreme court, and in such inferior courts as the governor and council may, from time to time, ordain and establish. The governor shall be, *ex officio*, chief justice of Liberia, and as such shall preside in the supreme court, which shall have only appellate jurisdiction. The judges, both of the supreme and inferior courts, except the chief justice, shall hold their offices during good behavior.

ART. XVI. A code or uniform system of civil and criminal law shall be provided by the American Colonization Society, for the commonwealth of Liberia.

ART. XVII. The present criminal laws in force in the several colonies or settlements now forming the commonwealth of Liberia, and such others as may from time to time be enacted, shall constitute the criminal code of the commonwealth. Such parts of the common law as set forth in Blackstone's Commentaries, as may be applicable to the situation of the people, except as changed by the laws now in force, and such as may hereafter be enacted, shall be the civil code of law for the commonwealth.

MISCELLANEOUS.

ART. XVIII. A great seal shall be provided for the colonies, whereby the official and private acts of the governor shall be authenticated, and the custody thereof shall be committed to the colonial secretary.

ART. XIX. Until otherwise provided by law, the commonwealth of Liberia shall be divided into counties as follows: Monrovia, New Georgia, Caldwell, and Millsburg, shall constitute one county, under the name of the county of *Montserrat*; and Bassa Cove, Edina, Bexley, and Marshall, shall constitute the other county, under the name of the county of *Grand Bassa*.

ART. XX. There shall be no slavery in the commonwealth.

ART. XXI. There shall be no dealing in slaves by any citizen of the commonwealth, either within or beyond the limits of the same.

ART. XXII. Emigration shall not be prohibited.

ART. XXIII. The right of trial by jury, and the right of petition, shall be inviolate.

ART. XXIV. No person shall be debarred from prosecuting or defending any civil cause, for or against himself or herself, before any tribunal in the commonwealth, by himself or herself or counsel.

ART. XXV. Every male citizen of the age of twenty-one years shall have the right of suffrage.

ART. XXVI. All elections shall be by ballot.

ART. XXVII. The military shall at all times and in all cases be in subjection to the civil power.

ART. XXVIII. Agriculture, the mechanic arts, and manufactures, shall be encouraged within the commonwealth; and commerce shall be promoted by such methods as shall tend to develop the agricultural resources of the commonwealth, advance the moral, social, and political interests of the people, increase their strength, and accelerate and firmly establish and secure their national independence.

ART. XXIX. The standards of weight, measure, and money, used and approved by the Government of the United States of America, are hereby adopted as the standards of weight, measure, and money, within the commonwealth of Liberia; but the governor and council shall have power to settle the value of the actual currency of the commonwealth, according to the metallic currency of the United States of America.

ACTS AND RESOLUTIONS OF STATE LEGISLATURES IN RELATION TO
COLONIZATION.

STATE OF VERMONT.

Vermont Legislature, November 12, 1827.

On the petition of the Vermont Colonization Society, the committee reported a resolution instructing our Senators and members in Congress to use their exertions in procuring the passage of a law in aid of the objects of the society; which was read, and adopted.

STATE OF MASSACHUSETTS.

Resolutions, 1831.

1. *Resolved*, That the Legislature of Massachusetts view with great interest the efforts made by the American Colonization Society in establishing an asylum on the coast of Africa for the free people of color of the United States; and that, in the opinion of this Legislature, it is a subject eminently deserving the attention and aid of Congress, so far as shall be consistent with the powers of Congress, the rights of the several States of the Union, and the rights of the individuals who are the objects of those efforts.

2. *Resolved*, That our Senators and Representatives in Congress be, and they are hereby, requested, in the name of the State of Massachusetts, to solicit the assistance of the General Government to aid the laudable designs of that society, in such manner as Congress, in its wisdom, may deem expedient, and is consistent with the provisions of the Constitution of the United States.

STATE OF CONNECTICUT.

Resolution, 1824.

Resolved, That the existence of slavery in the United States is a great national evil, and that the people and the States ought to participate in the burdens and the duties of removing it, by all just and prudent measures which may be adopted *with a due regard to their internal peace and mutual harmony*; and that a system of colonization, under the patronage of the General Government, may reasonably be deemed conducive to so desirable an object.

STATE OF NEW YORK.

Resolutions of the Senate, April 13, 1832.

Mr. Tallmadge, from the select committee to which was referred the memorials of the State Colonization Society, and of William A. Duer and others, of the city of New York, reported the following resolutions, which were unanimously adopted:

Resolved, That the Senate applaud the motives and approve the objects of the American Colonization Society, and have full confidence in the fidelity, discretion, and ability, of its executive officers.

Resolved, That, as the said society proposes to remove or mitigate existing evils, and prevent or diminish apprehended dangers, it deserves the confidence and encouragement of the American people.

Resolved, That the Senate commend the said society to the consideration and patronage of the citizens of this State.

Resolved, That these resolutions be transmitted to the honorable the Assembly, for their consideration.

The resolutions passed the House of Assembly, with hardly a dissenting voice.

STATE OF NEW JERSEY.

Resolution, 1825.

Resolved, That, in the opinion of this Legislature, a system of foreign colonization, with correspondent measures, might be adopted, that would, in due time, effect the entire emancipation of slaves in our country, and furnish an asylum for the free blacks, *without any violation of the national*

compact or infringement of the rights of individuals; and that such a system should be predicated upon the principle that the evil of slavery is a national one, and that the people and the States of this Union ought mutually to participate in the duties and the burdens of removing it.

STATE OF PENNSYLVANIA.

Preamble and resolution, 1829.

Whereas resolutions approving of the object of the American Colonization Society have been adopted by the Legislatures of several States of this Union: And whereas Pennsylvania is honorably distinguished in having led the way in benevolent efforts to improve the condition of the African race in this country, and in having seized the first moments of her independence from foreign dominion to abolish slavery, as inconsistent with her benevolent institutions, and, in the eloquent language of the Legislature of that day, "in grateful commemoration of our happy deliverance from that state of unconditional submission to which we were doomed by the tyranny of Britain;" it seems, therefore, proper that an association of enlightened and philanthropic men, who have united to form, for free persons of color, an asylum in the land of their fathers, should receive the countenance and support of the General Assembly of Pennsylvania; and, from the success which has already attended the colony at Liberia, there is reason to hope that it may be extended and enlarged, so as to offer a home and a country to all of these people who may choose to emigrate thither; and their removal from among us would not only be beneficial to them, but highly auspicious to the best interests of our country. It also holds out to the Christian and philanthropist the hope that, by the means of this colony, the lights of Christianity and civilization may be made to shine in a land shrouded in the darkness of barbarism, and thus atonement, in some measure, be made for the wrongs which slavery has inflicted on Africa. As the evil which this society seeks to remove pervades the whole country, it would seem to deserve the attention of those whose duty it is, and who are provided with the means, "to provide for the general welfare:" Therefore—

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That, in the opinion of this General Assembly, the American Colonization Society eminently deserves the support of the National Government; and that our Senators be directed, and that the Representatives in Congress be requested, to aid the same by all proper and constitutional means.

STATE OF DELAWARE.

Preamble and resolutions.

Whereas the "Wilmington Union Colonization Society," professing, by its constitution, to be "auxiliary to the American Colonization Society," and that the object to which its views shall be exclusively directed is the

colonization, on the coast of Africa, *with their own consent*, of the free people of color of the United States, has, by memorial addressed to this General Assembly, requested the expression of an opinion, whether their views deserve the national support, and with the national funds, to such an extent as the wisdom of Congress shall deem prudent; and, in the said memorial, has set forth that the system of colonizing the free people of color on the coast of Africa has already been commenced by the "American Colonization Society," and that experiments have proved the plans adopted to be no longer doubtful of success, if suitable national encouragement be given: And whereas it satisfactorily appears to this Legislature that the memorialists are engaged in endeavoring to execute one of the grandest schemes of philanthropy that can be presented to the American people; that it is no less than the cause of humanity—suffering humanity—the redemption of an ignorant and much-injured race of men from a degradation worse than servitude and chains, and placing them in that country, on that luxuriant soil, and in that genial climate, pointed to by the finger of Heaven as their natural inheritance:

And it further appears to this Legislature, that the object of this society is two-fold; for, while it immediately and ostensibly directs its energies to the amelioration of the condition of the free people of color, it relieves our country from an unprofitable burden, and which, if much longer submitted to, may record upon our history the dreadful cries of vengeance that but a few years since were registered in characters of blood at St. Domingo: Therefore—

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That it is requisite for our prosperity, and, what is of more important concern, essential to our safety, that measures should be taken for the removal from this country of the free negroes and free mulattoes.

Resolved, That this General Assembly approve the objects of the American Colonization Society, and consider that these objects deserve public support, and that they ought to be fostered and encouraged by the National Government and with the national funds.

Resolved, That the Senators of this State in Congress, with the Representative from this State, be requested to approve and promote, in the councils of the nation, measures for removing from this country to Africa the free colored people who may be willing to emigrate.

Resolved, That the Speakers of the two Houses be requested officially to sign these resolutions, and forward a copy to each of our Senators, and a copy to our Representative in Congress.

STATE OF MARYLAND.

Resolutions of the House of Delegates, 1818.

BY THE HOUSE OF DELEGATES, *January 26, 1818.*

Resolved, unanimously, That the Governor be requested to communicate to the President of the United States, and to our Senators and Representatives in Congress, the opinion of this General Assembly, that a wise and provident policy suggests the expediency, on the part of our National

Government, of procuring, through negotiation, by cession or purchase, a tract of country, on the western coast of Africa, for the colonization of the free people of color of the United States.

By order :

LOUIS GASSAWAY, *Clerk.*

Preamble and resolutions of the Senate and House of Delegates, 1832.

BY THE SENATE, *January 25, 1832.*

Whereas recent occurrences in this State, as well as in other States of our Union, have impressed more deeply upon our minds the necessity of devising some means by which we may facilitate the removal of the free people of color from our State and from the United States: And whereas an appropriation by Congress for the above object would greatly relieve the States from the otherwise heavy burdens of taxation for that purpose: Therefore—

Resolved by the General Assembly of Maryland, That our Senators in Congress be instructed, and our Representatives requested, to use their exertions to obtain such aid from our national Treasury towards the furtherance of the above object as may be in accordance with the Constitution of the United States.

Resolved, further, That, should the aid of the National Government be withheld, under the belief that the power to legislate on the subject is not granted to Congress by the Constitution, that then our Senators and Representatives in Congress be requested to propose such amendment to the Constitution of the United States as will enable Congress to make such appropriation.

Resolved, That the Governor be requested to forward a copy of the foregoing preamble and resolutions to each of our Senators and Representatives in Congress.

By order :

JOS. H. NICHOLSON, *Clerk.*

BY THE HOUSE OF DELEGATES, *January 28, 1832.*

Read the second time, and assented to.

By order:

G. G. BREWER, *Clerk.*

STATE OF VIRGINIA.

Preamble and resolution, 1816.

Whereas the General Assembly of Virginia have repeatedly sought to obtain an asylum, beyond the limits of the United States, for such persons of color as had been or might be emancipated under the laws of this Commonwealth, but have hitherto found all their efforts for the accomplishment of this desirable purpose frustrated, either by the disturbed state of other nations, or domestic causes equally unpropitious to its success—they now avail themselves of a period when peace has healed the wounds of humanity, and the principal nations of Europe have concurred with the Government of the United States in abolishing the African slave trade, (a traffic which this Commonwealth, both before and since the Revolution, zealously sought to terminate,) to renew this effort—and do therefore

Resolve, That the Executive be requested to correspond with the Presi-

dent of the United States, for the purpose of obtaining a territory upon the coast of Africa, or at some other place not within any of the States or Territorial Governments of the United States, to serve as an asylum for such persons of color as are now free, and may desire the same, and for those who may hereafter be emancipated within this Commonwealth; and that the Senators and Representatives of this State in the Congress of the United States be requested to exert their best efforts to aid the President of the United States in the attainment of the above object: *Provided*, That no contract or arrangement respecting such territory shall be obligatory on this Commonwealth until ratified by the Legislature.

Passed by the House of Delegates, December 15th—by the Senate, with an amendment, December 20th—concurred in by the House of Delegates, December 21, 1816.

STATE OF GEORGIA.

AN ACT of the Legislature of Georgia for disposing of any such negro, or mulatto, or any person of color, who has been, or may hereafter be, imported or brought into this State, in violation of an act of the United States entitled "An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States from and after the first day of January, 1808."

Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is enacted by the authority of the same, That it shall be lawful for his excellency the Governor, and he is hereby authorized, to appoint some fit and proper person to proceed to all such ports and places within this State as have, or may have, or may hereafter, hold any negroes, mulattoes; or persons of color, as may have been, or hereafter may be, seized or condemned under the above-recited act of Congress, and who may be subject to the control of this State; and the person so appointed shall have full power and authority to ask, demand, recover, and receive, all such negroes, mulattoes, or persons of color, and to convey the same to Milledgeville, and place them under the immediate control of the Executive of this State.

Sec. 2. *And be it further enacted*, That his excellency the Governor is hereby empowered to cause the said negroes, mulattoes, or persons of color, to be sold, after giving sixty days' notice, in a public gazette, in such manner as he may think best calculated for the interest of the State.

Sec. 3. *And be it further enacted*, That if, previous to any sale of any such persons of color, the society for the colonization of free persons of color within the United States will undertake to transport them to Africa, or any other foreign place which they may procure as a colony for free persons of color, at the sole expense of said society, and shall likewise pay to his excellency the Governor all expenses incurred by the State since they have been captured and condemned, his excellency the Governor is authorized and requested to aid in promoting the benevolent views of said society, in such manner as he may deem expedient.

Assented to December 18, 1817.

STATE OF LOUISIANA.

1834.

A resolution, recently presented to this body, proposing the appointment of a joint committee to take into consideration the expediency of promoting the emigration of free people of color from that State to Liberia, was adopted by a vote of twenty-two against eleven.

STATE OF TENNESSEE.

Report and resolution, 1818.

Your committee are of opinion that such parts of said memorials and petitions as ask this General Assembly to aid the Federal Government in devising and executing a plan for colonizing, in some distant country, the free people of color in the United States, are reasonable; and, for the purpose of effecting the object which they have in view, the committee have draughted a resolution, which accompanies this report, the adoption of which they would recommend.

The committee are of opinion that such parts of said memorials and petitions as pray the passage of a law to prohibit the bringing of slaves into or through the State, for sale, as well as those parts which pray that the owners of slaves of certain ages and descriptions may be permitted to emancipate them without giving any security, are reasonable; and, to endeavor to accomplish those objects, they have draughted a bill, which accompanies this report; the enacting of which into a law the committee also recommend.

All which is respectfully submitted.

NATH. WILLIS, *Chairman.*

Mr. Willis, from the same committee, submitted the following resolution, which was read and adopted:

Resolved by the General Assembly of the State of Tennessee, That the Senators in Congress from this State be, and they are hereby, instructed, and that the Representatives be, and they are hereby, requested, to give to the Government of the United States any aid in their power in devising and carrying into effect a plan which may have for its object the colonizing, in some distant country, the free people of color who are within the limits of the United States, or within the limits of any of their Territories.

STATE OF KENTUCKY.

Report and resolutions, 1827.

The committee to whom was referred the memorial of the American Colonization Society have had that subject under consideration, and now report:

That upon due consideration of the said memorial, and from all other information which your committee has obtained touching that subject,

they are fully satisfied that no jealousies ought to exist, on the part of this or any other slaveholding State, respecting the objects of this society, or the effects of its labor.

Your committee are further well assured that the benevolent and humane purposes of the society, and the political effects of those purposes, are worthy the highest consideration of all philanthropists and statesmen in the Union, whether they be citizens of slaveholding or non-slaveholding States. It is believed by your committee that the memorial itself is well calculated to present the subject in a proper point of view, and to interest the public mind in the laudable objects of that society. They therefore refer to the same as a part of this report. Your committee recommend the adoption of the following resolutions:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they view with deep and friendly interest the exertions of the American Colonization Society in establishing an asylum on the coast of Africa for the free people of color of the United States; and that the Senators and Representatives in Congress from this State be, and they are hereby, requested to use their efforts to facilitate the removal of such free persons of color as may desire to emigrate from the United States to the colony in Africa, and to ensure to them the protection and patronage of the General Government, so far as shall be deemed consistent with the safety and interest of the United States.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Joint resolutions.

During the year 1828, the following joint resolutions passed the Senate of Kentucky, with only three dissenting voices:

Resolved, &c., That our Senators and Representatives in Congress be requested to use their best endeavors to procure an appropriation of money of Congress to aid, so far as is consistent with the [Constitution of the] United States, in colonizing the free people of color of the United States in Africa, under the direction of the President of the United States.

2. That the Governor of this State be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress, and to the Governors of the several States.

STATE OF OHIO.

Resolution, 1824.

A resolution recommending "the gradual but entire emancipation of slaves, and a system of foreign colonization, and the passage of a law by the General Government, *with the consent of the slaveholding States*, providing that all children born of slaves thereafter be free at the age of twenty-one, and recognising the evil of slavery as a national one, and the principle that all the States should share in the duties and burdens of removing it."

Resolutions, 1828.

Resolved by the General Assembly of the State of Ohio, That our Senators in Congress be instructed, and our Representatives be requested, to use their efforts to induce the Government of the United States to aid the American Colonization Society in effecting the object of their institution, which is so eminently calculated to advance the honor and interest of our common country.

Resolved, That the Governor be, and he is hereby, requested to forward to each of our Senators and Representatives in Congress a copy of the foregoing resolution.

EDWARD KING,

Speaker of the House of Representatives.

SAMUEL WHEELER,

Speaker of the Senate.

JANUARY 24, 1828.

SECRETARY OF STATE'S OFFICE,

Columbus, Ohio, January 26, 1828.

I certify the above to be a correct copy of the original roll remaining in this office.

JEREMIAH McLENE,

Secretary of State.

STATE OF INDIANA.

Preamble and joint resolutions, 1829.

Whereas the members of the present General Assembly of the State of Indiana view with unqualified approbation the continued exertions of the American Colonization Society to ameliorate the condition of the colored population of our country, and believing that the cause of humanity and the true interest of the United States require the removal of this people from amongst us more speedily than the ability of the Colonization Society will permit:

Be it resolved by the General Assembly of the State of Indiana, That our Senators and Representatives in Congress be, and they are hereby, requested, in the name of the State of Indiana, to solicit the assistance of the General Government to aid the laudable designs of the Colonization Society, in such manner as Congress in its wisdom may deem expedient.

Resolved, That the Governor be, and he is hereby, requested to forward a copy of the foregoing resolution to our Senators and Representatives in Congress.

ISAAC HOWK,

Speaker of the House of Representatives.

MILTON STAPP,

President of the Senate.

Approved: January 22, A. D. 1829.

J. BROWN BAY.

A true copy.

JAMES MORRISON,

Secretary of State.

Preamble and resolution, 1830.

Whereas the evils attending the alarming increase of colored persons in this State are severely felt in many counties, and threaten soon to become insupportable, unless promptly checked : And whereas many are of opinion that a law to prohibit their emigration to this State would be unconstitutional or difficult to enforce ; yet all must admit, on this subject, the necessity of self-defence : Therefore—

Be it resolved by the General Assembly of the State of Indiana, That our Representatives in Congress be requested, and our Senators instructed, to use their exertions to procure the passage of a law making provision for gradually removing the free persons of color who are willing to go, and such as may be liberated for that purpose, to the colony at Liberia, in Africa, or to such other place as Congress may direct ; and that his excellency the Governor be requested to transmit a copy of the foregoing preamble and resolution to each of our Senators and Representatives in Congress.

CONVENTION OF VIRGINIA.

The following is copied from a report of the proceedings in the convention of Virginia :

Mr. Leigh asked what would be the effect of this arrangement upon the question of slavery ? Might the West not interfere with it ? In England, Mr. Wilberforce wished to interfere with the emancipation of the slaves in the West Indies. The gentleman from Hampshire, who stated that slavery was among the most serious evils in this Commonwealth—might he not justify an interference with our slaves on his principles ? and would he not seek to remove this serious evil ? [Mr. Naylor replied, that he certainly would not ; that humanity and religion did not require and justify such an interference.]

Mr. L. replied that he had no doubt such was the honest conviction of the gentleman from Hampshire ; but as Mr. Wilberforce had, from being an opponent of the slave trade, become an advocate of emancipation of the slaves in the West Indies, so also the transition of opinion in this State would become inevitable—that the West would march on to it as surely as we march directly to the grave.

Mr. Leigh commented upon a remark of the venerable gentleman from Loudoun, on the system of the United States contributing to the emancipation of slaves. Are, then, the States to interfere ? [Mr. Monroe explained that, at this crisis, when the Western States were throwing off our slaves from their territory, it became Virginia and the Southern States to decide what they should do ; that he did not recommend that the other States should interfere, but that we should find it to our interest to invite their interposition.]

Mr. L. asked the venerable gentleman, where was the power to interfere at all ; and whether, if you permitted them to do so, they would not of themselves do it, without our invitation ?

Mr. L. referred to the change which the venerable gentleman from Loudoun [Mr. Monroe] had undergone, as to this convention question : he strongly opposed innovation in 1810, after his return from France ; and how, then, could he reconcile the change he had now undergone ? [Mr. M. rose to explain, but Mr. L. begged him to let him finish the few re-

marks he had to offer, as his strength was nearly exhausted.] He proceeded for a few minutes only, and then closed with a strong appeal to the gentleman from Frederick [Mr. Cooke] in behalf of the *modus in rebus*—of moderation in public affairs.

When he had closed, Mr. Monroe rose to explain his views in 1810 and at the present time. He stated that the habits of the French people had disqualified them from enjoying a free Government, and had thrown them into disorders. He pointed out the difference among the people of Europe and of America; and that here the people were qualified for the enjoyment of liberty. If there were any people who were fitted to keep up a republican Government, they were here, in the United States, and in Virginia. As to the people of color, if the people of the Southern States wished to emancipate them (and he never would consent to emancipate them without sending them out of the country) *they might invite the United States to assist us*; but without such an invitation the other States ought not, and would not, interfere. He was for marching on with the greatest circumspection upon the subject. He concluded with apologizing for the explanation he had given.

Mr. Monroe's opinion.

The American Colonization Society has at all times solemnly disavowed any purpose of interference with the institutions or rights of our Southern communities. By the soundest and most judicious minds in our country, it has, however, been regarded as developing and demonstrating the practicableness and utility of a plan which commends itself as worthy of adoption to those individuals and States who desire not only to benefit the free people of color, while they relieve themselves by their removal, but also to diminish, and finally eradicate, what all sober and unprejudiced minds regard as the greatest of our national evils—the system of slavery. If this system is ever to be removed, it must be, we are convinced, with the consent and through the agency of those most interested in its existence. To such, the scheme of African colonization presents itself, and solicits their candid, their most profound attention. That they will discern its feasibility, we have not a doubt; and the triumphs of truth on this subject, in many of the slaveholding States, encourage the hope that, at no remote period, the opinions of the venerable Ex-President Monroe in regard to it will pervade and animate the nation.

An address delivered to the Colonization Society of Kentucky, at Frankfort, December 17, 1829, by the Hon. Henry Clay, at the request of the board of managers.

GENTLEMEN OF THE COLONIZATION SOCIETY OF KENTUCKY:

I most sincerely wish that the task of addressing you, on this occasion, had been assigned by the board of managers to some individual more competent than I am to explain and illustrate and enforce the claims of the so-

ciety to the friendly and favorable consideration of the public. I yield to none in a thorough persuasion of the utility of the scheme of the society, in a profound conviction of its practicability, and in an ardent desire for its complete success. But I am sensible that there are many others who could, more happily than I can, throw around the subject those embellishments which are best calculated to secure attention, and engage the cordial and energetic co-operation of the community. When the application was first made to me to deliver this address, I hesitated to comply with it, because I apprehended that my motives would be misconceived and my language be misrepresented. Subsequent reflection determined me to adhere to the maxim of my whole life, to endeavor to render all the good in my power, without being restrained by the misconceptions to which I might expose myself. In entering upon the duty which has devolved upon me, I ask only the exercise of ordinary liberality in judging the imperfections which will doubtless mark its performance.

In surveying the United States of North America and their Territories, the beholder perceives, among their inhabitants, three separate and distinct races of men, originally appertaining to three different continents of the globe, each race varying from the others in color, physical properties, and moral and intellectual endowments. The European is the most numerous, and, as well from that fact as from its far greater advance in civilization and in the arts, has the decided ascendancy over the other two, giving law to them, controlling their condition, and responsible for their fate to the Great Father of all and to the enlightened world. The next most numerous and most intelligent race is that which sprung from Africa, the largest portion of which is held in bondage by their brethren, descendants of the European. The aborigines, or Indian race, are the least numerous, and, with the exception of some tribes, have but partially emerged from the state of barbarism in which they were found on the first discovery of America. Whence, or how they came hither, are speculations for the research of the curious, on which authentic history affords no certain light.

Their future fortunes or condition form no part of the subject of this address. I shall, I hope, nevertheless, be excused for the digression of dedicating a few passing observations to the interesting remnant of these primitive possessors of the New World. I have never been able to agree in the expediency of employing any extraordinary exertions to blend the white and copper-colored races together, by the ceremony of marriage. There would be a motive for it if the Indians were equal or superior to their white brethren in physical or intellectual powers. But the fact is believed to be otherwise. The mixture improves the Indian, but deteriorates the European element. Invariably, it is remarked, that those of the mixed blood among the Indians are their superiors in war, in council, and in the progress of the useful arts, whilst they remain in the rear of the pure white race still further than they are in advance of the pure Indian. In those instances (chiefly among the French) during the progress of the settlement of this continent, in which the settlers have had most intercourse with the Indians, they have rather sunk to the level of their state, than contributed essentially to their civilization.

But if there be no adequate recommendation to the white race of an union by intermarriage with the Indian, we are enjoined by every duty of religion, humanity, and magnanimity, to treat them with kindness and justice, and to recall them, if we can, from their savage to a better condition. The

United States stand charged with the fate of these poor children of the woods, in the face of their common Maker and in presence of the world. And as certain as the guardian is answerable for the education of his infant ward, and the management of his estate, they will be responsible here and hereafter for the manner in which they shall perform the duties of the high trust which is committed to their hands by the force of circumstances.

Hitherto, since the United States became an independent Power among the nations of the earth, they have generally treated the Indians with justice, and performed towards them all the offices of humanity. Their policy, in this respect, was vindicated during the negotiations at Ghent, and the principles which guided them in their relations with the Indians were then promulgated to all Christendom. On that occasion, their representatives, holding up their conduct in advantageous contrast with that of Great Britain and the other Powers of Europe, said: "From the rigor of this system, however, as practised by Great Britain and all the European Powers in America, the humane and liberal policy of the United States has voluntarily relaxed.

"A celebrated writer on the laws of nations, to whose authority British jurists have taken particular satisfaction in appealing, after stating, in the most explicit manner, the legitimacy of colonial settlements in America, to the exclusion of all rights of uncivilized Indian tribes, has taken occasion to praise the first settlers of New England and the founder of Pennsylvania, in having purchased of the Indians the lands they resolved to cultivate, notwithstanding their being provided with a charter from their sovereign. It is this example which the United States, since they became, by their independence, the sovereigns of the territory, have adopted and organized into a *political system*. Under that system the Indians residing within the United States are *so far independent* that they live under *their own customs, and not under the laws of the United States*; that their rights upon the land, where they inhabit or hunt, are *secured* to them by boundaries defined in *amicable treaties* between the United States and themselves; and that whenever those boundaries are varied, it is also by *amicable and voluntary treaties*, by which they receive from the United States ample compensation for every right they have to the land ceded by them. They are so far dependent as not to have the right to dispose of their lands to any private person, nor to any Power other than the United States, and to be under *their protection alone*, and not under that of any *other* Power. Whether called subjects, or by whatever name designated, *such* is the relation between them and the United States. That relation is neither asserted now for the first time, nor did it originate with the treaty of Greenville. These principles have been *uniformly recognised* by the Indians themselves, not only by that treaty, but in *all the other previous as well as subsequent treaties* between them and the United States." Such was the solemn annunciation to the whole world of the principles and of the system regulating our relations with the Indians, as admitted by us and recognised by them. There can be no violation of either, to the disadvantage of the weaker party, which will not subject us, as a nation, to the just reproaches of all good men, and which may not bring down upon us the maledictions of a more exalted and powerful tribunal.

Whether the Indian portion of the inhabitants of the United States will survive or become extinct, in the progress of population, which the European race is rapidly making from the shores of the Atlantic to those of the

Pacific ocean, *provided they are treated with justice and humanity*, is a problem of less importance. The two races are not promiscuously mingled together, but are generally separate and distinct communities. There is no danger to the whites, or to their purity, from the power or from the vices of the Indians. The case is widely different with those who form the immediate object of this address.

The African part of our population, or their ancestors, were brought hither forcibly and by violence, in the prosecution of the most abominable traffic that ever disgraced the annals of the human race. They were chiefly procured, in their native country, as captives in war, taken, and subsequently sold by the conqueror as slaves to the slave trader. Sometimes the most atrocious practices of kidnapping were employed to obtain possession of the victims. Wars were frequent between numerous and barbarous neighboring tribes, scattered along the coasts or stretched upon the margin of large rivers of Africa. These wars were often enkindled and prosecuted for no other object than to obtain a supply of subjects for this most shocking commerce. In these modes, husbands were torn from their wives, parents from their children, brethren from each other, and every tie cherished and respected among men was violated. Upon the arrival at the African coast of the unfortunate beings thus reduced to slavery, they were embarked on board of ships carefully constructed and arranged to contain the greatest amount of human beings. Here they were ironed and fastened in parallel rows, and crowded together so closely, in loathsome holes, as not to leave room for action or for breathing wholesome air. The great aim was to transport the largest possible number, at the least possible charge, from their native land to the markets for which they were destined. The greediness of cupidity was frequently disappointed and punished in its purposes, by the loss of moieties of whole cargoes of the subjects of this infamous commerce, from want and suffering and disease, on the voyage. How much happier were they who thus expired, than their miserable survivors!

These African slaves were brought to the continent of America and the islands adjacent to it, and formed the parent stock of the race now amongst us. They were brought to the colonies, now constituting the United States, under the sanction and by the authority of British laws, which, at an early period of our colonial existence, admitted and tolerated the trade. It is due to our colonial ancestors to say, that they frequently and earnestly, but unsuccessfully, remonstrated to the British crown against the continuance of the practice. The introduction of slavery into this country is not, therefore, chargeable to them, but to a Government in which they had no voice, and over which they had no control. It is equally due to our parent State to advert to the honorable fact, that, in the midst of the revolutionary war, when contending for her own independence and liberty, she evinced the sincerity of the spirit in which those remonstrances had been addressed to the British throne, by denouncing, under the severest penalties, the further prosecution of the slave trade within her jurisdiction. And I add, with great satisfaction, that the Congress of the United States passed an act abolishing the trade as early as by their Constitution it was authorized to do. On the second day of March, 1807, the act was passed, for which it was my happy lot to vote, the first section of which enacts, "That, from and after the first day of January, 1808, it shall not be lawful to import or bring into the United States, or the Terri-

ories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of color, with intent to hold, sell, or dispose of such negro, mulatto, or person of color, as a slave, or to be held to service or labor." Thus terminated, we may hope forever, in the United States, a disgraceful traffic, which drew after it a train of enormities surpassing in magnitude, darkness, and duration, any that ever sprang from any trade pushed by the enterprise or cupidity of man.

The United States, as a nation, are not responsible for the original introduction or the subsequent continuance of the slave trade. Whenever, as has often happened, their character has been assailed in foreign countries, and by foreign writers, on account of the institution of slavery among us, the justness of that vindication has been admitted by the candid, which transfers to a foreign Government the origin of the evil. Nor are the United States, as a sovereign Power, responsible for the continuance of slavery within their limits, posterior to the establishment of their independence; because, by neither the Articles of Confederation, nor by the present Constitution, had they power to put an end to it by the adoption of any system of emancipation. But, from that epoch, the responsibility of the several States in which slavery was tolerated commenced, and on them devolved the momentous duty of considering whether the evil of African slavery is incurable, or admits of a safe and practical remedy. In performing it, they ought to reflect, that if, when a given remedy is presented to their acceptance, instead of a due examination and deliberate consideration of it, they promptly reject it, and manifest an impatience whenever a suggestion is made of any plan to remove the evil, they will expose themselves to the reproach of yielding to the illusions of self-interest, and of insincerity in the professions which they so often make of a desire to get rid of slavery. It is a great misfortune, growing out of the actual condition of the several States, some being exempt and others liable to this evil, that they are too prone to misinterpret the views and wishes of each other in respect to it. The North and the South and the West, when they understand each other well, must be each convinced, that no other desire is entertained towards the others, by any one of them, than for their welfare and prosperity. If the question were submitted, whether there should be either immediate or gradual emancipation of all the slaves in the United States, without their removal or colonization, painful as it is to express the opinion, I have no doubt that it would be unwise to emancipate them. For I believe that the aggregate of the evils which would be engendered in society, upon the supposition of such general emancipation, and of the liberated slaves remaining promiscuously among us, would be greater than all the evils of slavery, great as they unquestionably are.

The several States of the Union were sensible of the responsibility which accrued to them, on the establishment of the independence of the United States, in regard to the subject of slavery. And many of them, beginning at a period prior to the termination of the revolutionary war, by successive but distinct acts of legislation, have effectively provided for the abolition of slavery within their respective jurisdictions. More than thirty years ago, an attempt was made in this Commonwealth to adopt a system of gradual emancipation, similar to that which the illustrious Franklin had mainly contributed to introduce, in the year 1779, in the State founded by the benevolent Penn. And, among the acts of my life, which I look back to with most satisfaction, is that of my having co-operated, with other

zealous and intelligent friends, to procure the establishment of that system in this State. We believed that the sum of good which would have been attained by the State of Kentucky, in a gradual emancipation of her slaves at that period, would have far transcended the aggregate of mischief which might have resulted to herself and the Union together, from the gradual liberation of them, and their dispersion and residence in the United States.

We were overpowered by numbers, but submitted to the decision of the majority with the grace with which the minority in a republic should ever yield to such a decision. I have, nevertheless, never ceased, and never shall cease, to regret a decision, the effects of which have been to place us in the rear of our neighbors, who are exempt from slavery, in the state of agriculture, the progress of manufactures, the advance of improvement, and the general prosperity of society.

Other States, in which slavery exists, have not been unmindful of its evils, nor indifferent to an adequate remedy for their removal. But most of them have hitherto reluctantly acquiesced in the continuance of these evils, because they thought they saw no practical scheme for their removal, which was free from insuperable objection and difficulty. Is there, then, really no *such* remedy? Must we endure, perpetually, all the undoubted mischiefs of the state of slavery, as it affects both the free and the bond portions of the population of these States? Already the slaves may be estimated at two millions, and the free population at ten, the former being in the proportion of one to five of the latter. Their respective numbers will probably duplicate in periods of thirty-three years. In the year 1863, the number of the whites will probably be twenty, and of the blacks four millions; in 1896; forty and eight; and in the year 1929, about a century, eighty and sixteen millions. What mind is sufficiently extensive in its reach, what nerves sufficiently strong, to contemplate this vast and progressive augmentation, without an awful foreboding of the tremendous consequences? If the two descriptions of population were equally spread and intermingled over the whole surface of the United States, their diffusion might diminish the danger of their action and corrupting influence upon each other. But this is not the state of the fact. The slaves of the United States are chiefly restricted to one quarter of the Union, which may be described with sufficient general accuracy by a boundary beginning with the mouth of the Potomac river, extending to its head, thence to the Ohio river, and down it and the Mississippi to the Gulf of Mexico, and with that and the Atlantic ocean and the bay of Chesapeake, to the beginning. Maryland, Delaware, Missouri, a part of Louisiana, and Arkansas, compose the whole of the residue of the slave district of the United States. Within those limits all our slaves are concentrated; and, within a portion of them, irresistible causes tend inevitably to their further concentration. In one of the States comprised within these limits, the slave stock had, at the last census, the superiority in numbers, whilst in several others the enumeration exhibits the two races in nearly equal proportions.

Time alone, which unveils every thing permitted men to see, can disclose the consequences, now wrapt in futurity, of the state of things which I have slightly touched. But, without violating this prerogative, we may venture to catch, in anticipation, a glimpse of some of them.

The humanity of the slave States of the Union has prompted them greatly to meliorate the condition of slaves. They are protected, in all instances, by just laws, from injury extending to their lives, and in many from cruelty

applied to their persons. Public opinion has done even more than the laws in elevating their condition in the scale of human existence. In this State, as well as in others, they are treated with much kindness, and abundantly supplied with substantial food of meat and bread and vegetables, and comfortable clothing, whilst they are moderately tasked in labor. But still they are subject to many civil disabilities, and there is a vast space between them and the race of freemen. Our laws continue to regard them as property, and, consequently, as instruments of labor, bound to obey the mandate of others. As a mere laborer, the slave feels that he toils for his master, and not for himself; that the laws do not recognise his capacity to acquire and hold property, which depends altogether upon the pleasure of his proprietor; and that all the fruits of his exertions are reaped by others. He knows that, whether sick or well, in times of scarcity or abundance, his master is bound to provide for him, by the all-powerful influence of the motive of self-interest. He is generally, therefore, indifferent to the adverse or prosperous fortunes of his master, being contented if he can escape his displeasure or chastisement, by a careless and slovenly performance of his duties.

This is the state of the relation of master and slave, prescribed by the law of its nature, and founded in the reason of things. There are undoubtedly many exceptions, in which the slave dedicates himself to his master with a zealous and generous devotion, and the master to the slave with a parental and affectionate attachment. But it is not my purpose to speak of those particular though endearing instances of mutual regard, but of the general state of the unfortunate relation.

That labor is best, if it can be commanded, in which the laborer knows that he will derive the profits of his industry, that his employment depends upon his diligence, and his reward upon his assiduity. He has then every motive to excite him to exertion, and to animate him in perseverance. He knows that if he is treated badly he can exchange his employer for one who will better estimate his service; that he does not entirely depend upon another's beck and nod; and that whatever he earns is *his*, to be distributed by himself, as he pleases, among his wife and children and friends, or enjoyed by himself. He feels, in a word, that he is a free agent, with rights and privileges and sensibilities.

Wherever the option exists to employ, at an equal hire, free or slave labor, the former will be decidedly preferred, for the reasons already assigned. It is more capable, more diligent, more faithful, and in every respect worthy of more confidence. In the first settlement of some countries or communities, capital may be unable to command the free labor which it wants, and it may therefore purchase that of slaves. Such was and yet is the condition of many parts of the United States. But there are others, and they are annually increasing in extent, in which the labor of freemen can be commanded at a rate quite as cheap as that of slaves in States which tolerate slavery.

Although in particular States, or parts of States, the increase of the African portion of population would seem to be greater than that of the European stock, this fact is believed to be susceptible of an explanation, from the operation of causes of emigration, which would not assign to it greater prolific powers. On the contrary, all the enumerations of the people of the United States sustain clearly the position, that, contrasting the whole European race throughout the Union with the whole of the African race,

bond and free, also throughout the Union, the former multiplies faster than the latter. As time elapses, our numbers will augment, our deserts become peopled, and our country will become as densely populated as its agricultural, manufacturing, and commercial faculties will admit. In proportion to the density of population are the supply and the wages of labor. The demand for labor also increases with the augmentation of numbers, though probably not in the same proportion. Assuming our present population at twelve millions, when it shall be increased, as in about thirty years it will be, to twenty-four millions, we shall have double the amount of available labor that we can command at present. And there will consequently be a great, though probably not proportionate, reduction in the wages of labor. As the supply of laborers increases, a competition will arise between, not only individuals, but classes, for employment. The superior qualities which have been attributed to free labor will ensure for that the preference, wherever the alternative is presented of engaging free or slave labor at an equal price. This competition, and the preference for white labor, are believed to be already discernable in parts of Maryland, Virginia, and Kentucky, and probably existed in Pennsylvania and other States north of Maryland prior to the disappearance of slaves from among them. The march of the ascendancy of free labor over slave will proceed from the North to the South, gradually entering first the States nearest to the free region. Its progress would be more rapid, if it were not impeded by the check resulting from the repugnance of the white man to work among slaves, or where slavery is tolerated.

In proportion to the multiplication of the descendants of the European stock, and the consequent diminution of the value of slave labor, by the general diminution of wages, will there be an abatement in the force of motives to rear slaves. The master will not find an adequate indemnity in the price of the adult for the charges of maintaining and bringing up the offspring. His care and attention will relax; and he will be indifferent about incurring expenses when they are sick, and in providing for their general comfort, when he knows that he will not be ultimately compensated. There may not be numerous instances of positive violation of the duties of humanity, but every one knows the difference between a negligence which is not criminal, and a watchful vigilance stimulated by interest, which allows no want to be unsupplied. The effect of this relaxed attention to the offspring will be to reduce the rates of general increase of the slave portion of our population, whilst that of the other race, not subject to the same neglect, will increase and fill up the void. A still greater effect, from the diminution of the value of labor, will be that of voluntary emancipations; the master being now anxious to relieve himself from a burden, without profit, by renouncing his right of property. One or two facts will illustrate some of these principles. Prior to the annexation of Louisiana to the United States, the supply of slaves from Africa was abundant. The price of adults was generally about \$100—a price less than the cost of raising an infant. Then it was believed that the climate of that province was unfavorable to the rearing of negro children, and comparatively few were raised. After the United States abolished the slave trade, the price of adults rose very considerably; greater attention was consequently bestowed on their children; and now nowhere is the African female more prolific than she is in Louisiana, and the climate of no one of the Southern States is supposed to be more favorable to rearing the off-

spring. The serfs of Russia possess a market value inferior to that of the African slaves of the United States; and, although the lord is not believed to be bound to provide for the support of his dependent, as the American master is for his slave, voluntary manumissions of the serf are very frequent, influenced in some degree, no doubt, by his inconsiderable value.

What has tended to sustain the price of slaves in the United States has been that very fact of the acquisition of Louisiana, but especially the increasing demand for cotton, and the consequent increase of its cultivation. The price of cotton, a much more extensive object of culture than sugar cane, regulates the price of slaves as unerringly as any one subject whatever is regulated by any standard. As it rises in price, they rise; as it falls, they fall. But the multiplication of slaves, by natural causes, must soon be much greater than the increase of the demand for them; to say nothing of the progressive decline which has taken place in that great Southern staple, within a few years, and which there is no reason to believe will be permanently arrested. Whenever the demand for the cultivation of sugar and cotton comes to be fully supplied, the price of slaves will begin to decline; and, as that demand cannot possibly keep pace with the supply, the price will decline more and more. Farming agriculture cannot sustain it; for it is believed that nowhere in the farming portion of the United States would slave labor be generally employed, if the proprietor were not tempted to raise slaves by the high price of the Southern market, which keeps it up in his own.

Partial causes may retard the decline in the value of slaves. The tendency of slaves is to crowd into those countries or districts, if not obstructed by the policy of States, where their labor is most profitably employed. This is the law of their nature, as it is the general law of all capital and labor. The slave trade has not yet been effectively stopped in the island of Cuba. Whenever it is, as slaves can be there more profitably employed on more valuable products than in the United States, and as the supply there is much below the demand which will arise out of the susceptibilities of the island for agricultural produce, they will rise in price much higher there than in the United States. If the laws do not forbid it, vast numbers will be exported to that island. And if they do prohibit it, many will be smuggled in, tempted by the high prices which they will bear.

But neither this nor any other conceivable cause can, for any length of time, check the fall in the value of slaves to which they are inevitably destined. We have seen that, as slaves diminish in price, the motive of the proprietors of them to rear the offspring will abate; that consequent neglect in providing for their wants will ensue, and consequent voluntary emancipation will take place. That adult slaves will, in process of time, sink in value even below one hundred dollars each, I have not a doubt. This result may not be brought about by the termination of the first period of their duplication; but that it will come, at some subsequent and not distant period, I think perfectly clear. Whenever the price of the adult shall be less than the cost of raising him from infancy, what inducement will the proprietor of the parent have to incur that expense? In such a state of things, it will be in vain that the laws prohibit manumission. No laws can be enforced, or will be respected, the effect of which is the ruin of those on whom they operate. In spite of all their penalties, the liberation or abandonment of slaves will take place.

As the two races progressively multiply and augment the source of supply of labor, its wages will diminish, and the preference already noticed will be given of free to slave labor. But another effect will also arise. There will be not only a competition between the two races for employment, but a struggle, not perceptible perhaps to the superficial observer, for subsistence. In such a struggle, the stronger and more powerful race will prevail. And as the law which regulates the state of population in any given community is derived from the quantity of its subsistence, the further consequence would be an insensible decline in the increase of the weaker race. Pinched by want, and neglected by their masters, who would regard them as a burden, they would be stimulated to the commission of crimes, and especially those of a petty description.

When we consider the cruelty of the origin of negro slavery, its nature, the character of the free institutions of the whites, and the irresistible progress of public opinion, throughout America as well as in Europe, it is impossible not to anticipate frequent insurrections among the blacks in the United States. They are rational beings like ourselves, capable of feeling, of reflection, and of judging of what naturally belongs to them as a portion of the human race. By the very condition of the relation which subsists between us, we are enemies of each other. They know well the wrongs which their ancestors suffered at the hands of our ancestors, and the wrongs which they believe they continue to endure, although they may be unable to avenge them. They are kept in subjection only by the superior intelligence and superior power of the predominant race. Their brethren have been liberated in every part of the continent of America, except in the United States and the Brazils. I have just seen an act of the President of the republic of the United Mexican States, dated no longer ago than the 15th of September last, by which the whole of them in that republic have been emancipated. A great effort is now making in Great Britain, which tends to the same ultimate effect, in regard to the negro slaves in the British West Indies.

Happily for us, no such insurrection can ever be attended with permanent success, as long as our Union endures. It would be speedily suppressed by the all-powerful means of the United States; and it would be the madness of despair in the blacks that should attempt it. But if attempted in some parts of the United States, what shocking scenes of carnage, rapine, and lawless violence, might not be perpetrated before the arrival at the theatre of action of a competent force to quell it! And after it was put down, what other scenes of military rigor and bloody executions would not be indispensably necessary to punish the insurgents, and impress their whole race with the influence of a terrible example!

Of all the descriptions of our population, and of either portion of the African race, the free people of color are by far, as a class, the most corrupt, depraved, and abandoned. There are many honorable exceptions among them, and I take pleasure in bearing testimony to some I know. It is not so much their fault as the consequence of their anomalous condition. Place ourselves, place any men in the like predicament, and similar effects would follow. They are not slaves, and yet they are not free. The laws, it is true, proclaim them free; but prejudices, more powerful than any laws, deny them the privileges of freemen. They occupy a middle station between the free white population and the slaves of the United States, and the tendency of their habits is to corrupt both. They crowd

our large cities, where those who will work can best procure suitable employment, and where those who addict themselves to vice can best practice and conceal their crimes. If the vicious habits and propensities of this class were not known to every man of attentive observation, they would be demonstrated by the unerring test of the census. According to the last enumeration of the inhabitants of the United States, it appeared that the rate of its annual increase was only about two and a half per cent., whilst that of the other classes was about three. No other adequate cause for this disproportion can be assigned, but that of the improvidence and vices of the class referred to. If previous enumerations exhibited different results, they were owing chiefly to the accession of numbers which it received by the acquisition of Louisiana and the events of St. Domingo. But, if the reasoning which I have before employed be correct, this class is destined, by voluntary manumission or abandonment, to increase, and ultimately perhaps to be more numerous in the United States than their brethren in bondage, if there be no provision for their removal to another country.

Is there no remedy, I again ask, for the evils of which I have sketched a faint and imperfect picture? Is our posterity doomed to endure forever not only all the ills flowing from the state of slavery, but all which arise from incongruous elements of population, separated from each other by invincible prejudices and by natural causes? Whatever may be the character of the remedy proposed, we may confidently pronounce it inadequate, unless it provides efficaciously for the total and absolute separation, by an extensive space of water or of land, at least, of the white portion of our population from that which is free of the colored.

This brings me to the consideration of the particular scheme of the American Colonization Society, to which this is auxiliary. That scheme does not owe the first conception of its design to any individuals, by whose agency the society was first constituted. Several of them, and especially the late Rev. Mr. Finley, of New Jersey, and Mr. Caldwell, of the District of Columbia, were entitled to great praise for their spirited exertions in the formation and organization of the society. But the original conception of such a project is to be traced to a date long anterior to their laudable efforts on this subject. However difficult it might have been supposed to be in the execution, it was an obvious remedy, and the suggestion of it may be referred back to a period as remote as the revolutionary war. The State of Virginia, always pre-eminent in works of benevolence, prior to the formation of the American Colonization Society, by two distinct acts of her Legislature, separated by intervals of time of sufficient length to imply full deliberation, expressed her approbation of the plan of colonization.

In considering the project of the American Colonization Society, our first inquiry should be into what it really is, then what it has done, and, finally, what it is capable of achieving. It is a voluntary association, formed for benevolent purposes, as must be freely acknowledged by all, if they should even prove the experiment to be impracticable. Its aim is to transport to the western shores of Africa, from the United States, all such free persons of color as choose voluntarily to go. From its origin, and throughout the whole period of its existence, it has constantly disclaimed all intention whatever of interfering, in the smallest degree, with the rights of property or the object of emancipation, gradual or immediate. It is not only without inclination, but it is without power, to make any such interference. It is

not even a chartered or incorporated company, and it has no other foundation than that of Bible societies, or any other Christian or charitable unincorporated companies in our country. It knows that the subject of emancipation belongs exclusively to the several States in which slavery is tolerated, and to individual proprietors of slaves in those States, under and according to their laws. It hopes, indeed, (and I trust that there is nothing improper or offensive in the hope,) that if it shall demonstrate the practicability of the successful removal to Africa of free persons of color, with their own consent, the cause of emancipation, either by States or by individuals, may be incidentally advanced. That hope is founded not only on the true interest of both races of our population, but upon the assertion, so repeatedly made, that the great obstacle to emancipation arose out of the difficulty of a proper disposal of manumitted slaves. Its pecuniary means, applicable to the design of the institution, are voluntarily contributed by benevolent States or individuals. The States of Virginia and Maryland, besides numerous pious or generous persons throughout the United States, have aided the society.

Such was the object of the American Colonization Society, organized at the city of Washington about thirteen years ago. Auxiliary institutions have been formed, in various parts of the Union, to aid and co-operate with the parent association, which have limited their exertions chiefly to the transmission to the treasurer of the society of such funds as they could collect by the voluntary contributions of benevolent and charitable individuals. The auxiliary society for the State of Kentucky, which I now address, was organized at the commencement of the present year.

The American Colonization Society, so constituted, with such objects and such means, shortly after its formation went into operation. It transacts its business at home principally through a board of managers, which, for the sake of convenience, is fixed in the metropolis of the Union; and in Africa through an agent abiding there, and acting under instructions received from the board. The society has an annual session in the city of Washington, which is attended by its members, and by representatives from such of the auxiliary institutions as can conveniently depute them, at which sessions the board of managers makes a report of the general condition of the affairs of the society during the previous year.

It would be an inexcusable trespass upon your time to enter into a minute narrative of all the transactions of the society, from its commencement up to this time. Those who choose to examine them particularly will find them recorded in the several reports of the board of managers, which, from time to time, have been published under its direction and authority. It will suffice at present to say, that one of the earliest acts of the society was to despatch a competent agent to Africa, to explore its coasts and the countries bordering upon them, and to select a suitable spot for the establishment of the contemplated colony. The society was eminently fortunate in the choice of its agent, as it has been generally in those whom it subsequently engaged in its service. A selection was finally made of a proper district of country, a purchase was effected of it from the native authorities, to which additions have been made, as the growing wants of the colony, actual or anticipated, required. The country so acquired, upon terms as moderate as those on which the Government of the Union extinguishes the Indian title to soil within the United States, embraces large tracts of fertile land, capable of yielding all the rich and varied products of the tropics, pos-

sesses great commercial advantages, with an extent of sea coast from 150 to 200 miles, and enjoys a salubrious climate, well adapted to the negro constitution, and not so fatal to that of the whites as many thickly peopled parts of the United States.

Within that district of country the society founded its colony, under the denomination of Liberia, established towns, laid off plantations for the colonists, and erected military works for their defence. Annually, and as often as the pecuniary circumstances of the society would admit, vessels from the ports of the United States have been sent to Liberia, laden with emigrants, and with utensils, provisions, and other objects for their comfort. No difficulty has been experienced in obtaining as many colonists as the means of the society were competent to transport. They have been found, indeed, altogether inadequate to accommodate all who were willing and anxious to go. The rate of expense of transportation and subsistence during the voyage per head was greater in the earlier voyages. It was subsequently reduced to about \$20, and is believed to be susceptible of considerable further reduction. The number of colonists, of both sexes, amounts now to about 1,500.

The colony, in the first periods of its existence, had some collisions with the native tribes, which rose to such a height as to break out in open war, about four or five years ago. The war was conducted by the late gallant Rev. Mr. Ashmun, with singular good judgment and fortune, and was speedily brought to a successful close. It had the effect to impress upon the natives a high idea of the skill, bravery, and power of the colonists; and having since become better acquainted with them, perceived the advantages of the colony, and gradually acquired a taste for its commerce and arts, no further misunderstanding with them is apprehended, and the colony is daily acquiring a salutary influence over them.

The colony has a government adequate to the protection of the rights of persons and property and to the preservation of order. The agent of the society combines the functions of governor, commander-in-chief, and highest judicial officer. The colonists share in the government, and elect various officers necessary to the administration. They appoint annually boards or committees of public works, of agriculture, and of health, which are charged with the superintendence of those important interests. It has established schools for the instruction of youth, and erected houses of public worship, in which divine service is regularly performed. And it has a public library of twelve hundred volumes, and a printing press, which issues periodically a gazette.

The colonists follow the mechanical arts, or agriculture, or commerce, as their inclinations or attainments prompt them. The land produces rice, cassada, coffee, potatoes, and all kinds of garden vegetables; and is capable of yielding sugar cane, indigo—in short, all the productions of the tropics. It is rich, easily tilled, and yields two crops of many articles in the circle of a year. They carry on an advantageous commerce with the natives, by exchanges for ivory, gums, dye stuffs, drugs, and other articles of African origin; and with the United States, which is annually increasing, and which amounted last year to \$60,000, in the produce of the colony, and in objects acquired by their traffic with the natives; receiving, in return, such supplies of American and other manufactures as are best adapted to their wants.

Such is the present condition of the colony, according to the latest intel-

ligence. Here the society may pause, and, with its pious and enlightened patrons and a generous public, look back with proud satisfaction, on the work which, with the blessings of Providence, has so prospered. That, in its progress, it has met with obstacles and experienced discouragements, is most true. What great human undertaking was ever exempt from them? Its misfortunes in Africa have been similar in character, though it is confidently believed less in degree than those which generally attend the establishment of distant colonies, in foreign lands, amidst ignorant and untutored savages. A large portion of the deaths which have taken place may be attributed to rash exposure, and other imprudences, under an untamed sun, and subject to the action of a strange climate. But the colony can triumphantly exhibit its bills of mortality, in comparison with those of other colonies, in their early foundation, on this or any other continent. And experience justifies the hope, that the instances of mortality will constantly diminish with the augmented population, means, and strength of the colony.

But at home, in the parent country, here in the United States, notwithstanding the concurrence of so many powerful motives recommending success to the exertions of the society, has it met with the most serious opposition and bitter denunciation. At one time, it has been represented as a scheme to forge stronger and perpetual chains for the slaves among us. Then, that it had a covert aim to emancipate them all immediately, and throw them, with all their imperfections, loose upon society. Those who judged less unfavorably of the purposes of the institution pronounced it a bright vision, impracticable in its means and utopian in its end. There is, unfortunately, in every community, a class, not small, who, devoid themselves of the energy necessary to achieve any noble enterprise, and affecting to penetrate with deeper sagacity into the projects of others, pronounce their ultimate failure, with self-complacency, and challenge by anticipation the merit of prophetic wisdom. Unmoved by these erroneous and unfriendly views, the society, trusting to the vindication which time and truth never fail to bring, has proceeded steadily and perseveringly in its great work. It has not been deceived. It has every where found some generous patrons and ardent friends. The Legislatures of more than half the States of this enlightened Union, among which I am happy to be able to mention our own, have been pleased to express their approbation of the scheme. It has conciliated the cordial support of the pious clergy of every denomination in the United States. It has been countenanced and aided by that fair sex, which is ever prompt to contribute its exertions in works of charity and benevolence, because it always acts from the generous impulses of pure and uncorrupted hearts. And the society enrolls amongst its members and patrons some of the most distinguished men of our country, in its Legislative, Executive, and Judicial councils. We should be guilty of an unpardonable omission, if we did not on this occasion mingle our regrets with those of the whole people of these States, on account of a lamented death of one of them, which has recently occurred. He was the president of the American Colonization Society from its origin and throughout the entire period of its existence. Like the Father of his Country, his illustrious relative, whose name he bore and whose affection he enjoyed, he was mild and gentle, firm and patriotic. The bench, of which he was an ornament, and the bar, of which he was the delight, feeling his great loss, deeply share with us all in the grief which it produces.

The society presents to the American public no project of emancipation, no new chains for those who are unhappily in bondage, no scheme that is impracticable. It has no power, and it seeks none. It employs no compulsion, and it desires to employ none. It addresses itself solely to the understanding; its revenue flows from spontaneous grants, and all its means and agents and objects are voluntary.

The society believes it is within the compass of reasonable exertions to transport annually to the colony of Liberia a number of free persons of color, with their own voluntary consent, equal to the annual increase of all that class in the United States. That annual increase, estimated according to the return of the last census, from the parent stock of 233,530, at a rate of augmentation of 2½ per cent. per annum, may be stated to be 6,000. Estimating the whole expense of the voyage at \$20 per head, the total cost of their transportation will be \$120,000. Is this sum of such an appalling amount as to transcend the ability of the people of the United States? All admit the utility of the separation of the free people of color from the residue of the population of the United States, if it be practicable. It is desirable for them, for the slaves of the United States, and for the white race. Here invincible prejudices exclude them from the enjoyment of the society of the whites, and deny them all the advantages of freemen. The bar, the pulpit, and our legislative halls, are shut to them, by the irresistible force of public sentiment. No talents, however great, no piety, however pure and devoted, no patriotism, however ardent, can secure their admission. They constantly hear the accents and behold the triumphs of a liberty which here they can never enjoy. In all the walks of society, on every road which lies before others to honor, and fame, and glory, a moral incubus pursues and arrests them, paralyzing all the energies of the soul, and repressing every generous emotion of laudable ambition. Their condition is worse than that of the fabled Tantalus, who could never grasp the fruits and water which seemed within his reach. And when they die,

“Memory o'er their tomb no trophies raises.”

Why should such an unfortunate class desire to remain among us? Why should they not wish to go to the country of their forefathers, where, in the language of the eloquent Irish barrister, they would “stand redeemed, regenerated, and disenthralled, by the mighty genius of universal emancipation.”

The vices of this class do not spring from any inherent depravity in their natural constitution, but from their unfortunate situation. Social intercourse is a want which we are prompted to gratify by all the properties of our nature. And as they cannot obtain it in the better circles of society, nor always among themselves, they resort to slaves, and to the most debased and worthless of the whites. Corruption, and all the train of petty offences, are the consequences. Proprietors of slaves, in whose neighborhood any free colored family is situated, know how infectious and pernicious this intercourse is. And the penal records of the tribunals, especially in the large cities, bear frightful testimony to the disproportionate number of crimes committed by the free people of color. The evil of their increase in those cities is so enormous as to call loudly for effective remedy. It has been so sensibly felt in a neighboring city (Cincinnati) as to require, in the opinion of the public authorities, the enforcement of the vigorous measure of expulsion of all who could not give guaranties of their good

behavior. Their congregation in our great capitals has given rise to a new crime, perpetrated by unprincipled whites, and of which persons of that unhappy colored race are the victims. A New York paper of the 27th ultimo but lately fell into my hands, in which I found the following article:—“**BEWARE OF KIDNAPPERS.**—It is *well understood* that there is at present in this city a gang of kidnappers, busily engaged in their vocation of stealing colored children for the Southern market! It is believed that three or four have been stolen within as many days. A little negro boy came to this city from the country three or four days ago. Some strange white persons were very friendly to him, and yesterday morning he was mightily pleased that they had given him some new clothes. And the persons pretending thus to befriend him entirely secured his confidence. This day he *cannot* be found. Nor can he be traced since seen with one of his new friends yesterday. There are suspicions of a foul nature connected with some who serve the police in subordinate capacities. It is hinted that there may be those in some authority not altogether ignorant of these diabolical practices. Let the public be on their guard.”

To which the editor of the paper from which this quotation is made appends the following remarks:

“It is still fresh in the memories of all, that a cargo or rather drove of negroes was made up from this city and Philadelphia, about the time that the emancipation of all the negroes in this State took place under our present constitution, and were taken through Virginia, the Carolinas, and Tennessee, and disposed of in the State of Mississippi. Some of those who were taken from Philadelphia were persons of intelligence; and, after they had been driven through the country in chains, and disposed of by sale on the Mississippi, wrote back to their friends, and were rescued from bondage. The persons who were guilty of this abominable transaction are known, and now reside in the State of North Carolina, and very probably may be engaged in similar enterprises at the present time—at least there is reason to believe that the system of kidnapping free persons of color from the Northern cities has been carried on more extensively than the public are generally aware of.”

Whilst the concurrence is unanimous as to the propriety of the separation of the free colored race, and their removal to some other country, if it be practicable, opinions are divided as to the most proper place of their destination. Some prefer Hayti, others to set apart a district beyond the Rocky mountains, within the limits of the territory of the United States, whilst much the larger number concur in the superior advantage of the plan of the American Colonization Society. The society opposes no other scheme. All other projects, if they are executed, are perfectly comparable with its own, and it wishes them full success. The more drains the better for this portion of our population. It would only deprecate the result of the distribution of the public attention amidst a variety of proposals, and a consequent failure to concentrate the energies of the community on any one of them.

Hayti is objectionable, as the sole place of their removal, on various accounts. It is too limited in its extent. Although a large island, containing considerable quantities of unsettled land, it is incompetent as an asylum, during any great length of time, for the free persons of color of the United States. It possesses no advantage, either in the salubrity of its climate or the fertility of its soil, over the western coast of Africa. The productions of both countries are nearly the same. The expense of trans-

portation to the one or to the other is nearly the same. The emigrants would be in a state of dependence on the present inhabitants of the island, who have more intelligence, and have made greater advances in civilization, and moreover possess all the power of the Government. They speak a different language. It should not be the policy of the United States, when they consider the predominant power of the island and its vicinity to the Southern States, to add strength to it. And, finally, Hayti is destitute of some of those high moral considerations which belong to the foundation of a colony in Africa.

The country west of the Rocky mountains is also objectionable on several grounds. The expense of transportation of emigrants to it, whether by sea or inland, would be incomparably greater than to Africa. They would be thrown in the midst of Indian tribes, to whom they are as incongruous as with the whites. Bloody and exterminating wars would be the certain consequence; and the United States would be bound to incur great expense in defending them and preserving peace. Finally, that wave of the European race which rose on the borders of the Atlantic, swept over the Allegany mountains, reached the Mississippi, and ascended the two great rivers which unite near St. Louis, will at no distant day pass the Rocky mountains, and strike the Pacific, where it would again produce that very contact between discordant races which it is so desirable to avoid.

The society has demonstrated the practicability of planting a colony on the shores of Africa. Its exertions have been confined exclusively to the free colored people of the United States, and to those of them who are willing to go. It has neither purpose nor power to extend them to the larger portion of that race held in bondage. Throughout the whole period of its existence, this disclaimer has been made, and incontestable facts establish its truth and sincerity. It is now repeated in its behalf, that the spirit of misrepresentation may have no pretext for abusing the public ear. But, although its scheme is so restricted, the society is aware and rejoices that the principle of African colonization which it has developed admits of wider scope and more extensive application by those States and private individuals who may have the power and the inclination to apply it.

The slave population of the United States, according to the last returns of their census, as was shown more in detail on another occasion, increased in a ratio of about 46,000 per annum. It may, perhaps, now be estimated at not less than 50,000. It was said on that occasion, "Let us suppose, for example, that the whole population at present of the United States is twelve millions, of which ten may be estimated of the Anglo-Saxon; and two of the African race. If there could be annually transported from the United States an amount of the African portion equal to the annual increase of the whole of that caste, whilst the European race should be left to multiply, we should find at the termination of the period of duplication, whatever it may be, that the relative proportions would be as twenty to two. And if the process were continued during a second term of duplication the population would be as forty to two—one which would eradicate every cause of alarm or solicitude from the breasts of the most timid. But the transportation of Africans, by creating, to the extent to which it might be carried, a vacuum in society, would tend to accelerate the duplication of the European race, who, by all the laws of population, would fill up the void space." To transport to Africa fifty thousand persons would cost

one million of dollars, upon the estimate before stated. One million of dollars applied annually, during a period of sixty or seventy years; would, at the end of it, so completely drain the United States of all that portion of their inhabitants as not to leave many more than those few who are objects of curiosity in the countries of Europe. And is that sum, one-tenth part of what the United States now annually appropriate as a sinking fund, without feeling it, and which will soon not be requisite to the extinction of the national debt, capable of producing any suffering or creating any impediment in the execution of other great social objects of the American communities? What a vast moral debt to Africa, to the world, and to our common God, should we not discharge by the creation of a new sinking fund of such a paltry sum?

This estimate does not comprehend any indemnity to the owners of slaves, for their value, if they are to be purchased for the purpose of colonization. It is presumable that States or individuals, no longer restrained from the execution of their benevolent wish to contribute their endeavors to blot out this great stain upon the American name, by the consideration of the difficulty of a suitable provision for liberated slaves, when they perceive the plan of colonization in successful operation, will voluntarily manumit many, for the purpose of their emigration. One of the latest numbers of the National Intelligencer states the fact, that a recent offer has been made of 2,000 slaves to the society, to be sent to Liberia, which the want of funds alone prevents its accepting. If the reasoning before employed, founded upon the decline in value of that description of property, be correct, many will be disposed to emancipate from less disinterested motives. From some or all these sources, and from the free colored population, an amount may be annually obtained, for the purposes of colonization, equal to the number of fifty-six thousand which has been supposed. As the work of colonization advances, the ability of the European race to promote it will increase, both from the augmentation of its numbers and of its wealth, and the relative diminution of the negro race; and, in the course of the progress of its execution, it will not be found a burdensome appropriation of some of the revenue of the people of the United States to purchase slaves, if colonists cannot otherwise be obtained. Meanwhile, it affords cause of the sincerest gratification, that, in whatever extent the scheme of African colonization is executed, good is attained without a solitary attendant evil.

I could not discuss the question of the extent of the respective powers of the various Governments of this Union, without enlarging this address, already too much prolonged, in a most unreasonableness degree. That the aggregate of their total powers is fully adequate to the execution of the plan of colonization, in its greatest extent, is incontestable. How those powers have, in fact, been divided and distributed between the General and State Governments, is a question for themselves to decide, after careful investigation and full deliberation. We may safely assume that there are some things which each system is competent to perform, towards the accomplishment of the great work. The General Government can treat with foreign Powers of the security of the colony, and with the Emperor of Morocco, or other African Princes or States, for the acquisition of territory. It may provide in the colony an asylum for natives of Africa introduced into the United States in contravention to their laws, and for their support and protection, as it has done. And it may employ portions of our

navy, whilst engaged in practising to acquire the needful discipline and skill, or in proceeding to their appointed cruising stations, to transport emigrants from the United States to the colony. Can a nobler service, in time of peace, be performed by the national flag, than that of transporting under its stars and stripes, to the land of their ancestors, the sons of injured Africa, there to enjoy the blessings of our pure religion and real liberty? It can employ the colony as the best and most efficacious instrument of suppressing the infamous slave trade.

Any of the States may apply, in their proper spheres, the powers which they possess and the means at their command. They may remove restraints upon emancipation, imposed from a painful conviction that slavery, with all its undisputed ills, was better than manumission without removal. Such of them may as can, safely and justly, abolish slavery, and follow the example of Pennsylvania, New York, and other States. Any of them can contribute some pecuniary aid to the object. And if an enlargement of the constitutional powers of the General Government be necessary and expedient, they are competent to grant it.

I have thus, gentlemen, presented a faint and imperfect sketch of what was contemplated by the American Colonization Society, to which you form an auxiliary, of what it has done, and of what the principle of African colonization, which it has successfully illustrated, is susceptible, with due encouragement and adequate means, in the hands of competent authority. We ought not to be disheartened by the little which has been accomplished, in the brief space of thirteen years during which it has existed, or the magnitude and difficulties of the splendid undertaking which lies before us. In the execution of those vast schemes which affect the condition and happiness of large portions of the habitable globe, time is necessary; which may appear to us mortals of long duration, but which in the eyes of Providence, or in comparison with the periods of national existence, is short and fleeting. How long was it after Romulus and Remus laid the scanty foundations of their little state in the contracted limits of the peninsula of Italy, before imperial Rome burst forth, in all her astonishing splendor, the acknowledged mistress of the world? Ages passed away before Carthage and other colonies, in ancient times, shone out in all their commercial and military glory. Several centuries have now elapsed since our forefathers first began, in the morasses of James river and on the rock of Plymouth, the work of founding this republic, yet in its infancy. Eighteen hundred years have rolled over since the Son of God, our blessed Redeemer, offered himself, on Mount Calvary, a voluntary sacrifice for the salvation of our species; and more than half of mankind continue to deny his divine mission and the truth of his sacred word.

We may boldly challenge the annals of human nature for the record of any human plan, for the melioration of the condition or advancement of the happiness of our race, which promised more unmixed good, or more comprehensive beneficence, than that of African colonization, if carried into full execution. Its benevolent purpose is not limited by the confines of one continent, nor to the prosperity of a solitary race, but embraces two of the largest quarters of the earth, and the peace and happiness of both of the descriptions of their present inhabitants, with the countless millions of their posterity who are to succeed. It appeals for aid and support to the friends of liberty here and every where. The colonists, reared in the bosom of this republic, with a perfect knowledge of all the blessings which freedom im-

parts, although they have not always been able themselves to share them, will carry a recollection of it to Africa, plant it there, and spread it over her boundless territory. And may we not indulge the hope that, in a period of time not surpassing in duration that of our own colonial and national existence, we shall behold a confederation of republican States, on the western shores of Africa, like our own, with their Congress and annual Legislatures thundering forth in behalf of the rights of man, and making tyrants tremble on their thrones?

It appeals for aid and support to the friends of civilization throughout the world. Africa, although a portion of it was among the first to emerge from barbarism, is now greatly in the rear of all the continents, in knowledge, and in the arts and sciences. America owes to the old world a debt of gratitude for the possession of them. Can she discharge it in any more suitable manner than that of transplanting them on a part of its own soil, by means of its own sons, whose ancestors were torn by fraud and violence from their native home, and thrown here into bondage? It powerfully appeals for support to patriotism and humanity. If we were to invoke the greatest blessing on earth, which Heaven, in its mercy, could now bestow on this nation, it would be the separation of the two most numerous races of its population, and their comfortable establishment in distinct and distant countries. To say nothing of the greatest difficulty in the formation of our present happy Constitution, which arose out of this mixed condition of our people—nothing of the distracting Missouri question, which was so threatening—nothing of others springing from the same fruitful source, which yet agitate us, who can contemplate the future without the most awful apprehensions? Who, if this promiscuous residence of whites and blacks, of freemen and slaves, is forever to continue, can imagine the servile wars, the carnage and the crimes, which will be its probable consequences, without shuddering with horror? It finally appeals emphatically for aid and support to the reverend clergy and sincere professors of our holy religion. If the project did not look beyond the happiness of the two races now in America, it would be entitled to their warmest encouragement. If it were confined to the removal only of the free colored population, it would deserve all their patronage. Within those restrictions, how greatly would it not contribute to promote the cause of virtue and morality, and consequently religion? But it presents a much more extensive field—a field only limited by the confines of one of the largest quarters of the habitable globe—for religious and benevolent exertion. Throughout the entire existence of Christianity, it has been a favorite object of its ardent disciples and pious professors to diffuse its blessings by converting the heathen. This duty is enjoined by its own sacred precepts, and prompted by considerations of humanity. All Christendom is more or less employed on this object, at this moment, in some part or other of the earth. But it must, in candor, be owned that, hitherto, missionary efforts have not had a success corresponding in extent with the piety and benevolence of their aim, or with the amount of the means which have been applied. Some new and more efficacious mode of accomplishing the beneficent purpose must be devised, which, by concentrating energies and endeavors, and avoiding loss in their diffuse and uncombined application, shall ensure the attainment of more cheering results. The American Colonization Society presents itself to the religious world as uniting those great advantages. Almost all Africa is in a state of the deepest ignorance and barbarism, and addicted to idolatry

and superstition. It is destitute of the blessings both of Christianity and civilization. The society is an instrument which, under the guidance of Providence, with public assistance, is competent to spread the lights of both throughout its vast dominions. And the means are as simple as the end is grand and magnificent. They are to deviate from the practice of previous missionary institutions, and employ as agents some of the very brethren of the heathen sought to be converted and brought within the pale of civilization. The society proposes to send not one or two pious members of Christianity into a foreign land, among a different and perhaps a suspicious race, of another complexion, but to transport annually, for an indefinite number of years, in one view of its scheme, six thousand—in another, fifty-six thousand missionaries, of the descendants of Africa itself, with the same interests, sympathies, and constitutions of the natives, to communicate the benefits of our religion and of the arts. And this colony of missionaries is to operate not alone by preaching the doctrines of truth and of revelation, which, however delightful to the ears of the faithful and intelligent, are not always comprehended by untutored savages, but also by works of ocular demonstration. It will open forests, build towns, erect temples of public worship, and practically exhibit to the native sons of Africa the beautiful moral spectacle and the superior advantages of our religious and social systems. In this unexaggerated view of the subject, the colony, compared with other missionary plans, presents the force and grandeur of a noble steamer majestically ascending, and with ease subduing, the current of the Mississippi, in comparison with the feeble and tottering canoe, moving slowly among the reeds that fringe its shores. It holds up the image of the resistless power of the Mississippi itself, rushing from the summit of the Rocky mountains, and marking its deep and broad and rapid course through the heart of this continent, thousands of miles, to the gulf of Mexico, in comparison with that of an obscure rivulet winding its undiscernable way through dark and dense forests or luxuriant prairies, in which it is quickly and forever lost.

Gentlemen of the Colonization Society of Kentucky: not one word need be added, in conclusion, to animate your perseverance or to stimulate your labors in the humane cause which you have deliberately espoused. We have reason to believe that we have been hitherto favored, and shall continue to be blessed, with the smiles of Providence. Confiding in his approving judgment, and conscious of the benevolence and purity of our intentions, we may fearlessly advance in our great work. And when we shall, as soon we must, be translated from this into another form of existence, is the hope presumptuous that we shall there behold the common Father of whites and of blacks, the great Ruler of the Universe, cast His all-seeing eye upon civilized and regenerated Africa, its cultivated fields, its coast studded with numerous cities, adorned with towering temples, dedicated to the pure religion of His redeeming Son, its far-famed Niger, and other great rivers, lined with flourishing villages, and navigated with that wonderful power which American genius first successfully applied; and that, after dwelling with satisfaction upon the glorious spectacle, He will deign to look with approbation upon us, His humble instruments, who have contributed to produce it?

Address of Mr. Clay at the 21st annual meeting of the society, December 12, 1837, on the occasion of his taking the chair as president of the society.

GENTLEMEN OF THE AMERICAN COLONIZATION SOCIETY:

On the first occasion of meeting you since I received the appointment which I now hold, I am prompted by my grateful feelings to present cordial thanks and my respectful acknowledgments. To be called to that high station which has been successively occupied by a Carroll, by a Washington, the most distinguished and beloved of all who bore his honored name, and by a Madison, whose long life was one continued exhibition of public and private virtue, of patriotism, of intelligence, and of benevolence, was among the most gratifying public honors which I have ever received, and it will always remain one of the most cherished recollections of my life. But, gentlemen, considering the noble aims and humane purposes of this society, there is an honor resulting from the office of presiding at its deliberations greater than any which can be communicated even by their illustrious names. It was established twenty years ago; and the peaceful acquisition of a large territory in Africa, eight flourishing settlements and towns, containing a population already civilized, or in the process of civilization, with schools of instruction as to our duties here below, and temples erected to the ever-living God, pointing to the hopes and blessings of Christianity above, attest the success of the labors of the society, and encourage to further and invigorated exertions.

The society was formed to demonstrate the practicability of colonization in Africa; and if it were unhappily dissolved to-morrow, that great purpose of its founders will have been completely accomplished. No one can now doubt that, with the application of adequate means, such as the Governments of the several States of the Union could supply, almost without an effort, the colonization of the descendants of the African race may be effected to any desirable extent. The founders of the society never imagined that, depending as it does upon spontaneous contributions from the good and the benevolent, irregularly made, without an established revenue, and without power, the society alone was competent to colonize all the free persons of color in the United States. They hoped, and the society still hopes, that, seeing what has been done, and can be done, Governments may think fit to take hold of the principle, and carry it out as far as they may deem right, with their ample powers and abundant resources.

The object of the society was to colonize, with their own voluntary consent, the free persons of color in the United States. It had nothing coercive or compulsory about it. It neither had the disposition nor the power to apply force. Throughout its whole existence, it has invariably adhered to that principle. It never sought to shake or affect in the slightest degree the tenure by which any property is held. It believed that the States alone, in which the institution of slavery exists, had the exclusive right to decide upon its continuance or termination. It hoped to be able to do what it has done—to point out a mode by which any of them, or any of their citizens, might find a home and a refuge for liberated slaves. And, accordingly, many humane proprietors of slaves have embraced the opportunity thus offered.

It has been objected against the society, that its aim and tendency have been to perpetuate slavery, and to draw still tighter the bonds of the slave. It has, on the other hand, been proclaimed that its purpose is to abolish

slavery forthwith, and to let loose the untutored and unprepared slaves upon society. Both objections cannot be founded in truth. Neither is. The society does not meddle with slavery, either to prolong or to discontinue its existence. Its abstract opinion, or rather the abstract opinions of its members, is well known. They believe it a deplorable evil; but here it is to be touched, if touched at all, with the greatest caution and delicacy, and only with authorized hands. Both principle and policy restrain the society from disturbing it; principle, because the society believes it is a matter exclusively appertaining to the States and citizens immediately concerned; and policy, because to agitate the subject at all would deprive the society of the co-operation of a large portion of the Union, and prevent it from accomplishing an attainable good, by the pursuit of what it is constrained to think an impracticable and dangerous object.

But the society attacks no person and no association. It neither assails those who believe slavery a blessing, nor those who believe it a great curse, and seek its immediate extirpation. It pursues the even tenor of its way, appealing to the understanding, to the humanity, and to the religion of an enlightened community. It had hoped to escape unmerited reproaches and unjustifiable attacks; but it has not, and it has only defended itself. Because it cannot agree or co-operate with the abolitionists, they assail it. Because it believes that the agitation of the question of abolition is unwise and unhappy, alike destructive to the harmony of the whites and injurious to the cause of the blacks, which is espoused, the motives and purposes and tendency of colonization are all misrepresented and condemned. Why should this be? The roads of colonization and abolition lead in different directions, but they do not cross each other. We deal only with free persons of color; their efforts are directed towards the slave. We seek to better the condition of the free person of color; they the slave. Why should our humane design be impeded, or derided, or thwarted, by those who profess to be in the prosecution of another but distinct design, which they profess to consider also humane? No, gentlemen; we are no ultraists. We neither seek to perpetuate nor to abolish slavery. Our object is totally different from either, and has been proclaimed and clung to from the beginning of the society to this hour.

It has been contended that colonization is altogether incompetent to effect a separation of the two races of our population; that the evil of discordant and incongruous elements must continue, unless some more powerful agency is discovered, and that the American Colonization Society has been able to accomplish nothing deserving of any serious consideration.

Those who thus assail us seek to try us by an imaginary standard of their own creation. They argue that the whole of the African portion of our population amounts to some two or three millions; that in a period of twenty years we have been able to colonize only a few thousand, and hence they infer that colonization cannot exercise any sensible influence upon the mass of the African element of the American population. Now, all that we ask is to be tried by the standard of our own promises and pledges. Have we ever held out to the community that this society, without power, without even an act of incorporation from the General Government, without any regular revenue, could separate the two classes of the African portion of it? Have we not invariably disclaimed any purpose on our part to interfere, in any manner whatever, with the larger part of it, the slaves? Have we not, on the contrary, constantly avowed our in-

tion to be to colonize only free persons of color, with their voluntary consent? We have thought, and we have said, that we believe that the *principle* of colonization was susceptible of being applied to the extent of a total separation of the two races. But we have not attempted it. We have left that to the care and the judgments of those who alone can rightfully and constitutionally decide the matter. We promised only to be the pioneer, and to show the practicability of the principle. And have we not, with the blessings of Providence, already successfully fulfilled every just expectation that we ever authorized?

Those who complain of the tardy operations of the society should recollect that great national enterprises are not to be speedily executed like those of individuals, in the short span of the life of one person. Many years, sometimes more than a century, may be necessary to their completion; and this is emphatically the case when we reflect upon the magnitude and the duration of the wrongs inflicted upon Africa. Near two centuries elapsed, during which her sons were constantly transported to the shores of the New World, doomed to a state of bondage. A period of similar extent may possibly be necessary to restore their descendants to the parent country, with all the blessings of law and liberty, religion and civilization. A sudden and instantaneous separation of the two races, if it were possible, would be good for neither, nor for either country. We should be greatly affected by an immediate abstraction to such a vast extent from the labor and industry of our country; and Africa could not be prepared, morally or physically, to receive and sustain such a vast multitude of emigrants. For both parties, and for all interests, the process of separation, like the original unnatural union, had perhaps better be slow and gradual. And the consoling reflection may be entertained, that during every step in its progress good will have been done.

The surprise should not be, that so little has been effected, but that so much has been achieved by the society, with such scanty and precarious means at its command. There stand the colonies, on the shores of Africa, planted under its auspices. With but little or no further aid from this country, they now possess inherently the power of sustaining themselves and protecting their existence. The practicability of colonization is forever demonstrated. Let us, then, persevere in the great and good cause, and let us hope that the same Providence which has hitherto smiled upon us will continue to extend to our labors His countenance and blessings. I promise a zealous and hearty co-operation.

Remarks of John Tyler, of Virginia, before the Colonization Society of Virginia, January 10, 1838, in the Hall of the House of Delegates at Richmond, on the occasion of his taking the chair as president of the society.

Mr. TYLER, on taking the chair, said he could not permit this, the first occasion on which it had been in his power to attend a meeting of the society since he had been elected its president, to pass by without expressing his grateful sense for the honors conferred upon him. You have appointed me, said he, the successor of one whose name is destined to reach a remote posterity—of one who, in his private character and conduct, furnished an

exemplification of all the virtues. John Marshall was among us as one of us—plain, unostentatious, and unassuming; he left us in doubt which most to admire, his unaffected simplicity of character or his extraordinary talents. Filling the highest judicial station, followed by the admiration of his countrymen, exerting an extensive influence by the mere force of his genius over public opinion, his name familiar to the lips of the highest and most humble of a people inhabiting a continent, he seemed alone to be unconscious of his own exalted worth. To be appointed the successor of such a man, however great my own unworthiness, is an honor of which I have cause to be proud. The very origin of the Colonization Society is, in my memory, identified with him. At its first meeting in Washington, curiosity led me to be present; notice had been given through the newspapers of the proposed meeting at Brown's Hotel, and I was attracted thither by the desire to hear what could be said in favor of a scheme which I was shortsighted enough to regard as altogether utopian. I did consider it in its incipiency as but a dream of philanthropy, visiting men's pillows in their sleep, to cheat them on their waking. Chief Justice Marshall, with some fifteen others, were present; but that small number exhibited a constellation of talent. Henry Clay presided, John Randolph addressed the meeting, and William H. Crawford was the first president of the Colonization Society. Such was the beginning of a society which now embraces thousands of the most talented and patriotic men in the country. We have been peculiarly fortunate, gentlemen, in having to preside over our deliberations in this hall one so distinguished for all that can adorn a man as Chief Justice Marshall; and, at the same time, the privilege of acting in close communion with another of those men given by God in his especial goodness, as a blessing to mankind—I mean James Madison, so lately one of our vice presidents. I am not given much to that idolatry which too often puts fetters on the mind, leading it to consecrate errors in opinion, because advanced and sustained by men of exalted standing. But surely I may be permitted to say, that the opinions of two such men concurring, bear strong evidence of truth. Their minds were of too substantial an order to indulge in a mere vision. Their judgments were too profound to have been misled by the deceptive lights of a mistaken philanthropy. While the horizon of the future was clouded, so that my own limited vision could not penetrate it, they stood, as it were, on a lofty mountain's top, and a beautiful prospect was presented to their sight. They saw the first landing of the pilgrims on the desert shores of Africa—the busy and the thriving rose up before their sight—the hammer of the artisan sounded in their ears—the hum of industry floated on the breeze—songs of praise and thanksgiving came over the distant waves—the genius of civilization had penetrated the wilderness, overthrowing in its progress the idol and the altar, and rearing on their ruins temples to the true and only God. All this *they* saw, and all this *we* now see. For myself, after learning the successful landing of the first emigrants, and that they were speedily to be followed by others, all my doubts vanished. The reality was before me. The seed was planted—spring time came, and it vegetated—harvest time, and the crop was abundant. But a few years since, and no voice of civilization proceeded from Africa. Now, thousands of civilized beings have made it their home, and the wilderness may be considered as reclaimed. The exhibits annually made to the public of the state and condition of the colony are calculated to relieve the mind of all doubt. The colony is planted—advances

with rapid strides—and Monrovia will be to Africa what Jamestown and Plymouth have been to America. Happily, their success is equally beneficial to all the States. Nothing sectional enters into it. The same spirit actuates all. The same policy governs all. The free black man is found in Maine as well as in Louisiana. What, then, shall retard the onward march of this great cause? Heretofore it has looked for success to private individuals and to the State Legislatures. My opinion is, that it should still look to them. To appeal to Congress for aid, is to appeal to a body having no power to grant it—a body of restricted and limited powers, and fettered by the terms of its own creation. From that source it may get money, but it will lose friends; and friends are more valuable to it than money. I would not have it successful without the concurrence of the States. Our own State may be considered the pioneer in this great work. On this subject she stands proudly pre-eminent. She will doubtless do her duty. Policy and humanity go hand in hand in this great work; united in the accomplishment of the same object, they cannot fail to succeed. Philanthropy, when separated from policy, is the most dangerous agent in human affairs. It is no way distinguishable from fanaticism. It hears not, sees not, and understands not. It is deaf, and hears not the admonitions of truth and wisdom. It is blind, and walks over prostrate victims, and amid the ashes of desolation, without perceiving that its feet are stained in blood, and that its garments are discolored. It understands not, until the voice of sorrow and lamentation, proceeding from the sepulchre of man's fondest hopes and brightest expectations, arouses it to consciousness. And is there not a spirit of that sort now at work in our own fair land? It is the antagonist of that which we cherish. It invades our hearths, assails our domestic circles, preaches up sedition, and encourages insurrection. It would pull down the pillars of the Constitution, and even now shakes them most terribly—would violate the most sacred guaranties—would attain its object by sundering bonds which bind and only have power to bind these States together—the bonds of affection and brotherly love. It seeks to excite inextinguishable prejudices in the minds of one-half of our people against the other half. It acts in league with foreign missionaries, and gives open countenance to the people of another hemisphere to interfere in our domestic affairs. It is sectional, altogether sectional; in a word, it is the spirit of abolition. From this place I denounce it, and this society denounces it. The weapons which it uses are the weapons of slander and abuse; not as to one sex or condition of existence only, but all, all are abused and slandered by it. It labors to induce the usurpation of a power by Government which would be attended by the destruction of the Government itself, in the substitution (if a work so disastrous to the liberties of mankind could be effected) of a consolidated Government, a mere majority machine, in place of the happy federal system under which we live. The opinion already prevails with many, that the Government is a unit, and the people a unit. I care not from whence they derive sanction for this—but this I will say, that whether such sanction comes from the living or the dead, from men in power or men out of power, it is false in theory and destructive in practice. Each State, as to all matters not ceded by compact, is as sovereign as before the adoption of the Constitution. What right, then, have the people of one State to interfere with the domestic relations of any other State? What right to agitate in order to affect their neighbors? The reverend clergy, too, they whose doctrines should evermore be, peace on earth, and

good will to men, are lending themselves to this pernicious work. *They* seek to enlist woman—she who was placed upon the earth, as the rainbow in the heavens, as a sign that the tempest of the passions should subside. Woman is made an instrument to expel us from the paradise of union, in which we dwell. What will satisfy these ministers of a gospel which alone abounds in love? Do they wish to christianize the heathen? to spread the light of the gospel over the benighted places of the earth, through the instrumentality of this society, that light may be brought to shine where no ray of the gospel sun has ever yet penetrated? Do they want a more extended theatre for their labors than that they now enjoy? We present them one entire quarter of the earth. We invite them to go with us into the wilds of Africa—to sit down by the side of the black man—to teach him to raise his eyes from the earth, on which they are bent—to look up to the heavens, and to ascend “through nature unto nature’s God.” He works most inscrutably to the understandings of men; the negro is torn from Africa, a barbarian, ignorant and idolatrous; he is restored civilized, enlightened, and a Christian. The Colonization Society is the great African missionary society. In my humble judgment, it is worth more, twice told, than all foreign missionary societies combined. Already it has planted the cross among the heathen, and kindled the fires of civilization in the desert; and that cross will stand and that light be spread until a continent be redeemed. All this is done quietly and peaceably, and with the acquiescence of society. Charity dictates, and policy adopts. Can any messenger of the Saviour, can any lover of his race, look upon this picture without delight? Will nothing content him which is not done in violence? Has he fallen in love with anarchy, that he woos her so assiduously? Are envy, malice, and all uncharitableness, become assistants in the ministrations of the altar? Is fraternal feeling and family peace become odious in his eyes? But I will dwell no longer on these things. Our course, gentlemen, lies plainly before us; we will steadily pursue it; we interfere with no relation in society. In what we seek to do we are justified alike by the wisdom of the living and the dead, and success, full, ample, and entire, must crown the enterprise.

EXTRACTS FROM PRESIDENTS’ ANNUAL MESSAGES.*

Extract from the message of President Monroe at the commencement of the 2d session 16th Congress. November 14, 1820.

In execution of the law of the last session for the suppression of the slave trade, some of our public ships have also been employed on the coast of Africa, where several captures have already been made of vessels engaged in that disgraceful traffic.

Extract from the message of President Monroe at the commencement of the 1st session 17th Congress. December 3, 1821.

Like success has attended our efforts to suppress the slave trade. Under the flag of the United States and the sanction of their papers, the trade may be considered as entirely suppressed; and if any of our citizens are engaged in it under the flag and papers of other Powers, it is only from a respect to the rights of those Powers that these offenders are not seized and brought home to receive the punishment which the laws inflict. If

* For extracts from the messages of Presidents Jefferson and Madison, and a previous message of President Monroe, see pages 1087 and 1088.

ever this Power should adopt the same policy and pursue the same vigorous means for carrying it into effect, the trade could no longer exist.

Extract from the message of President Monroe at the commencement of the 2d session 17th Congress. December 3, 1822.

A cruise has also been maintained on the coast of Africa, when the season would permit, for the suppression of the slave trade; and orders have been given to the commanders of all our public ships to seize our vessels, should they find any engaged in that trade, and to bring them in for adjudication.

Extract from the message of President Monroe at the commencement of the 1st session 18th Congress. December 2, 1823.

In compliance with a resolution of the House of Representatives adopted at their last session, instructions have been given to all the ministers of the United States, accredited to the Powers of Europe and America, to propose the proscription of the African slave trade, by classing it under the denomination, and inflicting on its perpetrators the punishment of piracy. Should this proposal be acceded to, it is not doubted that this odious and criminal practice will be promptly and entirely suppressed. It is earnestly hoped that it will be acceded to, from a firm belief that it is the most effectual expedient that can be adopted for the purpose.

Extract from the message of President Monroe at the commencement of the 2d session 18th Congress. December 7, 1824.

It is a cause of serious regret that no arrangement has yet been finally concluded between the two Governments, to secure, by joint co-operation, the suppression of the slave trade. It was the object of the British Government, in the early stages of the negotiation, to adopt a plan for the suppression, which should include the concession of the mutual right of search, by the ships of war of each party, of the vessels of the other, for suspected offenders. This was objected to by this Government, on the principle that, as the right of search was a right of war of a belligerent towards a neutral Power, it might have an ill effect to extend it, by treaty, to an offence which had been made comparatively mild, to a time of peace. Anxious, however, for the suppression of this trade, it was thought advisable, in compliance with a resolution of the House of Representatives, founded on an act of Congress, to propose to the British Government an expedient, which should be free from that objection, and more effectual for the object, by making it piratical. In that mode, the enormity of the crime would place the offenders out of the protection of their Government, and involve no question of search, or other question, between the parties, touching their respective rights. It was believed, also, that it would completely suppress the trade in the vessels of both parties, and, by their respective citizens and subjects, in those of other Powers, with whom, it was hoped that the odium which would thereby be attached to it would produce a corresponding arrangement, and, by means thereof, its entire extirpation forever.

A convention to this effect was concluded and signed in London, on the thirteenth day of March, one thousand eight hundred and twenty-four, by plenipotentiaries duly authorized by both Governments, to the ratification of which certain obstacles have arisen, which are not yet entirely removed.

The difference between the parties still remaining has been reduced to a point, not of sufficient magnitude, as is presumed, to be permitted to defeat an object so near to the heart of both nations, and so desirable to the friends of humanity throughout the world. As objections, however, to the principle recommended by the House of Representatives, or at least to the consequences inseparable from it, and which are understood to apply to the law, have been raised, which may deserve a reconsideration of the whole subject, I have thought it proper to suspend the conclusion of a new convention until the definite sentiments of Congress may be ascertained. The documents relating to the negotiation are, with that intent, submitted to your consideration. * * * * *

In execution of the laws for the suppression of the slave trade, a vessel has been occasionally sent from that squadron to the coast of Africa, with orders to return thence by the usual track of the slave ships, and to seize any of our vessels which might be engaged in that trade. None have been found, and it is believed that none are thus employed. It is well known, however, that the trade still exists under other flags.

Extract from the message of President J. Q. Adams at the commencement of the 1st session 19th Congress. December 6, 1825.

An occasional cruiser has been sent to range along the African shores most polluted by the traffic of slaves.

The objects of the West India squadron have been to carry into execution the laws for the suppression of the African slave trade; the protection of our commerce against vessels of a piratical character, though bearing commissions from either of the belligerent parties; for its protection against open and unequivocal pirates. These objects, during the present year, have been accomplished more effectually than at any former period. The African slave trade has long been excluded from the use of our flag, and if some few citizens of our country have continued to set the laws of the Union, as well as those of nature and humanity, at defiance, by persevering in that abominable traffic, it has been only by sheltering themselves under the banners of other nations, less earnest for the total extinction of the trade than ours.

Extract from the message of President Van Buren at the commencement of the 2d session 26th Congress. December 5, 1840.

The suppression of the African slave trade has received the continued attention of the Government. The brig *Dolphin* and schooner *Grampus* have been employed during the last season on the coast of Africa, for the purpose of preventing such portions of that trade as was said to be prosecuted under the American flag. After cruising on those parts of the coast most usually resorted to by slavers until the commencement of the rainy season, these vessels returned to the United States for supplies, and have since been despatched on a similar service.

From the reports of the commanding officers, it appears that the trade is now principally carried on under Portuguese colors; and they express the opinion that the apprehension of their presence on the slave coast has, in a great degree, arrested the prostitution of the American flag to this inhuman purpose. It hoped that, by continuing to maintain this force in that quarter, and by the exertions of the officers in command, much will be done to put a stop to whatever portion of this traffic may have been carried on under the American flag, and to prevent its use in a trade which, while it

violates the laws, is equally an outrage on the rights of others and the feelings of humanity. The efforts of the several Governments who are anxiously seeking to suppress this traffic must, however, be directed against the facilities afforded by what are now recognised as legitimate commercial pursuits, before that object can be fully accomplished.

Supplies of provisions, water casks, merchandise, and articles connected with the prosecution of the slave trade, are, it is understood, freely carried by vessels of different nations to the slave factories; and the effects of the factors are transported openly from one slave station to another, without interruption or punishment by either of the nations to which they belong, engaged in the commerce of that nation. I submit to your judgments, whether this Government, having been the first to prohibit by adequate penalties the slave trade, the first to declare it piracy, should not be the first, also, to forbid to its citizens all trade with the slave factories on the coast of Africa; giving an example to all nations in this respect, which, if fairly followed, cannot fail to produce the most effective results in breaking up those dens of iniquity.

[For extracts from President Tyler's messages, see pages 730, 764.]

Extracts from an address of the colonists to the free people of color in the United States.

At a numerous meeting of the citizens of Monrovia, held at the court-house, on the 27th day of August, 1827, for the purpose of considering the expediency of uniting in an address to the colored people of the United States, John H. Folks, Esq., in the chair, it was

Resolved, That a committee of five persons be appointed to frame a circular address, to be published in the United States, for the better information of the people of color in that country, respecting the state of this colony and the condition of the settlers.

Tuesday, September 4.—The committee reported the following address, which was adopted :

As much speculation and uncertainty continue to prevail among the people of color in the United States, respecting our situation and prospects in Africa, and many misrepresentations have been put in circulation there, of a nature slanderous to us, and, in their effects, injurious to them, we feel it our duty, by a true statement of our circumstances, to endeavor to correct them.

The first consideration which caused our voluntary removal to this country, and the object which we still regard with the deepest concern, is liberty—liberty, in the sober, simple, but complete sense of the word; not a licentious liberty, nor a liberty without government, or which should place us without the restraint of salutary laws, but that liberty of speech, action, and conscience, which distinguishes the free enfranchised citizens of a free State. We did not enjoy that freedom in our native country; and, from causes which, as respects ourselves, we shall soon forget. Nevertheless, we were certain it was not there attainable for ourselves or our children. This, then, being the first object of our pursuit in coming to Africa, is probably the first subject on which you will ask for information; and we must truly declare to you that our expectations and hopes, in this respect, have been realized. Our constitution secures to us, so far as our condition allows, "all the rights and privileges enjoyed by the citizens of

the United States;" and these rights and these privileges are ours. We are proprietors of the soil we live on, and possess the rights of freeholders. Our suffrages, and, what is of more importance, our sentiments and our opinions, have their due weight in the government we live under. Our laws are altogether our own; they grew out of our circumstances, are framed for our exclusive benefit, and administered either by officers of our own appointment, or such as possess our confidence. We have a judiciary chosen from among ourselves; we serve as jurors in the trials of others, and are liable to be tried only by juries of our fellow-citizens ourselves. We have all that is meant by *liberty of conscience*. The time and mode of worshipping God, as prescribed to us in his word, and dictated by our conscience, we are not only free to follow, but are protected in following.

Forming a community of our own in the land of our forefathers, having the commerce, and the soil and resources of the country at our disposal, we know nothing of that debasing inferiority with which our very color stamped us in America. There is nothing here to create the feeling on our part—nothing to cherish the feeling of superiority in the minds of foreigners who visit us. It is this moral emancipation, this liberation of the mind from worse than iron fetters, that repays us ten thousand times over for all that it has cost us, and makes us grateful to God and our American patrons for the happy change which has taken place in our situation. We are not so self-complacent as to rest satisfied with our improvement, either as regards our minds or our circumstances. We do not expect to remain stationary—far from it. But we certainly feel ourselves, for the first time, in a state to improve either to any purpose. The burden is gone from our shoulders. We now breathe and move freely, and know not (in surveying your present state) for which to pity you most, the empty name of liberty which you endeavor to content yourselves with in a country that is not yours, or the delusion which makes you hope for ample privileges in that country hereafter. Tell us which is the white man, who, with a prudent regard to his own character, can associate with one of you on terms of equality? Ask us, which is the white man who would decline such association with one of our number, whose intellectual and moral qualities are not an objection? To both these questions, we unhesitatingly make the same answer—there is no such white man.

We solicit none of you to emigrate to this country; for we know not who among you prefers rational independence, and the honest respect of his fellow-men, to that mental sloth and careless poverty which you already possess, and your children will inherit after you in America. But if your views and aspirations rise a degree higher, if your minds are not as servile as your present condition, we can decide the question at once; and with confidence say that you will bless the day, and your children after you, when you determined to become citizens of Liberia.

But we do not hold this language on the blessings of liberty for the purpose of consoling ourselves for the sacrifice of health, or the suffering of want, in consequence of our removal to Africa. We enjoy health, after a few months' residence in this country, as uniformly and in as perfect a degree as we possessed that blessing in our native country; and a distressing scarcity of provisions, or any of the comforts of life, has, for the last two years, been entirely unknown, even to the poorest persons in this community. On these points, there are, and have been, much misconception and some malicious misrepresentations in the United States.

* * * * *

The true character of the African climate is not well understood in other countries. Its inhabitants are as robust, as healthy, as long lived, to say the least, as those of any other country. Nothing like an epidemic has ever appeared in this colony; nor can we learn from the natives that the calamity of a sweeping sickness ever yet visited this part of the continent. But the change from a temperate to a tropical country is a great one—too great not to affect the health more or less, and in the cases of old people and very young children it often causes death. In the early years of the colony, want of good houses, the great fatigues and dangers of the settlers, their irregular mode of living, and the hardships and discouragements they met with, greatly helped the other causes of sickness, which prevailed to an alarming extent, and were attended with great mortality. But we look back to those times as to a season of trial long past, and nearly forgotten. Our houses and circumstances are now comfortable; and, for the last two or three years, not one person in forty, from the middle and Southern States, has died from the change of climate.

* * * * *

But you may say that even health and freedom, as good as they are, are still dearly paid for, when they cost you the common comforts of life, and expose your wives and children to famine, and all the evils of want and poverty. We do not dispute the soundness of this conclusion either; but we utterly deny that it has any application to the people of Liberia.

Away with all the false notions that are circulating about the barrenness of this country: they are the observations of such ignorant or designing men as would injure both it and you. A more fertile soil, and a more productive country, so far as it is cultivated, there is not, we believe, on the face of the earth. Its hills and its plains are covered with a verdure which never fades; the productions of nature keep on in their growth through all the seasons of the year. Even the natives of the country, almost without farming tools, without skill, and with very little labor, make more grain and vegetables than they can consume, and often more than they can sell.

Cattle, swine, fowl, ducks, goats, and sheep, thrive without feeding, and require no other care than to keep them from straying. Cotton, coffee, indigo, and the sugar cane, are all the spontaneous growth of our forests, and may be cultivated at pleasure, to any extent, by such as are disposed. The same may be said of rice, Indian corn, Guinea corn, millet, and too many species of fruits and vegetables to be enumerated. Add to all this, we have no dreary winter here, for one-half of the year, to consume the productions of the other half. Nature is constantly renewing herself, and constantly pouring her treasures, all the year round, into the laps of the industrious. We could say, on this subject, more; but we are afraid of exciting too highly the hopes of the imprudent. Such persons, we think, will do well to keep their rented cellars, and earn their twenty-five cents a day at the wheelbarrow, in the commercial towns of America, and stay where they are. It is only the industrious and virtuous that we can point to independence, and plenty, and happiness, in this country. Such people are nearly sure to attain, in a very few years, to a style of comfortable living which they may in vain hope for in the United States; and, however short we come of this character ourselves, it is only a due acknowledgment of the bounty of Divine Providence to say that we generally enjoy the good things of this life to our entire satisfaction.

Our trade is chiefly confined to the coast, to the interior parts of the continent, and to foreign vessels. It is already valuable, and fast increasing. It is carried on in the productions of the country, consisting of rice, palm oil, ivory, tortoise shell, dye woods, gold, hides, wax, and a small amount of coffee; and it brings us, in return, the products and manufactures of the four quarters of the world. Seldom, indeed, is our harbor clear of European and American shipping; and the bustle and thronging of our streets show something, already, of the activity of the smaller seaports of the United States.

Mechanics, of nearly every trade, are carrying on their various occupations; their wages are high; and a large number would be sure of constant and profitable employment.

Not a child or a youth in the colony but is provided with an appropriate school. We have a numerous public library, and a court-house, meeting-houses, school-houses, and fortifications sufficient, or nearly so, for the colony, in its present state.

Our houses are constructed of the same materials, and finished in the same style, as in the towns of America. We have abundance of good building stone, shells for lime, and clay of an excellent quality for bricks. Timber is plentiful, of various kinds, and fit for all the different purposes of building and fencing.

Truly, we have a goodly heritage; and if there is any thing lacking in the character or condition of the people of this colony, it never can be charged to the account of the country: it must be the fruit of our own mismanagement, or slothfulness, or vices. But from these evils we confide in Him, to whom we are indebted for all our blessings, to preserve us. It is the topic of our weekly and daily thanksgiving to Almighty God, both in public and private, and He knows with what sincerity, that we were ever conducted, by his providence, to this shore. Such great favors, in so short a time, and mixed with so few trials, are to be ascribed to nothing but His special blessing. This we acknowledge. We only want the gratitude which such signal favors call for. Nor are we willing to close this paper, without adding a heartfelt testimonial of the deep obligations we owe to our American patrons and best earthly benefactors, whose wisdom pointed us to this home of our nation, and whose active and persevering benevolence enabled us to reach it. Judge, then, of the feelings with which we hear the motives and doings of the Colonization Society traduced—and that, too, by men too ignorant to know what that society has accomplished, too weak to look through its plans and intentions, or too dishonest to acknowledge either. But, without pretending to any prophetic sagacity, we can certainly predict to that society the ultimate triumph of their hopes and labors, and disappointment and defeat to all who oppose them. Men may theorize and speculate about their plans in America, but there can be no speculation here. The cheerful abodes of civilization and happiness which are scattered over this verdant mountain—the flourishing settlements which are spreading around it—the sound of Christian instruction, and scenes of Christian worship, which are heard and seen in this land of brooding pagan darkness—a thousand contented freemen united in founding a new Christian empire, happy themselves, and the instruments of happiness to others—every object, every individual, is an argument, is demonstration of the wisdom and goodness of the plan of colonization.

EXTRACTS FROM T. F. BUXTON'S WORK ON THE AFRICAN SLAVE TRADE,
AND ITS REMEDY—LONDON, 1841.

Our calculation may thus be brought into a narrow compass :

Of 1,000 victims to the slave trade, one-half perish in the seizure, march, and detention	500
Of consequently embarked, one-fourth, or 25 per cent., perish in the middle passage	125
Of the remaining 375 landed, one-fifth, or 20 per cent., perish in the seasoning	75
Total loss	<u>700</u>

So that 300 negroes only, or three-tenths of the whole number of victims, remain alive at the end of a year after their deportation ; and the number of lives sacrificed by the system bears, to the number of slaves available to the planter, the proportion of seven to three.

Then, applying this calculation to the number annually landed at Brazil, Cuba, &c., which I have rated at - - - 150,000

Of these, one-fifth die in the seasoning	30,000
Leaving available to the planter	120,000
The number of lives annually sacrificed, being in the proportion of seven to three*	280,000
Annual victims of Christian slave trade	<u>400,000</u>

Proceeding in like manner with the Mohammedan slave trade, we find the numbers to be—

Exported by the Imaum of Muscat	30,000
Carried across the desert	20,000
	50,000
Loss by seizure, march, and detention†	50,000
Annual victims of Mohammedan slave trade	100,000
Annual victims of Christian slave trade	400,000
Annual loss to Africa	<u>500,000</u>

* This amount may be verified in the following manner :

Taking the annual victims at	400,000
One-half perish before embarkation	200,000
Embarked	200,000
One-fourth in the middle passage	50,000
Landed	150,000
One-fifth in the seasoning	30,000
Available	<u>120,000</u>

† It may be objected that the loss arising from detention at the Mohammedan slave markets is not so great as that which takes place in the barracoons in the transatlantic trade; but, on the other hand, the march is much more destructive to human life; we may therefore fairly calculate that, in the three items of seizure, march, and detention, the average mortality is equal to that in the former case, which we estimated at "one life sacrificed for every slave embarked."

It is impossible for any one to reach this result without suspecting, as well as hoping, that it must be an exaggeration, and yet there are those who think that this is too low an estimate.*

I have not, however, assumed any fact, without giving the data on which it rests; neither have I extracted from those data any immoderate inference. I think that the reader, on going over the calculation, will perceive that I have, in almost every instance, abated the deduction which might with justice have been made. If, then, we are to put confidence in the authorities which have quoted, (most of them official,) we cannot avoid the conclusion, terrible as it is, that the slave trade annually dooms to the horrors of slavery—

Christian	-	-	-	-	-	120,000
Mohammedan	-	-	-	-	-	50,000
						<hr/>
						170,000
And murders—						
Christian	-	-	-	-	-	280,000
Mohammedan	-	-	-	-	-	50,000
						<hr/>
						330,000
						<hr/>
						†500,000

Once more, then, I must declare my conviction that the trade will never be suppressed by the system hitherto pursued.‡ You will be defeated by its enormous gains. You may throw impediments in the way of these miscreants; you may augment their peril; you may reduce their profits; but enough, and more than enough, will remain to baffle all your efforts.

General Turner, Governor of Sierra Leone, appears to have been a man of vigorous and enlarged mind; had he lived, he would probably have done much for the suppression of the slave trade. His reports are the more interesting to me, because I find that his views as to the mode of

* Mr. Rankin says: "The old and new Calabar, the Bonny, Whydah, and the Gallinas, contribute an inexhaustible supply for the French islands of the West Indies, Rio Janeiro, Havana, and the Brazils, where, notwithstanding every opposition and hinderance from the British cruisers, one hundred thousand are supposed to arrive in safety annually; five times that number having been lost by capture or death. Death thins the cargoes in various modes; suicide destroys many; and many are thrown overboard at the close of the voyage; for, as a duty of ten dollars is set by the Brazilian Government upon each slave upon landing, such as seem unlikely to survive, or to bring a price sufficiently high to cover this custom-house tax, are purposely drowned before entering port. Those only escape these wholesale murders who will probably recover health and flesh when removed to the fattening pens of the slave farmer, a man who contracts to feed up the skeletons to a marketable appearance."—(Vol. ii, p. 71.)

‡ It may, perhaps, be observed that this result disagrees with that given in the former editions of this work. The fact is, on revising my calculation, I found I had adopted an erroneous method of computing the percentage, which made my result fall considerably short of the reality. This estimate, enormous as it is, I might have still further augmented, for I find (as stated in note, page 61) that the annual Mohammedan export from the eastern coast is now ascertained to amount to 50,000, being 20,000 more than I had rated it; and, as we assume an equal number perish in the seizure, march, and detention, 40,000 might fairly be added to the amount above fixed. But enough, and more than enough, has been proved to establish my argument.

Mr. Maclean, in a letter dated 16th October, 1838 says: "My neighbor (as I may call him) Dr. Souza, at Whydah, still carries on an extensive slave trade; judging by the great number of vessels consigned to him, he must ship a vast number of slaves annually. He declares, and with truth, that all the slave treaties signed during the last twenty-five years have never caused him to export one slave fewer than he would have done otherwise."

accomplishing that object closely correspond with those which I have adopted. He appears to think that the abolition is to be effected by means of treaties with the native Powers, by engaging them to lend their assistance, by thus rooting out the slave trader from his usual field of exertion, and by the employment of steamers on the coast; above all, by the influence of legitimate commerce.

Extracts from despatches from Major General Turner, late Governor of Sierra Leone, dated

“JULY 20, 1825.”

“The great increase of the slave trade in this neighborhood, together with the inadequacy of the ships of war on the station, have caused me to turn my attention seriously to the evil, as well as to the remedy for it; and whilst I admit the evil to exist to a shameful extent, I am happy to say, that I will undertake, at little or no expense, without the aid of the navy, without compromising the Government, and without risk of failure, to complete in six months such arrangements as will prevent any vessel, of any nation, carrying away a cargo of slaves from western Africa; and I pledge myself that the completion of these measures will produce to Africa more peace and good order, more industry, prosperity, and morality, and to England a larger and better field for the exercise of her benevolence.

“England should prevent the *collection of these unhappy victims*, and bestow her care upon nations with knowledge to appreciate and character to retain the advantage of an intercourse with her; that there are such nations within our reach, and that they are anxious to open a communication with us, is within my knowledge; and that I will accomplish all these objects without much expense, if approved of, I pledge myself. If there should be any doubt, I should beg that those who know me best may be referred to, whether I am likely to engage in wild visionary schemes. Should such measures be approved of, all I want from England are two small steamboats.

“These two boats, in addition to the one already ordered for the general work of this extended command, will be enough to occupy and maintain our sovereignty over the various rivers from Senegal to the Gold Coast—a sovereignty which I will procure from the natives, if approved of, at a small expense; and I will establish and maintain the British flag on them, which will cause them to be considered British waters, and give us the power to exclude all nations from them.”

“OCTOBER 18, 1825.”

“On approaching the Sherbro, I caused the king and chiefs of the maritime districts engaged in the war to be assembled; and as they had already applied to me for protection against their enemies, I informed them that the only condition upon which I would grant them effectual security would be the giving up forever the slave trade, making over to me for the King of England the sovereignty of their territories, acknowledging the laws of England, laying down their arms in the present war, and agreeing never to undertake any other without the consent of the government of Sierra Leone for the time being. They immediately agreed to these terms, and a treaty was accordingly signed and ratified in presence of all the people.

"By this treaty, upwards of one hundred miles of sea coast are added to this colony—a circumstance which, in this particular case, will tend greatly to increase its trade and general prosperity.

"As regards the slave trade, the district now ceded has, for many years back, been the theatre of its most active operations in this or perhaps any other part of the coast; and the best information that I can collect warrants my stating the number annually exported at not less than fifteen thousand, all of whom will in future be employed in cultivating the soil, preparing and collecting articles of export, and improving their own condition.

"The other parties engaged in the war, and who are an inland people, I sent a messenger to, to desire that they would no longer carry on the war, as I had taken the country under my protection; they expressed their willingness for peace, and some of the principal men among them came down and begged to be *taken under our protection*, which was done. I could not remain long enough in the Sherbro to receive the more distant ones; but I make no doubt I shall be able to bring about a general peace throughout these countries, and cause the kings and chiefs to turn their attention to more humane and profitable pursuits.

"The affairs of this colony (Sierra Leone) are taking a much wider range, and the valuable products of the interior are finding their way here in much larger proportion than formerly, and the influx of strangers from very distant nations is very great. The name and character of the colony are spreading rapidly, as is proved by the *repeated messengers sent to me from the rulers of distant nations, and the eagerness with which they seek our friendship and alliance*. Our influence and authority with the smaller States immediately around are getting greater, and the beneficial results very visible.

The most powerful of them, the king of the Mandingoes, has placed himself under our orders."

“NOVEMBER 1, 1825.

"I have just received from chiefs to the northward of this colony an offer to give us the sovereignty of their country, and to abolish forever the slave trade, receiving, in return, our protection and the benefits of a free trade with us."

DECEMBER 20, 1825.

Reports the success of his expedition up the rivers Rokell and Port Logo, which, by their junction, form the river and harbor of Sierra Leone. The Rokell is the direct route to the countries round the source of the Niger.

Having overcome the difficulties which had called for his active interference, General Turner entered into a convention with the people, the substance of which I give in his own words:

"The convention, in the first place, puts an effective stop to all slave

trading, to internal wars, a scourge more baneful to Africa than the slave trade itself, and gives security and stability to persons and property; it causes the chiefs and others to become industrious, in order to procure, either by cultivation or trade, those articles of luxury which they formerly acquired by the sale of slaves or plunder in war; it will lead to civilization, morality, and a desire of education and useful knowledge, by showing the advantage which educated men will have in trade over uneducated ones; and the becoming provinces of this Government will create a strong desire to learn our language and religion.

"To us it will have the effect of greatly extending the sphere of our mercantile transactions, by enabling agents and travellers to pass through the country in security, of extending and improving our geographical knowledge, of obtaining correct information of the power, wealth, and resources of each nation, and thereby forming, in the course of time, a large outlet for our manufactured goods, and of receiving, in return, valuable raw materials, and of spreading throughout distant nations impressions of our wealth, influence, and greatness. These facts are already beginning to be felt, and the surrounding countries generally, (with the exception of a few factious chiefs who live by plundering travellers,) aware of the advantage of being connected with Sierra Leone, are petitioning this Government to interfere to put an end to their wars, and to take them under its protection. Your lordship will observe, *that the public are put to no expense for the accomplishment of these objects*; that there is no increase of our military establishments required.

"I would submit that a small yearly salary should be given to each native chief placed in charge of these provinces or districts, from £50 to £100 per year."

I have given these extracts at considerable length, because they are highly valuable, as showing, on the testimony of a person who had great experience, that the true way to suppress the slave trade, and to extricate Africa from its present abyss of misery, is to be found in friendly intercourse with the natives, in the encouragement of their legitimate trade, in the cultivation of the soil, and in alliances with them for the suppression of the slave traffic. Acting upon this system, he says: "I have little doubt but I shall have the honor, ere long, to announce to your lordship the total abolition of the slave trade for one thousand miles around me, and a ten fold increase to the trade of this colony."

I may be permitted to relate the melancholy but to me highly interesting termination of the career of this officer. In the early part of the spring of 1826 he proceeded to the Sherbro country, for the purpose of consolidating those arrangements for the abolition of the slave trade which he had entered into with the king and the native chiefs. On his arrival at the Sherbro, he discovered that the great slave traders, who had retired from that district on the signing of the convention prohibiting the exportation of slaves, had joined with those of the Gallinas, and had come to the resolution of establishing the slave trade by force, even in the districts where it had been voluntarily given up by the native chiefs, and were then assembled in force up the Boom river, seizing our people, and putting at defiance our power and our rights.

Upon this band of miscreants he made a successful attack, and he con-

cludes his despatch on the 2d of March, 1826, by saying: "After carrying away the guns and stores, and destroying by fire the town and neighborhood, we embarked, and got safely to the shipping in the Sherbro on the 23d, after destroying the two principal strongholds, with eight smaller towns, where these wretches kept their victims in chains until the ships were ready to receive them; and I sincerely trust that this lesson will teach the deluded of this country not to put further faith in the vain boastings of these wicked people, who, by administering to the worst passions of the ignorant and unfortunate inhabitants, *not only deppopulate and turn into deserts the most fertile plains which I have ever seen*, but so blunt their feelings and brutalize their natures that for a few bottles of rum and heads of tobacco the parent is found, without remorse, casting away his offspring. Each village is engaged against the other, for the purpose of making prisoners; and men, like beasts of prey, are ever on the watch to seize their neighbors and their fellow-men.

I received an account of this expedition from a gentleman who joined it as a volunteer. He spoke of the conduct of General Turner with admiration. Not content with heading the attack, and commanding the boats in the descent, he took with his own hands the soundings of every part of the river, and underwent more physical toil than the lowest of the crew. He paid the greatest attention to the health of all his party, and administered medicine to them upon the slightest symptom of incipient fever. The only point of which he was regardless was his own health; and to this imprudence he fell a victim. One of his officers ventured to remonstrate with him on the subject, and told him that he saw he was indisposed. The general replied, that nothing could touch his iron constitution; that he never had taken a dose of physic, and never would. On his arrival at Sierra Leone, he wrote with his own hands the despatch dated March 2d, from which I have already made quotations. On the 3d of March he begins a short letter to Lord Bathurst thus: "I lament exceedingly that an attack of fever got up the Boom river should prevent my having the honor of submitting to your lordship observations upon the bearings which the circumstances detailed in my despatch of the 2d inst. have upon the state of this unhappy country, and the prospects which they hold out for a great revolution in the affairs of the inhabitants." After adverting, in three lines, to the expedition, he says: "Although the bar of the Gallinas river is an extremely difficult and hazardous undertaking, I think that, by blockading them, and making a strong party there, I shall completely break up the slave trade, and stop forever, from those shores, the export of near thirty thousand slaves annually, substituting agriculture, security of person and property, industry, civilization, and knowledge of the Christian religion. At all events, if my health is restored, I will do my best.

According to my informant, he found the general at his desk, quite insensible, with his pen still in his hand, and this letter before him. It is well worth notice that, in his last words, he should have dwelt upon the extinction of the slave trade, by the substitution of agriculture, security of person and property, industry, civilization, and knowledge of the Christian religion.

The effect of General Turner's measures are thus described by his successor, in a despatch dated 2d of July, 1826:

“The measures adopted by General Turner have secured peace, safety, and tranquillity, to a large extent of country, have destroyed an annual export of at least fifteen thousand slaves, and have prevented all the wretchedness, misery, and bloodshed, which would otherwise have attended the making of these slaves.

“More real service has been performed by him towards the abolition of the slave trade, and that, too, permanently, *should his measures be followed up*, than by all the other means employed by His Majesty’s Government for that purpose.”

I cannot express how deeply I deplore that twelve years should have elapsed, in which little or nothing has been done by the Government in furtherance of views so sound, so enlightened, and so promising.

Colonel Nicholls, who was governor of Fernando Po during our occupation of that island, and who has had, perhaps, as much knowledge, derived from experience, as any man, of the nature of the slave trade, and of the most effectual modes of preventing it, in a memorial to Government, in 1830, thus describes his general view :

“There is one means, and I am persuaded but one effectual means, of destroying the slave trade ; which is, by introducing a liberal and well-regulated system of commerce on the coast of Africa. At present, the African is led to depend principally on the slave dealers for his supplies of manufactured articles, of which he is so fond, and stands so much in need. The individuals engaged in this traffic are persons of the most infamous and unprincipled description ; they come in their ships to the mouths of the different unexplored rivers, where they land a quantity of trade goods of the worst kind, and, leaving their supercargoes to exchange them with the chiefs for slaves, return to the sea whilst their cargoes are collecting, where, as pirates, they rob our merchant ships, murder their crews, and, when glutted with plunder, return to the coast to ship their victims, for whom they pay about £7 or £8 apiece, and sell them for £70, £80, or £100 each. In conducting the barter for these poor creatures with the chiefs, the slavers are frequently guilty of every sort of violence and injustice. Of this the chiefs are well aware, and submit to it only because they have no redress. Were it put in their power to procure better manufactured goods from merchants who would have some regard to justice and fair dealing in their transactions with them, they would eagerly give them the preference, particularly if they were protected from the resentment of the slave dealers.

“I will give, as nearly as I can recollect, the substance of a conversation which passed between one of the native chiefs and myself on this subject. I began by asking him how he could act so unwisely as to sell his countrymen for £7 or £8, when he might render them so much more profitable to him by making them labor ? The chief mused a while, and then said, ‘If you will show me how this is to be done, I will take your advice.’ I asked him how much palm oil a man could collect during the season ? ‘From one to two tuns,’ was his answer. I then inquired how a man could be employed when it was not the palm oil season ? ‘In cutting down and squaring wood, gathering elephant’s teeth, tending cattle, and cultivating rice, corn, and yams,’ was the reply. I then said to him, ‘Suppose a man collects a tun and a half of palm oil in a season ; that, according to its present value, will amount to £11 or £12 ; and suppose

he picks up one elephant's tooth, the value of which is about 2s. per pound, the weight frequently fifty pounds; but reckon it at one-half that weight, that will be £2 10s. more. The value of these two articles alone will be nearly double what his price brings you, if you sell him; and this he would bring you every year, allowing him all the other kinds of his labor for his own maintenance. Upon this simple calculation, the truth of which cannot be denied, what a loser you are by selling him. Besides, you get goods inferior, both in quality and quantity, to those you could procure by exchanging the produce of this man's labor with British merchants.' The chief acknowledged I was right; but said that, when I was gone, the slavers would come, and if he did not get slaves for them, they would burn his town, and perhaps take away himself and his family, in place of the slaves they expected him to collect for them; but that if this could be prevented, he would sell no more slaves. I then told him, if he promised this, I would come to his assistance, in case the slavers committed any violence against him, and put the miscreants in his power; that I should advise him to assemble his head men, and try and punish the delinquents by his own law, and I thought they would not trouble him again. I assured him, that he and his countrymen were considered by us as much better men than these slavers, and that we would protect them if they would trade fairly with us in other produce than slaves.

"This chief drove off the first slaver that came, as I directed him; he is now carrying on a thriving trade, and his people are more civil and kind to us than any I have yet seen. I feel convinced that I could influence all the chiefs along the coast in the same manner; but, to be able to effect this, it would be necessary to have the means of moving from one place to another, with a degree of celerity that a steam vessel alone could give us. This would be requisite, both to enable us to keep our promise of protecting the chiefs from the slavers, and also for the purpose of going up the rivers, which are at present unknown to us, with the least possible risk of health or loss of time.

"Steamboats would also be of incalculable use to commerce, by towing ships over bars and agitated currents, whilst, as a means of catching the slave ships, and protecting the coast from the depredations of their crews, three steamers would effect more than the expensive squadron now maintained there. These three vessels should carry four heavy guns each, be of as light a draught of water as possible, and be manned with fifty white* and fifty black men each; they would not cost one-half as much as one large frigate, one corvette, and two gun brigs, whilst they would be an infinitely more efficient means of attaining the end proposed by the use of them. I pledge myself to put an end to the whole of our expense, and totally to suppress the slave trade in two years. But if this plan be not adopted, we may go on paying over and over again for the liberated Africans, to the end of time, without performing any thing beneficial in their behalf."

Mr. Rendell, who was governor of the Gambia, (where he died,) it appears, contemplated, some years ago, a plan for the suppression of the slave trade, and had made some progress in a letter intended to be ad-

* Col. Nicolls now thinks that a much smaller number of white sailors would be sufficient.

dressed to the Duke of Wellington. I extract a few passages from it, which will serve to show that experience conducted him to the same conclusion as that which has been arrived at by the authorities I have already cited. In the introduction he says: "Of all the measures calculated to ensure the prosperity of Africa, none promises so well as the encouragement of its legitimate commerce and agriculture." He recommends the immediate clearance and cultivation of a district, "which would at once embrace two of the most important objects, viz: the improvement in salubrity, and the production of such articles of export as would render the colony valuable to the mother country." "Give," he says, "an impulse to industry, by establishing model plantations; let moral and religious education go hand in hand; and thus most firmly do I believe that the great and benevolent objects of the real friends of Africa will be most securely attained." "Government," he adds, "must begin, by showing to the natives the practicability and profit of cultivation." But he is convinced that the outlay thus required would be speedily and abundantly repaid. He speaks of cotton, coffee, indigo, and ginger, as being the produce that would thrive the best.

I now insert some extracts, bearing on the same points, which I find in Mr. McQueen's "View of Northern Central Africa:—"

"There is no efficient way to arrest the progress of this deep-rooted evil, but to teach the negroes useful knowledge and the arts of civilized life. Left to themselves, the negroes will never effectually accomplish this. It must be done by a mighty power, who will take them under its protection—a power sufficiently bold, enlightened, and just, to burst asunder the chains of that grovelling superstition which enthral and debases their minds, and that, with the voice of authority, can unite the present jarring elements which exist in Africa, and direct them to honorable and useful pursuits. Till the native princes are taught that they may be rich without selling men, and till Africa is shown that it is in the labor and industry of her population, and in the cultivation of her soil, that true wealth consists, and till that population see a power which can protect them from such degrading bondage, there can be no security for liberty or property in Africa; and, consequently, no wish or hope for improvement amongst her population.

* * * * *

"It is in Africa that this evil must be rooted out—by African hands and African exertions chiefly that it can be destroyed. It is a waste of time and a waste of means, an aggravation of the disorder, to keep lopping off the smaller branches of a malignant, a vigorous, and reproductive plant, while the root and stem remain uninjured, carefully supplied with nourishment, and beyond our reach. Half the sums we have expended in this manner would have rooted up slavery forever. Only teach them and show them that we will give them more for their produce than for the hand that rears it, and the work is done. All other methods and means will prove ineffectual.

* * * * *

"The change contemplated in Africa could not be wrought in a day. But were we once firmly established in a commanding attitude on the Niger, and an end put to the two great scourges of Africa, superstition and an

external slave trade, the progress of improvement would be rapid, and the advantages great.

"Nothing can be done, nothing ever will be done, to alter their present indolent and inactive mode of life, till justice and general security are spread throughout these extensive regions. It would be vain to expect industry or exertion on their parts, in order to procure the comforts and the luxuries of life, when no one can call any thing he may possess his own, or where the superior wealth which he does possess serves only to mark him out as the prey of the unfeeling robber or sovereign despot."

The opinions also of travellers, who have visited different parts of Africa at different times, are very similar, both as to the capabilities of Africa, and as to the opposite effects produced by the antagonist systems of the slave trade and legitimate commerce; and they concur in declaring that the encouragement of the one ever tends to the destruction of the other. This truth was admitted even by Golberry, who was so far from being carried away by the phantoms of philanthropy, that he owns he felt some difficulty in checking the expression of his "just indignation" against the "cruel theories" of those pretended philosophers, who imposed on the vulgar by decrying the slave trade.

"I have also observed," says Golberry, "that this surface of Africa (all the country between Cape Blanco and Cape Palmas) is at least three hundred and seventy-four thousand four hundred square leagues, which is more than a fifth of the total superficies of this large continent; and that, if we should one day be enabled to traverse freely and habitually this extensive space, not only Europe would discover new sources of wealth and new objects for industry, but that, by a natural and inevitable consequence, the whole of Africa would soon be enlightened, and every thing which yet remains ambiguous in the centre of this continent would be laid open to investigation.

"There is reason to presume that more active relations, together with agricultural and mercantile establishments, and wholesome institutions, whose object should be the instruction and civilization of the negroes, would, in the course of fifteen years, augment these products from thirty to more than sixty millions;* and if, during this period, England and France act in unison, if the Governments of the two first nations in the world were to proceed with emulation in pursuit of the same object, then, far from the slave trade being augmented, it would soon diminish to one-half, and it would quickly be abolished by a natural consequence; the inexhaustible fertility of a soil which the natives would learn to cultivate, and which has hitherto remained, in a manner of speaking, abandoned to nature, would administer to the wants and enjoyments of Europe, the African would become civilized, and the ardent wishes of a rational philosophy would speedily be accomplished."

Robertson speaks to the same effect: "If Africa is to be made subservient to the views of Europe, let her have an interest in her own labor, and that interest will be the strongest and best security for her friendship. Show her the advantages of industry, and will she deviate so far from the usual motives which actuate mankind as not to cultivate such a connexion, in order to improve her own condition? There is but one system for us,

which can secure her friendship and her social intercourse; and that is, an equitable use of our and her rights."

Park's testimony is similar: "It cannot, however, admit of a doubt that all the rich and valuable productions, both of the East and West Indies, might easily be naturalized, and brought to the utmost perfection, in the tropical parts of this immense continent. Nothing is wanting to this end but example, to enlighten the minds of the natives; and instruction, to enable them to direct their industry to proper objects. It was not possible for me to behold the wonderful fertility of the soil, the vast herds of cattle proper both for labor and food, and a variety of other circumstances favorable to colonization and agriculture, and reflect, withal, on the means which presented themselves of a vast inland navigation, without lamenting that a country, so abundantly gifted and favored by nature, should remain in its present savage and neglected state. Much more did I lament that a people, of manners and disposition so gentle and benevolent, should either be left, as they now are, immersed in the gross and uncomfortable blindness of pagan superstition, or permitted to become converts to a system of bigotry and fanaticism which, without enlightening the mind, often debases the heart."

Mr. Laird, discussing the best mode of establishing trade and of civilizing Africa, proposes establishing a chain of British posts up the Niger, and across to the Gambia. He proposes six or seven stations, and says: "There are two ways in which this might be done with comparative economy: the one, by merely establishing a trading post; the other, by acquiring a small territory and importing West Indian and American free negroes, who would bring with them the knowledge they have acquired in the cultivation of sugar and other tropical produce, and would form, in fact, agricultural schools, for the benefit of the surrounding population.

"By the Niger, the whole of western Africa would be embraced; by the Sharry, (which I have no doubt will be found navigable to the meridian of 25° east longitude,) a communication would be opened with all the nations inhabiting the unknown countries between the Niger and the Nile. British influence and enterprise would thereby penetrate into the remotest recesses of the country; one hundred millions of people would be brought into direct contact with the civilized world; new and boundless markets would be opened to our manufactures; a continent teeming with inexhaustible fertility would yield her riches to our traders; not merely a nation, but hundreds of nations, would be awakened from the lethargy of centuries, and become useful and active members of the great commonwealth of mankind; and every British station would become a centre from whence religion and commerce would radiate their influence over the surrounding country. Who can calculate the effect that would be produced, if such a plan were followed out, and Africa, freed from her chains, moral and physical, allowed to develop her energies in peace and security? No parallel can be drawn, no comparison can be instituted, between Africa enslaved, and Africa free and unfettered."

Lander confirms these views: "It is more than probable, as we have now ascertained, that a water communication may be carried on with so extensive a part of the interior of Africa, that a considerable trade will be opened with the country through which we have passed. The natives only require to know what is wanted from them, and to be shown what they will have in return, and much produce, that is now lost from neglect,

will be turned to a considerable account. The countries situated on the banks of Niger will become frequented from all the adjacent parts, and this magnificent stream will assume an appearance it has never yet displayed."

Major Gray, summing up the means for bringing the Africans to a state of civilization, and relieving the people from the tyranny of their chiefs, says: "It has occurred to me there are no means more available, and, I may add, more speedily practicable, than the enlargement of our intercourse with the people, and the encouragement and protection of the internal commerce of Africa. By this, we can improve them in the way of example; by the other, we can benefit them and ourselves in the way of interchange of commodity; our habits and our manners will gain upon them in time, and our skill tend to stimulate and encourage theirs.

"By increasing their commerce, we also obtain another happy consummation: we give them employment, and we consequently, to a certain extent, secure them from the incessant meddling of their maraboos. We could congregate them in greater numbers together, and therefore the more readily instruct them; and I may venture to add, that if a fair trial of zeal were used in such a delightful employment, within a very few years they would prove themselves not unfitted for the enjoyment of liberal institutions.

"That there are powers of mind in the African, it were quite idle to dispute; that the productions of the country are capable of being beneficially employed, must, I think, be equally incontestable to any one who has carefully perused the preceding pages; and, to act with honesty, we should not allow both, or either, to lie forever dormant."

"The European Governments," says Burckhardt, "who have settlements on the coasts of Africa, may contribute to it by commerce, and by the introduction among the negroes of arts and industry."

Captain W. Allen, R. N.,* in a letter addressed to me, August, 1839, observes: "I have read your 'Remedy' with great interest and attention; the more so, as I find embodied in it all the ideas I had formed on the same subject, deduced from observations written on the spot."

There is no species of argument which carries with it a greater force of conviction to my mind than the concurrence of a variety of persons, who, being competent to judge, and having opportunities of forming a sound judgment, examine a given object with very different purposes, from very different points of view, yet arrive, without concert or previous communication, at the same conclusion. In the case before us, we collect the unpublished despatches, letters, and journals, of the several governors of Sierra Leone, Fernando Po, the Gambia, and the Gold Coast. These documents were written at different times, with no view to publication, and there was no connexion between the officers who wrote them. Differing on many points, they harmonize exactly on those which affect my case. Each speaks of the exuberant fertility of the soil; each laments the desolation which, in spite of nature, prevails; and each looks to the cultivation of these fertile lands, and to the growth of legitimate commerce, as the remedy to the distractions of Africa and the horrors of the slave trade. For example, it appears that General Turner at Sierra Leone, and Colonel Nicolls of Fernando Po, had in view much such a plan as I have

* Captain W. Allen was employed by the Admiralty to ascend the Niger in Laird and Oldfield's expedition.

suggested, when they spoke in their despatches of putting an end to the slave trade in two or three years. This unconscious union between themselves is not all. The views of these gentlemen correspond with those which I find in the private journals of the missionaries, who have gathered their experience and formed their opinion while laboring among the native tribes of the Gambia. That which is the opinion of these soldiers and of these teachers of religion turns out to be the opinion of the most distinguished travellers and of intelligent traders. Captain Becroft, who traded on the western coast, and Captain Raymond, who did the same on the eastern, tell me that trade, springing from the cultivation of the soil, will, and that nothing else will, abolish the slave trade.

This uniformity of opinion between governors and missionaries, travellers and traders, stops not here. Mr. McQueen and Mr. Clarkson, who have spent their lives in studying Africa, but not in the same school, here cease to differ. Mr. Clarkson thus concludes a long letter to me, dated November 20th, 1838, (after having noticed and approved each suggestion I had made, particularly the purchase of a large tract of country for the establishment of pattern farms, and the selection of Fernando Po): "Upon the whole, it is my opinion that, if Government would make the settlements which you have pointed out; if they were to substitute steamers in the place of sailing ships; if they were, by annual presents, to work upon the native chiefs; if they were to buy the land upon which their settlements would be built, and introduce pattern farms for the cultivation of cotton, indigo, rice, or whatever other tropical production they might think fit, they might as certainly count upon the abolition of the slave trade, even in a short time, as upon any unknown event, which men might expect to be produced, from right reasoning, or by going the right way to work in order to produce it. As far as our knowledge of Africa, and African manners, customs, and dispositions goes, a better plan could not be devised; no other plan, in short, could answer. Had this plan been followed from the first, it would have done wonders for Africa by this time, and it would do much for us now; in two years from the trial of it, it would become doubtful whether it was worth while to carry on the slave trade; and in five years I have no doubt that it would be generally, though perhaps not totally, abandoned. Depend upon it, there is no way of civilizing and christianizing Africa, which all good men must look to, but this." "Teach them," says Mr. McQueen, "that we will give them more for their produce than for the hand that rears it, and the work is done. All other methods and means will prove ineffectual."

It appears to me a matter of such peculiar moment that we should distinctly settle and declare the principles on which our whole intercourse with Africa, whether economic or benevolent, whether directed exclusively to her benefit, or mingled (as I think it may most fairly be) with a view to our own, shall be founded, and by which it shall be regulated, that I venture, though at the risk of being tedious, to devote a separate chapter to the consideration of them. The principles, then, which I trust to see adopted by our country are these: free trade and free labor.

Free trade.

Nothing, I apprehend, could be more unfortunate to the continent we wish to befriend, or more discreditable to ourselves, than that Great Britain

should give any color to the suspicion of being actuated by mercenary motives; an apology would thus be afforded to every other nation for any attempt it might make to thwart our purpose. We know, from the Duke of Wellington's despatches, that the Powers on the continent were absolutely incredulous as to the purity of the motives which prompted us, at the congress of Aix la Chapelle, to urge, *beyond every thing else*, the extinction of the slave trade.

In a letter to Mr. Wilberforce, dated Paris, September 15th, 1814, the Duke of Wellington says: "It is not believed that we are in earnest about it, or have abolished the trade on the score of its inhumanity. It is thought to have been a commercial speculation; and that, having abolished the trade ourselves, with a view to prevent the undue increase of colonial produce in our stores, of which we could not dispose, we now want to prevent other nations from cultivating their colonies to the utmost of their power."

And again, in another letter to the right honorable J. C. Villiers, Paris, August 31, 1814:

"The efforts of Great Britain to put an end to it (the slave trade) are not attributed to good motives, but to commercial jealousy, and a desire to keep the monopoly of colonial produce in our own hands."

The grant of twenty millions may have done something to quench these narrow jealousies, but still the nations of the continent will be slow to believe that we are entirely disinterested. It should, then, be made manifest to the world, by some signal act, that the moving spring is humanity; that if England makes settlements on the African coast, it is only for the more effectual attainment of her great object; and that she is not allured by the hopes either of gain or conquest, or by the advantages, national or individual, political or commercial, which may, and I doubt not will, follow the undertaking. Such a demonstration would be given, if, with the declaration that it is resolved to abolish the slave trade, and that in this cause we are ready, if requisite, to exert all our powers, Great Britain should couple an official pledge that she will not claim for herself a single benefit which shall not be shared by every nation uniting with her in the extinction of the slave trade; and, especially,

1. That no exclusive privilege in favor of British subjects shall ever be allowed to exist.

2. That no *custom-house* shall ever be established at Fernando Po.

3. That no distinction shall be made there, *whether in peace or in war*, between our own subjects and those of any such foreign Power, as to the rights they shall possess, or the terms on which they shall enjoy them. In short, that we purchase Fernando Po, and will hold it for no other purpose than the benefit of Africa. I am well aware that these may appear startling propositions; I am, however, supported in them by high authorities; the suggestion as to the custom-house was made to me by Mr. Porter, of the Board of Trade; and that respecting neutrality in peace or in war originated with the learned judge of the British vice admiralty courts. Supported by his authority, I may venture to say that, though a novel, it would be a noble characteristic of our colony. As it is intended for different ends, so it would be ruled by different principles from any colony which has ever been undertaken: it would have the distinction of being the neutral ground of the world, elevated above the mutual injuries of war; where, for the prosecution of a good and a vast object, the sub-

jects and the fleets of all nations may meet in amity, and where there shall reign a perpetual truce.

Let us look to the tendency of the proposition, that no custom-house shall be established at Fernando Po, or at the post to be formed at the junction of the Niger and the Tchadda; we might then hope that the history of these stations would be a counterpart to that of Singapore, which is described as having been, in 1819, "an insignificant fishing village, and a haunt of pirates," but now stands as an eloquent eulogy on the views of its founder, Sir Stamford Raffles, proving what may be effected, and in how short a time, for our own profit and for the improvement of the uncivilized world, "by the union of native industry and British enterprise," when uncurbed by restrictions on trade.

Free labor.

I now turn to the second great principle, viz.: free labor.

It may be thought by some almost superfluous that this should be urged, considering that there is an act of Parliament, which declares that "slavery shall be, and is hereby, utterly and forever abolished in *all the colonies, possessions, and plantations of Great Britain.*" But if ever there were a case in which this great law should be strictly and strenuously enforced, and in which it is at the same time peculiarly liable to be neglected or evaded, it is in the case of any possessions we may obtain in Africa. It is necessary to be wise in time, and never to suffer this baneful weed to take root there. Let us remember what it has cost us to extirpate it from our old colonies. It is remarkable, that among the whole phalanx of antagonists to the abolition of West India slavery, there was never one who was not, by his own account, an ardent lover of freedom. Slavery, in the abstract, was universally acknowledged to be detestable; and they were in the habit of pathetically deploring their cruel fate, and of upbraiding the mother country, which had originally planted this curse among them; but property had entwined itself around the disastrous institution, and we had to contend with a fearful array of securities, marriage settlements, and vested interests of all kinds. Again: bondage, it was said, had seared the intellect, and withered all that was noble in the bosoms of its victims. To have begun such an unrighteous system was an error only less than that of suddenly eradicating it, and of clothing with the attributes of freemen those whose very nature had been changed and defiled by servitude.

I firmly believe that much of all this was uttered in perfect sincerity; and yet I feel the most serious apprehensions lest these wholesome convictions should evaporate before the temptations of a country, where land of the richest fertility is to be had for 1*d.* per acre, and laborers are to be purchased for £4 per head. We know, not only that the Portuguese are turning their attention to plantations in the neighborhood of Loango, but that they have been bold enough to ask us to guaranty to them their property—that is, their slaves—in these parts. This, together with certain ominous expressions which I have heard, convinces me that my apprehensions are not altogether chimerical; and I am not sure that we shall not once more hear the antique argument, that Negroes, "from the brutishness of their nature," are incapable of being induced to work by any stimulus but the lash; at all events, we shall be assured, that if we attempt to establish free labor, we shall assail the prejudices of the African chiefs in the tenderest points.

If we do not take care, at the outset, to render the holding of slaves by British subjects in Africa highly penal, and perilous in the last degree, we shall see British capital again embarked, and vested interest, acquired in human flesh. We shall, in spite of the warning we have had, commit a second time the monstrous error, to say nothing of the crime, of tolerating slavery. A second time the slave master will accuse us of being at least accomplices in his guilt; and once more we shall have to buy off opposition by an extravagant grant of money.

The suggestion, then, that I make is, that we shall lay it down as a primary and sacred principle, that any man who enters any territory that we may acquire in Africa is from that moment "free and discharged of all manner of slavery," and that Great Britain pledges herself to defend him from all, civilized or savage, who may attempt to recapture him. That one resolution will do much to give us laborers, to obtain for us the affections of the population, to induce them to imitate and adopt our customs, and to settle down to the pursuits of peaceful industry and productive agriculture.

No more daring attempt was ever made to form a settlement in Africa than that undertaken by Captain Beaver, near the close of the last century. His object was to establish a colony on the island of Bulama. Notwithstanding the errors into which he fell, and which proved fatal to his expedition, yet was it highly creditable to him, that at a time when the abolition of the slave trade had made but little way in the public mind, and when the extinction of slavery was not thought of, he should have perceived and applied principles so wise and so humane as those we find scattered in his interesting volume. His narrative proves two points: first, that the natives of Africa may be led to prefer legitimate commerce to slave dealing; secondly, that they were very willing to labor for wages.

The chief dissimilarity which first struck the Africans, in the conduct of this and that of other European settlements, was their refusal to purchase slaves.

"This they could not account for; neither were they altogether pleased with it at first; for, when negotiating with Niobana for the purchase of the Biafra territory, he said that 'it was very hard that we would not buy his slaves!' Having made him comprehend that our intention was rather to cultivate the earth than to trade, but that we should, notwithstanding, at all times trade with him for wax, ivory, clothes, &c.; in short, that we would buy every thing which he had to sell, except only slaves, whom he could always dispose of as he had been accustomed to do heretofore, he appeared satisfied; although he could not comprehend why we would not purchase the one, nor why we cultivated the other."

By their steadiness in this point, they got the character of being the first white men the natives had ever heard of "who could not do bad." And "from no circumstance," says Captain Beaver, "did we derive so much benefit as from our not dealing in slaves."

The natives not long after found out that these new colonists not only refused to purchase slaves, but that no man in their settlement was permitted to be considered in the light of a slave. The two first who came to Captain Beaver were full of suspicion; they remained with him a little more than three weeks, and then signified their desire to depart at the time when their help was most needed. Captain Beaver wisely did not even ask them to remain, but paid them their wages, and dismissed them with

presents. Their report induced others to take service, and he never after wanted grumetas; in one year he employed nearly two hundred of them. The Africans of these parts always, he says, go armed, and never voluntarily place themselves in the power of even a friendly tribe; but when they had once ascertained that these English colonists neither bought nor sold slaves, that every man was paid for the full value of his labor, and suffered to depart whenever he chose, "they came to me unarmed," says Captain Beaver, "and remained for weeks and months at a time on the island, without the least suspicion of my ever intending them evil." And this, though he was occasionally obliged to inflict punishment on individuals of their number for disorderly conduct. "Thus," he says, "by the negative merit of treating these people with common integrity, was I not only able to acquire their confidence, and, by their labor, to do almost all that was done upon the island, but also to overturn one of their strongest prejudices against us, and to convert their well-grounded suspicion of fraud and deceit in all Europeans into esteem and respect for the character of a white man."

I cannot dismiss the work of Captain Beaver without expressing my satisfaction in finding, that he, like others whom I have named, gathers from his experience on the coast of Africa that the slave trade is to be overthrown by fair dealing, and by the wealth which is to be raised from the soil. "One great motive of the Africans in making slaves, indeed, I may say the only one, is to procure European goods; slaves are the money, the circulating medium, with which African commerce is carried on; they have no other. If, therefore, we could substitute another, and at the same time that other be more certain and more abundant, the great object in trading in slaves will be done away. *This may be done by the produce of the earth.* "Let the native chiefs be once convinced that the labor of a free native in cultivating the earth may produce him more European goods in one year than he could have purchased if he had sold him for a slave, and he will no longer seek to make slaves to procure European commodities, but will cultivate the earth for that purpose." And this is the testimony which he bears to African industry, and to the facility of procuring labor:

"I know that those who choose always to see the African character in its worst light will probably say that they never will be induced voluntarily to labor; and that I betray a total ignorance of it, in supposing that they can ever be brought to cultivate the earth for wages. That assertion may be made; but my answer is, 'Put it to the test.' And I moreover say that, as far as my little knowledge of the Africans will enable me to judge, I have no doubt of their readily cultivating the earth for hire, whenever Europeans will take the trouble so to employ them. I never saw men work harder, more willingly or regularly, generally speaking, than those free natives whom I employed upon the island of Bulama. What induced them to do so? Their desire of European commodities in my possession, of which they knew that they would have the value of one bar at the end of the week, or four at the end of a month. Some of them remained at labor for months, ere they left me; others, after having left me, returned; they knew that the labor was constant, but they also knew that their reward was certain. I think, therefore, that, as far as my experience goes, I am warranted in saying that the Africans are not averse

to labor, unless those in the neighborhood of Bulama are unlike the rest of their species. So much as to the question of labor.”*

If I have quoted at unusual length from Captain Beaver's work, it is because here is testimony upon which no shade of suspicion can rest. This work was published before a word had been uttered upon the controversy as to free and slave labor; and it comes from a gentleman who took nothing upon the authority of others, but formed his opinions from his own personal experience in Africa.

I shall subjoin in the Appendix further proof, on the authority of General Turner, Colonel Denham, and Major Ricketts, who also spoke from what they saw at Sierra Leone, as to the disposition of Africans to work for wages.

The Rev. W. Fox, missionary at Macarthy's island, whom I have already quoted, says, “the Eastern Negroes * * * * come here and hire themselves as laborers for several months, and, with the articles they receive in payment, barter them again on their way home for more than their actual value on this island.” In the journal of the same gentleman, just received, under date of April, 1838, he writes thus: “I have to-day paid off all the laborers who had been employed on the mission ground, and have hired about eighty more, with three overseers. *Many others applied for work*, and I should have felt a pleasure in engaging them, but that I wished to keep the expenses within moderate bounds.”

It thus appears that free labor is to be obtained in Africa, even under present circumstances, if we will but pay the price for it; and that there is no necessity at all for that system of coerced labor, which no necessity could justify. I am aware that I have trespassed on the patience of many of my readers, who require no arguments against slavery; but I have already expressed, and continue to feel, if there be danger any where in the plan for the cultivation of Africa, it lies in this point. And I wish the question of slavery to be definitively settled, and our principles to be resolved on, in such a way as shall render it impossible for us to retract them, before a single step is taken, or a shilling of property invested in the attempt to grow sugar and cotton in Africa.

I shall here introduce the consideration of two other points, which, though they cannot precisely be classed as principles, yet are nearly akin to them, and deserve our very serious attention.

The proposal of a settlement in Africa necessarily calls to mind our vast empire in India; and, surely, no sober-minded statesman would desire to see renewed, in another quarter of the globe, the career we have run in the East.

I entirely disclaim any disposition to erect a new empire in Africa. Remembering what has now been disclosed of the affliction of that quarter of the globe, and of the horrors and abominations which every spot exhibits and every hour produces, it would be the extreme of selfish cruelty to let a question so momentous be decided with an eye to our own petty interests. But there is another view of the case: it would also be the most extreme folly to allow ourselves to swerve one iota from its right decision, by any such indirect and short-sighted considerations.

What is the value to Great Britain of the sovereignty of a few hundred

square miles in Benin, or Eboe, as compared with that of bringing forward into the market of the world millions of customers, who may be taught to grow the raw material which we require, and who require the manufactured commodities which we produce? The one is a trivial and insignificant matter; the other is a subject worthy the most anxious solicitude of the most accomplished statesmen.

It appears to me, however, that the danger of our indulging any thirst for dominion is rather plausible than real. In the first place, the climate there forbids the employment of European armies, if armies indeed formed any part of my plan, which they do not. I look forward to the employment, almost exclusively, of the African race. A few Europeans may be required in some leading departments, but the great body of our agents must have African blood in their veins, and of course to the entire exclusion of our troops.

2d. In Asia there was accumulated treasure to tempt our cupidity; in Africa there is none. Asia was left to the government of a company; the African establishments will, of course, be regularly subjected to parliamentary supervision. Our encroachments upon Asia were made at a time when little general attention was bestowed, or sympathy felt, for the sufferings and wrongs of a remote people. Now, attention is awake on such topics. India stands as a beacon to warn us against extended dominion; and if there were not, as I believe there are, better principles among our statesmen, there would be a check to rapacity, and a shield for the weak, in the wakeful commiseration of the public.

I may add, that, were the danger as great as some imagine, it would have disclosed itself ere this. The French have had for some time a settlement on the Senegal; the Danes on the Rio Volta; the Dutch on the Gold Coast; the Portuguese at Loango; the Americans at Cape Mesurado, and the English at Sierra Leone, in the Gambia, and on the Gold Coast; and I know not that there has been upon the part of any of these a desire manifested to raise an empire in central Africa. Certainly, there has been none on the part of the British."

The other point to which I would call attention is the encouragement which may be afforded to the infant cultivation of Africa, by promoting the admission and use of its productions. I shall not advert to the assistance which we may fairly expect from the Legislature, in this respect, when the subject is brought under its consideration in all its important bearings. With the example of France and the United States before them, I cannot doubt that Government will introduce such measures as a liberal and enlightened policy will dictate. But individuals have it in their power to contribute largely to the encouragement of African produce, by a preference that will cost them little. Let them recollect that for centuries we were mainly instrumental in checking cultivation in Africa; we ransacked the whole continent, in order to procure laborers for the West Indies. Is it, then, too much to ask, now when we are endeavoring to raise her from the gulf of wretchedness into which we have contributed to plunge her, that while she is struggling with enormous difficulties, we should force her industry and excite her to unfold her capabilities, by anxiously encouraging the consumption of her produce?

Facilities for commercial intercourse.

I have thus stated what I conceive to be the gist of the whole question, viz: that the deliverance of Africa must spring, under the blessing of God, from herself: and I have also shown, I trust to the satisfaction of every reader, that she possesses abundant capabilities for the purpose. The next question that arises, is, how are these capabilities to be made available? how are we to obtain access to them? Great, no doubt, are the difficulties; yet, such are the discoveries of the last ten years, that we may now lay aside the impressions of an impenetrable continent, and of interminable wastes of sand, which have accompanied us from our childhood. We now know that a mighty river, which discharges itself into the bight of Benin by upwards of twenty mouths, is navigable, with little interruption, from thence nearly to its source, a distance of more than two thousand six hundred miles. We also learn, from the travellers who have navigated the Niger, that there are many tributary streams, some of which, especially the Tschadda, or Shaderbah, are equally navigable, and afford every facility for intercourse with the numerous nations and tribes who inhabit the countries in their vicinity.

Mungo Park, in his last journey, (1805,) embarked on the Niger at Banimakoo, about five hundred miles from its source. In his narrative he says: "Having gained the summit of the ridge which separates the Niger from the remote branches of the Senegal, I went on a little before, and, coming to the brow of the hill, *I once more saw the Niger*, rolling its immense stream along the plain." And he tells us it is larger, "even here, than either the Senegal or the Gambia, and full an English mile over." When preparing for his subsequent embarkation on the Niger, he says: "The best wood for boat building is near Kaukary, on a large navigable branch of the Niger." Park descended the river to Boussa, where most unhappily he was killed.

In 1830, Lander, who had accompanied the enterprising Clapperton in his last journey to Houssa, was sent out by the British Government to explore the Niger. He succeeded in reaching Boussa by a land route; there he embarked on the river, and after a voyage of about five hundred and sixty miles, reached the bight of Benin, and thus solved the interesting problem which had so long exercised the talents and ingenuity of modern geographers.

Messrs. Laird and Oldfield, by the aid of steam vessels went up the Niger from the bight of Benin, in 1832; and their journals contain much valuable information as to that river, and its tributary, the Tschadda. The latter, at the point of confluence, is represented to be one mile and a half broad; and the country on the banks of both rivers is described to be most fertile, very populous, and, wherever there is any security from the ravages of the slave trade, highly cultivated.

Mr. Oldfield ascended the Niger to the town of Rabbah and he explored the Tschadda for about one hundred miles from its confluence with the Niger at Addacuddah.

They also describe several towns—Eboe, Iccory, Iddah, Egga, Rabbah, and Fundah—proving how great are the facilities for trade and commerce with the interior afforded by the river.

It is to be regretted that so little of the Tschadda has been explored. Mr. Oldfield was informed that its course lay through the heart of Africa,

and that there were many large towns on its banks; and Laird in mentioning this river, says: "By it, a communication would be opened with all the nations inhabiting the unknown countries between the Niger and the Nile."

Here, then, is one of the most magnificent rivers in the world, introducing us into the heart of Africa; at a central point, it opens a way by its eastern branch to the kingdoms of Bornou, Kanem, and Begharini; by its western, to Tombuctoo; each of them bringing us into communication with multitudes of tribes, and unfolding to us the productions of a most extensive and fertile territory.

The problem is, how shall that stream be closed to the passage of slaves to the coast, while it is at the same time opened as a secure and accessible highway for legitimate commerce. The solution seems almost self-evident; we must obtain the positions which command the Niger; and, without doubt, the most important of these is Fernando Po.

But if it shall appear that this, and every other plan, is likely to be futile, or if Government shall not feel itself justified in braving the difficulties and expense which will be required, then must I express my painful conviction, that it would be better for the interests of humanity that we should withdraw altogether from the struggle; better to let the planters of America satiate themselves with their victims, than to interpose our efforts, unavailing in reducing the magnitude of the evil, while they exasperate the miseries which belong to it; better to do nothing than to go on, year after year, at great cost, adding to the disasters and inflaming the wounds of Africa. But I cannot contemplate such a result; I must hope better things.

What can we do to bring about this consummation? *It is in our power to encourage her commerce, to improve the cultivation of her soil, and to raise the morals and the mind of her inhabitants.* This is all that we can do; but this done, the slave trade cannot continue.

The first question, then, to be considered is, in what way can we give an impulse to the commerce of Africa? I apprehend that, for this purpose, little more is necessary than to provide security, and convey a sense of security. Without this there can be no traffic. This alone, with such resources as Africa possesses, will cause legitimate commerce to spring up and thrive of itself; it wants no more than leave to grow. Nothing short of so monstrous an evil as the slave trade could have kept it down.

Its natural productions* and commercial resources are inexhaustible.

* PRODUCTIONS.

Animals.—Oxen, sheep, goats, pigs, &c., Guinea fowls, common poultry, ducks, &c.

Grain.—Rice, Indian corn, Guinea corn, or millet, wheat, dourah, &c.

Fruits.—Oranges, lemons, guavas, pines, citrons, limes, papaws, plantains, bananas, dates, &c.

Roots.—Manioc, igname, batalee, yams, arrow root, ginger, sweet potato, &c.

Timber.—Teak, ebony, lignum vitae, and forty or fifty other species of wood for all purposes.

Nuts.—Palm nut, shea nut, cocoa nut, cola nut, castor nut, netta nut, &c.

Dyes.—Carmine, yellow various shades, blue, orange various shades, red, crimson, brown, &c.

Dye woods.—Cassia wood, bar wood, &c.

Gums.—Copal, senegal, mastic, sudan, &c.

Drugs.—Aloes, cassia, senna, frankincense, &c.

Minerals.—Gold, iron, copper, emery, sal ammoniac, nitre, &c.

Sugar cane, coffee, cotton, indigo, tobacco, India rubber, beeswax, ostrich feathers and skins, ivory, &c.

From the testimony of merchants whose enterprise has for many years past led them to embark capital in the African trade, and from the evidence furnished by the journal of travellers into the interior of the country, we gather that Nature has scattered her bounties with the most lavish hand; and that what is required to make them available to the noblest purposes is a legitimate commerce, sustained by the Government and directed by honorable men.

In the animal kingdom I find that, in addition to the wild beasts which infests its forests and occupy its swamps, and whose skins, &c., are valuable as an article of commerce, immense herds of cattle, incalculable in number, range its plains. Hides, therefore, to almost any amount, may be obtained; and well-fed beef, of excellent quality and flavor, can be obtained, at some of our settlements, at from 2*d.* to 3*d.* per lb. There are also in various districts immense flocks of sheep; but as they are covered with a very coarse wool, approaching to hair, and their flesh is not very good on the coast, it may be said, that though numerous, they are not valuable; their skins, however, might form an article for export. Goats of a very fine and large kind are equally numerous, and sell at a lower price than sheep. Their skins are valuable. Pigs can be obtained in any numbers: they are kept at several of the coast stations. Domestic poultry, the Guinea hen, common fowls, ducks, &c., are literally swarming; especially in the interior, and may be had for the most trifling articles, in

Fish.—Of an immense variety, and in great abundance.

Notes.—The foregoing is a very imperfect list, but it may serve to show, at a glance, some of the riches of Africa. For all the statements relating to Africa, its capabilities and productions, I have specific authorities, but it seems hardly necessary to quote them.

* I shall here mention some of the names of countries and kingdoms:

Tombuctoo, the great emporium of trade in central Africa.

The powerful kingdom of *Gago*, four hundred Arabic miles from Tombuctoo, to the southeast, abounds with corn and cattle. *Guber*, to the east of Gago, abounds with cattle. *Cano*, once the famous Ghana, abounds with corn, rice, and cattle. *Cashu Agadez*, fields abound with rice, millet, and cotton. *Guangara*, south of this, a region greatly abounding in gold and aromatics. *Balia*, celebrated for its fine gold, four months' voyage to Tombuctoo. *Bornou*, its capital, very large, and inhabitants great traders. * The country very rich and fertile, and produces rice, beans, cotton, hemp, indigo in abundance, horses, buffaloes, and horned cattle, sheep, goats, camels, &c. *Yoorie* produces abundance of rice. The country between *R. Formosa* and *Adra* affords the finest prospect in the world. Inland it is healthy, and the climate good. Trees uncommonly large and beautiful, cotton of the finest quality, amazingly plentiful, and indigo and other dye stuffs abundant. The *Jabbous* carry on great trade in grain between *Benin* and *Lagos*. *Boossa* is a large emporium for trade. The place where the people from the sea coast meet the caravans from Barbary, to exchange their merchandise. From *Boossa* to *Darfur* there are numerous powerful, fertile, cultivated; well wooded, watered, populous, and industrious states. *Benin*, *Bornou*, *Dar Saley*, *Darfur*, *Kashu*, *Houssa*, *Tombuctoo*, *Sego*, *Wasserah*, and many others, are populous kingdoms, abounding in metals, minerals, fruits, grain, cattle, &c.

Atah, on the Niger, healthy, many natural advantages, will be a place of great importance, alluvial soil, &c. The places on the banks of the Niger are rich in sheep, goats, bullocks, &c.

Fundah, population thirty thousand; beautiful country.

Doma, population large and industrious.

Beeshle and *Jacoba*, places of great trade.

Rabba, population forty thousand.

Tota, population immense.

Aloric, (*Felstah*), vast herds and flocks.

Bumbum, thoroughfare for merchants, from *Houssa*, *Borgoo*, &c., to *Gonga*, vast quantity of land cultivated.

Gungo, (island,) palm trees in profusion.

Egga, two miles in length; vast number of canoes. *Egga* to *Bornou*, said to be fifteen days' journey.

Tschadda, on its banks immense herds of elephants seen, from fifty to four hundred at a time.

barter, both on the coast and inland. Fish of all kinds visit the shores and rivers in immense shoals, and are easily taken in great quantities during the proper season.

The mineral kingdom has not yet been explored, but enough is already known to show that the precious metals abound, particularly gold. The gold dust obtained from the beds of some rivers, and otherwise produced, is comparatively, at present, a large branch of the African trade. It is said that gold may be procured in the kingdom of Bambouk, which is watered by the Felema, flowing into the Senegal, and is therefore easily attainable in any quantity. Martin says (vol. iv, p. 540) the main depositories where this metal is traced, as it were, to its source, are two mountains, Na Takon and Semayla. In the former, gold is very abundant, and is found united with earth, iron, or emery. In the latter, the gold is imbedded in hard sandstone. Numerous streams (he adds) flow from these districts, almost all of which flow over sands impregnated with gold. The natives, unskilled in mining operations, have penetrated to very little depth in these mountains. Park found the mines of the Konkadoo hills, which he visited, excessively rich, but very badly worked. (Chapter on gold vol. i, pp. 454, 465, 524, and vol. ii, pp. 73, 76.) The gold which forms the staple commodity of the Gold Coast, is chiefly brought down from mountains of the interior. It is said that the whole soil yields gold dust, and that small quantities are obtained even in the town of Cape Coast.* There are reported to be mines within twenty or thirty miles of the shore, but the natives are very jealous of allowing Europeans to see them.† Dupuis and Bowditch speak of the "solid lumps of rock gold" which ornament the persons of the cabooceers in the court of the king of Ashantee, at Coomassie.‡ Mrs. Lee (late Mrs. Bowditch) says that the great men will frequently, on state occasions, so load their wrists with these lumps, that they are obliged to support them on the head of a boy. The largest piece she saw at Cape Coast weighed 14 oz. and was very pure.§ Dupuis, on the authority of some Mohammedans, says that a great deal of gold comes from Gaman, and that it is the richest in Africa.* Gold is said to be discovered in a plain near Houssa; and another writer (Jackson) says—"The produce of Soudan, returned by the akkabuahs, consists principally in gold dust, twisted gold rings of Wangara, gold rings made at Jinnie (which are invariably of pure gold, and some of them of exquisite workmanship,) bars of gold,† &c." He also states that gold dust is the circulating medium at Tombuctoo.‡

Iron is found in Western Africa. The ore from Sierra Leone is particularly rich, yielding seventy-nine per cent., according to Mr. McCormack, and said to be well adapted to making steel.§ The iron brought from Upper Senegal, by Mollieu, was found to be of a very good quality. Berthier found it to resemble Catalonian.|| Iron is found also near Tom-

* Sierra Leone Report, 1830, p. 87.

† *Ib.*, 88.

‡ Dupuis's Ashantee, p. 74; Bowditch's Travels, p. 35.

§ "Stories of Strange Lands," p. 66.

* Dupuis, Ap. lvi.

† Jackson's Tombuctoo, p. 245, 246.

‡ Jackson's Tombuctoo, p. 251.

§ Sierra Leone Report, 1830.

|| Mollieu's Travels, Appendix.

ductoo, and is manufactured by the Arabs.* The discovery of this important metal in Africa is of the utmost consequence to its future prosperity, and will greatly facilitate the accomplishment of the object contemplated. Early travellers relate that the mountains of Congo are almost all ferruginous, but that the natives have not been encouraged by Europeans to extract their own treasures. Copper is so abundant in Mayomba, that they gather from the surface of the ground enough for their purposes.† Sal ammoniac is found in abundance in Dagwumba, and is sold cheap in the Ashantee market; nitre, emery, and trona, a species of alkali, are found on the border of the desert.‡ I might greatly enlarge this list, from the writings of travellers who have already visited the country, but it will be long before its mineral wealth will be adequately known.

It is not, however, to the mineral treasures of Africa that we chiefly look; we regard the productions of the soil as of infinitely more value, especially those which require industry and skill in their culture. We look to the forests, and the plains, and the valleys, and the rich alluvial deltas, which it would take centuries to exhaust of their fertility and products.

Fifty miles to the leeward of the colony of Sierra Leone is a vast extent of fertile ground, forming the delta of the Seeong Boom, Kitiam, and Gallinas rivers. This ground may contain from one thousand to fifteen hundred square miles of the richest alluvial soil, capable of growing all tropical produce. According to Mr. McCormack, this delta could grow rice enough for the supply of the whole West Indies.§ At present it produces nothing but the finest description of slaves.||

From Cape St. Paul to Cameroons, and from thence to Cape Lopez, extends the richest country that imagination can conceive. Within this space from forty to fifty rivers of all sizes discharge their waters into the ocean, forming vast flats of alluvial soil, to the extent of one hundred and eighty thousand square miles. From this ground at present the greatest amount of our imports from western Africa is produced, and to it and the banks of the rivers that flow through it do I look for the greatest and most certain increase of trade. It is a curious feature in the geography of Africa, that so many of its great navigable rivers converge upon this point.—(Laird.) The extent to which the slave trade is carried on in the rivers alluded to is immense, and offers the greatest possible obstruction to the fair trader.

With few inconsiderable exceptions, the whole line of coast in western Africa, accessible to trading vessels, presents immense tracts of land of the most fertile character, which only require the hand of industry and commercial enterprise to turn them into inexhaustible mines of wealth.

But it is not to the coast alone that the merchant may look for the results of his enterprise. The interior is represented as equally fertile with the coast; and it is the opinion of the most recent travellers, as well as of those who preceded them, that if the laborer were allowed to cultivate

* Jackson's Tombuctoo, p. 24.

† Degrandpré, T. F., p. 38.

‡ Bowditch, p. 333.

§ Sierra Leone Report, No. 66, p. 64.

|| There is another large delta, formed by the rivers Nunez, Rio Grande, and Rio Ponga. It is described as very extensive and fertile. The Isles de Loss command the mouths of these rivers. The Rio Nunez runs parallel with the Gambia.—*Mr. Laird.*

the soil in security, the list of productions would embrace all the marketable commodities imported from the East and West Indies.

Between Kacunda and Egga, both large towns on the Niger, the country is described as very fertile; and from Egga to Rabbah, where the river is three thousand yards wide, the right bank is represented to consist of extensive tracts of cultivated land, with rich and beautiful plains stretching as far as the eye can reach.—(Laird.) The country does not deteriorate as we ascend the river. We have the testimony of Park, corroborated by Denham and Clapperton, in support of this statement, and their remarks embrace both sides of the river. The country surrounding Cape Palmas, the Gambia, the Senegal, the Shary, the Congo, presents to the eye of the traveller unlimited tracts of the most fertile portion of the earth.

The woods of this continent are extremely valuable. Travellers enumerate not less than forty species of timber, which grow in vast abundance, and are easily obtained; such as mahogany, teak, ebony, lignum vitæ, rosewood, &c.

While Colonel Nicolls was stationed at Fernando Po, he gives this account of its timber, in a letter to Mr. Secretary Hay. I extract the passage, as a specimen of the nature of African forests. He says that some of the trees are ten feet in diameter, and one hundred and twenty feet in height. "Twenty men have been for a period of eight days cutting down one tree of these dimensions, for the purpose of making a canoe: it was quite straight, without a branch; the wood white in color, close in grain, and very hard. I have no name for it, but it very much resembles the lignum vitæ, except in color. The canoe cut out of it is five feet within the gunwales, forty feet long, and carries about twenty tons safely, drawing but eight inches of water. We have also a very fine description of red wood, close grained, strong, and good for beams, sheathing, ribs, and deck planking of the heaviest vessels of war. We could send home stern posts and stems, in one piece, for the largest ships. This wood seems to have a grain something between mahogany and oak; when cut thin, to mend boats, it will not split in the sun, and, when tapped or cut down, exudes a tough resinous gum, is very lasting, and not so heavy as teak or oak, takes a fine polish, and I think it a very valuable wood. There is another hard wood tree of very large dimensions, the wood strong and good, in color brown and white streaked; it also exudes, when cut, a strong gum, which I think would be valuable in commerce. Another, which we call the mast tree, from the circumstance of its being very tall and straight, is in color and grain like a white pine. We have, besides the above-mentioned trees, many which are smaller, but very useful, their wood being hard, tough, and of beautifully variegated colors; some are streaked brown and white, like a zebra, others of black, deep red, and brown."

In a despatch, 1832, Colonel Nicolls further states, that he has Commodore Hays's authority for saying that there never was finer wood for the purposes of ship building.*

Of dye woods† there are also abundance, yielding carmine, crimson,

* Despatch, p. 5; Colonial Records, 1832.

† Many beautiful kinds of wood have been discovered by accident amongst the billets of fire-wood brought home in the slave ships to Liverpool. Mr. Clarkson gives the following anecdote in his "Impolicy of the Slave Trade." After mentioning the tulip wood and others, found in this manner, he says: "About the same time in which this log was discovered, (A. D. 1787,)

red, brown, brilliant yellow, and the various shades from yellow to orange, and a fine blue. Of gums, there are copal, Senegal, mastic, and Sudau, or Turkey gum, to be obtained in large quantities; and there are forests near the Gambia, where hitherto the gum has never been picked. Of nuts, which are beginning to form a new and important article of trade, there are the palm nut, the shea nut, the cola nut, the ground nut, the castor nut, the nitta nut, and the cocoa nut. The palm tree grows most luxuriantly, and incalculable quantities of its produce are allowed to rot on the ground for want of gathering; yet it is now the most important branch of our commerce with Africa, and may be increased to any extent. The oil expressed from its nut is used in the manufacture of soap and candles, and in lubricating machinery. The shea or butter nut* is scarcely less valuable than the palm nut. Some travellers inform their readers that it is an excellent substitute for butter, and can be appropriated to the same uses with the palm oil. It is a remarkable fact, in the natural history of these trees, that immediately where the one ceases to yield its fruit, the other flourishes abundantly. The ground nut† is becoming also a valuable article of commerce; and this, with the other nuts mentioned, yield a rich supply of oil and oil cake for the use of cattle. The value of the castor nut, as an article of medicine, needs not be particularly adverted to. The roots which grow in Africa require generally but little attention in their cultivation; among

another wood vessel, belonging to the same port, brought home the specimen of the bark of a tree that produced a very valuable yellow dye, and far beyond any other ever in use in this country. The virtues of it were discovered in the following manner: A gentleman, resident upon the coast, ordered some wood to be cut down to erect a hut. While the people were felling it, he was standing by; during the operation, some juice flew from the bark of it, and stained one of the ruffles of his shirt. He thought that the stain would have washed out, but, on wearing it again, found that the yellow spot was much more bright and beautiful than before, and that it gained in lustre every subsequent time of washing. Pleased with the discovery, which he knew to be of so much importance to the manufacturers of Great Britain, and for which a considerable premium had been offered, he sent home the bark now mentioned as a specimen. He is since unfortunately dead, and little hopes are to be entertained of falling in with this tree again, unless a similar accident should discover it, or a change should take place in our commercial concerns with Africa. I shall now mention another valuable wood, which, like all those that have been pointed out, was discovered by accident in the same year. Another wood vessel, belonging to the same port, was discharging her cargo; among the bar wood a small billet was discovered, the color of which was so superior to that of the rest as to lead the observer to suspect that it was of a very different species, though it is clear that the natives, by cutting it of the same size and dimensions, and by bringing it on board at the same time, had, on account of its red color, mistaken it for the other. One-half of the billet was cut away in experiments. It was found to produce a color that emulated the carmine, and was deemed to be so valuable in the dyeing trade, that an offer was immediately made of sixty guineas per ton for any quantity that could be procured. The other half has been since sent back to the coast, as a guide to collect more of the same sort, though it is a matter of doubt whether, under the circumstances that have been related, the same tree can be ascertained again."—P. 9.

* The butter is prepared by boiling, and, besides the advantage of keeping a whole year without salt, it is "whiter, firmer, and, to my palate," says Park, (vol. i, p. 302,) "of a richer flavor than the best butter I ever tasted made of cow's milk." The shea tree, which produces it, is said to extend over a large part of the continent, from Jaloof to Gaboon. "It has been analyzed by the French chemist, M. Chevreuil, and found well adapted for the manufacture of soap. Being inodorous, and highly capable of taking a perfume, it would be valuable for the finer sorts."—Mrs. Lee, *Stories of Strange Lands*, p. 26.

† The ground nut yields a pure golden-colored oil, of a pleasant taste, and has been sold here at £56 per ton. From seven hundred and fifty to one thousand tons are produced on the Gambia; but these nuts appear plentiful along the whole coast, are often mentioned by Park, and were noticed by Denham, as very abundant near the lake Tchad. It grows in a soil too light and sandy for corn; its stalks afford fodder for cattle; it sells at six shillings per gallon, and is as good as sperm oil. The castor nut also grows wild in great abundance on the banks of the Gambia, and elsewhere.

others; there are the following: The manioc, yams, sweet potatoes, arrow-root, and ginger;* the two latter are exportable, and the former yield a large amount of healthful and nutritious food. Yams can be so improved by cultivation that, at Fernando Po, Captain Bullen says, many weigh from fifteen to twenty-five pounds, and in taste almost equal a potato. On one occasion he bought upwards of four tons for seventy-six iron hoops; and says: "The nourishment derived from them to my people was beyond belief."† The fruits are oranges, lemons, citrons, limes, pines, guavas, tamarinds, papaws, plantains, and bananas. The papaw and plantain trees (says Ashmun) are a good example of the power of an uniformly heated climate to accelerate vegetation. You may see in the gardens many of the former, not more than fifteen months from the seed, already fifteen inches round the stem, and fifteen feet high, with several pecks of ripening fruit. Clear your lands, plant your crops, keep the weeds down, and the most favorable climate in the world, alone, under the direction of a bountiful Providence, will do more for you than all your toil and care could accomplish in America."‡ Tamarinds are exportable. Of grain, there is rice, Indian corn, Guinea corn, or millet, &c. The quantities of these can be raised to any extent, and be limited only by demand.§ The Rev. W. Fox, the missionary, says, in his MS. Journal, August 22, 1836: "This afternoon I visited Laming, a small Mandingo town (above Macarthy's island.) I could scarcely get into the town for the quantity of Indian corn with which it is surrounded; upon a very moderate calculation, and for a very small portion of labor, which generally devolves upon the poor women, they reap upwards of two hundred fold." I am informed that Madeira wholly depends on the maize raised in Africa, and that the rice produced there, when properly dried and prepared, is equal to that grown in South Carolina. Of drugs, there are aloes|| and cassia, senna, frankincense, cardamums, and grains of paradise, or Malagetta pepper. Amongst the miscellaneous products, which are in great demand in this country, may be enumerated ivory, beeswax, caoutchouc, or Indian rubber. The former of these articles will of course suffer a gradual diminution as the forests are cut down, the swamps drained, and the plains cultivated; but of the latter scarcely any diminution need be apprehended. The beeswax of Africa is in great repute, and can be had in any quantity; and the great price freely given for Indian rubber might be a sufficient inducement to lead the African to pay more attention to its collection. Of this Mr. Rankin says,¶ describing what he saw in an excursion amongst the Timmahese: "A large lump of Indian rubber (caoutchouc) lay on the table, also the produce of Tombo. This article, at present acquiring a

* The ginger of Africa is particularly fine and high flavored; it yields about sixty for one; and the people only want instruction in the method of preparing it for European markets.—*Denham, Desp. 21st May, 1827; Sierra Leone Report, 1830, No. 57, p. 30.*

† Captain Bullen's *Desp.*, November, 1826.

‡ Ashmun's *Life*, Ap., p. 66.

§ "Nothing can be more delightful than a stroll along the borders of the beautiful fields, winding occasionally along almost impervious clusters of young palms, whose spreading branches exclude every ray of the scorching sun, then opening suddenly on an immense rice field of the most delicate pea green, skirted by the beautiful broad leaved plantain and banana, literally groaning under the immense masses of golden fruit." Dr. J. Hall, governor of Liberia.—*Missionary Register, 1836, p. 360.*

¶ A new use of the aloe plant has been discovered in the beautiful tissue and cordage manufactured from its fibres, by M. Pavy, of Paris. The fibres of the palm and banana trees are also wrought by him into glossy stuffs.

¶ Rankin's *Sierra Leone*, vol. 2, p. 218.

high value amongst our importations, is not there made an article of commerce. Like almost every other produce of the neighborhood of Sierra Leone, it is scarcely known to exist, or is entirely neglected. It grows plentifully, and may be easily obtained by making incisions into the tree, from which it flows, like cream, into calabashes tied underneath; it hardens within a few hours."

Mr. Elliot Cresson, examined before the American Committee on the Foreign Slave Trade, February, 1839, stated, in answer to the question, "What will be the commercial and political advantages to the United States, from an intercourse with the colony of Liberia?" "Among the valuable articles of export, wax and spices are obtained in large quantities in our colony. The India rubber tree grows wild in the neighboring woods, and ostrich feathers have been exported largely. Hides could be obtained in any quantities; so could rose wood, lance wood, and palm wood, and live oak of the best quality. One merchant in Philadelphia last year imported from the colony a quantity of pea or ground nuts, from which he realized the profit of twelve thousand dollars. Cotton, of a very good staple, is found there, and cultivated with great advantage, as there is no frost there. And the articles desired in return are those produced by American manufactures and agriculture." *Colonization Herald*, March, 1839, p. 124.

Ashmun, who seems to have had a clear view of the interest of the Liberian settlers, writes to them thus: "Suffer me to put down two or three remarks, of the truth and importance of which you cannot be too sensible. The first is, that the cultivation of your rich lands is the only way you will ever find out to independence, comfort, and wealth." "You may, if you please, if God gives you health, become as independent, comfortable, and happy, as you ought to be in this world." "The flat lands around you, and particularly your farms, have as good a soil as can be met with in any country. They will produce two crops of corn, sweet potatoes, and several other vegetables, in a year. They will yield a larger crop than the best soils in America. And they will produce a number of very valuable articles, for which in the United States millions of money are every year paid away to foreigners. One acre of rich land, well tilled, will produce you three hundred dollars worth of indigo. Half an acre may be made to grow half a ton of arrowroot. Four acres laid out in coffee plants will, after the third year, produce you a clear income of two or three hundred dollars. Half an acre of cotton trees will clothe your whole family; and, except a little hoeing, your wife and children can perform the whole labor of cropping and manufacturing it. One acre of canes will make you independent of all the world for the sugar you use in your family. One acre set with fruit trees, and well attended, will furnish you the year round with more plantains, bananas, oranges, limes, guavas, papaws, and pine apples, than you will ever gather. Nine months of the year, you may grow fresh vegetables every month, and some of you who have lowland plantations may do so throughout the year."*

I must also quote the authority of Denis de Montfort, a Frenchman of science, who, in a paper on the gold of the Coast of Guinea, inserted in the "Philosophical Magazine," thus writes: "There exists no country

* Ashmun's Life, Ap., p. 64.

in the world so susceptible of general cultivation as Africa; we know that certain districts are fertile in corn; and grain of every kind grows there, intermixed with sugar canes, lately introduced, and which protect the grain from hail. The plants of India, Europe, America, and Australia, will flourish there in perpetual spring, and the animals of all climates can be easily naturalized.

My first object, then, is to show that Africa possesses within herself the means of obtaining, by fair trade, a greater quantity of our goods than she now receives from the slave trade; and, secondly, to point out how this truth may be made plain to the African nations. I have further to prove, that Great Britain and other countries (for the argument applies as much to them as to us) have an interest in the question only inferior to that of Africa; and that if we cannot be persuaded to suppress the slave trade for the fear of God, or in pity to man, it ought to be done for the lucre of gain.

The importance of Africa as a vast field of European commerce, though it has been frequently adverted to, and its advantages distinctly pointed out by those who have visited that part of the world, has not hitherto sufficiently engaged public attention, or led to any great practical results. It is, perhaps, not difficult to account for the apathy which has been manifested on this subject; Africa has a bad name; its climate is represented, and not altogether unjustly, as pestilential and destructive of European life; its population is barbarous and ignorant, indolent and cruel; more addicted to predatory warfare than to the arts of peace; and its interior as totally inaccessible to European enterprise. With the exception of a few spots, such as Sierra Leone, the Gambia, the Senegal, &c., its immensely extended line of coast is open to the ravages and demoralization of the slave trade and the devastating incursions of pirates. The difficulties connected with the establishment of a legitimate commerce with Africa may be traced principally to these circumstances; and could they be removed, by the removal of their cause the obstacles arising from climate, the supposed character of its people, and the difficulty of access to the interior, would be easily overcome.

Legitimate commerce would put down the slave trade, by demonstrating the superior value of man as a laborer on the soil to man as an object of merchandise; and, if conducted on wise and equitable principles, might be the precursor, or rather the attendant, of civilization, peace and Christianity, to the unenlightened, warlike, and heathen tribes who now so fearfully prey on each other, to supply the slave markets of the new world. In this view of the subject, the merchant, the philanthropist, the patriot, and the Christian, may unite; and should the Government of this country lend its powerful influence in organizing a commercial system of just, liberal, and comprehensive principles; guarding the rights of the native on the one hand, and securing protection to the honest trader on the other, a blow would be struck at the nefarious traffic in human beings, from which it could not recover, and the richest blessings would be conferred on Africa, so long desolated and degraded by its intercourse with the basest and most iniquitous part of mankind.

The following instances may prove the disposition of the native chiefs to form connexions with us:

Sir Charles Macarthy, in giving an account of the negotiations for taking possession of the Isles de Loss, states that the treaty "was made with great facility, without drunkenness or bribery.*" In 1826, the king of Barra ceded to Great Britain, by treaty, a tract of land on the northern shore of the Gambia, thirty six miles in length by one in breadth, for four hundred Spanish dollars, yearly; all slave trading to be finally prohibited. In 1827, the king of Combo guaranteed to the British Crown rights nearly amounting to sovereignty over his dominions, extending about thirty miles along the southern bank of the river, and ten miles along the coast, and from ten to fifteen miles in breadth, with the prohibition of the slave trade, for an annual payment of one hundred dollars.

Treaties with the king of Bulola and Biafra, made by Sir Neil Campbell, cede the sovereignty of those districts, and a right on the part of Great Britain to establish forts or factories, with clauses for the abolition of the slave trade. From the Pongas and Nunez rivers, little or no produce, except slaves, is exported. In 1827, Sir N. Campbell saw the chiefs of these rivers, and obtained "the cession of the most commanding points up the mouth of each." Mr. Hutton states, in 1829, that he made a treaty with the king of Woolliat Fattatenda, and obtained the full sovereignty of that town, with stipulations in favor of our commerce, for the payment in merchandise of two hundred dollars annually. He also made a treaty with the king of Bondou, and observes: "The object of three or four hundred dollars is trifling, compared with the advantage that would result from such a connexion with both these kings, whose influence extends not only through the whole of Bondou and Woolliat, but also to the adjoining countries of Shendrum and Tanda, celebrated for gold, gum, &c." Though we have not availed ourselves of these openings, though the payments to the chiefs were soon suspended, some benefit seems to have been derived from these engagements. Rev. T. W. Fox, a Wesleyan missionary, as appears from his journal in my possession, paid a visit to Woolliat in 1837, and urged upon the king the benefits of Christianity. "He," says Mr. Fox, "listened attentively, appeared pleased, and said that was what he wanted; and if I would come and sit down on his ground, he would give me as much land as I wished, and his own children to be educated." I replied, "That if I sent a missionary, I hoped he would protect him, and not allow any body to trouble him." Koy (the king) answered, "that he belonged to white man, and that if *Tobaba fodey* (the white priest) came to sit down in his kingdom, nobody should or would trouble him." He also said, "he hoped God would preserve me; the object I had in view was very good."

The king of Bondou, also, whom Mr. Fox likewise visited in 1838, offered to give him ground for a settlement, and said: "They were all glad to see him, and they loved him very much, because he was a good man." It is something, in the present disastrous condition of Africa, that there is a good feeling towards the British, and no rooted indisposition to listen to their agents.

In 1827, the king and head men of Brekama solicited Sir N. Campbell to take them under British protection; they stipulated to renounce the slave

* Mr. Hutton, acting governor at the Gambia, effected an arrangement with the chief of Conlatounda, which being deemed a place of importance by our merchants, he did not consider fifty dollars annually (about £10) bestowed in securing its chief's friendship.

trade, and to enter into no wars, in return for British alliance, "and four pieces of baft annually."

Governor Rendall gives a list of nineteen kings or chiefs on the northern and twenty on the southern bank of the Gambia, with whom we have some intercourse or connexion. The total sum annually divided amongst these, for rents and propitiatory presents, reaches only £300. This liberality is not without its effect. Governor Rendall reports £75 spent in presents to chiefs and head men, on both banks of the river, between Bathurst and Woëlli, and says: "This expenditure has not been in vain, as I have received intelligence that the war in Carbo, which has lasted twelve years, is finally settled, both parties having taken my advice, and called in umpires to decide their difference; the paths through Carbo and Footah-Jallou will now be open to the river, by which a great influx of trade must take place." Besides the tribes lying immediately on the Gambia, Governor Rendall says that "messengers are often received at Bathurst, from the kings of Boaul and Cayor, to the northward of Bondou; Cassan, and Kaarta-Bambarra, to the eastward; and the Almanez of Footah-Jallou, to the southeast." I am aware that no definite ideas can be derived from this catalogue of barbarous chiefs; we have, however, evidence sufficient to show that the soil is fertile, and suited to tropical productions; that the forests are full of mahogany and valuable woods, and that the country yields gold. Hence we may justly infer, that from a territory so extensive, for which nature has done so much, there is a capability of large cultivation and of considerable commerce. The commissioners of inquiry sent out to that country in 1827 report thus: "When the magnitude of the river Gambia, and the various countries through which it takes its course, are duly considered, it will probably be concluded that, with capital and enterprise, its trade may be increased to a considerable extent." They add, and I entirely unite with them in the opinion: "Great as the advantages, in this point of view, which it presents, they can never be completely available without the establishment of a more intimate and friendly intercourse with the natives of the country." Following the coast, we come to the Portuguese settlements of Cacheo and Bissao; and then to a belt of slave-dealing states, extending to the Congo, and blocking out legitimate commerce from the interior. Here, however, we have some claims, of which we have not availed ourselves. The fine little island of Bulama, in the estuary of the Rio Grande, belongs to Great Britain; it is unoccupied; and, in 1826, Governor Macaulay recommended that liberated Africans should be located there. I find, in Captain Beaver's "African Memoranda," the following report of the cession of this island to us: "The original purchase of the island of Bulama, made by Captain Beaver in 1792, was effected without any difficulty; though, on the first arrival of the English, they had offended the natives by cutting wood without permission, and in the quarrel which ensued some lives had been lost." When Captain Beaver entered into a palaver with the two kings of Canabac, touching the purchase of their hunting island of Bulama, one of them, while he attributed the affray to our taking the liberty to help ourselves, without any leave from the native authorities, expressed his desire to treat with us amicably on fair terms. He said: "He was sorry for what had happened, but that then they neither knew who we were, nor what were our intentions; we were strangers, and we took their land." Being, however, convinced of the pacific and just dispositions of the Eng-

lish, and of the great reciprocal benefits that were likely to result from an European colony established in their neighborhood, they readily made over the sovereignty and possession of the said island to the King of Great Britain, for four hundred and seventy-three bars of goods (about £78, 16s. 8d.)

Two chiefs on the main land afterwards put in a claim for a part of the price; and Captain Beaver, having ascertained that "there was some justice in these peoples' claims," wisely satisfied them, and bought their concurrence in the cession of the island, together with a still larger tract on the main land, for goods, the cost price of which he estimated at £25 13s. 1d. There were some further charges for European agency in these transactions.*

Captain Beaver, at all events, did not apprehend that there was any difficulty in his time in obtaining any extent of territory on reasonable terms; for he proposes to the Government, that they should purchase between the Gambia and the Rio Grande a tract of 18,000,000 of acres, which, in his opinion, might be bought for £5,000, or less.

EXTRACTS FROM McQUEEN'S GEOGRAPHICAL SURVEY OF AFRICA.—LONDON, 1840.

The whole of our present trade to the west coast of Africa, from Mogadore to the Orange river, is, as a whole, miserable, and still more miserable when it is considered that the greater portion thereof is made up, as regards imports into Africa, of articles exclusively appropriated to the slave trade; and as regards the exports of articles, almost wholly produced by the slave labor in the native states. The following, from Porter's Tables, is the amount for 1834:

Exports to Africa.

Articles.	Gambia, Sierra Leone, and to Cape Mesurado.	Cape Apollonia, Cape Coast, and to Rio Volta.	Cape Mesurado and to the Apollonia.
British and Irish articles, 1834	£97,425	£33,051	£736
Foreign and colonial ditto	86,431	107,627	3,657
Totals	183,855	140,678	4,393

The imports into Sierra Leone, from all parts, were, for the same year, £126,214.

Of which there were, particularly, slave trade articles, thus:

Guns, 20,355, value	£10,981
Gunpowder, 587,950 lbs.	11,946
India piece goods	18,266

* See the copy of these treaties in Johanson's "Account of Bulama and the Bulam Association," pp. 28, 29.

Iron bars, bolt and cast iron, 1,102,690 lbs.	-	-	-	£2,974
Hardware and cutlery	-	-	-	6,607
Brandy and geneva, 10,932 gallons	-	-	-	1,496
Rum, 63,360 ditto	-	-	-	5,149
Tobacco, 332,750 lbs.	-	-	-	6,628

64,047

leaving only as legitimate trade £62,167, and of which sum £32,000 were directly and exclusively imported for the support and maintenance of the liberated Africans in that place; and for the use and consumption of the balance, by the civil and military establishments in the place, the commissariat accounts in the preceding pages will sufficiently account.

The exports from Sierra Leone for that year, to all parts, were (Porter's Tables, Supplement, No. 5) £65,558, and in 1835 there were £140,006. Thus:

Great Britain	-	-	-	£84,281
All other foreign countries	-	-	-	20,779
Other parts of the coast of Africa	-	-	-	35,046

140,106

Included in these exports are the following, viz :

Timber, value	-	-	-	£35,863
Ivory	-	-	-	4,936
Palm oil	-	-	-	14,268

55,067

which, besides other articles, are entirely produced by the labor of the slaves to the native chiefs beyond the bounds of the colony, viz : Timanees, Bulloms, Mandingoes, and Sherbros. Such is the state of this, the chief British African colony, after fifty years' fostering, and in which labor for nine hours daily can, it is stated, be had for 3½*d.* and 4*d.* sterling per day, and yet it is at this moment consuming the slave-raised sugar of Cuba and the Brazils, refined in England, and next exported to Sierra Leone and our other transmarine possessions !

* * * * *

If one-half less was said and written about African slavery and the African slave trade than is said and written, and, in place thereof, if one-half more were judiciously done than is done to remove them, there would be greater hopes of ultimate success in removing the one and in ameliorating the other. But there the mighty evils are; there in Africa they are planted and grow, and stand in all their strength; and the question is, how are they either first to be lessened, and, secondly, ultimately removed, and the passions of Africa, and her manners and her pursuits, directed from mischievous to useful purposes? Railing at these, or their enormous evils or disastrous consequences, will not accomplish the work. Slow, sure, and judicious proceedings alone can bring and teach the power and authority which exist in Africa to turn the exercise of that power and authority to useful, honorable, and honest pursuits. Slavery and a slave trade forms the general law of Africa. These two evils reign acknowledged, sanctioned, known, recognised, and submitted to by all her popula-

tion; of every rank and degree, throughout all her extended borders. Every offence and every crime, real or imaginary, in Africa, whether committed against individuals or states, merges into slavery. All this is very mischievous and very destructive to the peace and true interests of Africa; but the question still remains, how are we to convince the whole African population, one hundred and fifty millions of people, of this fact, for it is the fact; and without convincing them that they are wrong, that they are acting contrary to their own interests, we never can succeed in getting them to depart from those errors and that course which has been undeviatingly pursued ever since population was found in Africa. The only safe and rational course is, to teach her industry, to set her a good example in all things; that example which Christianity teaches us to set, accompanied by that forbearance which Christianity teaches and commands us to show; and, above all, to teach her that selling her people will never make her rich, or better, or wiser, but that to draw them and to teach them to cultivate the ground, and exchange the productions thereof for whatever they want, infallibly will. Do this, but do it seriously, strenuously, and judiciously, and the end will, it is conceived be accomplished. But if Africa continues obstinate, if she turns a deaf ear to such counsels and such an example, then Africa must and will remain always as much lost as she now is to herself, to Europe, and to the world.

Agriculture alone is the true and stable foundation of society and civilization. Commerce must follow agriculture in every country. It is by her agriculture alone, the cultivation of her soil, that Africa can be regenerated, or produce that permanent and useful commerce which will tend to extend her knowledge, tend to make her and her people independent members of the general human society, and remove the present bitter evils that afflict her. Her present commerce and system of commerce will not only never accomplish this desirable object, but, on the contrary, it leads, and will lead, to extend the present evils which afflict her. Her present trade is, in fact, carried on by the medium of the spontaneous productions of nature. Few, if any, of the articles which she exchanges with other countries for the rude and limited supplies which she seeks are the production of human capital, labor, or industry. So long as this continues to be the case, so long will African commerce tend to perpetuate that idleness and want of industry which universally prevail in Africa; and so long as this is continued, will idleness and insecurity, with their necessary consequences, violence, slavery internally, and a slave trade externally, be continued; so long will the unfortunate Africans, her princes, and her people, continue to have no idea of the value of time; yet, until they are taught this important lesson, that time, honestly and continuously occupied, is the greatest of all treasures; until they understand this, and act accordingly, all efforts to bring about any permanent advantage to Africa will be fruitless and unavailing. It is melancholy to reflect upon the picture which every traveller in Africa presents to us under this head. Take one out of millions. De Caillé met a man at Douasso, on the banks of the Kowara Ba, a native of Kong, who had been thence to Jinne, carrying a basket of colat nuts on his head, to be sold at the latter place, and who, when he saw him, was returning with the small stock of merchandise which he had obtained in exchange, viz: a little salt and a piece cloth, the remnants, in fact, which he had saved from the several dues which he had paid to the petty chiefs. The journey, altogether, would

occupy him six months ! What a waste of time and labor ! Under such a state of things, can Africa ever get better ? Can she ever get rich, independent, or free ? Never !

We have failed, most signally and completely, after spending so much treasure. What, then, is next to be done ? Great Britain cannot stand still in this matter ; she cannot act so, and make herself the object of derision to the whole world. She must go on ; she must put down the African foreign slave trade, or it will put down England ; that is, reduce her to the rank of a secondary Power ; it will, and speedily too, crush and destroy all her great colonial interests, on which she has lately expended £20,000,000 of money, and which colonial interests, during her late awful struggle, afforded those supplies to her marine and those resources to her finances which enabled her to triumph over all her enemies, over the world combined against her.

Slowly, but securely and strongly, are the consequences of the continued and immense extension of the African slave trade, by the increase of agriculture and commerce in different quarters of the world, raising up into importance numerous new and great commercial interests, and consequently proportionate political power and influence, in these different quarters, thereby undermining the once predominant and most powerful interests of Great Britain ; changing rapidly the political interest and power of the whole of the greatest nations of the civilized world ; and, at the same time, rendering each of these daily greater and more powerful than they previously were, while those of Great Britain become less. These results are obvious to the meanest and most casual observer, and will tell, in the event of either partial or general future contests, between Great Britain and any of these Powers, with a severe and injurious effect upon all her interests and her power, political, commercial, agricultural, and social.

The application of external force to crush the slave trade has been tried and has failed. External force alone will never succeed. To blockade and watch all Africa is a vision, and compared to which the schemes of the crusaders were wisdom itself. From El Arish westward to the straits of Gibraltar, and thence by Cape Verde, the Cape of Good Hope, and Cape Guardafui, &c., by the coast of the Red sea, to El Arish again, the coasts of Africa extend 15,000 geographical miles, including seventy or eighty miles, the Egyptian land boundary between the Red sea and the Mediterranean. This whole extent of coast, with the exception of the space from the Orange river, by the Cape of Good Hope, to Delgoa bay, 1,500 miles, is either directly engaged in purchasing and exporting slaves, or in importing and receiving them. To blockade, shut up, or in any material degree to influence or to overawe such an extensive line of sea coast as that just alluded to, is quite impracticable, and beyond the power of the united navies of the civilized world to effect, even were these cordially to agree and to unite in the work.

Africa is capable of producing, and in perfection, every article of tropical produce that any other quarter of the world, situated within the tropics, can produce, besides some of superior descriptions, which are peculiar to herself. Her dyes, in particular, are found to resist both acids and light, properties which no other dyes that we know of possess. Throughout

all her central and mountainous districts, from the Atlantic to the Red sea and the Indian ocean, mines of gold, silver, copper, and iron, are found in abundance, of superior quality and fineness. Sugar, coffee, cotton, cocoa, Indian corn, tropical fruits of every description, and timber of various kinds, superior in quality, whether intended for ornamental or useful purposes, are or can be produced in almost every quarter and in any quantity. The population in all these places, though very barbarous, are yet not savages; but, on the contrary, many of them are some steps advanced in the road to civilization and to a better order of things. The distance from Europe to all her tropical western shores is even less than to some of the tropical shores of America, and a great deal nearer than the coasts of tropical Asia; while her noble rivers, especially that sovereign of the whole, the Niger, opens up by itself, or its greater tributary streams, a navigation through the whole of the central portion of that great continent, from the sources of the Rokelle and the Rio Grande, &c., in 10° W. long., to the sources of the western branch of the Egyptian Nile, the Bahr el Abiad, in 22° E. long.; a distance from east to west of nearly 2,000 geographical miles! Why, then, should such a country remain almost unknown to and wholly neglected by Europe, and more especially by England? She can easily and at all times, with her naval power, reach the confluence of the Niger and the Shadda. There let her plant her banners and her power, the future capital of Africa; which will be commanded by no power, but which will command the two great, the greatest arteries of tropical Africa; and, with these, northern tropical Africa.

There are three modes which may be followed to benefit Africa and the world. The first is by conquest; the second is by colonization; and the third is by example and persuasion—the introduction of European capital, intelligence, and industry, into that quarter, by any civilized European Power, or by the subjects of such a Power.

The two first modes would accomplish the work of African regeneration and civilization the most rapidly; the first more rapidly than the second; the last slower than either of the two first, but judiciously gone about, perhaps equally sure, and certainly without that expense and loss of life which would attend the two first, and especially on the mode by conquest.

The latter, for various reasons, being considered the preferable plan, and that which it has been determined to adopt, the preliminary steps necessary to be taken are: for the British Government to make treaties of peace, and amity and commerce, with the native chiefs, who rule in the most commanding positions in Africa. Next, or along with these steps on the part of the Government, for certain directors to form a joint stock company,* with a large capital, with limited responsibility to the shareholders, and under the known countenance and protection of that Government, and under the direction of well-known capitalists, and judicious and eminent and practical mercantile men.

To make these treaties with the native chiefs, a person or persons should be forthwith sent to Africa, fully authorized and instructed by the British Government.

The experience of many years has shown, in the clearest manner, that

* Although one agricultural company is here spoken of, it is not proposed to limit the privilege to one. There may be fifty similar in Africa.

while there is a demand for African slaves, there will be found the means to supply that demand, in one shape or another. Rather than that things should go on as they are, and as they have been going on during the last thirty years, and supposing that nothing further is to be done for Africa to ameliorate and change her internal institutions and pursuits, it would be better, far better, for Great Britain to withdraw her ships from the African coasts, abandon all her expensive slave trade suppression machinery, and keep the £600,000 she yearly expends in vain in this matter in her pocket. No more negroes than are carried from the coast of Africa would be carried away, (the supply would be regulated, as it now is, by the demand,) while the number that might, under such circumstances, be subsequently carried away, would be transported from Africa to America in such a manner as would prevent the horrid sacrifice of human life which is at present witnessed in the African slave trade, almost wholly owing to the manner in which it is carried on.

EXTRACTS FROM GURLEY'S "MISSION TO ENGLAND," 1841.

Near the close of January, George Catlin, Esq., in the most friendly and generous manner, proposed that I should occupy Egyptian Hall, (then under his control,) and I announced the purpose of delivering two lectures on the principles, policy, and success of the American Colonization Society. The following very brief and imperfect notice of these lectures, and several subsequent meetings, appeared in the London Sun of February 5th :

" Agreeably to public notice, the Rev. R. R. Gurley, secretary of the American Colonization Society, addressed an audience on two successive evenings (Thursday and Friday) last week in Egyptian Hall, Piccadilly, explaining the views and enlarged benevolence of this society towards all classes of the colored race, in America and Africa, and replying to various objections urged against it. At the close of the second lecture, Mr. Gurley was invited by one of his auditors, Mr. John Scoble, of the anti-slavery society, to enter on a debate with him. The challenge was readily accepted for Monday evening, when a highly interesting discussion took place, which was adjourned to Wednesday, Daniel Lister, Esq., presiding on both occasions. At the close of Mr. Gurley's reply to Mr. Scoble's first speech, on Wednesday, the latter, offended at the course of the chairman, (which was sustained by the meeting,) suddenly left the platform. Mr. Gurley was requested to proceed in his statements. At the conclusion of his remarks, on the motion of Dr. Costello, seconded by A. B. Wright, Esq., the meeting expressed their thanks to Mr. Gurley for the valuable facts and views he had so eloquently submitted to their consideration, and adjourned till Friday evening. At this third meeting, Mr. Lister having been again called to the chair, Dr. Costello reviewed, in a brief but pertinent and able manner, the course of the several meetings. The chairman also made a few observations, expressive of his regret that any thing should have occurred which should have been deemed by Mr. Scoble cause sufficient to render his retreat necessary. Mr. Gurley then, at the request of the meeting, submitted various facts and documents, vindicating the American Colonization Society and the colony of Liberia from objections and reproach, and showing its tendency to suppress the African slave trade, and introduce civilization and Christianity among the native popula-

tion. Elliott Cresson, Esq., followed Mr. Gurley with many facts and statements in corroboration of his views and of the beneficent policy of the society.

“Lieutenant Colonel H. Dundas Campbell, late governor of Sierra Leone, then rose and expressed, in a very earnest and emphatic manner, his regard for the American Colonization Society, and from his personal observations on the coast of Africa, and reports from English naval officers who had visited Liberia, his conviction of the good character of the people of that colony, and of the great benefits to be anticipated from the multiplication of similar establishments. Colonel Campbell then moved a resolution, ‘That the American Colonization Society is deserving of high approbation, and that this society and the colony of Liberia are contributing essentially to the suppression of the African slave trade and the civilization of Africa.’

“Mr. Guest, in seconding the motion, suggested, by way of amendment, ‘That, in the lectures and debates to which the meeting had listened for several evenings, Mr. Gurley had triumphantly vindicated the American Colonization Society from all reproach, and established its character as a pure and benevolent institution.’

“Petty Vaughan, Esq., proposed to add, ‘That the American Colonization Society is worthy of the approbation and support of English philanthropy.’ The original resolution of Colonel Campbell, and the amendments, were then *unanimously* adopted. A committee was appointed, and a subscription opened, (on motion of Dr. Hodgkin,) to carry forward these objects. Thanks having been voted to the chairman for his able services, the meeting was adjourned till Wednesday, 10th instant, at eight o’clock, in the same place.

“At a subsequent meeting, which was addressed by several gentlemen, a deep interest was expressed in the plan and success of the American Colonization Society; the question in regard to a petition to Parliament, calling for an examination into the condition and prospects of the settlements in Africa, particularly Liberia, was considered, and the proposal for such a petition approved. The following resolution was then adopted:

“*Resolved*, That a committee, consisting of Dr. Hodgkin, Lieutenant Colonel H. D. Campbell, A. B. Wright, Esq., Dr. Costello, Mr. Fairburn, Mr. Guest, Mr. Laird, Mr. P. Vaughan, D. Lister, Esq., and Mr. G. Ralston, be appointed, with power to add to their number, for the purpose of properly framing the petition, and of waiting on Lord John Russell, with a request that he would present it, and, generally, to carry out the objects of this meeting.”

A more extended report of the proceedings of these meetings was published in the London Morning Chronicle of the 19th of February, from which I present a few extracts, having taken the liberty to correct two or three errors.

Says the Chronicle: “These meetings commenced on the 28th and 29th of January, when Mr. Gurley proceeded to explain his views, on each occasion, to a highly respectable meeting, over which D. Lister, Esq., presided, and which was attended, among other gentlemen, by Lieutenant Colonel H. Dundas Campbell, (late governor of Sierra Leone,) Dr. Hodgkin, Dr. Costello, Elliott Cresson, Esq., A. B. Wright, Esq., Petty Vaughan, Esq., F. T. Texugo, Esq., (a Portuguese,) &c. There were also many ladies present. During the second meeting, Mr. John Scoble, an accredited

ited agent of the anti-slavery society, took exception at some of the statements of the Rev. Mr. Gurley, and challenged him to a public discussion. The challenge was accepted, and the debate commenced on the Monday following, (February 1st,) Mr. Lister again presiding, and the meeting being attended as before. Mr. Scoble's main argument, one supported, we believe, by very many persons anxious for the total and immediate extinction of slavery, was, that the scheme of the American Society, though very good in itself, was in fact calculated to prolong the evil, by turning the public attention away from the horrors of slavery, and exciting their hopes of its gradual extinction by means of African colonization. Mr. Gurley's speeches consisted of a vindication of the principles and practice of the society; their general effect, as far as the exposition of interesting facts goes, is given below, in a report of a speech delivered on a subsequent evening. This meeting was adjourned to the 3d, when the debate was renewed; but at the close, Mr. Scoble, offended at the course of the chairman, (which the meeting afterwards sustained,) left the platform without appointing a day for the continuation of the discussion. The meeting, however, agreed to resolutions exonerating the American Colonization Society from the charge of being patrons, directly or indirectly, of slavery, and declaring the society deserving of high approbation, as contributing, together with the colony of Liberia, essentially to the suppression of the African slave trade and the civilization of Africa.

“At one of these meetings, Lieutenant Colonel Campbell said that, during the three years he had been governor of Sierra Leone, he had had frequent opportunities of observing persons from the colony of Liberia, and he had always found them very superior in intellect, besides being excellent mechanics, and generally very moral and well conducted. In fact, he would candidly say that no persons in his own colony equalled them. From his knowledge of the interior of Africa, he took upon himself to say, that it was by the establishment of such colonies as Liberia that civilization would be effected there. It was useless to send out Europeans to that coast; the climate was too prejudicial to them. It was the colored man only that was fit for those regions. The great calumny, that the black man was incapable of intellectual eminence, was practically refuted, both at Sierra Leone and at Liberia. Many of the pilots at Sierra Leone were likewise preachers, and he could truly say, that one of the best sermons he had ever heard was preached by a black man on the occasion of his (Governor Campbell's) departure from the colony. He trusted that a society similar to the American Society would be established in England.

“On Wednesday, the 10th, an adjourned meeting was held, when circumstances prevented Mr. Lister from presiding, and Dr. Costello took the chair.

“The Rev. R. R. Gurley communicated some interesting facts to the meeting, connected with his own proceedings on behalf of the society in this country. Prior to doing so, however, he deprecated, in eloquent and feeling language, the possibility of a recent misunderstanding between the United States and this country, leading to the horrors of war. Nothing would give him greater sorrow, or more paralyze his strength in the great cause of African freedom, than the bare prospect of a war between that country in which his chief affections lay, and this, the mother country, to which she owed her ancient associations, her literature, her institutions,

and no small part of her renown. Indeed, it was impossible for Christians to entertain without horror the idea that America and England, countries of common origin, language, liberty, literature, and religion, should leap into a war for light and trivial causes; and he could hardly consider any conduct more criminal, than that of those who sought to light up the flame of discord in the public mind, and excite the passions and jealousies of the two nations, when the question was really one for the tribunal of reason and justice. [Hear, hear, hear.] He [Mr. Gurley] had been asked, since his arrival in England, what was the origin of this society. His answer was, that the precise origin could not be distinctly stated, as the project for colonizing Africa with free people of color, by their own consent, had been conceived in different parts of the United States at about the same period of time. Granville Sharpe and Dr. Fothergill, in England, had founded Sierra Leone. Dr. Hopkins and Capt. Cuffee, of New England, had favored the colonization scheme long before the origin of the Colonization Society. In 1818, the subject received attention both in the New England States and from the Legislature of the State of Virginia; but the first mover for its formation was the venerable Dr. Finley, of New Jersey, who visited the city of Washington, consulted a number of distinguished and philanthropic men,* and held meetings, at which the foundations of the society were laid. So much for the origin of the society. Since its establishment, large sums had been voluntarily subscribed, and, adding the value of slaves emancipated in various parts of the Union, the amount given to the cause might be about \$1,400,000. The society had received the support of a large body of the most intelligent statesmen of America, and of the wisest and best men throughout the United States; and he did not believe that there was an American present who would doubt the truth of his statement, that seven-tenths of the wise and good throughout the twenty-six States gave their support to this institution, as the best which human wisdom could devise for securing the freedom and elevating the character of the colored race. Mr. Gurley proceeded to say, that the society had been for nearly twenty years in existence, when they observed that the plan of Sir Thomas F. Buxton for colonizing Africa nearly resembled their own, and they accordingly sent him (Mr. Gurley) over to communicate with the English society; fearing, also, that unless some arrangements were made between them, the territory of the two colonies might become the subject of dispute. He had an interview with the committee, when he was informed that they regarded it as a question to be settled by the Governments of the two countries. On a subsequent interview with Lord John Russell, that noble lord, after expressing his full concurrence in the objects of the society, and wishing it all prosperity, promised to take the subject of the respective jurisdictions of the two colonies under his consideration. He afterwards had an interview with Dr. Lushington, a distinguished member of the British Civilization Society. There was nothing to prevent a union between the two societies, seeing that their ultimate objects were the same.

"In answer to questions from a gentleman in the body of the meeting,
 "Mr. Gurley said that he did not conceive any question could arise between the British Government and the United States, as to dominion

* Among whom were Hon. C. F. Mercer, F. S. Key, Esq., Elias B. Caldwell, Esq., (who had for some time contemplated something of the kind,) Dr. William Thornton, Mr. Clay, Chief Justice Marshal, Mr. Webster, and others.

over the colony. The society had repeatedly sent in memorials to Congress for a charter, but none had been granted. It had obtained a charter, however, from the State of Maryland. Congress had done but little for them, except by selecting Liberia as a depot for recaptured Africans. This, though it had proved of much service to the colony, did not, he apprehended, involve the question of right.

“After eloquent speeches from Mr. Texugo and Colonel Campbell, Dr. Hodgkin addressed the meeting in an able speech, in which he combated the argument against this scheme of colonization. The learned gentleman, who is a member of the society of Friends, concluded by reading a letter from Mr. Buchanan, governor of Liberia, bearing strong testimony to the prosperity and usefulness of the colony.

“A petition to the House of Commons was then suggested; but, in consequence of the lateness of the hour, the discussion was adjourned until the meeting of the society, on Wednesday evening next, at eight o'clock.”

Considering the war which for many years had been waged in England against the American Colonization Society, the judgment of a very intelligent English audience pronounced in its favor, after six evenings of discussion and debate, was not less gratifying than unexpected. I was convinced, that, could the facts and merits of the case be fully and fairly exhibited to the people of that kingdom, the opinion of the great majority would also have been pronounced in its favor. At the last meeting, an enthusiastic desire was expressed by several gentlemen, that an adjournment should take place to Exeter Hall, as the central and ample and usual place for delivering the messages and sounding forth the doctrines of humanity to the vast community of enlightened minds in Great Britain. But I had been left without means of following up the auspicious movements at Egyptian Hall, and of opening a way for a cause which I thought it both a privilege and honor to plead, to the reason, conscience, and affections of that reflecting and magnanimous nation.

A letter to the Hon. Henry Clay, president of the American Colonization Society, and to Sir Thomas Fowell Buxton, chairman of the general committee of the African Civilization Society.

GENTLEMEN: I address you as representing, in an eminent manner, the more sober general views of the great body of the wise and good in England and America, in regard to the measures demanded for the relief and elevation of the African race. On a subject so vast, complex, and difficult, neither you, nor those you respectively represent, may in all points agree; yet, doubtless, you and they are animated by the same pure motives, and seeking to effect the same grand object. To this object many years of my life have been devoted. My official connexion with the American Colonization Society is terminated; and from my present position I may review, perhaps, the opinions I have formed, with less danger than heretofore from bias or partiality. The thoughts I express have been much considered, and I hope they may be deemed worthy of attention by the good people of the United States and of Great Britain.

There is much variety as well as peculiarity of misfortune in the con-

dition of the African race. The great majority of this people still inhabit their ancient land of Africa, broken up into almost innumerable tribes, differing, to some extent, in complexion, customs, knowledge, and superstitions, slightly united by social ties, governed by arbitrary chiefs with little form of law, and generally and deeply degraded by long prevalent barbarism, the rites of a debasing religion, by slavery and the slave trade. Estimates of the population of Africa have varied from sixty millions to one hundred and fifty millions, and probably the exact number lies between these two extremes. This vast population is spread over a country of great extent and fertility, abundant in resources, penetrated by many large navigable rivers, and blessed with rich advantages for agriculture and commerce with civilized nations.

A portion of this race occupy the British West India islands, with advantages and encouragements for improvement, having been raised by the power of the English Government from slavery to freedom.

Another portion (not exceeding, probably, altogether, including the free blacks of Mexico, five millions) exist as slaves in the Brazils, Cuba, and the French, Spanish, Portuguese, Danish, and Dutch colonial possessions in various parts of the globe.

Another portion (about 8,000,000) are in the United States, the majority in slavery in the Southern States of the Union, and about half a million free, and scattered throughout all the States.

Nearly one million of this people are in Hayti, self-governed, and, I trust, slowly improving; having by a fierce and bloody conflict cast off the chains of their former bondage.

Finally, a considerable number, (though less we presume than are in the same condition in Christian countries,) are in slavery in the Mahomedan empire.

From this brief and very imperfect survey, it is evident that the whole number of Africans in exile in all parts of the world is small, compared with that of those still residing on the soil of Africa. Nor can we doubt, from the facts and statements exhibited in the recent work on the slave trade and its remedy, that the greatest physical evils endured by the African race result from the slave trade, which, though utterly condemned by the general opinions and laws of Christian nations, is nevertheless prosecuted by avarice and inhumanity to an unprecedented extent, attended by the most shockingly criminal and cruel acts, and an immense waste of human life. Nearly or quite half a million of wretched Africans are annually torn from their homes, a moiety of whom perish in capture, during their march to the coast, in the holds of slave ships on their passage across the ocean, or during the first trials of toil and exposure in a foreign climate. In view of an evil so terrible, so enormous, it becomes all humane and Christian men immediately, solemnly, and with their might, to exert themselves to discover and apply the remedy, and, unmindful of minor differences of sentiment and all merely personal considerations, to unite in measures the most efficient for the relief of such inexpressible miseries, and the redress of such atrocious wrongs as are involved in the slave trade. Yet, as the source and seat of this trade is in the barbarism and degradation of Africa, all measures will prove, we fear, but palliative of the evil, which do not include as an end the civilization and elevation of the African race. The great inquiry should be, I conceive, *How shall the*

greatest good, in the shortest time, be conferred upon the greatest number of this afflicted and injured people?

In this inquiry other questions than those concerning the injustice of establishing or perpetuating either the slave trade or slavery are involved. I know not that in England and America the slave trade has any advocates or defenders, and slavery as an original and permanent system will find few among civilized nations. But to show how the efforts of philanthropy shall be combined and directed, so as to suppress utterly the African slave trade, secure the abolition of slavery, without detriment, and with advantage to all parties, and in all countries where it exists, and the civilization of Africa, so darkened and debased by ignorance, superstition, oppression and vice, and this in the shortest possible period, is a matter of vital importance to the honor of our religion and the interests of humanity.

Nor are we in danger of over-estimating the magnitude and grandeur of an enterprise embracing prospectively the many millions, with their future descendants, of one of the largest quarters of the globe, the millions from that country now in exile and chains in other lands, with their descendants, and affecting, as in its progress and results it must, the political, social, and commercial condition of several civilized and powerful nations. Human thought and ability are often wasted upon insignificant and even unworthy objects. Those which rightly demand our sympathy and aid are frequently very limited in the number, extent, and duration of their benefits. We open the village school, give food, clothing, or shelter, to the destitute, rear asylums for those stricken down by misfortune, or touched in body or estate by the chastening hand of God, and rejoice even if a few of his rational creatures, our brethren, derive relief or find solace and unwonted joy from the ministrations of our hands; but when a continent cries to us for succor; when millions, perishing, make to us their appeal; when a whole race of men, a large proportion of the entire human family, call upon us for deliverance from unutterable wrongs and miseries, and a participation in the choicest blessings which the Divine Father, in the bounty of his grace, has bestowed upon ourselves, it were a disgrace, for which we could never atone, to remain unmoved or inactive. The evils to be remedied, the good to be conferred by our Christian exertions in such a case, surpass the boundaries of the human imagination, the comprehension of any finite mind. As in charity there can be no excess, neither can there be of zeal in such a cause; for here enthusiasm is sobriety.

Though my opinion is, that, of all measures of general policy for the benefit of the African race, the colonization in Africa of free persons of color, with their own consent, on the principles developed in the colony of Liberia, is the best which can at present be adopted by American and English philanthropists, I am not insensible to the value of many subordinate and auxiliary plans, or to the purity of motive by which they are sustained. In various channels, and from various points, the charities of the Christian world may flow forth, and finally commingle in one and the same broad stream of beneficence to Africa.

But if the scheme of colonization suggested, as, at present, the main plan of benefit to the African race, surpasses any and all others in efficiency and advantage; if at its commencement, and for several years to come, it require great energy and resources, the opinion of England and America should be united for its support. Opinion is becoming the mistress of states and of the world. How mighty the reason and benevolence of these two

countries, acting together and for the same end! How disastrous to the hopes of Africa, should their opinions on this subject tend in opposite directions, neutralize each other, if not exhaust their strength in the fierceness of controversy or the bitterness of reproach and recrimination.

And here it may be important to state the moral principle which should govern the friends of the African race, in endeavors and enterprises for their benefit; and to show that it is the same which, by the Divine law, each and every man is bound to manifest in his conduct towards one and all of his fellow-men. It is simply that principle of justice and benevolence embodied in the golden rule of the Saviour of the world. In its application to the inhabitants and descendants of Africa, there is no peculiarity, unless it lie in the strength of reasons which urge this application, on account of the greatness of their wrongs and the extremity of their miseries. Possibly, also, we may be specially bound to remedy evils which our own crimes, or those of our immediate ancestors have produced. But, with these qualifications, our duty to the African race is the same owed by us to any other people in like circumstances.

The law of Christianity enjoining reciprocal and equal benevolence, universally and at all times, between man and man, is the sole foundation of human rights; and this general law can, in the innumerable cases not defined or settled by particular Divine precepts, be obeyed only by such acts and methods as an honest reason shall prescribe. The principle of this law, perfect and immutable, holds authority over all human society, but in its application to particular circumstances, conditions, and individuals of this society, varies endlessly, involves every question of expediency, and requires the exercise of our highest faculties, of the soundest and most sagacious judgment. No one can doubt the truth of this doctrine who will reflect upon his own conduct for a single day. Why bestows he alms upon *this* destitute person and not upon *that*, sustains this proposed measure for the public advantage and not that other, but in recognition of the fact that, in most of the actions and duties of life, Christianity governs by general laws, leaving human reason to study the lessons of experience, and to select and apply the means and methods of beneficence. In all domestic, social, and political life, and in ten thousand forms, this fact is manifested every hour; and while I see in it, for many reasons, a peculiar wisdom and a high moral discipline, I know that, had it been otherwise, and special laws dictated and prescribed each and every act of our lives, the world itself would not contain the books that had been written.

The rights of man imply corresponding obligations, and the existence of one or both between men presupposes human society. I am dealing now with the *morale* of the subject, and not with its artificial or merely legal aspects. No reasoning, then, on the rights of man, is of force or value, which treats him as solitary and alone, or which rests merely upon the dignity and immortality of his nature. Nor is it possible to discover, independent of a serious attention to circumstances and consequences, from the preceptive code Christianity, many of the rights of others, and of our particular obligations of duty; and not less rational is he, who, because God has left to him the free use of his limbs, confronts the steam-engine in its velocity, or dares the wrath of all the elements, than he who, in his plans of benevolence, overlooks the fact, that not more perfect or unbending in principle than comprehensive and accommodating in the modes of its application to human society and human affairs, is the Divine law, regulat-

ing things on earth as in heaven, partially by exact definitions and rules, but mostly by purity of motive and the all-hallowing and benign influences of reciprocal and universal love. So far as any system of political or personal slavery violates the specific precepts or the general laws of Christianity, it must be condemned, and should be immediately abolished; yet whether such a system be for a time, on the whole, right or wrong, it is clear that the duties and rights of individuals invested thereby with authority, or bound to submission and servitude, are affected and modified by a state of things, which exists, perhaps (if they are in a minority) without their choice, and which neither one nor both of them find it possible to control. As they neither established the system, may not desire to perpetuate, and cannot abolish it, they must fulfil the royal law according to the Scriptures by such acts of mutual justice and kindness as are compatible with the necessities of their condition and the public welfare.

Men as individuals, and society as a body of individuals, are equally bound to do what they can to reform abuses, promote justice, and seek the perfectibility of all social and political institutions; yet, in regard to the means they adopt for these great ends, they must be mainly governed by their own judgments, deliberately and conscientiously formed under responsibilities to the Author of all wisdom, the Supreme Ruler of the world.

Much controversy in regard to slavery arises from the different meanings given by different writers to that term, some using it as synonymous with the act of reducing a free person to involuntary and perpetual servitude; others, as that system or institution of society which legalizes and makes hereditary this servitude; some as a wrong involving every crime committed towards slaves, where such an institution prevails; some as the mere condition of the slaves; and others as simply the relation existing between the individual master and his slaves, the effects of which must clearly depend very much upon the character of the persons and the peculiar circumstances of the case. Some deem slavery, however modified, and wherever existing, so entirely and intolerably criminal, that for its overthrow they would willingly hazard all consequences, and in their enthusiasm for what they term the inalienable rights of humanity, violate the rights of independent communities, the long-acknowledged and sanctioned laws of nations.

States and individuals are alike bound by the general and special laws of the Christian religion, and to hold or treat human beings as *mere* property I regard as a violation of the principles of that religion; yet it by no means follows that all masters, from the very nature of the relation they sustain to their slaves, are to be condemned, or that the State in which slavery exists is bound to proclaim immediate, unconditional, universal, and entire emancipation. The relation of master does not oblige the master to treat the slave as *mere* property. The state may repeal all laws which *thus* regard the slave, short of an act of unconditional and entire emancipation. Even the liabilities to evil to which particular slaves are exposed in the service of Christian masters in America may be less than those to which they would be exposed, at present, by an act of emancipation. But, it may be said, the liabilities to evil of particular slaves by emancipation could not exist, were there general emancipation. This may be true; but I am speaking of things as they are, and not as they might be, and of the modification of the duties of individuals by the condition of society. To illustrate, then, my meaning, the slave of a humane master

may have a family connected, as slaves, with a neighboring plantation; and emancipation might expose him, as in some cases it would, to separation from his wife and children, by removal from the State; and thus prove to him a curse rather than a blessing. It may be true that *his* liabilities to evil in slavery are less than they would be in freedom.

If we look to a republican Confederacy, like that of the United States, of many States; in one half of which slavery exists, and in the other not; where the evil was planted, in opposition to earnest and repeated remonstrances from the people, then colonially dependent, by a ruling but foreign Power; where the numbers in slavery are large, in some States a majority of the population; distinct from all other classes in origin and complexion; uneducated, and incapable of self-government, it is clear that those providently intrusted with political control must look to the general welfare; consider the interests of others as well as of the slaves, and that they would disregard the highest obligations, should they by sudden and rash changes expose the country to revolution or all the horrors of civil war. The temper of the people is to be observed, as well as the physical condition of society; the helm of power is not to be surrendered to unsafe or incompetent hands; and it must be remembered, for the sake of the slaves themselves, that restraints upon the freedom of men are sometimes among their dearest rights. My purpose, however, is not to discuss the whole question of slavery, but to show that in regard to that, as well as to most other evils in the world, Christian discretion should be exercised, under the general law of Christian benevolence, and that those writers (and many such recent ones there are) who confound all distinctions between slavery and the African slave trade; between the guilt of him who reduces free men to slavery and of him who receives by inheritance an estate upon which are slaves, made such by laws enacted by generations that died before he was born; between the conduct of a parent nation, forcing, for gain, this evil of slavery upon her colonies, disposed, but unable, to resist, and that of those colonies become independent States; and in view of the differences of their free and slave population, and the near equality of their numbers, hesitating to attempt emancipation, mainly from apprehensions that such an attempt would produce evils greater than slavery itself; disregard or leave unnoticed the deeper and more important elements in the subject, from which alone we can frame arguments for the enfranchisement of their slaves, convincing to the slaveholders, because just to facts and to motives, and trusting rather to their sense of obligation to do good unto all men, than to the imagined wisdom of our own suggestions, how this obligation, in the particular case, shall be discharged.

I have no thought or wish to apologize for any of the sins and wrongs of slavery. The doctrine I maintain appears to me the doctrine of Christianity, and better adapted (as surely it must be if such) to secure the freedom and happiness of the slaves than any one more austere, and less capable of being discriminately applied to the ever-varying existence and circumstances of human beings. It is of the perfection as well as equity of the Divine law, not to hold the State responsible for crimes which no State legislation could prevent or punish, nor the individual bound to redress wrongs and evils created and sanctioned by State authority, and which he is unable either to arrest or control. True, every man should, by his influence and example, plead for righteousness; and from the restraints of individual souls must emanate the power to conquer evil;

gradually, increasingly, and without disturbance, pervade the bodies politic of states and kingdoms, establish justice in the seats of renown, and crown charity queen of the world; the power of Divine truth, wisdom, and love.

Slavery (I speak now of the system) in the United States and other countries is one of the many forms of oppression which all good men must desire to see speedily, and with advantage to all parties, abolished. Originating in the errors and crimes of a former age, closely interwoven with all the institutions and habits of society, strengthened by interest and time, and in America depending upon no power or authority except the States, individually, where it exists, the reason, conscience, and will of the masters, are the principal, if not only channels through which the influences of truth and kindness can operate successfully for its removal. Let such influences alone operate. Censure, reproach, interference by citizens of other States, tend but to add rigor to the bondage and gloom to the prospects of the slave population. And it should be known in England, as it is known in America, that the sentiments, the judgments, the institutions of the people of the United States, are on the side of general liberty. The people of these States generally regard slavery as an anomaly to the entire spirit and plan of their political being, and therefore its toleration and support must be traced to some powerful reasons in their minds, unconnected with their general views of politics and society. These reasons arise from the wide differences in complexion, history, character, and condition, between those of Anglo-Saxon and African descent, which are thought to render intimate social and political union between them impracticable if desirable, and undesirable if practicable, injurious to both, and of benefit to neither, and from the dangers of collision, were both free on the same soil, should such union not be effected. If these ideas be erroneous, they are general and powerful; you cannot meet and overcome them by argument, for they spring from association and sympathies; they may die, but cannot be conquered.

I have expressed the opinion that the colonization of free persons of color, with their own consent, in Africa, on the principles developed in the establishment and progress of Liberia, is, of all plans practicable at present, most deserving support in England and America, because of highest utility and promise to the African race.

The history of the colony of Liberia, though brief, is full of interest and instruction to the student of human nature, and particularly to those philanthropists who seek to civilize Africa, and elevate the minds of her children. Granville Sharp, Dr. Fothergill, and their associates, had founded Sierra Leone. The rude materials with which they commenced their work, and extraordinary disasters, soon compelled them to commit the destinies of this colony to the English Government; and though it looks out brightly and encouragingly from the African shore, it has hardly fulfilled the best hopes of its earliest friends. The colony of Liberia owes its existence to a benevolent American society, has no connexion with the Government, and from it has derived but occasional, and, compared with that of individuals, but small aid. The wise and good men who, twenty-four years ago, organized the American Colonization Society, proposed a plan of benevolence to the African race, so simple and unobjectionable, that the citizens of the whole United States might contribute to its support, so powerful in its tendencies of good in all directions, and comprehensive

in its promised beneficence, as to want, in theory at least, little if any thing of perfection. This plan was, to purchase from the African chiefs a suitable and sufficiently extended territory, and to assist such bold and energetic free men of color, residing in the United States, as might desire to emigrate, to found thereon a free and Christian state, which, from the nature of its institutions, the development of its principles and resources, and the discipline of its circumstances, must strengthen and elevate the intellect and moral character of its citizens; by example and endeavors plant and propagate civilization and Christian doctrine in Africa; suppress the slave trade; react powerfully upon America, to promote emancipation by means disconnected from danger, demanded by general justice; and fraught with blessings, never yet attained by it, to the liberated Africans and to their race; thus showing by experiment, and demonstrating in fact, how this race may cast off the encumbrances and entanglements of their thralldom, and, self-respected, because deserving praise, stand in dignity and honor before the world. It is the peculiar excellency of this plan, that for its success reliance is mainly placed upon the ability of the descendants and people of Africa themselves, when favored in position and stimulated by high motives, to rise from their degradation, assume a national character, and secure prosperity and a name among the nations. The purpose of the society has been to place the objects of its bounty in such a position, and supply to them such motives. Poor are the richest endowments of fortune, compared with the acquisitions of the mind. Worthless are the distinctions which others may confer on us, compared with those we may, by great acts and great endurance, achieve for ourselves. It has been by toil and trial, by suffering and conflict, by self-denial and self-discipline, by hazardous adventure, and often by the iron hand of necessity, that individuals and nations have ascended from weakness, obscurity, and disgrace, to power and grandeur.

Since a band of persecuted pilgrims, impelled by concern for the rights of conscience and the truths of God, first trod the icy and rock-bound coast of New England, few events of higher moral interest or sublimity have occurred than the establishment of the colony of Liberia. Much praise is due to the Colonization Society, but far more to the heroic men of color who went forth, at the peril of their lives, with no safeguard but Providence, to plant the seeds of liberty and Christianity in the most barbarous quarter of the world, and there, far away from the arm of any civilized Government, in the face of a fierce and mighty opposition, to rear the fabric of a free, well-ordered and religious commonwealth. It is true that this small company of brave adventurers in the cause of their race have been assisted by teachers and guides from among the whites, and Heaven has smiled upon them; yet it is to their own awakened energy, their industry, resolution, courage, and faith in God, that we must mainly attribute their success. The world has little observed, perhaps less applauded them. Probably not one in a thousand in this metropolis has any knowledge of their existence. Yet they have founded a republican and Christian state in Africa, which promises to grow and extend itself for ages, and constituted and adapted in the whole character of its institutions and laws to kindle the individual mind, and give full play to all those intellectual and moral faculties which, nobly exercised, exalt men to greatness, may prove a central light and power to revive and renovate their country and their race.

But to be more specific in regard to the principles imbodyed and developed in the colony of Liberia.

- It is designed for a national and independent political existence.
- Its institutions are republican, or in the hands of the people.
- Control over them is reserved to the people of color.
- Slavery can have no existence within the limits of the colony.
- All transactions with the native tribes are to be conducted on the principles of exact justice.

Both law and practice are in hostility to the slave trade.

Provision is to be made for universal education.

No preference is to be given to any religious sect, but perfect, and therefore equal, toleration is secured to all.

Missionaries of all Christian denominations among the native Africans are to be countenanced and encouraged in their work.

Colored emigrants are aided by the society during six months after their arrival, receive donations of land, and having taken possession of the same, and cultivated a few acres, become entitled to all the privileges of citizenship.

Various recent and unexceptionable testimony, from sources English as well as American, might be adduced to show how these principles, incorporated in its constitution, laws, and the manners and sentiments of its citizens, are so well adapted to make it a contented, enterprising, improving, religious community, aiding to suppress the slave trade, and to diffuse a knowledge of civilization and Christianity among the native African tribes.

This colony of Liberia (including the settlements founded by the people of Maryland at Cape Palmas) extends from that point, lat. 4° 10' N., to Cape Mount, lat. 6° 45' N., a distance by the coast of about three hundred miles, and varying in extent interior from ten to forty miles. The governor of the principal colony is a white man, that of Maryland a man of color, educated in New England. The governments of both are founded upon the consent of the people, and administered by officers of their own choice. The beautiful and thriving towns or villages of *Monrovia, Caldwell, New Georgia, Millsburg, Marshall, Greenville, Bassa Cove, Edina, Beasley, Rozenberg, Harper, and others, adorn this coast*, so recently covered with barbarism, and exposed to all the atrocities and horrors of the slave trade. Eighteen churches and many schools are established. Of several thousand emigrants from the United States, about two thousand were manumitted by benevolent masters, and assisted to take possession of this, their long lost, but now recovered, and, we trust, secure and permanent inheritance. The exports from this colony, consisting of ivory, camwood, palm oil, tortoise shell, gold, beeswax, and hides, have amounted to from one to two hundred thousand dollars annually, for several years, while an equal amount of American and European manufactures has been received in return. Several small coasting vessels, (not fewer than twelve or fifteen,) manned and navigated by the colonists, are constantly engaged from Monrovia, the principal seaport, in a profitable trade along seven hundred miles of the coast. Seldom is the harbor of this town without foreign vessels, nearly one hundred of which, from the United States, England, France, Sweden, Portugal, and Denmark, touch there every year. The country possesses great advantages for agriculture as well as commerce: cotton, coffee, sugar, rice, indigo, palm oil, with ivory, and many rich gums, drugs, and spices, from the forest, may, by in-

dustry and energy, be produced or obtained in large quantities, for exportation.

The respect for good morals and religion is general and great. Three years ago, there were about eight hundred members of the Christian church; profaneness and intoxication are almost unknown, and as early as 1834 a temperance society, in a few weeks after its organization, reckoned on its list five hundred members, at that time one-fifth of the entire population. Nowhere is the Sabbath more regarded, or Divine worship attended with more apparent devotion. In some settlements, the sale of ardent spirits is entirely prohibited by law; every where the use of them is discouraged by public opinion. Some thirty African chiefs have consented by treaty to discontinue the slave trade, and many thousands of the native population have placed themselves under the protection and authority of the colonial government.

The ministers of the gospel, about forty in number, hold religious meetings during the week, as well as on Sundays, and give religious instruction in the native villages. The legislative council, the courts of justice, the lyceums, societies for mental improvement and for purposes of benevolence, the ably conducted presses, the public library, the ardent desire for knowledge pervading the whole community, a well-organized militia, and numerous civil officers discharging their duties with skill and fidelity, are impressive evidences of improvement, and of the efficiency of the principles inculcated and imbodied in the colonization of Liberia. To the mental discipline, the force of motives, elevated and constant, the kindling up of hope, in view of an almost boundless prospect of honor and usefulness, must we ascribe the conduct and success of the people of this colony.

Nor should I omit to mention how the gates of Africa have been opened, through this colony, for the admission of missionaries and other Christian teachers to her native population, and that sixty such persons, sustained in their most benevolent efforts by four of the principal denominations of American Christians, have entered upon this field, never before visited by the messengers of peace and salvation, and been welcomed by its rude occupants, ready to receive the words of Divine wisdom, and to escape from the bondage and shadow of death.

In sundry important particulars there is, between the American Colonization Society and the African Civilization Society of England, an exact agreement.

In their utter detestation of the African slave trade, *they agree* :

In the opinion, that, for its overthrow, we should not rest contented to abide the slow progression of the principles of justice throughout the world, but lay by far the greatest stress on all those efforts which may tend to enlighten and civilize the African mind, *they agree* :

In the choice of Africa, as the great theatre for their operations, *they agree* :

In the principal agents to be employed in their enterprise, free persons of color of African descent, *they agree* :

In the design and importance of endeavors, by peaceful and fair negotiation, to obtain the consent of the chiefs and natives of Africa to abolish the slave trade, *they agree* :

In many of the means for the civilization of the people of Africa—the establishment of schools for literary and religious instruction, of manufac-

teries and workshops, in which shall be taught the useful arts; of model farms, to show practically the best modes of agriculture; in the encouragement of Christian missions; and, finally, in the purpose of demonstrating to the view of the inhabitants of Africa how they may avail themselves of the vast resources of their country, and find it their interest, as it is their duty, to abolish the traffic in slaves, *they agree*:

In their ideas of the vast extent of good to be attained by their exertions, *they agree*:

On two points only, in their contemplated operations in Africa, they may differ; yet, independent of any reasons which I shall be able to offer in favor of a perfect union, I am not sure that even on these they will long disagree.

I refer, first, to the establishment of colonies or communities of free persons of color in Africa, destined to self-government, and to a permanent and independent political existence; and, second, to the question of temporary authority to be exercised over such colonies, for their benefit, by the Governments of England or the United States. The able chairman of the general committee of the Civilization Society has indeed declared that their object is to civilize, not to colonize; yet in the same letter he adds, "It is true, I may be desirous that we should form settlements, and even that we should obtain the right of jurisdiction in certain districts, because we could not otherwise secure a fair trial or full scope for our normal schools, our model farms, and our various projects to awaken the minds of the natives, to prove to them the importance of agriculture, and to excite the spirit of commerce;" and Sir George Stephen regards colonization (if we mistake not) as a thing incidental, if not necessary to the execution of the plan of the committee; and while the chairman desires the authority of the Government to be extended over such territory as may be acquired, one of his associates, perhaps not less distinguished than himself, thinks this authority, if granted, will be but temporary; and that free men of color from all parts of the world will soon be invited and assisted to occupy this territory, as independent communities. On these points it is clear the plans of the Civilization Society are not matured. That the Governments of England and America should extend, for a time, a protecting and fostering care over colonies planted in Africa by benevolent individuals or societies, may be admitted; the writer has on proper occasions urged the friends of the African race in America to make their appeal to the several Governments of the Union for aid to the cause of African colonization; yet neither he nor they have once thought of turning from that object the very lode star in their policy—the establishment of colonies, with the spirit, ability, and right to frame and build up their own social and political institutions as a free and independent people.

For one, I hold that, in our endeavors to civilize Africa, it is unwise to rely solely or mainly upon individual missionaries, or upon any companies of men not bound together voluntarily by social and political ties, and that the colonial system of England, though not on the whole an evil,* is very

* Our colonies, which, owing to their youth and distance from the parent state, ought to have excited and called into operation a larger share of maternal interest, have been sadly misused. The incalculable riches which from the lap of abundance they may have even offered to pour forth on the shores of Albion, have been fatuously, in many instances, rejected, and the golden opportunity of binding with a silken chain of commerce the east and the west, and the south and the north of the empire, too often sacrificed for the sake of private gain and the promotion of selfish interests. But it is to be hoped that the progress of knowledge, the extension of colonial com-

imperfectly adapted to develop the power and exalt the character of the native population of the countries over which it extends. The author of the work on the slave trade and its remedy will concur in this opinion. But to multiply colonies of free men of color in Africa, on the principles of Liberia, is to introduce impressive examples of order, law, and government, to furnish to the colonists themselves the strongest and most animating motives for improvement, and to command the respect while we enlighten the minds of the native population. The opinion of the learned and able superintendent of the missions of the London Society at the Cape of Good Hope, (Dr. Philip,) is entitled to high respect. "I say nothing," he observes, "of the advantages America may gain from the colony of Liberia, or of the advantages the people of color may gain from becoming citizens of this new country. I leave such questions to be settled by the citizens of the United States; who are by their local knowledge better qualified than I am to decide them. But, so far as our plans for the future improvement of Africa are concerned, I regard this settlement as full of promise to this unhappy continent. Half a dozen such colonies, conducted on Christian principles, might be the means, under the Divine blessing, of regenerating this degraded quarter of the globe. Every prospective measure for the improvement of Africa must have in it the seminal principles of good government, and no better plan can be devised for laying the foundation of Christian governments, than this new settlement presents. Properly conducted, your new colony may become an extensive empire, which may be the means of shedding the blessings of civilization and peace over a vast portion of this divided and distracted continent."

Concurring, then, in many and very essential particulars, as well as in benevolence of motive, it remains to be seen whether the African Civilization Society of England, and the American Colonization Society, will, on those just specified, ultimately agree. My confidence, at least, hope, that they will do so, rests upon a firm conviction that the principles developed and applied in the colonization of Liberia are so just in theory, and beneficent in practice, as finally to command the approbation of all philanthropists. I have great confidence in the candor, reasonableness, and benevolence of the African Civilization Society, and of the good people of England. They have recently shown an ardent and generous zeal in the cause of the suffering Africans. I believe them capable of disinterested and glorious deeds, nor do I deem my own countrymen less capable of such achievements in this or any other enterprise of humanity. The two nations do not know, respect, trust, or love each other as they ought. Of one descent and religion, and living for common objects, the Christians of both countries should feel bound together by sacred and indissoluble ties, as the heirs of an eternal inheritance and communion, once exalted to which, (if for them regret and shame there exist,) for few sins will they experience more than for their violations towards each other of justice, brotherly kindness, and charity.

merce, and the light of the gospel with which the ministers of religion are illuminating every land, will awaken attention to the transmarine dominions of England, where the statesman, guided by the precepts of Christianity, may fortify our empire for ages, where the merchant may in activity follow his peaceful and civilizing pursuits, where the naturalist may delight in scenes of exquisite and endless beauty, adorned with every variety of the animal and vegetable creation, where the philanthropist may exult in the progressive improvement of his fellow-creatures, and, above all, where the Christian may rejoice in the anticipation of that prophesied kingdom whose branches and roots are to extend throughout the universe.—*M. Martin.*

The plan of colonizing Africa developed in Liberia I regard as the best general plan; at present, for the benefit of the African race.

1st. Because it gives the noblest exercise to the minds of those who engage in it, and thus most effectually improves and elevates their character. What work more honorable than to lay the first foundations of good government and the church of God? What can so arouse the minds of a people, or so fan into a flame their enthusiasm for virtue, as to summon them to great and worthy actions, to give existence and form to a state, to enact and administer laws, to send out among uncivilized and untamed men the voice of instruction and authority; support the high prerogatives of justice, and, as responsible to posterity, the world, and to God, to mark and seal the institutions of a newly organized society with indelible characters of wisdom. Nor let us think the people we would colonize unsusceptible to the influence of lofty motives, or that by self-discipline, in circumstances adapted to call into life their energies, and to invigorate them, they may not win the reputation of, wisdom. In minds improved only as theirs, she is the daughter of experience and high resolve. The free blacks of the United States, and many of the slaves also, are in that state from which nothing great is to be expected, while they continue unexcited and in the shade of a greater people, but from which they must rise when untrammelled, and sent forth with due encouragements, to build up, unopposed by superior civilization, on the vast and rich lands of their mother country, their own fortunes, and to redeem their race. Their advantages for this work, inferior in some respects to those of the first settlers of America, are superior in others. With less knowledge of letters, they have more of the useful arts, of the free spirit of Christianity, and of the practical operations and benefit of free government. They have the records of their experience, and the light of their example, and before their eyes the mighty results of their deeds. Commerce brings them into connexion with every enlightened and powerful people. The benevolence, the missionary spirit of a great nation, a spirit unequalled in any preceding age, is ready to second their exertions. Responsibilities are thrown upon them, of surpassing interest and magnitude. Millions, their brethren, bound by superstition and slavery, appeal to them for light and deliverance. And, finally, defeat must be ruin, while success will be the attainment of every earthly blessing and eternal honor.

The plan of Liberian colonization is, then, peculiarly to be commended, because bringing into play and vigorous action the noblest mental faculties, and thus elevating the character of the colonists. I know of no other plan which does, I can hardly imagine another which would do this so effectually. Depressed by ages of servitude and habits of dependence, such exercise and discipline the African race especially need; nor without it can we anticipate their rapid or great improvement. To exalt human character, we must touch the springs of the understanding, and move the deep and generous passions of the heart.

In the second place, I regard this plan as chief and best, because relying mainly for success, not upon precarious, individual, or transitory effort, but upon the permanency, growth, and moral influence of well-organized communities.

A few individuals might die, a few schools be broken up, a company of missionaries, animated by the purest motives, and prepared to sacrifice every interest for the Christian cause, might be cut off by disease or dis-

persed or slain by savage foes; but a well-founded commonwealth is destined, ordinarily, to a continued and increasing existence. Though feeble in its origin, it has within it durable elements of life and power. The settlement rises into a state, the state to empire. The colony of Liberia has already, within itself, the means of self-defence and self-improvement. And if, in two centuries, the republic of North America, embracing a population of more than seventeen millions, has arisen from the humble beginnings of civilization on the shores of New England and Virginia, we may hope that our African settlements, so attractive (if politically free and morally deserving) as they must be to the exiled children of Africa, will rapidly expand into communities commanding respect by their wealth and numbers, their intelligence and strength. Their sons, natives of the soil, educated in all the arts of civilization and in the doctrines and wisdom of Christianity, will go forth, not by hundreds, but thousands, to instruct barbarous and degraded tribes, and lead them to knowledge and liberty, and the worship of the true God. Let them convert the wildernesses of Africa into fruitful fields, her savage and enslaved people into civilized men, her victims of a cruel superstition into the meek disciples of Christ; let them "build one great city,"* for beauty and strength to be admired, and demonstrate their ability honorably to fulfil all the duties of an independent state, and the reproach of their race, and African slavery throughout the world, must forever cease. The plan, then, is admirable, because designed to trust, for the elevation of the African race, not to uncertain, uncombined, and transitory efforts, but to the bringing into existence and action the mighty moral machinery of a well-formed and compacted state.

In the third place, I cannot but regard this plan as worthy of universal and all possible support, because (if I may continue the figure) this moral machinery is rightly placed, in Africa. The colony or colonies are to be established in Africa, the country of the African race, where most of them reside, the seat of their ancient greatness, and of their more recent, long continued, and present sufferings and disgrace, where alone, if, as a people, they are to be civilized and taught the truths of our religion, the work can be accomplished. Here the intellectual and moral power should be planted, to act as from a centre, most rapidly, extensively, and effectively; to redress the wrongs and renovate the character of the race. Its benefits will not be limited to Africa. A civilized state of colored emigrants upon her shore will be an object of universal interest, react to raise their brethren in all those countries from which the colonists have come forth, disturb no passions of jealousy or fear, but speak persuasively to all hearts in favor of emancipation, and thus not only shed light upon Africa, but upon the destiny of all her children. It has been well said, that raise the character of a "single man of color, and you do a benefit to his race;"† and we may add, let one commonwealth or nation of Africans attain honorable distinction, and their brethren in all lands, and Africa herself, are free. The work should be done in Africa; for, if it could be done elsewhere, nowhere else could it be done so advantageously or so well. Here are by far the greatest number of Africans, and this the seat of the slave trade and their most widespread and appalling miseries. All the

* Dr. Breckenridge.

† Dr. Bacon.

peculiar evils which afflict Africans centre here, and here only can we attack their foes in the fortresses of their strength.

4th. Every candid and reflecting man, in addition to these reasons for giving support to this plan, may find inducement in the facts, that it most effectually promotes emancipation; aims to secure for the people of color now free, and those who may be manumitted, and to their race, a good far above and beyond mere emancipation; and, finally, that avoiding angry collisions and controversies, combining more elements in which the friends of the Africans agree, and fewer in which they differ, than any other; if in itself no better, it may be more productive of good, because, strengthened by the union of more minds, it may be executed with greater power.

For evidence that it promotes emancipation, I appeal to the opinion and testimony of all sober and Christian men in the Southern States of the American Union. No one acquainted with these will deny that they confirm my statement. And certainly the judgment of those men, of the effects of moral causes operating in the midst of them, is not to be disregarded.

By providing a home for the liberated, preferable to that in which they must unequally contend with the abilities and influence of the whites, it encourages the humanity that disposes to emancipation.

By the same means, it removes one, probably the greatest, obstacle to emancipation, founded in the apprehensions of collision between the colored and white races, should both be free upon the same soil—an evil which it is thought would be worse than slavery itself.

By demonstrating how emancipation in the United States may (as on no other plan it would) secure the highest boon of freedom to the manumitted, an independent political existence, and through their agency contribute to work out the redemption of their whole race, it supplies to the honor and Christianity of the master the most powerful motives for the act.

And, finally, it has secured the voluntary manumission of slaves, (about two thousand,) in value (viewed as property) nearly, if not quite, equal to the whole amount of funds given for the establishment of Liberia; while its influence to prepare for future emancipations it were difficult to estimate.

This plan of African colonization seeks for the free people of color, for those that may become free, and through them for their race, a good far higher than mere emancipation.

He must be ignorant of the social and political condition of the United States who imagines that emancipation to the slaves there, if it could be effected, and they remain on the soil, would prove, for some centuries at least, if a benefit, more than a very limited and imperfect one. But the scheme which we advocate opens to them the treasures of the best ordered and most favored existence, the means of thoroughly developing and combining their energies; of ascending, not individually, but as a people, to wealth, and fame, and power; of cultivating every field and advancing in every path of national improvement, and benevolence, and glory. What other plan spreads out before them so fruitful and inviting an inheritance, or reveals in the distant horizon such bright and shining lights?

That this plan embraces more points in which the friends of the African-race agree, and fewer in which they differ, than any other, must be re-

garded in its favor; for though general opinion that a scheme is right does not necessarily make it so, such opinion cannot be disregarded, but must always enter into the calculations of a wise man. And as the effects of most schemes depend very much upon the manner of their execution, one which for its success demands the united exertions of communities or nations may offer valid reasons for its support in the fact, that the general verdict of opinion may probably be pronounced in its favor. Indeed, a plan theoretically the best, if certain to be condemned, retarded, opposed, may be less deserving support than an inferior one generally approved, and which can be wisely and energetically executed.

Two plans of general policy on this subject divide the friends of the colored race in England and America. The one is sustained by those who, turning from all the wrongs and miseries of Africa, direct their efforts mainly, if not solely, to the emancipation of all slaves in Christian countries, by sounding out the doctrine of immediate abolition as a duty to be instantly performed by masters, in recognition of the inherent right of the slave; the other by the African Civilization Society, and by those who, by founding free states of voluntary colored emigrants in Africa, look for emancipation and the elevation of her children to the success and moral influence of this experiment. That the colonization scheme avoids those collisions and angry controversies inevitably connected with the scheme of abolition, is certain; and that the elements of most efficient and extensive union are with the colonizationists, and not with abolitionists, I hold to be equally clear. That the two schemes do not necessarily conflict; that the same person may, without inconsistency, advocate both, I admit; yet a union at present of the citizens of the Southern States of the American Confederacy with the philanthropists of other states or countries, for the benefit of the people of color, on any other than the colonization plan, is not to be expected. This fact will prevent most of the citizens of the non-slaveholding States from entering into associations of their own, or combining their efforts with foreign associations, on the abolition plan. They know that nothing can be wisely, humanely, or effectually done for the abolition of slavery, but with the will and consent of the masters, and that they are bound in good faith, and by the constitution of the country, to forbear all attempts to control or disturb the peculiar institutions of the South. They desire the liberty of the slave, but love, honor, fidelity, and that Union in the stability of which is involved the cause of republican freedom, as well as the best hopes of the slave, more. Seven-tenths at least of the white population of the United States, I believe to be colonizationists: not because (in so far as the people of the non-slaveholding States are concerned) of opposition to emancipation, with permission to the liberated to remain upon the soil, should this be approved by the South, but that, not being at present thus approved, they will not usurp the right of intervention in the case; and because, convinced that the colonization plan has great and comprehensive merit, that in no other will the South concur; and that if this plan be not a remedy for slavery, it is preparing the way for such remedy.

I will not question the honesty and benevolence of the great body of English and American abolitionists, yet I regard many of their writings and proceedings as unjust to the people of the United States, particularly to the slaveholders, and pernicious in all their tendencies. No one can more desire than the writer to see modification and amendment of the

legal codes of the slaveholding States, in favor of the slaves. Atrocious crimes and cruelties are doubtless occasionally committed, in those States, on the persons of slaves. In what country are not oppression, cruelty, and crime, found to exist? Have they no existence in England? Generally, (and I speak from personal observation and inquiry in nearly all the Southern States of the American republic,) the citizens of those States are kind, humane, generous, and, in a proportion to the whole population, equal to that found in most parts of Christendom, devout and exemplary Christians. No better friends have the slaves in any part of the world than are to be found in those States. Cases of harsh treatment, of severe punishment, of wanton disregard of their feelings, of the voluntary and cruel rupture of their domestic ties, of withholding from them the necessaries of life, or denying to them opportunities to hear Christian instruction and worship God, are not common; they are exceptions, not the rule. Liabilities to evil in the system of slavery are great; trying separations and wrongs among slaves are frequent; yet many laws which darken the statute books of the slaveholding States are in practice nearly, if not quite, obsolete; and humanity and religion are exerting a mighty and increasing influence for the protection and good of this dependent people.

Many, very many, masters and slaves are bound together by the ties of mutual confidence and affection. A large proportion of the slaves exhibit an aspect of comfort, contentment, and cheerfulness. There is much to regret, much to condemn, fearful evils which are perhaps never brought to light, in the system of slavery; yet all things (the very heavens themselves, as some would represent) are not wrapt in gloom. It is not to diminish the general sense of the injustice as well as impolicy of slavery, viewed as a permanent system, that I thus write, nor that I would lessen the moral powers that are working for its abolition, but in reference to truth, and because he is blind who sees not that injustice to the master is injury and a crime against the slave. He who bears false witness against me and seeks to destroy my reputation, must not expect to be my counsellor. If the abolitionists of New England and of Old England have no influence among American slaveholders, and little with the citizens generally of the United States, to their errors in principle, and more to their faults and offences in practice, must they trace the cause. If their errors and faults originate in ignorance, they might be pardoned, and may be corrected; but, while persisted in, they sunder all bonds of respect and moral union between their authors and the citizens of the Southern States of America, and indeed of a great majority of the Americans. They tend to produce between England and America hostile sentiments, perhaps actual war. Indeed, having excluded themselves utterly from the confidence of those upon whom, under Providence, depend the hopes and destiny of the slave population, some of their number, in the ardor of their ill-regulated enthusiasm and the darkness of their perverted understandings, are ready to stake upon war the success of their cause. But the idea that England should make war upon America to abolish slavery is so unmerciful towards the slaves, as well as preposterous and atrocious in every respect, that I doubt not it will be reprobated by the general reason and humanity of the English nation. As I wish to show that the principles of extensive and efficient union for the benefit of the African race are with the colonizationists, and not with the abolitionists, I deem it pertinent to quote two or three passages from recent abolition publications in Eng-

land, containing sentiments which, if their folly did not equal their wickedness, would be alarming to the true friends of the slaves and of peace.

On the 14th of September last, Mr. Remond, a man of color from the United States, addressed a public meeting of the Glasgow Anti-slavery Society, in the Rev. Dr. Heugh's church, and among other things said :

"Such was the state of things on the opposite side of the Atlantic; and now he would put the question, what were the friends of anti-slavery in Britain to do for the abolition cause? A reference was, in the letter he had read, made to the Northeast boundary question. After referring to the ardent desire for war with England manifested by the State of Maine, about a few acres of land, and their inconsistency in refusing to give liberty to the slave, Mr. Remond proceeded to show that a war with England would inevitably lead to the emancipation of the slaves. He believed that England held the means in her own hands in relation to the system of slavery, and he trusted she would not shrink from the contest; for, dearly as he loved his country, and to dwell upon the associations which he had experienced there, he felt that emancipation from any other quarter was not to be hoped for; and God grant that it might arrive early. The American nation, he observed, had every thing to lose by a contest with England. This sentiment, he knew, might cost him his head; he knew he would be in danger, the moment he stepped on his native shore, for having given expression to such views as these, but he cared not; it would at least be known that one colored American had dared to speak freely and boldly on this subject. (Cheers.) He would not give up the privilege and the prerogative of speaking out as a free man, while the breath was in his body.

* * * * *

Let there be war between England and America, and the shackles which now held so many in bondage in his country would be broken to-morrow."

The Rev. Mr. Keep, from the Oberlin Institution, United States, attempted to apologize to the audience for the warmth of his friend, Mr. Remond, who is subsequently reported to have said :

"He would not have any one suppose that he would return to his country with the view of inciting the slave to insurrection against his master. He did not think it would be necessary; for he believed the slave would be freed only by the progress of peaceful truth. He only spoke what were his own sentiments in relation to himself; and he did not wish to soften down the sentiment in the least."

I leave it to those who can better reconcile differences than myself, to show Mr. Remond's consistency in urging a war as affording the only hope for emancipation, and then avowing a belief that the slave would be freed only by the progress of Christian truth.

The editor of a newspaper (published, if we mistake not, at Ipswich) gives the following paragraph, evincing ignorance, and marked by sentiments better suited to the inmate of a lunatic hospital than to one standing forth as adviser of a humane, wise, and puissant nation :

"We are afraid there is a wish on the part of the thousands in America, who are implicated in the slave traffic, to provoke hostilities with England, in order to divert attention from the abolition question, and get rid of the present agitation created by the laudable perseverance of philanthropists in both countries. If war be inevitable, our heart's desire is, that it may lead to the annihilation of American slavery. The horrors of the slave system, as pursued in the Southern States, are unutter-

able; nothing that the wildest imagination can conceive surpasses the cruelties inflicted on the wretched negro victims; and if it were in our power to stir up the spirit of the slaves to rebel against the heartless planters, and by one effort shake off their fetters, we would use that power, though all America were thrown into disorder, and presented one wide field of bankruptcy and ruin. If the sword of Great Britain should be unsheathed, let her not draw back her hand until she has secured the freedom of the slave.

"We would that America had listened to the voice of reason and mild remonstrance from the British shores, and suppressed the lingering abomination amidst the acclaiming cheers of humanity; but she persists in the unholy traffic; she welcomes to her shores the infernal slave ship, filled with bales of human merchandise; she still promotes the detestable system of slave breeding in her States; she heeds not the groans and tears which fill her land, the boasted land of freedom, equality, and civilization.

"The horizon is dark and troubled; we know not where war with America will end; her curse is of slavery; of all the dangers that threaten her, that of slavery is the greatest; she is wedded to the evil; and to utter the word abolition, in the Southern States, would be to defy death. What is the duty of England, is a serious inquiry. We wish for nothing but moral influence; but if there must be physical conflict, let not the abolitionists, even in war, be diverted from their course, but strive more energetically to merge all dissensions and distinctions in the overwhelming unity of demand—*annihilate slavery in America.*"

In the number of *Frazer's Magazine* for the present month (April) appears an article entitled "*War with America a blessing to mankind.*" While calculated (we fear designed) to stir the passions of the unthinking, to well informed and virtuous minds the falsehood of its statements and its detestable sentiments carry with them their antidote. While this sage writer sees no hope of success in any war with America which should fail to arouse the slaves to general insurrection, in the excitement of these people to a murderous contest for liberty, he discerns the means of a short and easy conclusion of the struggle: "A conclusion in every way honorable and advantageous to England, and in the highest degree desirable to the whole human race."

"America, (he says,) in one respect, is the most sinful nation in the world; and in her sin, as Divine and retributive justice ordinarily provides, she finds her weakness and her punishment. She holds nearly three millions of unoffending human creatures in the most cruel bondage; in a thralldom infinitely worse than Egyptian, Turkish, or Slavonian. In fact, we doubt if the annals of the human race afford an example of any system of oppression at all approaching to that which is proved, on the clearest, fullest, and most irrefragable evidence, to exist in a country which vaunts itself to be the freest nation on the face of the earth."

After quoting evidence concerning the atrocities of American slavery, from a work entitled "*Slavery, and the Internal Slave Trade of the United States,*" by the executive committee of the American Anti-slavery Society—a work as fairly and justly representing American slavery and the American character as the records of the London police offices, the trials at the Old Bailey, or the *Newgate Calendar*, would the character of the

English people, and introducing the shocking details of two cases, in which colored men, murderers, had been burnt by mobs, with the remark, "We will adduce only a sample or two of what seems a common practice in the slave States of America," he adds:

"Such, then, is the sin and weakness of America. It may be a doubtful point how far another nation would be justified, in a time of peace, in embarking in a crusade of philanthropy, and endeavoring to force an independent people into the relinquishment of a national sin. But what possible doubt can exist as to the propriety, the expediency, nay, the absolute duty, of making a war subservient to the great and pre-eminent object of freeing these three millions of cruelly oppressed human beings?

"Policy, too, not less than philanthropy, prescribes such a course of warfare. By this mode, and this only, a war with America might be brought to a speedy and inevitably triumphant close. As we have already observed, a struggle between the people of England and their descendants in America must be a fearful, a protracted, and a lamentable one. But if assailed in this quarter, a vital point is instantly and surely reached; the Union is dissolved, and the war is at an end.

"Among the three millions of slaves, we may fairly calculate the adult males at nearly one million. Every man of all this multitude would eagerly rush to embrace an emancipating invader, and within a few days' sail of the coast repose the free and happy blacks of Jamaica. In one morning a force of ten thousand men might be raised in this quarter, for the enfranchisement of their brethren in America. * * *

"We say that this course is dictated alike by policy, by self-preservation, and by philanthropy. By policy—for nothing would render our own possessions so secure as a dissolution of the Union—an inevitable result of this line of action. By self-preservation—for England must not venture to involve herself in a protracted contest in a distant quarter of the globe. By philanthropy—which tells us that if, contrary to our own inclinations, we are dragged into this unnatural war, it is our duty at least to endeavor to bring good out of evil. In whatever way, then, we contemplate the subject, we come to this conclusion:

"If we must have a war with America, let us make it a war for the emancipation of the slaves; so shall our success be certain, and our triumph the triumph of humanity."

Some indignation we might feel at these remarks, were they not absolutely ludicrous, and the parting counsels to the English Government to take possession of Cuba such as might produce smiles rather than anger in the United States.

"Now," he observes, "England could, if she chose, very speedily put an end to slavery.

"The three great markets for slaves, to supply which the trade is kept up, are the United States, Brazil, and Cuba. The first of these, we feel persuaded, will be broken up whenever a war breaks out; and, even without a war, the system would lead to some dreadful internal convulsion before long. But the last of these, Cuba, is open to our approaches even at this moment.

"Cuba belongs to the Crown of Spain. But what is the Crown of Spain? A shadow.

"It is abundantly obvious that England could add Cuba to her colonies

to-morrow, if she chose to do so. But could she do so with justice and honor? Most unquestionably she might. Has not England expended upon Spain, within the last twenty years, many millions of sterling money?" &c.

From works more grave, such as the *British Critic*, the *Eclectic Review*, and the *Congregational Magazine*, the pages of which are enriched by the thoughts of sober and charitable divines, recent passages might be cited, showing that even enlightened minds in England are misinformed or misled on the subject of American slavery and the Colonization Society. They consider "*American Slavery as it is*," and the work on "*Slavery and the Internal Slave Trade in the United States*," as giving a just general view of that slavery, whereas a detail of crime connected with the manufacturing or poor-law systems of England would give as just a view of those systems. I have no wish to recriminate. But a remedy for our censoriousness towards the faults of others may often be found in reflection upon our own; and Divine wisdom instructs us that to condemn the sins of others is no virtue, while guilty ourselves of doing the same things. Besides, he who is ignorant of the sentiments of others towards him, or disregards them, will find that purity of motive does not always give him influence, and that his good intentions will find the door closed, unless humility, discretion, and charity, have first opened it. Let, then, the pious and philanthropic of England, her learned and venerable clergy, imagine with what sentiments they would peruse, in an American magazine or review, the following article, and they will understand the impressions which the passages we have quoted will make upon the American people:

"A war with England a blessing to mankind.

"The arrogance, pride, and selfishness of the English nation are insufferable. We are no friends to war, but are not sure that a declaration of hostilities against this haughty and oppressive Power is not a duty to ourselves and to mankind. With high professions of respect to justice and the rights of man, England has for centuries continued to violate both to an incredible extent, and without remorse. Think of her conduct towards this country. Compare it with our own towards her, (the best English statesmen themselves being judges,) in the great contest of the Revolution.

"The Earl of Chatham said: 'Your ministers have gone to Germany; they have sought the alliance and assistance of every pitiful, beggarly, insignificant, petty prince, to cut the throats of their loyal, brave, and injured brethren in America. They have entered into mercenary treaties. They have let the savages of America loose upon their unoffending brethren; loose upon the weak, the aged, and defenceless; on old men, women, and children; on the very babes upon the breast; to be cut, mangled, sacrificed, boiled, roasted, nay, to be literally eaten. These, my lords, are the allies Great Britain now has. Carnage, desolation, and destruction, wherever her arms are carried, is her newly adopted mode of making war. Our ministers have made alliances at the German shambles; and with the barbarians of America, with the merciless torturers of their species. Where they will next apply, I cannot tell. Was it by letting loose the savages of America, to imbrue their hands in the blood of our enemies, that the duties of the soldier, the citizen and the man, came to be united.

Is this honorable warfare, my lords? Does it correspond with the language of the poet? 'The pride, pomp, circumstance, of glorious war, that makes ambition virtue.'

"The Duke of Richmond said: 'But, my lords, I wish to turn your eyes to another part of this business. I mean the dreadful inhumanities with which this war is carried on, shocking beyond description to every feeling of a Christian or of a man. If ever a nation shall deserve to draw down on her the Divine vengeance of her sins, it will be this, if she suffers such horrid war to continue. To me, who think we have been originally, in the wrong, it appears doubly unpardonable; but, even supposing we were right, it is certainly we who produce the war; and I do not think any consideration of dominion or empire sufficient to warrant the sacrifices we make to it. To arm negro slaves against their masters, to arm savages who we know will put their prisoners to death in the most cruel tortures, and literally eat them, is not, in my opinion, a fair war against fellow-subjects.'

"Col. Barre said: 'The Americans have been branded in this House with every opprobrious epithet that meanness could invent; termed cowardly and inhuman. Let us mark the proof. They have obliged as brave a general as ever commanded a body of British troops to surrender; such is their cowardice. And instead of throwing chains upon these troops, they have nobly given them their freedom; such is their inhumanity.'

"Mr. Burke observed: 'The Americans had been always represented as cowards; this was far from being true; and he appealed to the conduct of Arnold and Gates, towards General Burgoyne, as a striking proof of their bravery. Our army was totally at their mercy. We had employed the savages to butcher them, their wives, their aged parents, and their children; and yet, generous to the last degree, they gave our men leave to depart on their parole, never more to bear arms against North America. Bravery and cowardice could never inhabit the same bosom; generosity, valor, and humanity, are ever inseparable. Poor, indeed, the Americans were, but in this consists their greatest strength. Sixty thousand men had fallen at the feet of their voluntary poverty.'

"And what has since been her conduct? Having driven us into a war in defence of our maritime rights, which we nobly vindicated on that ocean that she vainly imagined was her own, she has recently again violated those rights in the African seas, as though *she only* sought to overthrow the slave trade, and, to monopolize all credit in abolishing it, might violate the law of nations. Has she not in time of peace, and on our own soil, burnt our property and murdered our citizens? Witness the affair of the *Caroline*. Not content with denouncing us as infamous before the world for an evil which, from mere mercenary motives, she forced upon us, in the days of our weakness and her tyrannous control, her ecclesiastical bodies would exclude, on account of this evil, from Christian fellowship, nearly one-half the churches of this Union; and, as if growing more hardened in iniquity, she dares to speak, not of a magnanimous and open war, but (unparalleled atrocity!) of exciting our slaves to insurrection; of lighting the flames of servile war throughout all the Southern States of this Confederacy. And who are those that, with more than savage ferocity, would introduce amongst us all the horrors which, a few years ago, darkened the heavens, and made red with the blood of in-

discriminate massacre the fields of St. Domingo? Our enlightened, Christian, English brethren! A people who boast of the treasures of their wisdom and the purity of their faith; who are justly proud of the immortal names of Shakspeare and Milton, of Bacon and Burke, of Hanway, and Howard, and Wilberforce. But has England no sins to answer for, that she should take the work of retribution into her hands, and inflict the Divine vengeance upon our guilty heads? What nation was it that through several of its successive monarchs, two centuries ago, called for subscriptions to joint-stock companies for the prosecution of the slave trade, in order to supply laborers to her American plantations? What nation that in 1713 formed a treaty with Spain, which, in the words of Lord Brougham, 'the execrations of ages have left inadequately censured,' by which it was stipulated that she should introduce 4,800 negroes into his Catholic Majesty's dominions, for the space of thirty years, successively? What nation that, for a long period, employed from one hundred and fifty to two hundred ships in the slave trade, and carried off on the average forty thousand negroes annually; at times one-half more, and which is stated by Anderson, in his *History of Trade and Commerce*, about 1753, to have supplied her American colonies with negro slaves, amounting in number to above one hundred thousand every year? It is the nation of which Mr. Pitt said, 'The truth is, there is no nation in Europe which has plunged so deeply into this guilt as Britain. We stopped the natural progress of civilization in Africa. We cut her off from the opportunity of improvement. We kept her down in a state of darkness, bondage, ignorance, and bloodshed. We have thus subverted the whole order of nature; we have aggravated every natural barbarity, and furnished to every man motives for committing, under the slave trade, acts of perpetual hostility against his neighbor. Thus had the perversion of British commerce carried misery instead of happiness to one whole quarter of the globe.'

"And has England, by extraordinary acts of merit, so atoned for these enormous wrongs, so cleansed her garments from the blood of Africa, as to be entitled to carry revolution into foreign States? Even in her boasted act of West Indian emancipation, she violated (as Granville Sharp, the venerated father of abolition in England, would have said) the rights of her own subjects, in denying them a representation in her national legislature. Her liberality of compensation we admit. But by what authority of justice, while conferring personal freedom on one people, does she hold in political servitude another? She treated with contempt the remonstrances and petitions of her American colonies against the slave trade, and now she presumes to dictate to these colonies, risen to independent States, where and how they shall abolish slavery, on pain of her high displeasure.

"And has she no evils at home to remedy, that she must cross the ocean to excite civil and servile war in America? Let her look to India, to South Africa, to every remote province of her empire, and see the foot-prints of desolation or the signals of dismay or sorrow wherever she has conquered. Whole tribes and nations have wasted away before her, while more than a hundred millions bow their necks to her arbitrary and iron will. What is the condition of Ireland? More than 2,000,000 of her people in rags and wretchedness, and compelled to solicit charity for at least half the year. And what is done to give religious instruction to three millions, speaking only the Irish language? And what political rights has Ireland? Out of three counties, containing more than 1,000,000

of inhabitants, there are a little more than 4,000 voters. Little better is the condition of things in England. Ground to the dust by taxation, to support a Government the most lavish for expenditure in the world, no provision is made for general education, and thousands are transported annually for crimes of which ignorance may be regarded as the parent. An overgrown aristocracy, vast wealth, and boundless luxury, are here seen in contrast with ignorance, misery, and starvation. Talk of American slavery, while in one city of Great Britain, and that not the largest, 16,000 persons are found seeking food and shelter in a single year: while typhus fever, produced by destitution, is never absent; and when an able physician, writing of Limerick, says, (in reference to the houses in the worst part of the old town,) 'I myself have known several of those houses occupied by eight, nine, eleven, thirteen, and I have heard that some of them are occupied by sixteen families. I have seen three families living together in a room scarcely seven feet square! It would, indeed, be a most interesting subject for investigation, and one which I am sure would tend to great practical good—an inquiry into the condition of these poor strugglers; the number to each house; the rents they pay; their mode of obtaining a livelihood, and other particulars regarding them; but I fear I should not be able to devote sufficient time to it. Here, amid broken banisters, falling staircases, sinking floors, and shattered roofs that admit every blast, may be witnessed every variety of privation, misery, and suffering, in all its horror, which it is possible for the human mind to contemplate. I have read all that has been written on the condition of the poor in Scotland and other places, and in nothing they describe do they exceed what is exhibited in Limerick. I have seen a wretched mother lying sick on a mat, in the corner of a garret, her only covering a few rags; without a drop to wet her lips for three days, but cold water; her husband dead, and three little children on the floor, who were frequently eight-and-forty hours without tasting a morsel of food. But this last is by no means an uncommon occurrence among them, and sometimes the interval passed without food is much longer. I have seen children, not otherwise unhealthy, fall into a dropsical state, and die, from the absolute debility produced by repeated abstinence. I have known a wretched young creature, a widow, without clothing, food, or fire, when every rag was pledged, place her dying infant between her lower limbs in its last moments, in a position which is not easy to describe, in order to keep some warmth in it while it was expiring.' 'Thrice happy are slaves, so far as physical comfort is concerned, in America, compared with the thousands perishing for want in this kingdom. And then her manufactories. But more than enough; her people are beginning to open their eyes; the 'hereditary bondmen of Ireland,' as Mr. O'Connell has it, will not always be slaves. Her old, rotten institutions must give way; the sooner they are in the dust the better. Let us, for the sake of Ireland and India, for freedom and humanity, declare war, and millions will clap their hands. At all events, England should know that an attempt on her part to rouse the slaves to insurrection will unite every American against her; nor will they rest until the Canadas shall be released from their chains, and not an Englishman left on the shores of the new world. The pride of England must be humbled. Our voice, then, is for war; and we conclude as we began, 'a war with England a blessing to mankind.'"

If an Englishman turns from this article with abhorrence or disdain, let him consider that the language I have quoted from recent publications

in this country, more malignant, and certainly not more just, must excite similar sentiments in the American mind. And is it by such publications that England and America are to be united in works of piety and philanthropy? Will mutual attacks upon character, the application to each other of undeserved censures and cruel reproaches, bind us more in amity together? By concealing each others' virtues, and exaggerating and gladly holding up in the face of Heaven each others' faults, shall we become wiser and better, and show more impressively to the world the meekness and power of Christian love?

Suppose a society established in the United States, for the avowed purpose of effecting a revolution in England, by inflaming the passions of her laboring classes, insisting upon their right to share equally with the nobility in the government of the empire; that the lands ought to be their own, which they have so long cultivated for very inadequate rewards; putting arms into the hands of her Chartist population, and maintaining that it was utterly repugnant to the democratic spirit of Christianity, that thousands should pine in workhouses, or starve out of them, while others, no better than they, dwell in palaces and drink wine out of bowls; and that a throne, based upon the miseries of the people, should be overturned by their hands; suppose they should collect all reports of crime and suffering, throw the responsibility for their existence upon those in power, and pronounce all authority in England null and void before God: would the good and wise in this country have patience with such a society, welcome to their shore its agents, or distribute its publications? I suspect such interference in the national concerns of England by the people of a foreign State would be likely to add new tenants to the prisons, or send out additional companies of disconsolate, if not chained captives, to till the soil of Her Majesty's Australian dominions.

I shall not argue the point, whether such a society in America would furnish an exact parallel to the Abolition Society of England, for my object is but to say that the movements of the latter, so far as directed to excite the slave population to insurrection, or in any way to coerce emancipation, are regarded, universally, in America, with detestation and horror. And here I may be permitted to correct some of the errors in the quotations I have cited from recent English publications, and which I fear may have been adopted too extensively in England, concerning American slavery and the American Union.

1st. The idea propagated by the *Times*, as well as various other papers, that the consequence of war would be a speedy dissolution of the American Union, is wholly false; on the contrary, nothing could strengthen the American Union like war with a foreign Power. The bonds uniting the several States of that Union can be relaxed and broken only (if at all) by internal dissensions in days of peace.

2d. To represent the citizens of the Southern States of America as generally guilty of rigorous, inhuman conduct towards their slaves, is an outrage upon truth as well as charity. If my testimony, derived from extensive personal observation, be called in question, I appeal to the venerable bishops of the Episcopal church, in those States, to confirm it, and desire those who would try the question to seek their testimony on the subject. Much oppression doubtless exists; but a concern for the physical comfort, religious instruction, and ultimate freedom of the slave population, is increasing, and will continue, I trust, more and more to increase.

3d. Neither fanaticism nor mistaken philanthropy may gratify itself with the idea that the slave population of America are one and all ready to fly to arms against their masters, at the bidding of a foreign foe. Not a few have too much sense to do this, not a few too much piety, and a large proportion, probably, would prefer the protection of humane masters, whom they know, to a foreign soldiery, if such could be landed, (which it could not be,) of which they know nothing.

4th. The idea of securing freedom to the slaves, by urging them to insurrection, and aiding them in the work, is a dream of *his* folly, or insanity, who might smile at the conflagration of cities or the destruction of nations. Cruel to all classes in America, especially to the slaves, should it once rouse them to action, unimaginable evils must be brought upon society, probably utter ruin upon themselves. All this is clear to those who can think, and for others I do not write. Fidelity and good conduct on the part of slaves will prove their best passport to liberty; and far wiser is it for them to rely upon the justice and kindness of their own masters, under the growing influences of Christianity, than upon the interference of foreign philanthropists.

And here I conclude what I have to say on the errors connected with this subject, by the remark, that the various compound poisons, as Cole-ridge terms them, circulated to excite discontent in the humbler classes, who receive but a small share of the fruits of society, appear to me to have been in great demand among the Anti-slavery Societies both of England and America.

"1st. Bold, warm, and earnest assertions, it matters not whether supported by facts or not; nay, though they should involve absurdities and demonstrable impossibilities.

"2d. Startling particular facts, which, dis severed from their context, enable a man to convey falsehood while he says truth.

"3d. Arguments built on passing events, and deriving an undue importance from the feelings of the moment.

"4th. The display of the defects, without the accompanying advantages, or *vice versa*.

"5th. Concealment of the general ultimate result behind the scenery of local and particular consequences.

"6th. Statement of positions that are true, under particular conditions, to men whose ignorance or fury make them forget that these conditions are not present, or lead them to take for granted that they are.

"7th. Chains of questions, especially such questions as the persons best authorized to propose are ever the slowest in proposing; and objections, intelligible of themselves, the answers to which require the comprehension of a system.

"8th. Vague and commonplace satire," &c.

I am aware that the exhibition of particular errors, and the correction of them, is not absolutely necessary to my argument, though I trust not impertinent to the general object of this letter. I have sought to show that the elements of a general union are with the friends of African civilization and colonization, and not with the abolitionists. These elements may respect the instrumentalities and the particular end. Agreeing mainly in both, the former (the friends of civilization and colonization) may expect to unite to them the mind and energy of the people of the Southern States of America—a matter vitally important to the interests and hopes of

the slaves, to any extensive union of their friends in that country; and of highest consequence to the civilization of Africa. Agreeing already in the field for their operations, in the agents to be employed, in many of the subordinate means to be used, in the great principles of Christian discretion to be adopted, and the grandeur of their design—the moral and intellectual elevation of an entire race of men—time and experience will, I trust, perfect their union, correct any irregularities, supply any defects in their policy, and show the embodied wisdom and power of two great nations harmoniously working for the civilization and salvation of Africa.

I have but alluded to the effects to be produced by the civilization of Africa upon the commerce of the world. To England, by opening a vast market for the innumerable products of her manufacturing skill; and to America, by creating large demands for the fruits of her agriculture, the benefit would be inestimable.

Gentlemen, to you, as justly possessed of the public confidence in your respective countries, and presiding, the one over the American Colonization Society, the other over the African Civilization Society, I venture to address this letter, in the hope that the institutions you represent will gather around them the affections and strength of England and America; that minor differences of opinion will be merged in a common sensibility to the wrongs and miseries of the Africans; that these institutions, already agreeing in most things, may soon concur in all; that, mutually imparting to each other the results of their inquiries and experience, the pathway of both may become brighter with wisdom and beneficence; that liberty to the whole African race may follow in their footsteps; that among their blessings may arise a holy and inextinguishable spirit of amity between the Christian people of England and the United States; that future ages may behold and admire, in the civilization of the most barbarous quarter of the world, the morally renovated character, the political elevation and independence of her now rude and enslaved sons; the efficacy of generous motives, supplied by philanthropy, to produce self-discipline, to train and exalt depressed and darkened minds; and, finally, that they may discern light cast upon the mysteries of that Almighty Ruler who subverts or builds up empires, and, extending his decrees through all space and eternity, often educes the fairest forms of a new creation from the chaos of turbulent events, disordered passions, perverse counsels, and untold calamity; and while lifting their voices of praise to that God who left his chosen family for centuries under the oppressor's rod, that he might bring them forth, attended by art and civilization, from the magnificent cities of Egypt to their promised home, the anthems of a devout thanksgiving may break out from the habitations and temples of Africa, to augment and surpass all other songs of the earth before his throne; and that the benignant Father of all men may rejoicingly cast his eye upon that land, made beautiful as the gardens of Solomon and the gates of Zion.

Well do I know that not a few ardent and judicious philanthropists condemn the recent policy of the African Civilization Society, and of the English Government, believing that the Niger expedition will secure no advantages to compensate for the large expenditure and the probable, nay, almost certain loss of life. Possibly the funds applied to fit out and defray the expenses of this expedition might have been more usefully employed in improving and extending settlements or colonies already founded in Africa. But I am not sure of this, and I have no disposition to find fault.

Much valuable information will be acquired, I trust, also great and good results secured, by this expedition. Whether it proceeds on the most economical plan, or with the best instructions, I am incompetent, being without information, to judge. I wish it all possible success; and I fervently pray that the generous conduct of the English Government, in this case, may be soon imitated by the Government of my own country.

In retiring from all public connexion with a cause to which the best powers of my mind and the best years of my life have been devoted, I have felt impelled, I trust by a deep sense of duty, to submit these thoughts to you, gentlemen, and to the friends of Africa and her afflicted children, in England and the United States. If they contribute in the least to allay animosity, to promote truth, justice, and charity; if in a single mind they awaken a more powerful sympathy for a people bound in chains, and trodden in the dust; if to a single unfortunate man of color they reveal, even faintly and in the distance, the star of hope for himself, and the ancient and once renowned mother land of his progenitors, and rouse him to the high ambition of rebuilding her ruins, and restoring to her embrace her long lost children; if they impress upon the masters of slaves the great and universal law of Christ, "Thou shalt love thy neighbor as thyself;" if, finally, (and would that I could hope so much,) they should incline American and English philanthropists to unity of opinion, to mutual and friendly co-operation on the same plan, because the best plan for the civilization of Africa and the elevation of all her people, I shall not have lived in vain.

I have the honor to be, gentlemen, very respectfully, your friend, &c.

R. R. GURLEY.

APRIL 30, 1841.

Report of the select committee of the British House of Commons on the state of the British possessions on the west coast of Africa—Aug. 1842.

The select committee appointed to inquire into the state of the British possessions on the west coast of Africa, more especially with reference to their present relations with the neighboring native tribes, and who were empowered to report their observations, together with the minutes of evidence taken before them, to the House, have considered the matters to them referred, and have agreed to the following report:

Your committee, previous to reporting the result of their inquiries into the subject which has been submitted to them by your honorable House, think it desirable to state the circumstances which led to their appointment. In the course of the year 1839, information was communicated to the Marquis of Normanby, then Secretary of State for the Colonies, that a Spanish slaver, the *Dos Amigos*, had, a short time previous to seizure, been allowed to trade freely at Cape Coast, a British settlement on the Gold Coast, and had been supplied there by a British merchant, a magistrate, with some of the goods, not equipments, requisite for carrying on her unlawful traffic. This information led to further inquiry, in the course of which it appeared that such practices were not unusual, and that Capt. Maclean, the governor, appointed by the committee of merchants in London, on whom the charge of the settlements of the Gold Coast had been

devolved by Parliament, in the year 1828, did not consider himself entitled to interfere with the traffic of any vessel of a friendly nation, whatever her purpose, coming to purchase goods, in themselves lawful, within the waters of a British settlement. In consequence of this information, Lord John Russell, then Secretary of State for the Colonies, concurring with his predecessor, gave strong instructions for the discontinuance of this practice, and for the punishment of it as illegal, expressed his opinion that it was desirable the government of these settlements should be resumed by the Crown, and instructed Doctor Madden, a gentleman who had formerly been employed as a stipendiary magistrate in the West Indies, and subsequently in the mixed commission at Havana, to proceed as commissioner to the Gold Coast and the other British settlements on the west coast of Africa, for the purpose of investigating these and other matters connected with the administration and condition of these settlements. He was at the same time instructed to inquire into and report upon the prospects of emigration from Sierra Leone to the British West India colonies.

The reports, which were the result of this gentleman's inquiries, involving materially the interests of humanity and of commerce, and impeaching gravely the characters of individuals engaged in the British trade with Africa, in a manner which seemed to call for further investigation before any conclusion could be fairly come to upon the questions at issue, have been laid before your committee, have in fact formed the basis of their proceeding, and are published with this report; but, in publishing them, your committee beg to state that, while they do full justice to the value of much of the information contained in them, and to the zeal and diligence of Doctor Madden, they do not concur in all his conclusions, or intend to warrant the accuracy of his statements. His inquiries were conducted over a vast surface of coast in a short period, and under circumstances of considerable interruption from health disordered by the climate; and in many instances he apparently found himself compelled to take his information from third parties, the accuracy of whose statements and the correctness of whose opinions he had not the opportunity of testing.

In many of his recommendations they concur; on some, and those of no slight importance, they have come to an opposite opinion; but, thinking it would be more convenient that they should give their own conclusions, upon the whole subject submitted to them, in a consecutive form, rather than in the shape of a commentary upon his reports, they beg to submit the following statement and recommendations to the House, as the conclusions at which they have themselves arrived:

Gold Coast.

In the first place, then, we recommend that the Government of the British forts upon the Gold Coast be resumed by the Crown, and that all dependence on the Government of Sierra Leone should cease.

We fully admit the merits of that administration, whether we look to the officer employed, Captain Maclean, or to the committee under whom he has acted, which, with the miserable pittance of between £3,500 and £4,000 a year, has exercised, from the four ill-provided forts of Dixcove, Cape Coast, Annamaboe, and British Accra, manned by a few ill-paid black soldiers, a very wholesome influence over a coast not much less than one

hundred and fifty miles in extent, and to a considerable distance inland ; preventing, within that range, external slave trade, maintaining peace and security, and exercising a useful, though irregular, jurisdiction among the neighboring tribes, and much mitigating, and in some cases extinguishing, some of the most atrocious practices which had prevailed among them unchecked before. We would give full weight to the doubts which Captain Maclean entertained as to his authority, until specifically so instructed, to prevent vessels, suspected of being intended for the slave trade, but not having slaves on board, from trafficking in lawful goods within his jurisdiction ; and we do not infer, from that circumstance, that the government of these forts had any partiality for an abominable traffic, which, on the contrary, they have done much to check ; but we think it desirable, for the sake of enlarging the sphere of usefulness of these settlements, and of giving greater confidence in the character and impartiality of their government, that it should be rendered completely independent of all connexion with commerce, by a direct emanation of authority from the Crown, and that it should be placed, with increased resources, in direct and immediate communication with the General Government of the Empire.

We recommend, further, the reoccupation of several of the forts, such as Apollonia, Winnebah, and Whydah, abandoned in 1828, when the government was handed over to the committee of merchants, and the reconstruction of others, on however small a scale, on other similar points. In some cases the climate will be found to be not worse, in others better, than on other parts of the coast of Africa ; but this evil may be very much mitigated, if not entirely removed, by the employment of such Europeans only as are already inured to a tropical climate, and of British subjects of African descent, who, we believe, may now be found, either within our African settlements or our West India colonies, fitted for almost every branch and grade of service,* and we look upon such establishments as of high importance, not for the extension of territory, but of that control over the slave trade, and wholesome moral influence over the neighboring chiefs, which we have described as having been exercised by the existing forts, and which is much needed at those places to which we have particularly alluded, as well as others.

The judicial authority at present existing in the forts is not altogether in a satisfactory condition ; it resides in the governor and council, who act as magistrates, and whose instructions limit them to the administration of British law, and that, as far as the natives are concerned, strictly and exclusively within the forts themselves ; but practically, and necessarily, and usefully, these directions having been disregarded, a kind of irregular jurisdiction has grown up, extending itself far beyond the limits of the forts, by the voluntary submission of the natives themselves, whether chiefs or traders, to British equity ; and its decisions, owing to the moral influence, partly of our acknowledged power, and partly of the respect which has been inspired by the fairness with which it has been exercised by Captain Maclean and the magistrates at the other forts, have generally, we might almost say uniformly, been carried into effect without the inter-

* The gentleman lately acting governor of Sierra Leone, and the Queen's advocate there, are both gentlemen of color ; and it appears that an Akoo, lately a liberated African, is now on his way to England, to be ordained a clergyman of the church of England, having been instructed in Greek under the care of the church missionary society established in the same colony.

position of force. The value of this interposition of an enlightened, though irregular, authority (which has extended in some cases, and with advantage to humanity, even to an interference in capital cases) is borne witness to, not only by parties connected with the government of the settlements, who might be suspected of a bias in its favor, but also by the Wesleyan missionaries, and even by Doctor Madden, who, objecting to its undefined extent, and to the manner in which, in some respects, it has been carried out, yet still bears high testimony to its practical value, to its acknowledged equity, and to its superiority over the barbarous customs which it tends to supersede. Even the duration of imprisonment of which he complains has been usually adjudged to offences which would have incurred a severer penalty in most civilized countries, and would certainly, if left to the arbitrary decision of native chiefs, or to the "wild justice" of private revenge, have been punished by death, and that frequently of the most cruel kind. Still, however, it is desirable that this jurisdiction should be better defined and understood, and that a judicial officer should be placed at the disposal of the governor, to assist or supersede, partially or entirely, his judicial functions, and those now exercised by the council and the several commandants, in their magisterial capacity; but we would recommend that, while he follows in his decisions the general principles, he be not restricted to the technicalities of the British law, and that, altogether, he should be allowed a large discretion.

It is to be remembered that our compulsory authority is strictly limited, both by our title and by the instructions of the colonial office to the British forts, within which no one but the governor, his suite, and the garrison, reside; and that the magistrates are strictly prohibited from exercising jurisdiction, even over the natives and districts immediately under the influence and protection of the forts. All jurisdiction over the natives beyond that point must therefore be considered as optional, and should be made the subject of distinct agreement, as to its nature and limits, with the native chiefs; and it should be accommodated to the condition of the several tribes, and to the completeness of the control over them, which, by vicinage or otherwise, we are enabled to exercise. Their relation to the English Crown should be, not the allegiance of subjects, to which we have no right to pretend, and which it would entail an inconvenient responsibility to possess, but the deference of weaker powers to a stronger and more enlightened neighbor, whose protection and counsel they seek, and to whom they are bound by certain definite obligations.

These obligations should be varied and extended from time to time, and should always at least include (as many of the treaties now in existence on that coast already do) the abolition of the external slave trade, the prohibition of human sacrifices, and other barbarous customs, such as kidnapping, under the name of "panyarring," and should keep in view the gradual introduction of further improvements, as the people become more fitted to admit them.

In this arrangement we should find the solution of our difficulty in regard to domestic slavery, and a modification of it, under the name of "pawns," which has prevailed within these settlements, not actually within the forts, but within their influence, and even in the hands of British subjects. To them, indeed, they have been already prohibited; but although the system of pawns, which is properly an engagement of service voluntarily entered into for debt, and terminable at any time by the pay-

ment of the debt, is one which* “does not seem abstractedly unjust or unreasonable,” yet, as liable to much abuse, and much resembling slavery, it should be the object of our policy to get rid of it, even among the natives; and, in the places more immediately within the influence of British authority, we believe there will be no difficulty in limiting it at once, both in extent and duration, and probably, ere long, in abolishing it, by arrangements such as we have above suggested. Some caution, however, must be exercised in this matter, on account of the close intermixture of Dutch and Danish with the British settlements, though perhaps it might be possible to induce them to co-operate in such arrangements as might be thought desirable for the improvement of the neighboring tribes; and great facility and advantage would certainly arise from such co-operation, if it could be secured.

With regard to the judicial arrangements, a plan has been suggested, by which a supreme judicial officer might be placed at Ascension, at Fernando Po, where no authority of any kind exists, and one is much needed, or at some other island off the coast, visiting, with the aid of a steamer, the various settlements on the Gold Coast periodically, as well as the trading stations in the bights of Benin and Biafra, and exercising in the latter a very wholesome influence, in the adjustment of disputes with the natives, which, for want of such interposition, occasionally lead to consequences injurious to the British character and to the interests of commerce. But your committee are aware that difficulties might arise in carrying out this suggestion, more especially on account of the necessity for prompt decision in most cases in which the natives are concerned, and therefore are not prepared at present to do more than call attention to the suggestion.

We would here acknowledge the great services rendered to religion and civilization on this coast by the Wesleyan body; they have even established a friendly communication with the barbarous court of Ashantee, which promises results important in every way; and, indeed, little in the way of religious instruction would have been done without them. But we would recommend that further provision should be made for these objects, by the appointment of a colonial chaplain, and by encouragement to schools of a higher class than any which are found there at present, to which, among others, the neighboring chiefs should be invited to send their sons, to receive an education which might fit them to be a benefit to their own people directly, if they returned to their families, or indirectly, if they remained, by entering into connexion with British interests. Some officer also should be appointed, whose duty should be to take care of the effects of intestate persons, to verify the character of vessels entering the ports, and to attend generally to the fiscal regulations of the settlements.

We beg also to call attention to the suggestion, that we should endeavor to secure the co-operation of our Dutch and Danish neighbors, in licensing the canoes which ply along that coast, as they seem to afford considerable facilities to such slave trade as still exists along the leeward coast.

The military also should be somewhat increased in number; and their condition, as recommended by Doctor Madden, should be improved.

A scheme for an establishment such as we have been proposing will be found in the evidence of Mr. Hutton, one of the council of the com-

* Despatch of Sir G. Gray, December 4, 1837.

mittee of African merchants, who now govern these settlements. To the details we do not pretend to give our sanction ; but we beg to call attention to it, as showing that all the objects which we have been recommending may be attained at an expense far short of that which was incurred for these settlements when they protected, instead of, as now, controlling, the slave trade, or even when they were last under the direct management of the Crown. Indeed, in itself, it is of but trifling amount, when compared with the objects to be attained ; and we are confident that the increased expense will be well repaid, both directly by the diminished necessity for naval force upon the leeward station, and indirectly by the increase of commerce, which will be the certain consequence of extended influence over very important nations, including the kingdoms of Dahomey and Ashantee, of an improving population, and of the continued and still more complete suppression of the slave trade on that coast, once infamous as the principal scene of its operations.

Gambia.

For the purposes of trade and useful communication of every kind with the interior of Africa, the settlement in the Gambia seems to possess advantages far beyond those of any other British settlement on the coast of Africa. It has that which, in all countries, but more especially in Africa, where no means of land carriage exists, save the backs of slaves, is of the highest value—the command of a noble river, navigable for vessels of considerable tonnage for several hundred miles into the interior ; and it would appear as if a little fiscal encouragement to its products and those of its vicinity, together with the employment of steamers, which we would earnestly recommend, both for the suppression of the slave trade at the mouths of the neighboring rivers, and for keeping up communication, both commercial and official, with the settlement of Macarthy's island, (which is itself nearly two hundred miles up the river,) and, with the countries still higher up, would draw out untold resources for a useful and honorable commerce, and even restore to us some portion of the gum trade which we have lately lost.

As in the case of the Gold Coast, we recommend the entire separation of this government from that of Sierra Leone. The dependence which has hitherto existed has been the cause of great inconvenience, and seems to possess no advantage. The laws of the settlement have been enacted by those who are little acquainted with its concerns. Their jail has depended for clearance on the uncertain arrival of a chief justice from a distance of five hundred miles, and by a voyage of above twenty days ; and, in the case of the death of one chief justice, two years elapsed before a criminal, confined under a charge of murder, could be brought to trial, and then, owing to the delay, the witnesses had returned to Europe, and no evidence could be found. Even if a regular steam communication were established, though the amount of the evil would undoubtedly be thus diminished, yet still the uncertainty of life in such a climate should not be forgotten ; and we would recommend the appointment of a distinct judicial officer in each settlement, who should have authority to act in case of vacancy in either.

The governor should have the assistance of a council ; but, under the circumstances of the settlement, we recommend that he should have full

power to act on his own responsibility, and even contrary to their advice; every member of the council, including the governor, in such cases, as in India, recording the reasons of his opinion, for the information of the Government at home.

We would earnestly recommend to consideration the propriety of re-establishing the former British settlement on the island of Bulama. Its climate is certainly unhealthy, but we are not aware that it is more so than that of Sierra Leone, or of some other places on the coast. It might be principally, if not entirely, occupied by British subjects of negro race; and its position, both for checking the slave trade of Bissao and its neighborhood, and for drawing out the legitimate resources of several noble rivers, would be invaluable.

We would also suggest the erection of small blockhouses, whether up the Gambia itself or along the coast, as at Cestos and the Gallinas, on points where British commerce is superseding the slave trade, as they would protect the lawful trade, and prevent the reappearance of the slave trade, where it has been extinguished or is dying away.

Sierra Leone.

In regard to the machinery by which this colony is governed, your committee have no specific recommendation to offer.

In the course of their investigations, questions have arisen connected with its past management and administration, more especially on the subject of the party spirit of a peculiar nature which is alleged to have acted injuriously in regard to it, both on the colonial office at home, and on the internal transactions of the colony itself—questions mixed up with topics of a personal nature, and which, in spite of the facilities for a full investigation, which were offered by the colonial office, your committee would have found it impossible, within their limited time, even if it had been their proper province, to follow out. On these points, therefore, not having the means either of forming themselves a satisfactory opinion, or furnishing the House with the means of forming one, they have thought it due, not less to the questions themselves than to the individuals concerned, not to report the evidence; and they are the more induced to pursue this course, in that they are thus not prejudging any inquiry into this subject, if, in a future session, it should be the pleasure of the House to engage in it.

In regard to the future, much will depend on the decision which shall be come to as to several points which have been under our consideration, such as the continuance at Sierra Leone of the courts for adjudication of prizes taken in the slave trade, the disposal of the rescued slaves, and the question of emigration from Africa generally.

Now, it is hardly necessary to remind the House of the resolution come to by a committee which sat upon this subject in 1830, which distinctly condemned the location of the mixed commission court at Sierra Leone, as highly inconvenient for the purpose, on the ground of its situation, not only at so great a distance as eight hundred or one thousand miles from the places where the slaves to be adjudicated were then principally captured, but also so far to windward that captured ships were sometimes eight or nine weeks, and on an average upwards of five weeks, on their passage from the place of capture to Sierra Leone, occasioning a loss of

the captured slaves amounting to from one-sixth to half of the whole number, whilst the survivors were generally landed in a miserable state of weakness and disease. Such undoubtedly was the case then, and had been the case then for many years, and has been still the case, though in a somewhat less degree, since the report of that committee. We regret that means should not have been taken earlier to remedy this crying evil. As the slave trade, however, now exists, that evil is no doubt much diminished. By the provision introduced into our more recent slave trade treaties, the cruisers of the contracting parties are authorized to seize vessels merely on the evidence of their equipment, without making it necessary to wait till slaves are actually on board; and thus a much smaller number of slaves is brought for adjudication, and exposed to this kind of middle passage. Moreover, the exertions, and improved quality and system of our cruisers, the depressed condition of the sugar planters of Cuba and Brazil, the extension of legitimate traffic, and other causes, have succeeded in diminishing altogether the amount of slave trade; and the scene of its greatest activity, north of the line, lies now within a moderate distance of Sierra Leone, or to windward of it. The reasons, therefore, for removing the courts of adjudication from that colony are not what they were. If, however, one place of adjudication only is still to be assigned, and only one place of release, to the wretched victims of the slave dealer, we believe that Ascension, or one of the Portuguese islands, would, on the whole, be best adapted for that purpose, as being more convenient than Sierra Leone to the bights of Benin and Biafra, and to the Portuguese settlements south of the line, now the principal seats of the existing slave trade, and (owing to the set of winds and currents in that direction) as being easy of access, even from the farthest extremities of the windward coast, where any slave trade is carried on. We are aware, however, that these are arrangements which can only be made in conjunction with foreign Powers, and that they involve many considerations which have not been fully before us. They are, however, of high importance to the interests of humanity, and we cannot do less than invite the best attention of Her Majesty's Government to the subject.

The next point we have alluded to, that of the place and manner of locating the Africans who are liberated from the captured slave ships, is so closely connected with the question of emigration from Africa generally, that this seems to be the proper opportunity for discussing that important subject. Before, however, they go further, your committee desire to say a few words as to the point of view from which they have felt it their special duty to look at it. On another committee has been devolved the charge of examining it in its bearings on the prosperity of the West Indies; we consider it our peculiar duty to look at it as affecting the interests of Africa only, whether of its natives generally, or specially of those who come into our hands and under our protection in the course of our attempts to put down the slave trade. Now, the investigation alluded to, as devolved upon another committee of your honorable House, is no doubt one of the highest importance, even to the interests of the African himself; inasmuch as we have it on the highest authority, that the diminished supply of sugar from our West India colonies, consequent on emancipation, gave an extraordinary stimulus to the slave trade for the supply of Cuba and Brazil; and the best aid for its discouragement, and the best chance for its total extinction, would undoubtedly be the diminution of inducement

to carry it on, which would arise from the production of sugar by free labor in the British colonies on lower terms. But, as more immediately within our province, we have thought it our duty to confine our inquiries upon this subject to three points: 1st, Whether, indeed, there are any considerable materials for a free emigration from Africa to the West Indies; 2dly, Whether it would be desirable for the African to make the change; and, 3dly, Whether it could be carried on, and how, without reasonable apprehension, or even a possibility, of creating or encouraging a new slave trade.

Now, as to the first point, we may briefly say, that on the Gold Coast few materials for a perfectly free emigration, or for emigration of any kind, appear to exist. The devastations of the slave trade, and of the wars connected with it, though it has now ceased there entirely for nine or ten years, are yet too recent to allow of the existence of any very crowded population or any adventurous habits; and all, save the chiefs and a few dwellers on the coast, who have engaged in the various pursuits of commerce under the protection of the British, the Dutch, and Danish settlements, are slaves, though their slavery, like that of Africa generally, is not, as to labor, of a very grievous kind. As we proceed up the coast, we fall in, between Cape Palmas and Cape Mount, with a very singular race of men, consisting of many small tribes, known commonly by the collective name of Kroomen, scattered along a considerable range of shore; much given, though not exclusively, to maritime pursuits; forming part of the crew of every English man-of-war and merchantman on the coast; known by a distinctive external mark, and neither taken as slaves themselves, nor making slaves of others. Their numbers are uncertain, but are undoubtedly considerable, and seem to be increasing, and their confidence in the English character is ascertained. But it seems doubtful whether permission for large numbers to leave their shores could be obtained without some present to their chiefs; and their attachment to their own country, and their present habits of migrating only for a period, and without their families, make it also doubtful whether they would ever become permanent settlers elsewhere, or, indeed, remain away from home for a longer period than two or three years. Upon this point, we would refer, in addition to other evidence, to that which was given before us by two or three of these men themselves.

Passing by Sierra Leone for the moment, we come to the British settlement of the Gambia, and here we find about one thousand five hundred liberated Africans, whom the British Government has removed thither from Sierra Leone, from whom of course not much emigration could be expected, though some, for they have little employment there. But we find there a periodical migration from a considerable distance up the river, in two tribes of Serawoolies and Tilliebunkas, who come in numbers to do all the severe labor of the settlement, and, having saved their earnings, return to their homes, apparently free to come and go without restraint or obligation of any kind. Their case may be considered as somewhat resembling that of the Kroomen, and as offering materials for a temporary emigration in the first instance, though possibly hereafter, on further experience, for one of a more permanent character. We now return to Sierra Leone, and here we find the liberated Africans and their descendants in number from forty to fifty thousand, a body of Kroomen in numbers which are variously stated from one to five thousand, who, like the Sera-

woolies in the Gambia, do all the hard labor of the colony, and between one and two thousand of a mixed population, who, like the Kroomen, have come into the colony of their own accord. We have also to deal here with those who may hereafter be the subjects of adjudication on their release from slave ships, or who may hereafter come into the colony, if it should be permitted, for the purpose of emigration. These are the materials for emigration to the West Indies which have presented themselves; and progressively, if it were permitted, encouraged, and successful, they would probably prove to be considerable.

The next question is, whether it would be a desirable change for these people to *be* in the West Indies rather than in Africa. Now, for this object, we desired that statements might be prepared for us, founded principally on official documents, acquainting us with the state of things, the condition of society, the temporal, the moral, and religious advantages which would be enjoyed in three of our principal colonies, to which we beg to refer in our appendix, but from which we insert here a few extracts, as sufficient for the present occasion.

Jamaica.

Of the actual condition of the laboring population of Jamaica, and consequently the condition which would be accessible to the African emigrants, Sir C. Metcalfe gives the following description, in his despatch to Lord Stanley of the 1st of November, 1841 :

“With respect to the laboring population, formerly slaves, but now perfectly free, and more independent than the same class in other free countries, I venture to say, that in no country in the world can the laboring population be more abundantly provided with the necessaries and comforts of life, more at their ease, or more secure from oppression, than in Jamaica; and I may add, that ministers of the gospel for their religious instruction, and schools for the education of their children, are established in all parts of the island, with a tendency to constant increase, although the present reduction of the Mico schools is a temporary drawback.”

Of the means afforded for the religious and moral instruction of the population of Jamaica, Sir C. Metcalfe, in this despatch, makes the following statement :

“I turn from the cheerless prospects of proprietors to a more pleasing feature in the present order of things. The thriving condition of the peasantry is very striking and gratifying. I do not suppose that any peasantry in the world have so many comforts, or so much independence and enjoyment. Their behaviour is peaceable, and in some respects admirable. They are fond of attending Divine service, and are to be seen on the Lord’s day thronging to their respective churches and chapels, dressed in good clothes, and many of them riding on horseback. They send their children to school, and pay for their schooling. They subscribe for the erection of churches and chapels; and, in the Baptist communities, they not only provide the whole expense of the religious establishment, but, by the amount of their contributions, afford to their ministers a very respectable support. Marriage is general among the people. Their morals are, I understand much improved, and their sobriety is remarkable.

“For these very gratifying circumstances we are indebted to the ministers of religion in the island, of all denominations. Church of England,

church of Scotland, Moravians, Wesleyans, Baptists, bishop, clergy, and missionaries, all exert themselves, and vie with each other in amicable rivalry, to do good to their fellow-creatures. The number of churches, chapels, and schools, built and being built, in every part of the island, afford a most pleasing and encouraging sight. In this respect the prospects of the island are very cheering, and the liberal support afforded to useful institutions and the encouragement given to religious teachers, without any bigoted exclusions, are creditable to the Island legislature and every part of the community."

The reports of the magistrates, which will be found in the Parliamentary Paper, 1842, concur in representing the great efforts which are made in promoting religious instruction.

"The annual charge defrayed by the colony of Jamaica, for the support of the ministers and schools of the church of England, was, in 1836, £53,260 14s. 5d. currency, or £31,956 8s. 8d. sterling money, as will appear by a paper laid before Parliament in 1837, and which will be found referred to in evidence before the committee of the House on the West India colonies. Since the year 1836, an increase has been made; and, in the years 1839 and 1840, an addition of £14,000 sterling per annum was made to the charge. The total annual charge, therefore, defrayed by the colony for that part of the ecclesiastical and school establishment connected with the church of England, exceeds £45,000 sterling money. But this establishment is still further extended by occasional grants by the Assembly of Jamaica, by Parliamentary grants, and by certain religious societies in England, and by individuals there and in Jamaica. In addition to this establishment, very extensive means of religious instruction are afforded by the Presbyterian, Moravian, Wesleyan, and Baptist missions, established in Jamaica, and those schools and places of worship are thickly spread over the colony, and large contributions for supporting and extending these schools are derived from Parliamentary grants, from grants by the Assembly of Jamaica, by charitable institutions, and by private individuals here and at Jamaica."*

British Guiana.

"If I were not convinced that the unhappy Africans are benefited by the transfer to this colony, I should not so urgently press the continuance of the countenance of Her Majesty's Government to that effect. I have in my residence on this coast seen that the Africans from Sierra Leone are far from being in the civilized state I should have anticipated; that their condition must, therefore, here be improved; how much more so, then, must the pure savage be raised by being brought amongst his own color, who are in a high progressive state of civilization."†

"Religious instruction administered at fifty-seven places of public worship. Each parish has at least two parochial schools under the superintendence of the minister. Each missionary has a school attached to his domicile, and nearly all the principal plantations in the colony, if at a distance from the schools, maintain a school for the instruction of their laborers' children, free of expense.

* Statement given in by W. Burge, Esq., agent for Jamaica.

† Extract from the despatch of Governor Light to the Secretary of State, dated September 21, 1841, Parliamentary Paper, 1842, p. 85.

“An annual grant has been made by the colony, in aid of the education of children of the laboring population in the rural districts, amounting to \$13,333.

“The average rate of wages for agricultural laborers is about five-twelfths of a dollar per task; a day’s task is understood to be seven hours, but is generally performed in four or five hours by an industrious man; any extra time or labor is paid for additional.

“House room, garden ground, medicine, and medical attendance, have hitherto been granted free; all other requisites are provided by the laborers themselves.”*

Trinidad.

By Mr. Latrobe’s report in 1839, it appears there were thirty-five day and evening schools, and fourteen Sunday, of all denominations; whereas, by the return of the society for the propagation of the gospel, the established church alone has now twenty-eight schools, and it is calculated that the present number in all is not less than from fifty to sixty. As regards churches and chapels, there are no less than eighteen connected with the established church, eleven Roman Catholic, four Wesleyan, and one Presbyterian, together thirty-four, for a population of from fifty to sixty thousand souls; this would give a school for every one thousand souls, and a church for every two thousand.

“In the colonial estimate for this year, there is a provision of £1,660 for the established church, and for the Roman Catholic £3,236, as fixed expenditure, besides £5,865 towards building churches, and £1,937 towards education.

“The soil of Trinidad is a rich marl that requires no manuring whatever, and of such soil there are fully one million of acres in brushwood and forest. Were there only a sufficiency of labor, every British market might be amply supplied with sugar from this one island; hence, foreign sugars would be excluded, and the slave trade, as it refers to Great Britain at least, would be practically discouraged.

“In Trinidad, too, Christian ministers can live and labor with far less risk of health and loss of time. Government is also extremely willing to give half the amount required for the erection of chapels, school-houses, teachers’ salaries, &c., in any part of the island where we may have even a small society of emigrants.

“It is therefore my deliberate conviction that the people would gain an accession to their religious privileges by quitting any part of western Africa for the island of Trinidad.

“But, again, I think that the worldly circumstances of the emigrants would be considerably advanced. The laborers may very easily earn a half dollar per day on their arrival here, and in a couple of weeks, that is, as soon as they fully understand the nature of the work, the able-bodied may make a dollar. A house and garden are given to every laborer. On these particulars, Mr. David, and the laborers who have returned with him, will be able to satisfy you.”†

* Extract from the report of Committee on Emigration, Parliamentary Paper, 1842, p. 120.

† Extract from a letter addressed by Rev. J. Blackwell, Wesleyan minister in Trinidad, to Wesleyan ministers at Sierra Leone.

Now, after looking at such a picture, drawn from the most unsuspected sources, we cannot doubt that, whether for the homeless negro just rescued from the hold of a slave ship, or for the ignorant and uncivilized African who comes down to our settlements to pick up a small pittance by the hardest labor, and to return with it to his barbarous home, it would be of the highest advantage, it would be the greatest blessing, to make such an exchange. But how is it with the liberated African of Sierra Leone, who has been enjoying, perhaps for years, the fostering care of the British Government? Now, to that Government, beyond his rescue from the slave ship, and emancipation from future slavery, and a temporary sustenance, and his being placed within the reach of missionary efforts, to which it has not contributed, the liberated African cannot be fairly said to owe much. To the invaluable exertions of the church missionary society more especially, and also to a considerable extent, as in all our African settlements, to the Wesleyan body, the highest praise is due. The former expend nearly £7,000, the latter nearly £2,000, annually, upon the religious instruction of the colony. By their efforts, nearly one-fifth of the whole population, a most unusually high proportion in any country, are at school, and the effects are visible in considerable intellectual, moral, and religious improvement—very considerable under the peculiar circumstances of such a colony. But a few ill-supported schools and one chaplain is all that has been contributed by the Government to the religious and moral improvement of those of whom she has undertaken the protection, and their social improvement has been unattempted. No model farm has been established, no instruction in agriculture has been afforded. The rate of wages, when any are earned, which is chiefly by a few in the neighborhood of the towns, is 4*d.* to 7*d.* a day; and with this, and a little cultivation, a sufficient subsistence, though nothing more, is gained. The extent of good soil is limited; the inhabitants wander out of the colony for the subsistence which they cannot find within it. There is little industry, there are small facilities for trade, as the colony itself produces little to export, save a little arrowroot and ginger, and the river which it commands is only navigable for thirty or forty miles to any useful purpose, and supplies no article but timber and camwood. With such a climate, therefore, and thus circumstanced, the colony can never invite the residence of planters, or of merchants of considerable capital, or become a favorite with officers, either civil or military, of a higher order. What elements of prosperity, therefore, can it have? The Government has not done much, but under any circumstances the colony must be an artificial creation. The Government ought to have established a model farm, or in some way communicated agricultural knowledge; and we would recommend that it should be attempted even now. But, after all, what is that to the magnificent model farms which would surround the African in the West Indies?

We need hardly add more to prove that it would be well for the African, in every point of view, to find himself a free laborer in the free British West India colonies, enjoying there, as he would, higher advantages of every kind than have fallen to the lot of the negro race in any other portion of the globe.

We pass the question, though not absolutely to be lost sight of, that, in Sierra Leone, the newly liberated African is a burden to the British Government as well as to himself; and that, in the West Indies, not only would his own condition be improved, but he would become a source of

wealth and prosperity to the empire. But we must not omit the advantage to Africa of the probable return to her soil of many of her own sons, enriched with civil and religious knowledge, and bringing back with them wealth, and the means of wealth, and civilization; "that reflux of the west upon the east, in inoderate numbers, and managed with caution," in the words of Sir John Jeremie, "to which we must look for the civilization of the east."

But your committee had next to consider whether, in achieving this object, any danger existed of creating a real, or plausible suspicion of a real, slave trade under another name. Under proper regulations, they think there is not. A free passage may be offered to the African already settled within the colony, and to the free settler or other native who shall have remained long enough in the colony to give the authorities sufficient time to ascertain the circumstances under which he came, and to assure themselves that they were entirely free from all suspicion of fraud or force. To such as thus leave their homes, a free passage back, at the end of a certain period, say three or four years, might be promised, with full permission to them to return at any time at their own expense. To the homeless African, newly liberated, the option should be given of settling at once in the West Indies, if he please, with permission to return hereafter at his own cost, or of removing from Sierra Leone, or of remaining in it on the first adjudication, if he undertake for his own maintenance, or can find friends or relations who will undertake it for him.

With regard to the Kroomen, however desirable they may be as laborers; and however advantageous the object may be to themselves, we are not prepared in the first instance to recommend other facilities for emigration than those which we have suggested to be offered to other natives who might desire to make use of a British settlement as a point of departure.* If they should desire, as it appears that it is not improbable they may, to make a migration across the Atlantic, with their habits, they will find no difficulty in making their way, for the purpose, to Sierra Leone, where some hundreds or even thousands of their brethren habitually reside, some of whom have already emigrated to Guiana, and seem to be as active in the field as we have long found them to be on the sea, and to be well pleased with the experiment.

If it should hereafter be thought desirable to form any settlement on the Kroo Coast, however small, it might facilitate arrangements similar to those which we have recommended for the other settlements; or they might possibly hereafter be embarked from the coast itself, under the superintendence of a man-of-war. (See Captain Denman.)

The same door might be opened, under the same precautions, from the Gambia; but with regard to the Gold Coast, the supply of labor there not appearing to be more than necessary for the wants of the country, we would not recommend any peculiar facilities to be afforded.

The expense of the emigration would of course be defrayed by the colony to which each successive band of emigrants was directed.

All this of course cannot be secured from abuse, without the strictest superintendence of some Government authority, which we believe, dealing,

* On this point, however, we beg to refer to the important evidence of Captain Denman, who thinks that, on account of the peculiar character of the Kroomen, emigration, with common precaution, might be conducted from their coast without risk of abuse.—(See Question 6, 996, *et preced.*)

as it would do, only with British settlements, would be substantially effective. But we would earnestly recommend that it should rather be undertaken altogether by the Government itself. In that way only can perfect security be given and felt against the abuses which might arise from the competition of the agents of rival colonies; in that way only can perfect confidence be given, whether to the African himself or to the public opinion of England and the civilized world, that nothing shall be done which shall even bring suspicion upon a reputation, of which we are justly jealous, of which we can still be proud, and which it is of the highest importance that we should sustain. But under these sanctions, whether we look to the effect of the prosperity of our free colonies in discouraging the slave trade, or to the advantage of placing the African in that position where he will be most likely to raise himself in the moral and social scale, and to react beneficially upon the destinies of his mother country,* your committee cannot but strongly urge upon Parliament not only not to prohibit the emigration of free blacks from our African settlements to our West India colonies, but to encourage and promote it by the authority of Government, under the sanctions and regulations above suggested, or such other as further consideration may supply.

As we have said before, the way in which this question is disposed of will affect materially other questions connected with the internal administration of the colony.

If emigration should go on to any great extent from the settled population of Sierra Leone, which we believe it might without in any way injuring the condition of the colony, but rather the reverse, (for the rate of wages would probably rise, and it appears that it is not the successful and thriving who are inclined to go,) it will probably be possible to dispense with some of the establishment which is now requisite for watching over the interests of the liberated Africans. If, on adjudication, they are mostly *located in the West Indies, the much-discussed question of the best means of disposing of them, of the necessity of maintaining them, as now, for six months, or the expediency of leaving them at once to their own resources and the charity of their countrymen; the question of the best means of disposing of the children, and the ever-new devices of successive governors for escaping from the inevitable evils of apprenticing them to persons on whose character no dependence can be placed, will be got rid of; and the British Government will be relieved from the necessity of attempting to overcome the obstacles which nature seems herself to have interposed at Sierra Leone in the way of ensuring a prosperous condition to the objects of its humane care.

We now come to the question which has of late excited so much interest and feeling—that of the facilities which British commerce is charged with having furnished to the slave trade, and to the extent and nature of the

* To prove that this expectation is not altogether even now unsupported by facts, we beg to quote a passage from a letter in the appendix, from Messrs. Anderson & Co. :

“*DEMERARA, April 30, 1842.*”

“The Superior is off to-day for Sierra Leone; sixty-eight people have gone in her, including children, and, with the exception of three or four, who are old soldiers, the whole of them are people who came seven or eight years ago from the Bahamas, (liberated Africans;) and they return to their native country with a good deal of money; three of them have not less than \$5,000 each.”

connexion which exists between them—a question which must be considered dispassionately and soberly, rather with a view to what is best for the object, upon the whole, and to what is practicable, than to what might at first appear to be desirable, and what might be perhaps a partial good, producing possibly, in other ways, a greater evil. Now, in the first place, it is fair to state that we have no evidence, or reason to believe, that any British merchant, concerned in the trade with the west coast of Africa, either owns or equips any vessel engaged in the slave trade, or has any share in the risks or profits of any slave-trade venture. The charge is this, and it must be admitted, that whether by selling condemned slave vessels back to slave dealers, which is the rarer case, or, which is the more common, by selling to slave dealers lawful goods, which are afterwards employed in barter for slaves, (whether circuitously by sale to merchants in Cuba and Brazil, or directly on the coast of Africa,) the British merchant and manufacturer does, in common with the merchants of other nations, furnish very considerable facilities for the slave trade.

It must further be admitted, that, owing to the equipment article in our recent treaties, which has prevented the actual slaver from hovering on the coast in safety, a large portion of the goods necessary for the slave trade is driven into vessels innocent in their apparent character, but subserving the purposes of the slaver; and that, in consequence, a somewhat larger portion of this kind of traffic may possibly now pass directly from the English or other merchant to the coast of Africa than heretofore, when those supplies went round by Cuba and Brazil in the slavers themselves, without risk of capture.

Now, an opinion has prevailed, and that in very influential quarters, and it runs through Doctor Madden's report, that at least such direct dealing is illegal, and punishable under the statute of 5 Geo. IV, c. 5; and, if not so already, the same parties would urge on Parliament to make it so by new enactment; and some even would extend it to all connexion, however indirect, in which a guilty knowledge of the destination of the goods or of the vessel could be presumed. Now, this view of the act is not unnatural, owing to the general and comprehensive nature of its language, and to the desire which must naturally exist to understand it in as comprehensive a sense as possible, for the obstruction of so odious and detestable a traffic as the slave trade. But, looking closely at the language of the act itself, and to the interpretation put upon it by the law officers of the Crown, as alluded to by the under secretary of the colonies, in his letter to Doctor Madden, April, 1842, and to the opinion of the attorney general in the case, inserted in the evidence, we cannot affirm it to be illegal now, and we shall presently state to the House why, however reluctantly we may come to the conclusion, we are not prepared to recommend that it should be made so.

Now, in the first place, it is difficult to consider or to make that illegal which is and has been done at Sierra Leone for years, by a court of judicature, (in doing so, acting under treaties and under the sanction of an act of Parliament, namely,) selling publicly, and to the highest bidder, prize vessels and prize goods condemned for slave dealing, indiscriminately, and without precaution or restriction, to persons of all descriptions, including slave dealers themselves, and which, in regard to vessels at least, had been practised in that colony, by persons of high character and station, unimproved. But, if it should be made illegal hereafter to sell a vessel to a

party concerned in the traffic in slaves, the next question, and one that a legislative body must consider, is, in what manner shall such a prohibition be enforced? A bond that the vessel shall not be disposed of to a slave dealer has been proposed; but how shall the vessel be prevented from passing very shortly from hand to hand, till it reaches an unlawful owner? And is it not unwise for the law to attempt that which it has so little means of effectually enforcing? There seems no remedy for this, which, at Sierra Leone, in the heart of the slave trade, and where the vessel is often sold for half its value, is an evil substantially as well as in feeling, but that of extending the provisions of those treaties which direct that a slave vessel shall be broken up, not sold, and altering our own municipal laws to the same effect.

But, in regard to goods and merchandise, should the committee advise the House to make such dealing illegal? Now, all the witnesses, even those who advocate this view most strongly, admit that legitimate trade, by which is meant the exchange of merchandise for produce, is most beneficial to Africa, and co-operates materially with the cruiser in his operations, whether directly by the assistance and information with which the British trader supplies him, or indirectly by diminishing the necessity of a trade in slaves, as the means of procuring European or other goods. They admit that nothing, therefore, would be more injurious to the interests of Africa than to interfere materially with the operations of lawful commerce. It appears, moreover, that in every place on the coast north of the line, (to which limits our inquiries have mainly been confined,) with the exception of perhaps two or three points, a lawful trade of more or less extent is, or has been, carried on contemporaneously with, and often, nay generally, by the same persons as, the slave trade. They have told us that the same goods, such as cottons, rum, tobacco, guns, and gunpowder, are employed in both trades; and that, although those employed in the slave trade are often of an inferior description, yet that quality alone will not furnish the means of distinguishing between the one and the other, and that, practically, there are no means of making such a distinction; they have told us that any restriction on traffic which they would recommend must therefore be confined to places or persons *solely* or *principally* concerned in the slave trade, and that the law should not attempt to interfere with any other. The question still remains, how this is to be carried out.

With regard to those places where the slave trade has been extinguished, no difficulty will arise; but with regard to those places, not few in number nor of slight importance, where, as in Bissao now, and as it has been, and may be again, in the Brass and Bonny rivers, the most important marts for lawful trade upon the coast of Africa, a trade in produce and slaves is carried on together, and by the same persons; or where, as in Whydah and Popo, a trade in produce has been gradually growing up and gaining upon the slave trade, in proportion as the enterprise of the British merchant pushes on the one, and the vigilance of the British cruiser-checks and cripples the other, how should the Legislature deal with them? Shall they be lawful or unlawful ports or persons? What is to legalize the traffic in such cases? What proportion, or what positive amount, of lawful traffic? But, indeed, how is the lawful traffic to spring up at all under such circumstances of exclusion?

Some witnesses have argued that this question of degree need not be defined, but may be left to be solved by the practical sense of a jury. By

what jury? In England or at Sierra Leone? Under what uncertainties and obstructions would the most scrupulous trader deal with the coast of Africa, if for the misinterpretation of such instructions, as the nature of such a case will admit, by a supercargo, his vessel and goods are liable to be brought some hundreds or thousands of miles out of their course, to have the question decided by a jury, whether some person or some factory dealt with was *principally* or not engaged in the slave trade, it being unlawful if *principally*, lawful if *partially*, in some unknown and varying proportion, so engaged.

The question for the Legislature to consider is, whether it is worth while to do all this, to infuse so much risk and uncertainty into a trade which it wishes to encourage, which it looks to as one of the main instruments for the civilization of Africa, for the sake of interfering with so small a proportion of the facilities which commerce, permitted at all with Africa, under her present circumstances, must of necessity afford more or less to the trade in slaves. For, unless all other countries can be persuaded to take the same view, it must, indeed, be a small proportion, and little, indeed, will have been done towards the object; an obstruction will merely have been raised for such length of time as may be required for conveying the same goods from England, or from foreign countries, through other channels. It would be merely a transfer, and a transfer to parties less friendly to the object, and less under control. We have had ample evidence that foreign vessels already carry on this trade to a considerable extent; nor is there any right, by existing treaty with foreign nations, nor can it be expected that we should obtain it, to interrupt foreign vessels engaged in such a traffic. But, indeed, how would it be carried on? The right of search, in any shape, is one, as we know by experience, that requires the greatest delicacy in carrying out with the ships of friendly nations. But what kind of search must that be which would seek to ascertain, on board of an apparently innocent vessel, innocent in her build and in her equipment, and freighted with innocent goods, whether the destination of such goods was not made unlawful by some document hidden in the most obscure recesses of the vessel? How prolonged, how minute, consequently how irritating at all times, how vexatious if unsuccessful; how likely to be unsuccessful, if not guided by more obvious indications; how likely, consequently, to lead to disputes and collisions among nations, most injurious, if not fatal, to that harmonious co-operation for the common object, which is so absolutely essential to success. It must not be lost sight of how large a share of these evils must be inflicted on those who are engaged in our own lawful commerce, if such a search be applied to them.

Now, if we were bound by a rigid principle to do this, these arguments must be rejected, as not affecting a case of conscience; but in this case we are not trying the value of a rigid principle. The principle would be intelligible which dictated the absolute interdiction of all commerce with every place from which a single slave was exported; or, further still, with every place from which a slave trade was carried on, such as Cuba and Brazil; or if it dictated a prohibition to send goods where there was a probability that they might be exchanged for slaves. But this arbitrary and uncertain limitation, so little capable of being referred to strict principle, and yet so injurious to lawful commerce, can only rest on the ground of its expediency, of its tendency to attain or promote the object; must

submit to be tried by that test, and so tried will be found wanting. It is no doubt galling to a zealous and gallant officer, engaged, in the service of his country and humanity, in watching anxiously a well-known slaver's haunt, to see foreign vessels, still more, vessels bearing his own country's flag, passing inwards and supplying those goods, though innocent in themselves, which are the medium of an atrocious traffic; it is not surprising, under such circumstances, that feeling should have arisen which appears in Doctor Madden's report, and in the evidence of several, especially the naval, witnesses. It is a feeling natural and honorable in itself, and we hope that the English merchant, animated, as he is, by the same feelings of horror for the slave trade, will endeavor to extend the influence of those feelings through the whole circle of his transactions. But we cannot recommend that a provision so difficult to be carried out, so vexatious, and yet so ineffectual for its object, should be made the subject of legislation.

Happily, in this great work, we need not despair. The measures lately adopted have done much. The evidence of all the naval officers, as well as commanders of merchant ships, concurs in stating that, north of the line, over a coast of many thousand miles, the slave trade, with the exception of a few points in the neighborhood of Sierra Leone and the Gambia, is virtually extinct. And the continuance of these measures, well guarded and considered in all their details, as well as extended, together with such as we have recommended in different parts of our report, give fair ground for hoping for ultimate success. Under this head, we would venture to recommend that none but the swiftest vessels should be employed; that some of the best prizes should be converted to the purposes of the service; that steamers should be engaged in watching the intricacies of islands and the mouths of rivers; that the system of paying by head-money, so unjust to gallant men,* or, perhaps, by bounty at all, should be reconsidered, and possibly replaced by higher pay and the prospect of promotion. Encouragement and ample protection, at the same time, should be given to lawful trade in every shape;† and the settlements which we hold, or which we may form, upon the coast, should be kept open indifferently to all nations as to ourselves, that they may see, and be compelled to acknowledge, that in all we are attempting for Africa we are only endeavoring to provide a feast, of which all may equally partake; and seeking, as the reward of our exertions, no advantage to ourselves, save that which may fairly fall to our lot from a proportionate share of a more abundant table spread out for the common benefit of all.

*As an instance of the injustice of this system, we beg to refer to a case cited by Captain Denman, (Q. 7,099,) in which it appears that the capture of two vessels, of the aggregate capacity of eighty tons, which would have held seven hundred slaves, was remunerated with no more than £576, because they were empty; while that of a single vessel, of little more than half that tonnage, brought in £1,654, because she was full. Thus the least laborious and dangerous, as well as the least effective service, receives the highest reward.

† Perhaps one or two vessels might have this specific duty assigned to them, apart from the general operations of the cruisers connected with the slave trade.

Extracts from the reports of the commissioner of inquiry into the state of the trade, condition, prospects, &c., of the British settlements on the west coast of Africa, accompanying the foregoing report, and printed by order of Parliament, 1842.

GOLD COAST.

“The number of stone houses belonging to the Europeans, or natives connected with them, is about 18, and are supposed to be worth from £1,000 to £2,000 sterling each. The natives live in very comfortable ‘swish’ houses, made of mud, which become hard and durable, and last so long as the roofs resist the rains. The dwellings of the natives, both at Cape Coast and in the interior, are far superior in size, cleanliness, and comfort, to the miserable huts of the Egyptian peasants, or the no less wretched cabins of the Irish peasantry.”

“The soil of Cape Coast is generally poor and unprofitable on the sea side; but three or four miles inland it is a stiff clay, fit for every kind of tropical produce.

“Mr. Swansey, one of the principal merchants at Cape Coast, has made an attempt to introduce the growth of coffee and cotton, and has expended a great deal of time and money on the experiment. This effort, whatever may be the result, is deserving of the highest praise. The plantation called Napoleon is situated in a beautiful part of the country, about four miles from Cape Coast. Formerly a garden was made here, by Governor Torrane. In 1807, he speaks of receiving 4,000 coffee plants for it, and having, peas, beans, cabbages, and turnips, coming forward in great perfection. At his death, however, it appears to have been neglected; and when Mr. Swansey undertook to establish his plantation, the place was like the surrounding jungle. It is unfortunately the lot of all agricultural improvements in these countries to die with the individuals who commenced and carried them on; and, unfortunately, the tendency of the climate is to abridge European life so greatly, that ere any improvements can be said to be fully carried into effect, the individual dies, and his executors generally find he died embarrassed, and his relatives rarely get sufficient means to keep his plantation in cultivation, and, after a feeble effort to keep it up, it is ultimately abandoned. It is only about four years since Mr. Swansey began clearing away the ground more extensively than it ever had been done heretofore. He employs about 100 negroes in the field, under the direction of Mr. Wilson, a gentleman well qualified by his knowledge of tropical climates, and the modes of cultivation best suited to them, to ensure success. I found, on inquiry, that the majority of these laborers were slaves hired from their owners, and the wages paid for them was at the rate of 5s. a month sterling, paid in ‘romauls’ of cotton cloth, or 1s. 3d. a week, and about one-third of that sum for children, a great many of whom I saw employed there, apparently well contented and well fed. I asked if any difficulty was experienced at finding voluntary labor on these terms, and I was informed, ‘so far from it, that 30 applications for employment within the last three weeks had been refused, having no work for them.’ The negroes here, it is said, can support themselves on 2½d. a day tolerably well; and from 1½d. to 2½d. or 3d. a day, I was informed, was the ordinary rate of wages all along this coast, paid to the natives when employed by Europeans.

“The first cotton crop grown here by Mr. Swansey proved very abun-

dant, but exception was taken in the English market to the shortness of the staple; it fetched a low price, and proved an unprofitable speculation. The cotton trees are now growing wild, and the cultivation of them entirely given up."

"The coffee here has been planted from slips brought from Prince's island about two years ago; it looked extremely well, and promised to yield an ample crop in a few months more. So long, however, as African coffee pays a duty of 1s. 3d. per pound, while West India is introduced at 6d., there can be no hope of this cultivation increasing to any extent, or, indeed, of being prosecuted at all in Africa. Perhaps there is no culture so generally suited to the soil of all our settlements on the western coast of Africa as that of coffee; but the heavy duty on its importation into England amounts to an absolute prohibition of its growth. If this duty was lowered to that on the West India coffee, our settlements alone, in the course of a few years, might furnish a quantity equal to that of Cuba and Porto Rico; and, from what I have seen of the Rio Nunez and Prince's coffee, I would say of a quality far superior, and very nearly approaching to that of Mocca."

"All our settlements on the Gold Coast are badly situated, both for trade and health. There is no harbor on any part of the Gold Coast, except at Dixcove, where vessels of 20 or 30 tons burden may enter. Cape Coast, like Anamoboe and Accra, is an open roadstead; the landing at these places is difficult and dangerous, especially at Accra. The surf on the beach is at all times considerable, but at particular seasons it is so heavy that for periods of two or three weeks all communication is cut off between the ships and the shore.

"In the year 1840, 39 British vessels arrived at Cape Coast, and nine vessels of war. During the last nine or ten years, the trade has gone on steadily increasing. In the year 1831, the imports into Cape Coast were £130,851 3s. 11½d., and in 1840 they amounted to £423,170. The same steady increase is to be noted in the exports. These from Cape Coast Castle, in 1831, amounted to £90,282 9s. 6d., and in 1840 they had increased to £325,008. In the three years preceding the abolition of the slave trade, the exports from the whole of the western coast of Africa to England averaged only £220,725 a year, exclusive of gold, and in the three years succeeding 1807 they had increased to £431,269, while the imports into Africa from England for the former period averaged £1,278,114 sterling, and for the latter period only £830,325 a year. This falling off is easily accounted for by the abolition of the slave trade, which constituted the greatest part of our commerce with Africa at that period. In 1816, the exports from the coast of Africa into England amounted only to £127,320 10s. 3d., and the imports from England into Africa, of British and foreign produce, £158,559 10s. 3d. In 1836, the latter had increased to £620,000; and of this amount, those to Cape Coast and Accra amounted to £75,000, while the exports from Africa into England for that year were, in round numbers, £800,000; and of these, £160,000 were from the Gold Coast; and, as has been stated above, in the year 1840 they amounted to £325,008 from Cape Coast alone. The descriptions of goods imported into the British settlements on the Gold Coast are the following: Manchester goods, guns, powder, lead, iron bars, flints, rum, pipes, tobacco, beads, cowries, brass wire, earthen ware, soap, tallow, glass ware, wines, provisions, and perfumery.

"The commodities we received from our settlements on this coast are

gold dust, ivory, dye woods, palm oil, and ground nuts: beginning to be largely exported, Guinea grains and other minor articles of trade."

"To give some idea of the relative commercial advantages of our different settlements at Cape Coast, Sierra Leone, and the Gambia, I have drawn up the following table of the total exports and imports for the year 1839:

Settlements.	Exports from.	Imports into.
Cape Coast - - - - -	£194,576	£354,460
Sierra Leone - - - - -	58,440	103,086
Gambia - - - - -	162,789	153,903
	415,805	611,449

"In the above table the total exports and imports are given, but of this a large portion is to and from foreign countries; for instance, the exports from Sierra Leone to Great Britain amounted only to £49,782, and the imports from England to Sierra Leone to £100,993. The exports from the Gambia to Great Britain amounted only that year to £70,809, and the imports from Great Britain to £67,474; so that more than one-half of the trade of the Gambia is with foreign states.

"I was not able to obtain any return of the amount of trade with foreign states at Cape Coast, but I should think two-thirds of the imports and exports are to and from Great Britain. The imports into Cape Coast amounted, in 1840, to £423,170, and the exports to £325,008."

"The British merchants on the Gold Coast complain very much, and it seems to me with a great deal of reason, of the injury done to British commerce by foreign vessels, and by transient traders who visit these places, and are enabled to undersell the resident merchants who have expensive establishments to support, and who have an interest in upholding the Government of the place where they carry on their trade. In the month of October, 1840, the merchants of Cape Coast addressed a memorial to the governor, to be forwarded to the London committee, on this subject. In that document, they state that a duty of half per cent. upon the invoice amount of such goods as may be landed, without any distinction of flag, is the only impost upon the commerce of the place; that foreigners have consequently imported large quantities of merchandise at a lower rate than the merchants can do from England, so that, in point of fact, they are to some extent excluded from their own markets. Of the foreign vessels, American, Hamburg, and French, are those which chiefly frequent our settlements, and carry on a retail trade with the natives."

"The imports into Anamaboe amounted, in 1840, to £50,000; the exports, £60,000; and the trade here, as well as at all our settlements on the coast, is chiefly carried on in London and Bristol ships. The climate is the same as that of Cape Coast. The locality of the fort has been greatly improved of late years by filling up a pond of stagnant water which was contiguous to the fort. The rains set in here and at Cape Coast in the month of May, and continue for about four months, and these months are

the most sickly in the year. The highest land in this district is about 200 feet above the level of the sea, and the greatest variation in the temperature between the months of January and July, and between day and night, in the latter month, is about 10 or 12 degrees."

"Accra lies about 75 miles to the eastward of Cape Coast. The landing at this place is bad; the beach is rocky, and the surf that breaks over it renders it dangerous, even for the canoes of the natives, when the sea breeze sets in with any violence. The Ashantee traders frequent this place, and carry on a considerable trade, both at the British and Danish settlements. The imports into British Accra, in 1840, amounted to from £65,000 to £70,000, and from £12,000 to £15,000 from America. The exports from British Accra, in 1840, amounted to from £85,000 to £95,000 to Europe, and from £15,000 to £20,000 to the United States. The palm-oil trade is rapidly increasing here, but the Danes have monopolized it to a great extent, and one of their principal merchants at Christiansburg informed me that five or six vessels were loaded chiefly with it last year at the Danish settlement. * * * The country is more open here than at any of our other settlements, and has the reputation of being more healthy. So far as the openness of the country and the absence of jungle and swamps in its immediate vicinity go, it certainly ought to be more healthy. Nevertheless, fever and dysentery prevail there in the wet season, and several fatal cases among the crews and officers of our squadron have occurred here. Still, for those who are settled on shore, I would expect a greater chance of preserving health than at any other of our settlements on this coast. With the exception of the island of St. Thomas, which unfortunately does not belong to us, there is no place on the coast, to the northward of the line, which seems to me better adapted for the location of the emancipated negroes, and certainly no place which, from its proximity to the bights of Benin and Biafra, and the great slave-trading establishments in their neighborhood, is better fitted for the establishment of our mixed commission courts."

"Thirty-four British and thirty-one foreign vessels visited British Accra last year. The soil on the coast is light and sandy, but, a few miles inland it is excellent, though there is little cultivation, except of vegetables. The Danes have established a coffee plantation, which is said to produce excellent coffee."

"The palm-oil trade is chiefly carried on in the river Bonny, but it is beginning to become of some importance on the Gold-Coast, and especially at Accra, where, at the Danish settlement, about five or six ship loads of it were exported in the course of the preceding year, as I was informed by the principal Danish merchant in that settlement.

"The average import of palm oil into Liverpool for some years past has been about 12,000 tons a year, value about £400,000 sterling. Three-fourths of this quantity are exported from the Bonny and the other outlets of the Niger, and gives employment to 12,000 or 15,000 tons of shipping in the year. In the year 1840, 13,170 tons of shipping were employed in this trade in the river Bonny and its immediate vicinity. There were 36 vessels employed in it, and the crews of these vessels amounted to 736 men. In the appendix will be found the details as communicated to me during my voyage to the coast, by a commander of one of these vessels, Captain Brown, of the 'May,' who had made 11 voyages to the coast, and has a thorough knowledge of the trade and of the people of the Benny.

He states that the oil is brought down from the interior, a distance of about 150 miles, and sold to the Bonny traders in small quantities. It is purchased from them by the English trader, and paid for in gunpowder, guns, cutlasses, lead and iron bars, and boilers, tobacco, rum, and Manchester goods. The imports into Great Britain—

In the year 1808 did not exceed 200 tons a year.

Do	1827	do	4,700	do.
Do	1834	do	13,945	do.

“In 1816, the official value of all the palm oil imported from the coast of Africa did not exceed £23,831. sterling; in 1828, £126,572; and in 1834 the official value of the palm oil imported from the coast of Africa amounted to £458,810 sterling. The quantity of shipping employed in this trade since 1820 has largely increased: in 1840, in the Bonny alone, it amounted to 13,170 tons. These data are sufficient to show the extraordinary growth of this trade.”

Abstract of exports and imports, Cape Coast Castle, for ten years—from 1st January, 1831, to 31st December, 1840.

Exports for the half year ending		£. s. d.	£. s. d.	Imports for the half year ending		£. s. d.	£. s. d.
June 30, 1831	- - -	78,818 9 6	90,282 9 6	June 30, 1831	- - -	118,561 8 5½	130,851 3 11½
Dec. 31, 1831	- - -	11,464 0 0		June 30, 1832	- - -	89,428 19 11	
June 30, 1832	- - -	87,654 0 0	181,104 0 0	Dec. 31, 1832	- - -	98,638 7 1	188,067 7 0
Dec. 31, 1832	- - -	93,450 0 0		June 30, 1833	- - -	75,677 12 4	
June 30, 1833	- - -	43,735 10 0	124,147 10 0	Dec. 31, 1833	- - -	75,762 0 0	151,439 12 4
Dec. 31, 1833	- - -	80,412 0 0		June 30, 1834	- - -	89,780 0 0	
June 30, 1834	- - -	106,615 0 0	182,737 0 0	Dec. 31, 1834	- - -	91,483 5 7	181,263 5 7
Dec. 31, 1834	- - -	76,122 0 0		June 30, 1835	- - -	72,673 3 9	
June 30, 1835	- - -	63,109 10 0	171,705 10 3	Dec. 31, 1835	- - -	103,312 0 0	175,985 3 9
Dec. 31, 1835	- - -	108,596 0 3		June 30, 1836	- - -	104,259 0 0	
June 30, 1836	- - -	105,778 0 0	174,832 0 0	Dec. 31, 1836	- - -	138,764 0 0	243,023 0 0
Dec. 31, 1836	- - -	69,054 0 0		June 30, 1837	- - -	181,720 0 0	
June 30, 1837	- - -	66,187 0 0	122,703 0 0	Dec. 31, 1837	- - -	83,270 0 0	264,990 0 0
Dec. 31, 1837	- - -	56,516 0 0		June 30, 1838	- - -	85,795 0 0	
June 30, 1838	- - -	57,756 15 7	124,207 5 7	Dec. 31, 1838	- - -	73,610 0 0	159,405 0 0
Dec. 31, 1838	- - -	66,450 10 0		June 30, 1839	- - -	156,000 0 0	
June 30, 1839	- - -	87,929 14 1	194,576 19 1	Dec. 31, 1839	- - -	198,460 0 0	354,460 0 0
Dec. 31, 1839	- - -	106,647 5 0		June 30, 1840	- - -	208,470 0 0	
June 30, 1840	- - -	159,008 0 0	325,008 0 0	Dec. 31, 1840	- - -	214,700 0 0	423,170 0 0
Dec. 31, 1840	- - -	166,000 0 0		Total	- - -	-	
Total	- - -	-	1,691,303 14 5				

"Description of goods generally imported into the British settlements on the Gold Coast.

Manchester goods	Iron bars	Soap
Powder	Hardware	Flints
Rum	Glassware	Tallow
Beads	Earthenware	Wines
Pipes	Brassware	Provisions
Tobacco	Cowries	Perfumery.
Lead bars		

GAMBIA.

The total imports into the settlement in 1836 amounted to	£114,772
Do do do 1837	do 99,763
Do do do 1838	do 105,625
Do do do 1839	do 153,903
Do do do 1840	do 105,397
The total value of exports in 1836 amounted to	- 147,732
Do do 1837	do - 138,226
Do do 1838	do - 139,498
Do do 1839	do - 102,789
Do do 1840	do - 154,669

"There is an import duty of three per cent. on all goods, British and foreign, imported into this settlement, an extra farthing a pound on tobacco, and 6*d.* a gallon on rum.

"The quantity of shipping employed in the Gambia trade, in the above five years, was 66,492 tons, 1,276 vessels, and 10,067 men.

"In Park's time, (1795,) the trade of this river was only able to support two or three ships, and the imports were under £20,000.

"The shipping averaged 12,500 tons a year in 1839; 239 merchant vessels entered the Gambia, the tonnage of which amounted to 12,407 tons. There are about 40 vessels belonging to Bathurst, and built there by native workmen, chiefly Jaloffs. These vessels are mostly schooners, from 5 to 60 tons; but I saw vessels on the stocks of much larger tonnage. The number of canoes and boats are about 200.

"Less than one-half of the above-named exports are to Great Britain.

"There is a considerable trade springing up in ground nuts with this country and the United States during the last six years. It now reaches in value about £15,000 a year.

"In 1836, the value of ground nuts exported was only £838; in 1837 it reached £8,053; in 1839 to £8,264; and in 1840 to £15,209.

"The increase in the exports of this commodity is very remarkable, and shows what the commerce of Africa is capable of becoming.

"The decrease in the export of gold from the Gambia is no less remarkable. By the colonial secretary's return in 1836 it amounted to £5,010, and in 1840 only to £1,289. The gold which comes from Bondou, Kartha, Manding, and the mines of Brooko and Bambarra, is considered the purest. The distance of these places from the Gambia varies from 5 to 25 days.

"In 1823, the commissioners of inquiry state, in their report, the export of gold from the Gambia amounted to £9,912 sterling; but, on the authority of Mr. Forster, a merchant of the Gambia, quoted in the same report,

‘In 1822 and 1823 the exports of gold amounted to about £15,000, and ivory £5,000 annually;’ so that the exports of the former are now reduced to about one-twelfth part of the amount exported, according to Mr. Forster, in 1822 and 1823. The trade in ivory has likewise decreased, and is likely to continue to decrease. In 1836 the value of the ivory exported was £70,055, and in 1840 it had fallen to £4,759; but the most extraordinary decrease of all is in the recent exports of gum from this settlement: in 1836 it amounted to £20,809, in 1837 to £15,077, in 1838 to £31,755, in 1839 to £25,114, and in 1840 it fell to £1,636, and in this year (1841) the merchants have not ventured to send a single vessel to Portendic, where the gum trade is carried on.”

“It is to be borne in mind that, of the sum set down as the amount of the value of the goods and produce exported from the Gambia, namely, for 1840, £124,669, the value of the products grown in the settlement is confined to a very small portion of the inconsiderable exports of two articles enumerated in the list, those of rice and corn, and a small quantity of ground nuts; all the rest are the products of countries which do not belong to us, with the exception of the very large item in the export lists, for the last five years, of goods principally British manufactures, exported from the Gambia to the neighboring countries.

“These goods are exported to Bissaos, the Cassamanza, the Pongas, and the Nunez, and are sold and disposed of at the slave-trade factories of these notorious haunts of theirs.

“These exports of British manufactures, which swell the amount so considerably of the export lists of the Gambia, and are calculated to lead people to form a very erroneous conclusion as to the nature and extent of the legal trade of that settlement, amounted, in 1836, to £44,865, in 1837 to £45,221, in 1838 to £38,283, in 1839 to £57,980, and in 1840 to £31,750.

“It must be remembered that when these exports of British fabrics from the Gambia so suddenly increased in the year 1836, the new Spanish treaty, with the equipment clause, which made vessels seizable for carrying goods and stores intended for this trade, had come into operation, and rendered other methods necessary to supply the slave-trade factories with these goods; and in 1840, when we find such a speedy falling off of these exports, namely, from £57,980 the preceding year, to £31,750, we have evident proof of the panic produced by Captain Denman’s proceedings in the year 1840, in destroying the slave-trade factories, and the property found in them, at Gallinas.”

“There is a great deal of trade carried on in this river, (the Nunez,) both legal and illegal. There are four British traders established here, and three or four French likewise. A good deal of coffee is brought down the river from the Foulah country. About 20 pounds of this coffee was sent to me, as a sample of its quality; and from what I have seen of this article, both in the West Indies and in the East, I would say it approached nearer to the quality of the Mocha coffee than any I have seen elsewhere. In 1838 and 1839, about 100 tons of the Nunez coffee were shipped to England, in the expectation of succeeding in getting the commissioners of customs to consent to its introduction at the low duty. In that expectation the merchants were deceived, and a stop is put to any further importations of Nunez coffee.”

“The strangers settled in Bathurst and McCarthy’s island are of the Mandingo, Foulah, and Jaloff nations. The majority of these tribes in the

vicinity of our settlements profess the Mahomedan religion, and are considered superior in intelligence to the pagans of the adjoining countries.

“The Mandingo negroes, of any rank or station in their own country, are taught to read and write their own language in the Arabic characters; but all their learning is confined to the knowledge of the Koran; they read no other book, and are taught no other lessons in their schools, but an unmeaning repetition of its laws and precepts.

“The highest point of Mandingo erudition is to attain to such a knowledge of the Koran as to be able to repeat whole chapters of the perspicuous book by heart; and a Marabout who can do this, and write the obscurest passages of it on scraps of paper, for amulets and charms, is held in the highest honor as a scholar and a priest.

“As the country of the Mandingoes is situated on the borders of the Gambia, they are well known in our settlements, and their palavers or disputes are frequently brought there for adjustment.

“Their priests have a digest of the laws of the Koran, which is called *Alshazzar*, and by this code their quarrels are generally settled amongst themselves.

“They are skilful in the manufacture of leather and the tanning of it. Their amulet cases, sword and dagger sheaths, whips, bridles, &c., are made with remarkable neatness.

“They also manufacture their own cotton cloths, and dye with indigo and other vegetable dyes, and have the art of fixing the colors of these cloths.

“The Foulahs in the vicinity of the Gambia have more of the nomadic habits of the Arabs, and even of their lineaments, than any other negro tribe.

“Their features are more Nubian than negro; and if it were not that their complexions are darker than the Nubians, and their hair more of a woolly texture, I would hardly have known the difference between the natives of the country beyond Assouan and those of the country between the Gambia and the Rio Grande, whom I saw at Bathurst.

“The Foulahs appear to me to be a distinct race from all the other negro tribes of western Africa, and approach the nearest to the Ethiopian Arabs.

“It would be a subject worth inquiry to ascertain what analogy there may be in their respective languages. They are acquainted with the melting of native iron, and the manufacture of spear heads and other weapons. In the kingdom of Foola Jallou they are numerous and warlike, while in the neighborhood of the Gambia their characteristics are those of a conquered people. They are mild and submissive in their manners and demeanor.

“The Foulahs, next to the Mandingoes, are the most considerable of all the nations in this part of Africa. Their original country, now possessed by the Mandingoes, they say was Fooladoo; they are more tawny than the Mandingoes, their features smaller and sharper, and their hair more wiry. In the Mahomedan schools, the chief things taught them is to abominate kafirs or unbelievers of all kinds, but especially of their own nation.

“The Jaloffs are distributed over a vast district on the sea side, between the Senegal and the Gambia, between 700 and 800 miles in length. The kingdom of Kayor is supposed to have a Jaloff population of from 150,000 to 180,000 inhabitants, but in most places they have so intermingled with

the Foulahs that it is not easy to discriminate between their tribes. The pure, unmixed, and high-spirited Jaloffs, who have not been long enough in our settlements to have been demi-civilized and three parts demoralized by European vices, are the finest specimens of the negro race that I have seen. They differ widely from the Kroomen in their forms and features. They are far from muscular, and by no means remarkable for their bodily vigor or robustness; but in that air of natural nobility in their appearance, in the intelligence and vivacity of their looks, in the independence of their deportment, and the stateliness of their carriage, the Jaloffs so far surpass the other natives that strangers are accustomed to look upon them as the gentlemen of Africa. And they scarcely differ less from the Kafirs of the cape than the Spaniards or Portuguese do from the people of Morocco. They are of warlike habits and generous dispositions; their dress generally consists of two long pieces of cloth—one wrapped round the body, and the other worn as a kind of toga or a vestment, like the Bernoos of the Syrian Arabs, with an aperture to be slipped over the head, and which hangs loosely on the shoulders. In Bathurst they are employed chiefly as artisans, and are remarkable for their ingenuity and manual dexterity; they work as carpenters, ship-builders, goldsmiths, and blacksmiths. Those who work in gold also work in iron. There is one of this tribe in Bathurst who has got some celebrity over all the western coast for the fineness of his workmanship in gold. He makes rings, chains, and ear-rings, little inferior to European manufacture. I found this ingenious man squatted on a mat in a corner of his dusky workshop, delicately manufacturing the small objects of jewelry around him, and at the other end a number of juvenile and real blacksmiths hard at work at the forge and anvil, heating and hammering huge bars of iron. All these people—Mandingoes, Foulahs, and Jaloffs—are held in the highest estimation in the Gambia for their industrious habits and general good conduct, and serve as a foil on all occasions, in conversations, for the indolence, and poverty, and depravity, of the poor, idle, destitute, ill-reputed, and shamefully neglected liberated Africans.”

“Return of imports into the settlement of Bathurst, Gambia, for 5 years.

Articles imported.	1836.	1837.	1838.	1839.	1840.
Beads - - -	£3,337	£2,528	£2,489	£4,472	£4,685
Cotton goods - - -	7,839	8,518	8,283	7,578	7,461
Gunpowder and guns - - -	17,036	14,674	11,867	18,397	11,447
Iron - - -	2,247	2,459	2,931	2,875	2,781
Spirits - - -	3,507	5,013	4,088	5,247	3,847
Tobacco - - -	13,762	7,585	6,630	20,450	14,024
Slops - - -	2,150	860	1,413	1,802	1,060
Other articles - - -	64,894	58,126	67,924	93,082	60,092
Total - - -	114,772	99,763	105,625	153,903	105,397

“Shipping employed in the import trade in the above five years.”

No. of vessels.	Tonnage.	Men.
1,266	67,657	10,229

“T. L. INGRAM, Colonial Secretary.”

“BATHURST, GAMBIA, May 31, 1841.”

“Return of exports from the settlement of Bathurst, Gambia, for five years.”

Articles exported.	1836.	1837.	1838.	1839.	1840.
Gold - - -	£5,010	£1,712	£1,218	£1,339	£1,289
Gum - - -	20,809	15,077	21,755	25,114	1,636
Ground nuts - - -	838	8,053	8,264	11,228	15,209
Hides - - -	17,533	18,097	14,665	17,896	20,721
Ivory - - -	7,055	7,278	4,083	5,388	4,759
Rice - - -	4,084	1,743	3,646	2,715	1,278
Teak wood - - -	12,355	12,374	4,974	4,522	5,176
Beeswax - - -	35,183	28,671	32,610	36,607	42,851
Other exports, principally British manufactures - - -	44,865	44,221	38,283	57,980	31,750
Total - - -	147,732	138,226	129,498	162,789	124,669

“Shipping employed in the export trade in the above five years.”

No. of vessels.	Tonnage.	Men.
1,276	66,942	10,067

“T. L. INGRAM, Colonial Secretary.”

“BATHURST, GAMBIA, May 29, 1841.”

Extracts from a letter from C. Grant, colonial agent, to Andrew Hunter, colonial secretary, respecting the products of the Gambia.—1841.

“I shall briefly enumerate a few leading articles which form a commerce among the natives in this neighborhood, and which, in my opinion, might be made exportable commodities.

“1. The Toullacouna, or bitter oil, extracted from a nut by the natives. It produces, in its natural state, a good and pleasant light, and is used in considerable quantities in the settlement.

“2. Cotton wool. The plant, being indigenous in this part of the country, is cultivated and manufactured to a great extent on both banks of the river,

and forms, in the various shapes in which it is brought to market, by far the most considerable article of domestic and inland commerce. The nominal or bartered price is about 2*d.* per pound in the rough. It can be procured in any quantity, but the want of machinery adapted to the cleaning of it has hitherto deterred Europeans from engaging in the trade.

"3. Indigo. This plant, being also indigenous in this part of the country, is cultivated and manufactured in the native form with great success, as far as the demands of their own market require, with which they produce dyes not inferior either in appearance or durability to that on the best Indian baft. But the process of manufacturing for the European market not being understood by the natives, a small sample of about 70 pounds, purchased by a Mr. Bodries some years ago, and which was found to be of good quality, is all that has yet been sent to the London market.

"4. Hemp. This article, being but little in demand, is cultivated but sparingly; a little, however, is attached to every village, of which they make cords adapted to domestic purposes. From the number of fibrous plants with which the banks of the river abound, particularly those of the *Promium* species, I am led to hope that a very important branch of commerce will be found in this article.

"5. Potash is manufactured by the natives from several plants and trees, and used in their soap and snuff manufactories, for settling their dyes, and a variety of domestic purposes. It is bartered at about 5*s.* per pound, and might be procured in considerable quantities, were not the exchangeable value too high to admit of Europeans engaging in the trade.

"6. Cardamoms are also brought in small quantities by traders from the interior, and form a branch of commerce among the natives; and could our intercourse with the interior be facilitated, they might become of some importance as an article of commerce.

"In addition to the foregoing, the natives carry on an extensive inland trade in Kolar nuts, honey, butter, Cayenne pepper, soap, the shea or vegetable butter, &c.; but, as I do not expect that any of them will become articles of export, I shall not detain you with an account of them, but proceed to enumerate a few other articles to be met with in the neighborhood, which, although not yet collected or looked upon either by natives or Europeans as articles of commerce, their exchangeable value in other countries induces me to hope that they may one day occupy a conspicuous place in the list of exports.

"1. As to the caoutchouc, or Indian rubber, the number of plants and trees on the banks of the Gambia which produce this gum justify the conclusion that large quantities of it might annually be collected: and as the sample sent home last year was found to be of a merchantable quality, I entertain great hopes that it may ultimately become an article of export.

"2. Ebony, found on the north bank of the Gambia, and in great abundance in the Salum branch, a sample of which has lately been sent to Bristol, but time does not admit of advices as to its quality, or what prospect there is of its becoming an article of trade.

"3. Bark—although I am not aware of any experiments having been made in this article, I am satisfied that the bark of the black or red margrom, the kem or rosewood, and several species of timber, plentifully found on the banks of this river, possess qualities which render them valuable both to the dyers and tanners.

"There are also acorns produced by certain trees, with which the na-

tives, by the most simple process, have brought the tanning and dyeing of hides to a degree of perfection that could hardly be expected of so rude a people, although their superstitions and veneration for the habits of their ancestors prevent their offering them for sale in a dressed state.

“Although the foregoing articles may, on taking a superficial survey of the country, present themselves as most likely to become export commodities, there can be no doubt, were the qualities of our plants and minerals better ascertained, that many others of equal importance might be added.”

SIERRA LEONE.

“The amount of goods imported into this settlement from Europe, in 1840, was £80,000.

“The amount of the goods exported from Sierra Leone, in that year, was £72,000.

“It will be seen, by the answers of the collector of the customs to my queries on this subject, that there has been no material increase, either in the imports or exports, for 14 years.

“The descriptions of goods imported are Manchester fabrics, guns, gunpowder, rum, gin, brandy, and hardware.

“Those exported are teak timber, camwood, palm oil, ivory, rice, hides, all of which are procured from the adjacent parts of the coast out of our jurisdiction.

“The products that are exported, and are the fruit of cultivation in the colony, are extremely trifling; namely, ground nuts, arrowroot, starch, ginger, and pepper, and in very small quantities.

“The tonnage of vessels now employed in the export trade of Sierra Leone amounts to 20,000 tons a year.

“The total exports in 1839 were, in estimated value, £58,440; about £50,000 of which amount was the value of the exports to England, while the total imports that year amounted to £103,086, and from England \$100,993.”

“The plans of the late superior officer in command of the squadron on the western coast of Africa were better calculated, I believe, to impede the slave trade, and to render its pursuit more hazardous and expensive to those engaged in it, than those hitherto adopted to effect those objects. Captain Tucker has the merit of having first established a rigid blockade of the rivers where the great slave-trading factories were established; and instead of allowing the slave ships in ballast to enter those rivers and take in their cargoes, and then of using every effort to capture the vessels loaded with slaves, his practice was to prevent the slave vessels which managed to elude his vigilance and enter the rivers from taking their cargoes on board, and then departing with them, and to hinder those from entering which had appeared off the coast for the purpose of so doing. In carrying these plans into execution, he was admirably seconded by the Hon. Captain Denman, of Her Majesty's ship *Wanderer*, and the officers under both. I confess I was not prepared to meet the active zeal, the stirring energy, in this service, and the entire devotion of self, of one's comforts, and all pecuniary interests, which I witnessed in the conduct of those officers on their several stations from the Gambia to the equator.

“There is no service so monotonous, irksome, and disagreeable, as this of our cruisers stationed off the mouths of those rivers. The influence of

the climate on the health and spirits of the officers and crews, the breaking down of the strongest constitutions, and that worst of all its influences in tropical climates—that which impairs the mind before its sensible effects are felt on bodily health and vigor—the consequences that invariably attend the employment of boats on the rivers, the breaking out of fever on board their vessels, and the frightful havoc which that disease makes amongst the men; the disappointment they experience at seeing all their arduous efforts for hindering the slave-trade factories from receiving their supplies from the foreign vessels engaged in this trade completely nullified by the proceedings of our own merchants and commanders of merchant vessels, who supply them with the identical goods and stores which they capture the foreign vessels for conveying to the coast; when all these sources of vexation and disappointment are taken into account, it must be admitted that no service can be surrounded with circumstances more unfavorable to its efficiency; and yet no inefficiency exists, except what arises from the class of vessels that are employed, and the condition they are reduced to by being kept for much too long a period on the coast.

“Four years’ actual employment is the ordinary period of service on this coast. The period, it is felt by every one acquainted with the subject, is twice longer than it ought to be for this service, and for the health of those engaged in it. Two years of actual service on the coast would be amply sufficient for the objects I have pointed out.

“The saving of life that would arise from this change would be considerable. It is not the number of deaths on board the cruisers on the coast, great as it is, which constitutes the chief mortality that arises from this period of service; the long list of deaths has to be filled up from the returns of the sick-leave list, of the casualties which have occurred either at Ascension or on the passage home, or in the hospitals of Plymouth, Portsmouth, or Chatham.

“The cruisers that have been four years on the coast become absolutely unserviceable long before their orders are received for going home; from the loss of men and officers, and the wear and tear of the vessels, and especially the corrosion of the vessels’ copper in those seas, which goes on so rapidly that it requires to be renewed long before they quit the station.

“I am speaking of subjects which professional experience only may be supposed to be qualified to treat of. I believe, however, I am speaking the sentiments of every naval officer who has spent four years on this coast; and I speak from what I have myself seen of the condition of the cruisers—of the Lynx, the Saracen, the Forester, and several other vessels which have been long stationed on this coast. There is no place on it where a vessel can be thoroughly refitted, and there is no vessel’s wear and tear on this coast which do not render refitment necessary after two years’ service there.”

"The estimated value of the exports from Sierra Leone in 1839.

Articles.	Amount.	Articles.	Amount.
Teak timber - - -	£36,567	Pepper - - - -	£381
Camwood - - - -	8,129	Gum copal - - -	265
Palm oil - - - -	7,993	Arrowroot - - -	77
Ginger - - - -	1,650	Coffee - - - -	13
Ground nuts - - -	305	Sundries - - - -	52
Hides - - - -	747		
Ivory - - - -	291		
Rice - - - -	1,970	Total - - - -	58,440

"The prices of provisions at Sierra Leone and the Gambia.

Colonies.	Bread, per pound.	Beef, per pound.	Mutton, per pound.	Fowls, per dozen, 10s.	Rice, per pound.
Sierra Leone - - -	6d.	4d.	7d.	4s. 4d., chickens	2d.
Gambia - - - -	5d.	2½d.	7d.	10s., fowls -	1½d.

The price of horned cattle at the former, a head - - - 60s.
 The price of horned cattle at the Gambia - - - 45s.
 The price of sheep at both places, about - - - 20s.
 The price of rice by the bushel at Sierra Leone - - - 5s.
 The price of rice by the cwt. at Gambia - - - 13s.
 The price of coffee at both places, per pound - - - 1s.
 The price of fish averages, per pound, at both places - - - 3d.

And the prices generally at both colonies for European stores, groceries, salt, provisions, &c., are about 30 per cent. above the market rate in England.

"There are no manufactories in Sierra Leone, but in the Gambia several; at Bathurst upwards of 20 wax refiners, and 5 at McCarthy's island. There are also 37 native looms employed at Bathurst in the manufacture of coarse country cloths, and ten working goldsmiths, who likewise carry on the trade of blacksmiths; and one of them a Foulah, a man of very superior skill and ability in his occupation as a goldsmith, whose workmanship would be prized in any country."

"The amount of coin in circulation in Sierra Leone, in 1839, was estimated at from £30,000 to £35,000 sterling; and in the Gambia, the same year, £6,500 sterling."

" Table showing the mean range of Fahrenheit's thermometer during each month of the under-mentioned years, at the river Gambia, Sierra Leone, Cape Coast Castle, and on the cruising station off the coast.

Months.	Gambia, McCarthy's island.	At sea, west coast of Africa.		Sierra Leone.	Cape Coast Castle.	Cape Coast, five miles inland.
	1835-'36	1839.	1840.	1840.	1840-'41.	1840.
January	91 17 0	82 22 0	76 48 23	81 0 0	81 5 2	74 15 39
February	86 40 0	83 10 0	73 2 0	81 40 0	82 12 51	77 1 2
March	100 25 31	83 0 0	79 29 4	82 0 0	- -	77 14 5
April	100 1 24	82 30 0	80 36 0	81 40 0	80 22 0	76 53 20
May	101 2 13	79 0 0	75 22 0	82 20 0	78 44 0	75 34 11
June	95 0 0	79 0 0	78 0 40	81 20 0	76 24 12	74 21 20
July	86 21 5	77 50 0	80 4 0	79 30 0	73 51 0	73 34 4
August	85 40 5	78 4 0	79 38 45	80 0 0	72 19 30	74 53 0
September	87 2 36	80 12 0	79 12 0	80 30 0	75 16 30	73 22 0
October	85 54 47	83 13 0	78 33 52	80 30 0	79 23 36	74 25 0
November	93 46 40	83 32 0	82 29 0	80 30 0	79 36 30	77 2 0
December	89 45 0	83 36 0	81 45 29	82 30 0	82 2 53	75 22 0
Mean temperature for the year	91 54 41	81 17 25	78 45 6	81 7 30	78 18 0	75 19 49

"Comparison of the rain gauge in the West Indies and western coast of Africa for eleven months.

Cuba.		Inches.	Cape Coast.		Inches.
1835.			1840.		
February	-	0.77	April	-	5.679
March	-	0.63	May	-	19.452
April	-	1.92	June	-	7.688
May	-	2.32	July	-	0.411
June	-	5.35	August	-	0.885
July	-	9.57	September	-	1.855
August	-	11.50	October	-	4.491
September	-	7.80	November	-	3.133
October	-	7.47	December	-	0.803
November	-	3.39	1841.		
December	-	1.40	January	-	1.565
			February	-	0.237
Total	-	52.11	Total	-	46,199

Queries submitted to Mr. Hartung, an African trader at Hamburg, on the subject of western Africa, by the chairman of the Select Committee on West Coast of Africa, in 1842, and the answers thereto.

Question 1. Have you visited the coast of Africa, and for what length of time, and in what capacity ?

Answer. I have made three voyages with my own vessels between Hamburg and the west and south coast of Africa, the goods and merchandise being for the most part on my own account, or taken with me on consignment. On the first voyage, I remained upon the coast of Africa from 16th December, 1838, to 6th April, 1839; on the second, from 4th December, 1839, to 9th May, 1840; on the third and last, from 16th December, 1840, to 23d July, 1841.

Ques. 2. What parts of that coast have you visited, and what has been the nature of your dealings there ?

Ans. During my first voyage, I visited Sierra Leone, Gallinas, different places in the Kroo country, Elmina, Cape Coast, Annamaboe, Winnebah, British, Dutch, and Danish Accra; on my second voyage, I went to Sierra Leone, thence up the rivers Rio Nunez and Rio Pongas to Gallinas, and back to Sierra Leone; and on my third and last, I ran to Gallinas, thence went to Sierra Leone, Dixcove, Bontry, Elmina, St. Paul's de Loando and Novo Retondo (in Angola), Igitto in Benguela, the islands of St. Thomas and Prince's, and back to Sierra Leone. My trade consisted in the barter of my merchandise for produce, specie, gold dust, and good bills of exchange.

Ques. 3. What description of goods are exported from Germany to Africa, and what are the returns ?

Ans. We take from Germany a large export of every kind of manufactured goods, in linens, woollens, and cottons; iron ware, knives, sabres, guns, iron pots; brass basins and pans, puncheon-packs, rum, geneva, provisions, beads, Swedish iron, tobacco, sugar, &c.; and the returns consist of dollars,

doubloons, gold in rings and in dust, ivory, wax, dry and salted hides, dye woods, gums, orchilla weed, palm oil, and spices.

Ques. 4. When did this trade from Germany commence, what has been its progress, and what is its present extent?

Ans. My former partner, Mr. John Epffenhausen, (who yet continues the trade,) made first an adventure out of Hamburg in 1832-'33, with a single vessel, and one can now reckon (say in the end of 1841) that six ships leave every year this port and that of Bremen. In this number, the enterprise of Mr. Santos, from Altona, with five vessels, is not included. The trade would have increased yet more, had not, in the preceding year, through various annoyances and obstacles, German masters and merchants been deterred (frightened) from further exposing their lives and property.

Ques. 5. Reports have been circulated of Hamburg vessels having been either engaged in the slave trade or indirectly connected with it: do you think there is any foundation for those reports, and, if groundless, what are the causes which have given rise to them?

Ans. Hamburg vessels have never carried on the slave trade, even when that trade was pursued without hesitation by all other nations; and only in the years 1840 and 1841, when trade and freights were every where so bad, did some Bremen and Hamburg vessels accept charters to convey goods from the Havana and Brazil to the coast of Africa, which is nowhere forbidden, and is strictly legal with us; but through which vessels, as the *Echo*, Captain Sohst, the *Louise*, Captain Boye, (from Hamburg,) and the ———, of Bremen, were hostilely treated (*angefeindet*) by English men-of-war, and placed in difficulties. These circumstances are known in your courts, especially the case of the *Echo*, in which are all the documents, and a full narrative of particulars; in which narrative many of the questions put to me are already treated and replied to, and to which I refer as containing full and correct information, given by me as an eyewitness. All these vessels had only closed charter-parties to carry outwards a cargo of goods—none "out and home," as far as is known to me. There is thus no room for suspicion of the transportation of slaves; and the slave trade presupposes a purchase and exportation of slaves. To show, however, that vessels, without having contemplated slave trading, may yet possibly be condemned in Sierra Leone, I communicate the following information, which I have lately received, dated the 15th March, Sierra Leone, from Mr. Richard Laurence, a merchant there:

"I must inform you I sincerely hope the owner of the barque *Echo* may get justice, for I have always considered it a hard case."

"I will merely state to you that a Brazilian barque has been brought in here, and a negro has been discovered and proved to have put slave irons on board of her, to condemn her, and is now in jail for trial."

In a postscript, dated the 19th March, he writes:

"Joseph Ruffel, who put the irons on board the Brazilian barque, was this day tried and found guilty, and sentenced to two years in chains."

The adventure of Mr. Santos from Altona gave, at the time, rise to many suspicions, but I know nothing accurate respecting it, as it had departed before my arrival in Europe, and as I had left Angola and Benguela before its arrival there.

Ques. 6. From your experience and observation on the coast of Africa, in what proportion do you consider the floating trade on shipboard divided amongst the different nations of Europe and the United States of America?

Ans. I think it may be assumed that, when the large timber trade which England carries on with Sierra Leone, and the Spanish and Portuguese slave trade, are excepted, (as neither of these should be reckoned in the general trade,) the trade upon the west and south coast of Africa, from 20 degrees north to 20 degrees south, is divided as follows:

The English	-	-	-	-	-	11-32
Americans	-	-	-	-	-	9-32
French	-	-	-	-	-	7-32
Spaniards and Portuguese	-	-	-	-	-	2-32
Dutch, Danes, and Germans	-	-	-	-	-	3-32

Ques. 7. What, in your opinion, is the effect of that trade in reference to the traffic in slaves?

Ans. I have always been of opinion that the more the trade with Africa increases, the more will civilization among the different nations on the coast increase, and the slave trade will perhaps at some day cease of itself.

Ques. 8. What plan would you recommend to put down the slave trade and improve the condition of the people of Africa?

Ans. I know of no means really to suppress the slave trade which would be found practicable, since the coast is too extended, the avarice of men too great, the gains rising in proportion to the difficulties and obstacles; and the blacks upon the coast always lend their aid to its support and prosecution, as among them human life is not of the same value as among the whites, and as they regard men as goods or property, which one is authorized by hereditary right, law, and religion, to dispose of. (On this subject I could give some further details.)

I could, however, communicate a more successful mode (in my opinion) of repressing the slave trade in a more humane way, and so that with time it should perhaps of itself cease. But this plan would require a very full explanation, not to be misunderstood. My mode would, however, in any case, be more beneficial and effectual in behalf of our poor sable fellow-men and brethren than is at the moment practically the carrying out of the great and beautiful idea of freedom advantageous to them, and than it will be. One must have seen their misery upon the spot, to be able to form from experience a judgment in the matter.

Ques. 9. Have you any observations to make on the English naval operations carried on with a view to suppress the trade in slaves?

Ans. I can only notice the injury which these English "naval operations" cause to legitimate trade, (and especially inasmuch as these gentlemen act entirely according to their private instructions, if not entirely according to their own pleasure.) If a man-of-war can say to me, "If I find you at such a place, or at such a place, I will carry you off," my trade is destroyed, as I cannot run the risk of his proving right or wrong at some future time, even supposing the most favorable result in Europe of my case. Subject to such interruptions, no trade can prosper. The trade with Africa has, moreover, this peculiarity: that if I am only to learn, when arrived upon the coast, at what places I may trade, the worst consequences to myself and to my assortment of goods may result, inasmuch as I cannot get rid of articles destined for one place, even if I give them away at the next; and this statement will be confirmed by every merchant who has had dealings with Africa.

Ques. 10. Have you observed that any English trading vessel has favored the operations of the slave dealer?

Ans. All English ships and traders, as well as those of all foreign nations, act in the same way; that is, they sell their goods to every body, without exception, if they can obtain good prices, and can expect to be paid; and they ask (care) little afterwards whether the purchasers turn the goods to the slave trade, or for what else they use them.

Ques. 11. Have you had an opportunity of observing the system of government and the state of society at the different English settlements on the west coast of Africa, and which of those settlements do you consider the best ordered, and which of them do you consider foremost in fair dealing and moral respectability?

Ans. I have found that Cape Coast and Accra were in every respect the best, and the authorities the most "respectable," although, indeed, Sierra Leone ought and should (*sollte und müsste*) lay claim to that honor!

Ques. 12. What is your opinion of the system pursued at the English establishments, compared with the Dutch and other foreign settlements on the coast?

Ans. I have remarked that in the English settlements the authorities were always opposed to the slave trade, (if sometimes the natives were not so,) as that object was always held out by England as a palladium. On the other hand, in the settlements of other nations the authorities were often very negligent in their conduct.

Ques. 13. What system would you recommend to repress the slave trade at those factories where it is now carried on by Spanish and Portuguese subjects?

Ans. I know of no means, as those people can always find new places upon the coast to carry on the slave trade, under the protection and with the aid of the natives.

Ques. 14. Have you any observations to make generally on the English policy pursued on the coast of Africa?

Ans. I have great reason to complain of the manner in which the English authorities and men-of-war conduct themselves, though only upon my last voyage; on which subject I have written letters to our chargé d'affaires in London, Mr. James Colquhoun, and to the syndic, Mr. Sieveking, here, which could be produced. And I might add several grounds of complaints: for example, the firing shotted guns, putting it to the committee whether the men-of-war's men have always so steady a hand and so sure an eye as to be certain that the ball shall pass clear of a vessel, especially at night. Further, I might notice the manner in which these parties come on board and conduct their inquiries, &c., which subjects will be found noticed in the letters alluded to.

Ques. 15. Have you visited Liberia, and what is your opinion of the American experiment there?

Ans. I myself was never in Liberia. What I have understood upon the coast respecting that place was very unfavorable, and always prevented me from visiting it; the place being infamous on account of the mode of trade and of payment. The people are said to be turbulent and indolent, on account of which famine often occurs.*

* It is to be regretted that Mr. Hartung did not consult English gentlemen who have visited Liberia—Captain Stoll, and Sir H. Dundas Campbell, late Governor of Sierra Leone—both of whom give decided testimony in its favor, as superior to any other settlement in western Africa; also, the testimony of the Prince de Joinville.

Ques. 16. If the slave dealers on the coast were prevented purchasing goods from vessels engaged in legitimate trade, would that, in your opinion, tend to repress or encourage the slave trade?

Ans. First, I know not how one could wish to prevent ships legally carrying on fair trade upon the coast. Every where on the coast, from 20° N. to 20° S., where I have been, are slaves secretly to be purchased from the natives or from traders; and, therefore, the whole trade with the western and southern coast of Africa must, on the supposition of the question, be stopped, since all might be called slave-trading places. Secondly, for every sort of merchandise, guns, blue bafts, tobacco, rum, brass pans, beads, &c., or for provisions, flour, toys, watches, &c., can slaves be bought; and, finally, the people would most willingly receive gold or silver for them, to betake themselves therewith to other markets, and there purchase goods.

One may take this view of the subject: that as little as will the aristocracy and clergy of England, France, and Germany, give up or change their rights and privileges, so little will the chiefs, races, families, and priesthood of Africa introduce and carry through a change in their institutions; that is to say, abolish slavery, which is notoriously interwoven in their laws, old customs, and religion; and this is a fundamental principle, not only among the people on the coast, but especially in the interior. Into that interior no Europeans easily penetrate; and when an exception occurs, they are but few in number, possessing no power to work a change any where. It is only by following another principle that more might be done for Africa in 50 years than under the present system in 100 or 1,000. The European can rarely withstand the climate's effects, and never toil in it as an artisan or agriculturist, as all attempts to do so have shown. Thus, only through blacks and mulattoes, under European direction and aid, can emancipation be worked out for Africa—speaking under that name of the country between 20° N. and 20° S.

A return of the exports and imports for the last fifteen years, between the west coast of Africa and England.

Quantities of the principal articles imported into the United Kingdom from the west coast of Africa.

IMPORTS.

Years.	Barwood.	Camwood.	Coffee.	Ebony.	Ginger.	Grains, Guinea and of paradise.	Gum, animi and copal.	Gum Senegal.
	Tons.	Tons.	Pounds.	Tons.	Cwt.	Pounds.	Cwt.	Cwt.
1827 -	149	740	25,197	42	6	20,602	209	65
1828 -	79	476	16,657	21	6	1,603	196	1,033
1829 -	247	119	8,093	12	9	14,309	121	2,587
1830 -	734	450	16,891	86	102	16,106	110	
1831 -	1,591	386	15,991	127	107	8,446	114	385
1832 -	567	875	72,963	11	113	44,517	363	14,987
1833 -	558	879	49,906	1	74	124,539	391	13,299
1834 -	1,793	1,037	110,240	16	73	53,299	555	18,642
1835 -	1,961	844	60,616	14	96	50,338	478	3,991
1836 -	1,175	689	48,937	9	115	83,084	686	16,076
1837 -	1,543	1,543	165,285	162	811	32,112	107	14,143
1838 -	1,002	876	267,303	99	600	8,372	182	27,477
1839 -	476	696	12,518	10	918	28,079	145	43,814
1840 -	704	787	42,015	77	897	24,348	264	13,398
1841 -	2,012	956	94,244	62	738	7,911	198	8,815

RETURN—Continued.

IMPORTS—Continued.

Years.	Hides, untanned.	Oil, palm.	Pepper.	Red or Guinea wood.	Rice not in the husk.	Rice in the husk.	Teeth, elephant and seahorse.	Teak wood.	Beech.
	Cwt.	Cwt.	Pounds.	Tons.	Cwt.	Bushels.	Cwt.	Loads.	Cwt.
1827	3,112	94,246	214	5	2,708	871	1,633	15,625	4,080
1828	2,876	126,552	101	4	268	-	1,715	11,954	3,319
1829	3,697	179,922	2,189	4	2	1	2,206	15,992	4,574
1830	3,335	213,440	36,367	1	657	42	3,086	19,563	5,574
1831	3,502	163,468	75,484	7	1,150	-	2,585	23,676	3,893
1832	3,576	217,805	44,659	26	1,576	69	1,749	15,120	686
1833	1,410	266,991	10,514	434	2,267	310	2,166	13,586	1,252
1834	5,608	269,908	20,271	177	2,786	9,229	2,576	13,192	3,058
1835	2,600	256,337	49,453	268	758	12,946	2,090	14,033	3,909
1836	1,769	276,636	56,192	48	1,021	13,389	2,401	13,406	4,388
1837	1,520	223,292	109,565	-	4	4,975	2,248	23,251	4,600
1838	1,110	281,371	12,775	162	3	116	2,111	11,143	4,382
1839	701	343,443	10,832	100	2	1,576	1,644	11,035	4,762
1840	3,234	315,458	49,630	173	225	-	1,946	12,541	3,773
1841	4,942	397,076	22,359	6	20	3,385	2,129	13,127	5,160

RETURN—Continued.

Quantities of the principal articles of foreign and colonial merchandise exported from the United Kingdom to the west coast of Africa.

EXPORTS; FOREIGN MERCHANDISE.

Years.	Beads, amber and coral.	Beef and pork, salt-ed.	Bugles and glass beads.	Cocoa.	Coffee.	Corn, viz: wheat flour.	Cotton manufactures of India.	Cowries.
	Pounds.	Cwt.	Pounds.	Pounds.	Pounds.	Cwt.	Pieces.	Cwt.
1827	1,203	-	107,766	9,761	7,213	673	64,367	457
1828	1,490	53	125,431	13,665	9,984	497	72,619	361
1829	1,139	90	156,899	17,965	13,249	218	92,962	1,082
1830	1,098	-	177,860	14,395	7,888	437	53,652	717
1831	945	-	226,919	14,703	19,457	597	41,616	1,436
1832	678	110	263,169	20,273	15,813	870	40,975	1,532
1833	666	76	277,120	19,211	15,770	428	62,197	383
1834	962	37	205,173	11,085	10,957	230	57,757	1,787
1835	1,299	1	206,983	11,543	10,510	232	31,780	3,053
1836	1,409	182	372,637	13,446	13,708	716	27,646	4,518
1837	994	674	294,540	7,622	8,894	728	50,042	2,768
1838	1,400	576	382,868	17,216	7,986	547	46,363	3,304
1839	1,790	747	363,610	14,785	9,429	344	47,805	2,691
1840	1,909	1,334	349,841	20,413	13,583	691	48,840	4,113
1841	2,225	2,373	288,058	15,560	17,953	995	50,321	5,763

1878

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RETURN—Continued.

EXPORTS; FOREIGN MERCHANDISE—Continued.

Years.	Iron in bars.	Iron and steel man- ufactures.	Rice not in the husk.	Silk manufactures of India.	Spirits, foreign and colonial.	Sugar, unrefined.	Tea.	Tobacco.	Wines.
	Tons.	Cwt.	Cwt.	Pieccs.	Gallons.	Cwt.	Pounds.	Pounds.	Gallons.
1827	9	210	7	1,160	109,205	648	3,884	1,118,099	9,884
1828	31	320	5	1,772	133,187	491	2,082	560,598	8,400
1829	19	170	59	2,428	169,544	913	3,474	416,629	8,810
1830	36	603	30	1,029	174,300	761	3,836	835,426	8,996
1831	32	569	10	2,633	209,805	964	4,739	1,148,814	8,723
1832	26	408	283	2,880	231,454	821	3,142	900,709	11,741
1833	22	521	117	2,794	255,274	886	1,117	862,696	10,068
1834	18	705	314	1,623	187,595	864	2,633	943,463	14,714
1835	29	502	2,049	2,338	158,555	736	2,809	1,016,080	10,436
1836	22	861	151	3,099	266,918	963	7,137	1,279,392	10,572
1837	31	356	344	2,418	149,452	804	3,352	1,112,819	9,815
1838	31	517	836	2,873	196,988	938	4,242	960,233	13,495
1839	31	598	996	5,084	230,715	926	4,774	1,036,430	17,038
1840	50	748	1,514	4,416	294,017	620	2,609	1,666,219	8,526
1841	21	674	3,435	3,760	310,047	672	3,657	991,330	11,793

RETURN—Continued.

Quantities and declared value of British and Irish produce and manufactures exported from the United Kingdom to the west coast of Africa.

EXPORTS; BRITISH GOODS.

Years.	Apparel, slops, and haberdashery.	Arms and ammunition.	Beef and pork.		Beer and ale.		Brass and copper manufactures.		Butter and cheese.	
	Declared value.	Declared value.	Quantity.	Declared value.	Quantity.	Declared value.	Quantity.	Declared value.	Quantity.	Declared value.
	£.	£.	Barrels.	£.	Barrels.	£.	Cwt.	£.	Cwt.	£.
1827	7,714	46,923	194	692	679	2,616	462	3,391	363	1,488
1828	6,330	59,456	102	369	532	1,823	781	5,111	196	805
1829	8,294	92,049	253	944	490	2,094	658	4,230	313	1,169
1830	6,909	81,238	245	830	560	2,104	700	4,889	292	1,104
1831	10,196	73,953	341	931	784	2,123	643	4,206	296	1,311
1832	7,286	95,182	140	567	574	1,768	1,480	7,642	235	923
1833	8,498	111,744	233	819	539	1,572	1,772	8,971	265	1,053
1834	9,044	91,407	276	890	525	1,614	2,323	11,654	388	1,010
1835	8,036	87,929	272	840	476	1,441	1,263	7,223	196	765
1836	10,754	137,698	139	470	658	1,791	2,095	12,648	314	1,344
1837	7,400	88,828	105	423	581	1,611	1,228	7,172	236	1,104
1838	9,282	114,210	163	628	686	1,763	1,955	11,130	307	1,493
1839	11,069	107,992	61	275	875	2,117	1,996	10,555	234	1,087
1840	8,673	104,934	49	210	831	2,306	2,421	13,167	200	989
1841	11,437	91,247	30	126	738	1,935	2,914	16,452	157	696

RETURN—Continued.

EXPORTS; BRITISH GOODS—Continued.

Years.	Cabinet and uphol- stery wares.	Cotton manufactures entered by the yard.		Cotton hosiery and small wares.	Earthenware of all sorts.		Glass of all sorts.	Hardwares and cutlery.			
		Declared value.	Quantity.		Declared value.	Declared value.		Quantity.	Declared value.	Quantity.	Declared value.
		£.	Yards.		£.	£.		Pieces.	£.	£.	Cwt.
1827	1,249	1,025,804	41,840	220	221,642	2,208	2,627	487	2,252		
1828	950	1,536,861	57,376	194	229,291	2,242	2,637	889	3,792		
1829	538	1,910,940	70,104	115	361,274	3,355	2,659	1,661	7,102		
1830	536	2,506,266	96,042	283	312,160	3,587	2,841	1,818	5,228		
1831	577	2,384,000	75,058	480	411,766	4,271	2,923	1,955	7,042		
1832	1,260	3,878,034	97,642	533	473,797	4,567	3,398	3,075	12,710		
1833	826	4,964,666	118,872	493	449,014	4,461	2,683	2,513	11,107		
1834	860	4,975,493	129,584	727	426,844	4,846	2,691	5,263	14,307		
1835	368	3,905,158	124,777	783	340,901	4,034	2,433	3,425	8,709		
1836	1,258	7,706,053	209,609	1,974	531,172	5,536	2,831	4,024	11,785		
1837	791	4,973,412	136,323	786	432,789	3,462	2,308	4,350	11,182		
1838	1,187	7,368,526	187,101	602	367,082	3,822	3,121	2,297	8,402		
1839	986	9,184,772	232,801	1,018	481,620	5,562	3,314	2,633	12,514		
1840	1,256	10,488,479	261,297	1,202	408,984	4,356	2,987	3,036	14,090		
1841	1,473	8,389,266	183,632	840	388,873	5,092	2,787	4,051	19,378		

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1891

RETURN—Continued.

EXPORTS; BRITISH GOODS—Continued.

Years.	Hats of all sorts.		Iron and steel, wrought and unwrought.		Lead and shot.		Leather and saddlery.	Linen manufactures entered by the yard.		Linen thread, tapes, and small wares.	
	Quantity.	Declared value.	Quantity.	Declared value.	Quantity.	Declared value.		Quantity.	Declared value.		Declared value.
	Dozen.	£.	Tons.	£.	Tons.	£.	£.	Yards.	£.	£.	
1827	-	878	1,298	1,021	11,152	33	700	1,989	35,928	1,580	68
1828	-	583	1,034	1,371	13,447	59	1,174	2,315	36,808	1,862	
1829	-	1,237	1,853	1,857	16,318	52	1,009	2,504	42,173	1,899	12
1830	-	1,283	1,561	1,406	11,823	60	908	1,503	37,067	1,721	41
1831	-	1,187	1,739	1,236	11,390	65	965	2,061	59,860	2,624	74
1832	-	1,308	1,579	1,667	11,648	86	1,229	1,874	37,390	1,643	11
1833	-	1,125	1,724	1,692	13,508	82	1,221	1,197	37,801	1,437	50
1834	-	853	1,302	1,787	15,761	88	1,420	1,230	88,142	3,459	135
1835	-	525	845	1,105	9,907	52	1,075	1,044	52,700	2,419	93
1836	-	1,019	1,665	1,455	17,999	77	1,807	1,907	52,561	2,582	11
1837	-	436	1,031	955	12,512	51	1,094	1,940	126,441	4,288	1
1838	-	665	999	1,465	16,591	85	1,721	1,699	84,102	3,195	80
1839	-	386	649	1,739	19,964	79	1,557	1,648	103,563	3,878	84
1840	-	858	1,061	1,824	18,588	69	1,239	1,159	50,940	1,911	38
1841	-	357	848	1,909	17,864	70	1,406	1,104	66,223	2,779	125

RETURN—Continued.

EXPORTS; BRITISH GOODS—Continued.

Years.	Plate, plated ware, jewelry, & watches.	Salt.		Silk manufactures.	Soap and candles.		Stationery.	Sugar, refined.	
		Quantity.	Declared value.		Quantity.	Declared value.		Quantity.	Declared value.
		£.	Bushels.		£.	£.		Pounds.	£.
1827	563	151,418	3,077	68	75,433	2,594	1,107	466	1,049
1828	482	196,385	4,194	616	74,622	2,528	1,047	410	774
1829	579	180,140	3,599	146	88,683	2,411	1,003	476	765
1830	1,130	170,130	4,207	493	102,496	2,628	736	390	716
1831	388	195,240	3,872	465	113,699	2,998	837	404	855
1832	1,231	261,900	4,783	1,297	110,257	2,776	801	365	723
1833	237	330,310	5,972	897	111,605	2,310	705	320	628
1834	949	216,480	3,857	714	106,492	1,998	660	284	627
1835	472	214,047	4,226	447	84,308	1,738	823	393	831
1836	500	314,132	8,094	1,301	149,795	2,927	1,270	369	928
1837	1,154	180,119	4,333	874	101,455	2,157	712	311	615
1838	1,131	275,040	7,217	1,632	160,367	2,895	1,234	331	795
1839	367	389,574	9,318	294	186,159	3,704	1,135	354	780
1840	700	344,740	6,620	1,226	160,585	3,215	738	339	617
1841	1,025	387,150	7,951	1,449	136,219	2,612	847	276	470

RETURN—Continued.

EXPORTS; BRITISH GOODS—Continued.

Years.	Tin & pewter wares and tin plates.	Wood, viz: empty casks and staves.		Woollen manufactures entered by the piece.		Woollen manufactures entered by the yard.		Woollen hosiery & small wares.	All other articles.		
		Declared value.	Quantity.	Declared value.	Quantity.	Declared value.	Quantity.			Declared value.	Declared value.
		£.	Number.	£.	Pieces.	£.	Yards.			£.	£.
1827	-	337	10,859	5,817	655	1,500	1,142	80	8,717		
1828	-	814	15,264	8,717	898	2,587	996	70	7,719		
1829	-	913	12,402	7,167	467	1,528	1,530	98	7,989		
1830	-	999	12,139	7,272	1,190	1,832	1,120	88	7,244		
1831	-	763	12,329	7,597	2,623	4,620	5,082	339	7,881		
1832	-	976	19,287	12,003	1,409	2,933	3,310	162	9,101		
1833	-	1,136	24,814	15,627	1,029	2,496	3,400	142	7,434		
1834	-	377	17,366	10,806	1,513	3,159	2,131	184	9,618		
1835	-	406	18,596	9,285	1,412	3,018	2,670	140	7,759		
1836	-	330	23,610	13,837	1,595	3,156	4,071	315	9,834		
1837	-	406	16,402	9,303	1,405	2,451	3,736	250	8,728		
1838	-	572	27,201	14,962	2,202	3,612	3,151	202	9,847		
1839	-	586	30,166	18,343	2,371	3,518	1,130	68	11,087		
1840	-	597	38,588	22,865	1,683	2,716	4,236	272	10,241		
1841	-	458	29,985	17,282	2,165	3,877	7,692	556	11,966		

RETURN—Continued.

Total declared value of British and Irish produce and manufactures exported from the United Kingdom to the west coast of Africa.

Years.	Senegal & the coast, from Morocco to the river Gambia, exclusive.	Sierra Leone and the coast, from the river Gambia, inclusive, to the river Mesurado.	Windward coast, from the river Mesurado to Cape Apollonia.	Cape Coast Castle & the Gold Coast, from Cape Apollonia to the Rio Volta.	Coast, from the Rio Volta to the Cape of Good Hope.	Total.
1827 - - - -	£718	£75,456	£9,015	£22,414	£48,156	£155,759
1828 - - - -	-	62,100	12,009	41,985	75,358	191,452
1829 - - - -	-	85,700	7,690	46,962	103,901	244,253
1830 - - - -	-	87,144	9,648	52,889	102,442	252,123
1831 - - - -	-	85,192	-	59,214	90,362	234,768
1832 - - - -	650	69,255	12,011	65,291	142,854	290,061
1833 - - - -	221	58,336	386	86,263	184,004	329,210
1834 - - - -	795	86,431	3,657	107,627	127,973	326,483
1835 - - - -	694	75,388	-	87,841	128,617	292,540
1836 - - - -	7,337	108,978	-	142,063	208,808	467,186
1837 - - - -	802	109,597	-	89,020	113,519	312,938
1838 - - - -	2,904	134,470	-	102,665	173,295	413,354
1839 - - - -	961	123,539	-	131,444	212,426	468,370
1840 - - - -	1,790	93,640	-	136,877	259,821	492,128
1841 - - - -	977	96,092	-	133,510	180,219	410,798

WILLIAM IRVING, *Insp. Gen. of Imports and Exports.*

INSPECTOR GENERAL'S OFFICE, CUSTOM-HOUSE, LONDON, July 28, 1842.

List of vessels arrived off Cape Coast Castle, (Africa,) during each year, from the 1st January, 1833, to the 31st December, 1841, distinguishing British merchant vessels, foreign merchant vessels, and British ships of war; extracted from the official list of arrivals and departures transmitted periodically from Cape Coast Castle.

Years.	Merchant vessels.		British ships of war.	Total.
	British.	Foreign.		
1833	67	10	6	83
1834	66	30	2	98
1835	65	33	11	109
1836	58	25	8	91
1837	75	21	7	103
1838	53	24	10	87
1839	88	22	11	121
1840	88	25	15	128
1841	87	27	15	129
Total	647	217	85	949
864				

Extract from Mr. Jefferson's Message, March 20, 1806.

I congratulate you, fellow-citizens, on the approach of the period at which you may interpose your authority, constitutionally, to withdraw the citizens of the United States from all further participation in those violations of human rights which have been so long continued on the unoffending inhabitants of Africa, and which the morality, the reputation, and the best interests of our country, have long been eager to proscribe. Although no law you may pass can take prohibitory effect till the first day of the year one thousand eight hundred and eight, yet the intervening period is not too long to prevent, by timely notice, expeditions which cannot be completed before that day.

Extract from Mr. Madison's Message, November 29, 1809.

By some of the other belligerents, although professing just and amicable dispositions, injuries materially affecting our commerce have not been duly controlled or repressed. In these cases, the interpositions deemed proper on our part have not been omitted. But it well deserves the consideration of the Legislature, how far both the safety and honor of the American flag may be consulted, by adequate provision against that collusive prostitution of it by individuals, unworthy of the American name, which has so much favored the real or pretended suspicions under which the honest commerce of their fellow-citizens has suffered.

Extract from Mr. Madison's Message, December 5, 1810.

Among the commercial abuses still committed under the American flag, and leaving in force my former reference to that subject, it appears that American citizens are instrumental in carrying on a traffic in enslaved Africans, equally in violation of the laws of humanity and in defiance of those of their own country. The same just and benevolent motives which produced the interdiction in force against this criminal conduct will doubtless be felt by Congress in devising further means of suppressing the evil.

Extract from Mr. Madison's Message, December 3, 1816.

The United States, having been the first to abolish, within the extent of their authority, the transportation of the natives of Africa into slavery, by prohibiting the introduction of slaves and by punishing their citizens participating in the traffic, cannot but be gratified by the progress made by concurrent efforts of other nations toward a general suppression of so great an evil. They must feel at the same time the greater solicitude to give the fullest efficacy to their own regulations. With that view, the interposition of Congress appears to be required by the violations and evasions which it is suggested are chargeable on unworthy citizens, who mingle in the slave trade under foreign flags and with foreign ports, and by collusive

importations of slaves into the United States through adjoining ports and territories. I present the subject to Congress, with a full assurance of their disposition to apply all the remedy which can be afforded by an amendment of the law. The regulations which were intended to guard against abuses of a kindred character in the trade between the several States ought also to be rendered more effectual for their humane object.

Extract from Mr. Monroe's Message, December 7, 1819.

Due attention has likewise been paid to the suppression of the slave trade, in compliance with a law of the last session. Orders have been given to the commanders of all our public ships, to seize all vessels navigated under our flag engaged in that trade, and to bring them in, to be proceeded against in the manner prescribed by that law. It is hoped that these vigorous measures, supported by like acts by other nations, will soon terminate a commerce so disgraceful to the civilized world.

[For extracts from subsequent messages, see pages 730, 764, 962, 963, and 964.]