

INSTRUCTIONS TO AFRICAN SQUADRON.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

IN ANSWER TO

A resolution of the House calling for a copy of all instructions given to the commanders of our African squadron since the ratification of the treaty of 1842, &c.

MARCH 1, 1859.—Laid on the table and ordered to be printed.

To the House of Representatives :

I transmit herewith a report from the Secretary of the Navy with the accompanying documents, in obedience to the resolution of the House of Representatives adopted on the 28th of January, requesting the President of the United States "to communicate to this House a copy of all instructions given to the commanders of our African squadron since the ratification of the treaty of 1842, called the Washington treaty, with a copy or statement of whatever regulations were entered into by the commanders of the two squadrons for more fully accomplishing the object of the eighth article of said treaty," &c.

JAMES BUCHANAN.

WASHINGTON CITY, *February 25, 1859.*

NAVY DEPARTMENT,
February 23, 1859.

SIR : To enable you to answer the resolution of the House of Representatives of the 28th ultimo, which you have referred to this department, I have the honor to transmit herewith, (marked A,) "copy of all instructions given to the commanders of our African squadron since the ratification of the treaty of 1842, called the Washington treaty." Also, as far as is "in the possession of this department, a copy or statement (marked B) of whatever regulations were entered into by the commanders of the two squadrons for more fully accom-

plishing the object of the eighth article of said treaty," and the "instructions given the English squadron on the coast of Africa by the British government;" also a "list (marked C) showing the name of each slaver or suspected slaver taken by the American squadron since the ratification of the said treaty, giving the number and names of the vessels sent to the United States for condemnation as slavers, and the dates of their capture and condemnation," as far as the files of the department show.

The preparation of this list has required a careful examination of all the despatches of the successive commanders of the squadron stationed on the coast of Africa under the eighth article of the treaty of 1842.

Prior to the act of March 3, 1849, making appropriations for the naval service, the department had nothing to do with the distribution of prize money or the appointment of prize agents. The 3d section of the act of April 16, 1816, in relation to the navy pension fund, which makes it "the duty of the district attorneys of the respective districts of the United States to transmit to the Secretary of the Navy a statement of all prizes" "which shall be libelled, condemned, or restored, at each term of the district and circuit courts within their respective districts," &c., does not appear to have been observed. The files of the department, therefore, do not contain complete information as to the disposition made of prizes, and in some cases they furnish nothing more than the name of the captured vessel and date of capture.

In answer to that part of the resolution requesting to be informed whether "the commanders capturing said slavers or suspected slavers, or any of them, have been sued or otherwise embarrassed by the owners, officers, or agents of said vessel in consequence of captures where condemnation have or have not followed capture," I would state, that the instructions given to the commander of the squadron on the African station are such that seizures are not likely to be made except under circumstances which would at least insure a certificate of probable cause, if they did not authorize condemnation. The object has been to avoid, as far as practicable, any vexatious interruption of lawful commerce.

The only instance at present known to the department in which an officer capturing a slaver or suspected slaver on the coast of Africa has been "sued or otherwise embarrassed by the owners, officers, or agents" of the captured vessel, is that of Commander Simonds, who captured the brig "Casket." In his case no damages appear to have been recovered against him, and the expenses incurred by him in defending the suit were refunded to him, under an act of Congress approved July 29, 1854.

I have the honor to be your very obedient servant,

ISAAC TOUCEY.

The PRESIDENT of the *United States*.

A.

NAVY DEPARTMENT, *March 30, 1843.*

SIR: You will proceed as soon as possible with the squadron under your command to the coast of Africa. You are charged with the protection of American commerce in that quarter, and with the suppression of the slave trade, so far as the same may be carried on by American citizens, or under the American flag.

The commerce of the United States with the western coast of Africa is rapidly increasing and becoming every day more and more valuable. Heretofore it has been conducted under many circumstances of disadvantage, in consequence of the unprotected condition in which it has been left. In the conduct of your command you will be careful to ascertain its present condition and its probable future course and extent, and you will afford to it all the aid and support which it may require. The rights of our citizens engaged in lawful commerce are under the protection of our flag, and it is the chief purpose, as well as the chief duty of our naval power, to see that these rights are not improperly abridged or invaded. To what extent your interposition for this purpose may be required, it is impossible to foresee. The department relies with full confidence on your judgment and discretion, so to employ the force under your command as to protect the rights and interests of your own countrymen, without violating those of any other people, and therefore deems it unnecessary, as indeed it would be almost impossible, to give you specific instructions upon the subject.

In regard to the other branch of your duties, viz: the suppression of the slave trade, the following views and instructions are given for your guidance:

The United States are sincerely desirous wholly to suppress this iniquitous traffic, and with that view have declared it to be piracy. They have recently, by their treaty with England, come under specific stipulations upon the subject, to which your particular attention is called. I enclose a copy of the treaty lately concluded between the two countries, and refer you to the eighth article of it. The object which the two governments have in view, and the mode in which they propose to accomplish it, will be at once perceived from the plain language of this article.

I need not, I am sure, impress upon you the importance of strictly observing this stipulation, and of preserving inviolate the pledged faith of your country upon this point. Nevertheless, the following suggestions may be found useful in enabling you to understand fully and precisely the view of your own government upon this delicate and interesting subject.

This government does not acknowledge a *right* in any other nation to visit and detain the vessels of American citizens engaged in commerce. By the general consent of all civilized nations, vessels suspected of acts which are piracy by the law of nations *may be* so visited, for the purpose of ascertaining their true character. Even

in this case, however, there must be *probable cause* that a reasonable ground of suspicion exists, and the visit must be made in good faith, and must be conducted and limited to the sole purpose above mentioned. Any wrong done in the exercise of this privilege, beyond what its legitimate object *requires*, makes the visiting power a trespasser. It is also to be observed that the piracy of which I speak is piracy by the laws of nations, and not that which is made so by the municipal laws of any particular country. Of this latter character is the slave trade, which is declared to be piracy by act of Congress. The right therefore which, by the general consent of nations, exists in regard to vessels suspected of being engaged in piracy, does not extend to those suspected of being employed in the slave trade. As to them, there is no right of visitation or search, so far as American vessels are concerned, except by our own vessels-of-war. But the claim of the United States that their trading vessels should not be visited for *any* purpose (except on suspicion of piracy) by the cruisers of other nations, presupposes that the vessel visited is *really* American. *In what manner* this fact is to be ascertained is the only question which presents any difficulty. The flag which the vessel wears is *prima facie*, although it is not conclusive, proof of her nationality; it is a mere emblem, and it loses its true character when it is worn by those who have no right to wear it. Any vessel which displays the American flag claims to be American, and therefore may be rightfully boarded and examined by an American cruiser, if there be any circumstances attending her to justify a suspicion that she is not what she professes to be. But this privilege does not extend to cruisers of any other nation; that is, it cannot be conceded to them as a *right*. The United States certainly do not claim that the mere hoisting of their flag shall give immunity to those who have no right to wear it; such a pretension would subject their flag to degradation and dishonor, because it would make it a cover for piracy and other crimes of similar atrocity; but they *do* claim that their own citizens who rightfully display it shall have all the protection which it implies. Whenever, therefore, a cruiser of any other nation shall venture to board a vessel under the flag of the United States, she will do it upon her responsibility for all consequences. If the vessel so boarded shall prove to be American, the act will not be justified by you, but the injured party will be left to such redress, either in the tribunals of England or by an appeal to his own country, as the nature of the case may require. If the vessel prove not to be American, the United States have no cause of complaint, notwithstanding she has worn their flag.

These principles are believed to be well understood and settled. Indeed, the article of the treaty to which I have called your attention was agreed to with the obvious view of preventing all difficulty or disagreement upon this point. The United States, in stipulating to keep a squadron of not fewer than eighty guns on the coast of Africa, meant to give to England and all the world an assurance of her determination and ability to protect her own flag against abuse, and thus to remove all pretext for any interference with it by other

nations. England accepted this stipulation as satisfactory, so far as she was concerned, and therefore she has no reason, and I trust has no wish, to invade the rights of the United States in that respect. I advert to the subject here only to put you in possession of the views of your own government for your guidance in forming such arrangements as you may find it convenient to make for co-operation with British cruisers. I should consider it highly desirable that a vessel of each nation should, as far as possible, cruise in company with a vessel of the other, so that each may be in a condition to assert the rights and prevent the abuse of the flag of its own country. In this way all just grounds of difference or collision will be removed, while this harmonious co-operation of the two powers will go far to insure the full accomplishment of their common object in the suppression of the slave trade.

On approaching the coast your first object will be to make yourself acquainted with the actual condition of the great interests which are entrusted to your protection. With this view you will communicate, as far as you conveniently can, with the several accredited agents of our government, with the colony of Liberia, and with any and all sources of information on which you may venture to rely. Your operations against the slave trade will, of course, be influenced in a great degree by this information. Your own observation and experience, while heretofore in service upon that coast, will enable you to direct your inquiries in a proper channel, and has already supplied you with much valuable information. The cunning of the slave trader, however, is constantly devising new disguises and schemes of deception by which he may elude detection and escape the consequences of his crimes. To some of these it may be useful to call your attention.

It is not to be supposed that vessels destined for the slave trade will *exhibit* any of the usual arrangements for that business. They take especial care to put on the appearance of honest traders, and to be always prepared as if engaged in pursuits of lawful commerce. It is their practice to run into some river or inlet where they have reason to believe that slaves may be obtained, make their bargain with the slave factors, deposit their handcuffs and other things calculated to betray them, and then sail on an ostensible trading voyage to some neighboring port. At the appointed time they return, and as the slaves are then ready to be shipped they are taken on board without delay, and the vessel proceeds on her voyage.

Thus the slavers do not carry within themselves any positive proof of their guilt, except before they reach the coast, and after they leave it with slaves on board. Nevertheless, there are a variety of signs and indications by which their true character may, at all times, be conjectured. Among these are the following:

1. *Double sets of papers.*—It is well known that false papers may be easily obtained, and at very little cost. No vessel engaged in honest commerce requires them.

2. An unusual number of water casks or tanks; a supply of provisions beyond what the ostensible voyage would require; and any

other preparation or arrangement not usual in the trade in which the vessel professes to be engaged.

3. The log-book should be particularly examined. It is understood to be a common practice among slavers to keep two logs—the one representing the true route, and the other a false one. By exhibiting the false log they represent themselves as having been in positions which would not expose them to the suspicion of slave trading; but this fraud may be easily detected by judicious questioning.

4. The shipping list may afford strong presumptive evidence upon the subject. In consequence of the great exposure, hardships, and hazards of the slave trade, the wages of sailors engaged in it are generally much higher than are paid in any regular and lawful trade; and, of course, it may reasonably be inferred that a crew shipped at prices extravagant and unusual are not destined for any usual sea duty.

5. Consular certificates are often forged, and in lieu of the usual consular seal the impression is made with an American half dollar.

These are a few of the devices to which the slave trader resorts. In calling your attention to them, I have in view only to impress you with a deep sense of the artful character of the adversaries with whom you have to deal, and of the reckless disregard of all truth and honor as well as of all law and humanity. Nothing but the utmost vigilance and caution will enable you to detect them. I have no doubt that your own observation and sagacity will soon discover other contrivances for deceiving and escaping you, and I have as little doubt that you will apply, promptly and effectually, the requisite means of defeating all such attempts.

The service in which you are engaged requires the greatest prudence and the soundest discretion. It is to be borne in mind that while the United States sincerely desire the suppression of the slave trade, and design to exert their power in good faith for the accomplishment of that object, do not regard the success of their efforts as their paramount interest nor as their paramount duty. They are not prepared to sacrifice to it any of their rights as an independent nation, nor will the object in view justify the exposure of their own people to injurious and vexatious interruptions in the prosecution of their lawful pursuits. Great caution is to be observed on this point. There is reason to believe that the flag of the United States has been often used to cover the traffic in slaves, and it is supposed that no good citizen of the United States will complain that a cruiser of his own country, acting upon well grounded suspicion, visits his vessel in order to ascertain her true character. But he is nevertheless not to be exposed to unnecessary and vexatious detention, nor to any harsh or uncivil treatment. On this point I am sure I need not give you instructions. While, therefore, the utmost vigilance is to be exacted to detect slave traders, great care must be taken not unnecessarily to interrupt the citizens, whether of our own or of other countries, in their lawful pursuits.

Your cruising ground will extend from the Madeira and Canary

Islands to the Bight of Biafra, and from the coast of Africa to the 30th degree of west longitude. If, however, it should be found necessary in the prosecution of the objects of your cruise to go beyond these limits, you will not hesitate to do so.

* * * * *

I am respectfully yours,

A. P. UPSHUR.

Commander M. C. PERRY,
*Commanding United States naval forces,
 destined for the coast of Africa.*

NAVY DEPARTMENT, *December 20, 1844.*

SIR: You have been appointed to relieve Commodore Perry in the command of our naval forces on the coast of Africa. The sloop-of-war Jamestown, Commander R. B. Cunningham, has been designated as the flag-ship of the squadron; and when she shall be in all respects ready for sea you will hoist your broad pendant on her and proceed with all practicable despatch to your destination.

Porto Praya, in the Cape de Verde Islands, is the established rendezvous of the squadron, and it will be the endeavor of the department to keep at that point a regular and constant supply of all such provisions and stores as cannot with more economy be procured in the vicinity. A permanent storeship will be attached to the squadron as soon as one can be prepared for the purpose.

The vessels composing the squadron under your command are, for the present—

Sloop-of-war Jamestown, Commander R. B. Cunningham;
 Sloop-of-war Preble, Commander T. W. Freelon;
 Sloop-of-war Yorktown, Commander C. H. Bell;
 Brig Truxton, Commander H. Bruce.

The duty of maintaining a squadron on the coast of Africa is imposed on the government of the United States, not only by motives of humanity and philanthropy, to prevent as far as lies within its power the abuse of our flag in the slave trade, but by treaty stipulations with the government of Great Britain to keep at all times a force of eighty guns.

You are charged with the protection of American commerce in that quarter, and with the suppression of the slave trade, so far as the same may be carried on by American citizens, or under the American flag. The commerce of the United States with the western coast of Africa is rapidly increasing, and becoming every day more and more valuable. Heretofore it has been conducted under disadvantageous circumstances, in consequence of the unprotected condition in which it has been left. You will afford to it all the aid and support which it may legally require and which may be in your power. As you have opportunities, you will ascertain its present condition and extent, and its probable future course. The rights of our citizens engaged

in lawful commerce are under the protection of our flag, and it is the chief purpose as well as the chief duty of our naval power to see that those rights are not improperly abridged or invaded.

To what extent your interposition may be needed for this object it is impossible to foresee. The department relies, with full confidence, on your judgment and discretion so to distribute and employ the force under your command as best to secure these ends, without violating the rights and interests of other people. It would be impossible to give you specific instructions to embrace every supposable case. On approaching the coast your first object will be to make yourself acquainted with the great interests which are entrusted to your protection, and with this view you will communicate, as far as you conveniently can, with the several accredited agents of our government at the colony of Liberia, and obtain all the information you can from sources on which you may venture to rely. Your operations will, of course, be governed, in some degree, by this information.

In regard to the other branch of your duties, viz: the suppression of the slave trade, the subjoined views, embraced in the instructions to your predecessor, are stated for your guidance:

The United States are sincerely desirous wholly to suppress this iniquitous traffic, and with that view have declared it to be piracy. They have, by their treaty with England, come under specific stipulations upon the subject, to which your particular attention is called. A copy of the treaty between the two countries accompanies this, and you are referred to the 8th article of it. The object which the two governments have in view, and the mode in which they propose to accomplish it, will be at once perceived from the plain language of this article. I need not impress upon you the importance of strictly observing this stipulation, and of preserving inviolate the pledged faith of your country upon this point. Nevertheless, the following suggestions may be found useful in enabling you to understand, fully and precisely, the views of your own government upon this delicate and interesting subject.

This government does not acknowledge a *right* in any other nation to visit and detain the vessels of American citizens engaged in commerce. By the general consent of all civilized nations, vessels suspected of acts which are piracy by the laws of nations *may be* so visited, for the purpose of ascertaining their true character. Even in this case, however, there must be *probable cause*; that is, a reasonable ground of suspicion, and the visit must be made in good faith and conducted with, and limited to, the sole purpose above mentioned. Any wrong done in the exercise of this privilege beyond what its legitimate object requires makes the visiting power a trespasser. It is also to be observed that the piracy of which I speak is piracy by the laws of nations, and not that which is made so by the municipal laws of any particular country. Of this latter character is the slave trade, which is declared to be piracy by act of Congress. The right therefore which, by the general consent of nations, exists in regard to vessels suspected of being engaged in piracy, does not extend to those suspected of being employed in the slave trade.

As to them, there is no *right* of visitation or search, so far as American vessels are concerned, except by our own vessels-of-war. But the claim of the United States that their trading vessels shall not be visited for *any* purpose (except on suspicion of piracy) by the cruisers of other nations presupposes that the vessel visited is *really* American. In what manner this fact is to be ascertained is the only question which presents any difficulty. The flag which the vessel wears is *prima facie*, although it is not conclusive, proof of her nationality; it is a mere emblem, and it loses its true character when it is worn by those who have no right to wear it. Any vessel which displays the American flag claims to be American, and therefore may be rightfully boarded and examined by an American cruiser, if there be any circumstance attending her to justify a suspicion that she is not what she professes to be. But this privilege does not extend to cruisers of any other nation; that is, it cannot be conceded to them as a *right*. The United States certainly do not claim that the mere hoisting of their flag shall give immunity to those who have no right to wear it. Such a pretension would subject their flag to degradation and dishonor, because it would make it a cover for piracy and other crimes of similar atrocity; but they *do* claim that their own citizens, who rightfully display it, shall have all the protection which it implies. Whenever, therefore, a cruiser of any other nation shall venture to board a vessel under the flag of the United States, she will do it on her own responsibility for all consequences. If the vessel so boarded shall prove to be American, the act will not be justified by you, but the injured party will be left to such redress, either in the tribunals of England or by an appeal to his own country, as the nature of the case may require. If the vessel prove not to be American the United States have no cause of complaint, notwithstanding she has worn their flag.

These principles are believed to be well understood and settled. Indeed, the article of the treaty to which I have called your attention was agreed to with the obvious view of preventing all difficulty or disagreement on this point. The United States, in stipulating to keep a squadron of not fewer than eighty guns on the coast of Africa, meant to give to England and all the world an assurance of her determination and ability to protect her own flag against abuse, and thus to remove all pretext for any interference with it by other nations. England accepted this stipulation as satisfactory, so far as she was concerned, and therefore she has no reason, and I trust has no wish, to invade the rights of the United States in that respect. I advert to the subject here only to put you in possession of the views of your own government, for your guidance in forming such arrangement as you may find it convenient to make for co-operation with British cruisers. I should consider it highly desirable that a vessel of each nation should, as far as possible, cruise in company with a vessel of the other, so that each may be in a condition to assert the rights and prevent the abuse of the flag of its own country. In this way all just grounds of difference or collision will be removed, while this harmonious co-operation of the two powers will go far to insure the full

accomplishment of their common object, in the suppression of the slave trade.

The cunning of the slave trader is constantly framing new disguises, to elude detection and escape the consequences of his crimes. To some of these devices it may be useful to call your attention.

It is not to be supposed that vessels destined for the slave trade will exhibit any of the usual arrangements for that traffic. They take especial care to put on the appearance of honest traders, and to be always prepared as if in pursuit of lawful commerce. It is their practice to run into some river or inlet where they have reason to believe that slaves may be obtained, make their bargain with the slave factors, deposit their handcuffs and other things calculated to betray them, and then sail on an ostensible trading voyage to some neighboring port. At the appointed time they return; and as the slaves are then ready to be shipped, they are taken on board without delay, and the vessel proceeds on her voyage. Thus the slavers do not carry within themselves any positive proof of their guilt, except before they reach the coast and after they leave it with slaves on board. Nevertheless, there is a variety of signs and indications by which their true character may at all times be conjectured. Among them are:

1. *Double sets of papers.* It is well known that false papers may be easily obtained, and at very little cost. No vessel engaged in lawful commerce requires them.

2. *An unusual number of water casks or tanks;* a supply of provisions beyond what the ostensible voyage would require, and other preparations or arrangements not usual in the trade in which the vessel professes to be engaged.

3. *The log-book* should be particularly examined. It is understood to be a common practice among slavers to keep two logs—the one representing the true route, and the other a false one. By exhibiting the false log they represent themselves as having been in positions which would not expose them to the suspicion of slave trading; but this fraud may be easily detected by judicious questioning.

4. *The shipping list* may afford a strong presumptive evidence upon the subject. In consequence of the great exposure, hardships, and hazards of the slave trade, the wages of sailors engaged in it are generally much higher than are paid in any regular and lawful trade; and, of course, it may reasonably be inferred that a crew, shipped at prices extravagant and unusual, are not destined for any usual sea duty.

5. *Consular certificates* are often forged; in lieu of the proper consular seal the impression is made with an American half dollar.

These are a few, only, of the devices to which the slave trader resorts. In calling your attention to them I have only in view to impress you with a deep sense of the awful character of the adversaries with whom you will have to deal, and of their reckless disregard of all truth and honor as well as of all law and humanity.

Nothing but the utmost vigilance and caution will enable you to detect them. I have no doubt that your own observation and sagacity

will soon discover other contrivances for deceiving and escaping you; and I have as little doubt that you will apply, promptly and effectually, the requisite means of defeating all such attempts.

The service on which [you] are about to be engaged requires the greatest prudence and the soundest discretion. It is to be borne in mind that, while the United States sincerely desire the suppression of the slave trade, and design to exert their power, in good faith, for the accomplishment of that object, they do not regard the success of their efforts as their paramount interest nor as their paramount duty. They are not prepared to sacrifice to it any of their rights as an independent nation, nor will the object in view justify the exposure of their own people to injurious and vexatious interruptions in the prosecution of their lawful pursuits. Great caution is to be observed on this point. There is reason to believe that the flag of the United States has been often used to cover the traffic in slaves; and it is supposed that no good citizen of the United States will complain that a cruiser of his own country, acting upon well grounded suspicion, visits his vessel in order to ascertain her true character. But he is, nevertheless, not to be exposed to unnecessary and vexatious detention, nor to any harsh or uncivil treatment. On this point I am sure I need not give you instructions. While, therefore, the utmost vigilance is to be exerted to detect slave traders, great care must be taken not to interrupt unnecessarily the citizens, whether of our own or of other countries, in their lawful pursuits.

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I am, very respectfully, your obedient servant,

J. Y. MASON.

Commodore CHARLES W. SKINNER,

*Commanding United States naval forces
destined to the coast of Africa, Norfolk.*

NAVY DEPARTMENT, *December 29, 1845.*

COMMODORE: So soon as the United States frigate Cumberland shall be in all respects ready for sea, you will hoist your broad pennant on board, and proceed to the coast of Africa to relieve Commodore Skinner, now in command of the United States naval forces on that station. In making your way to your destination, you will proceed, by such route as your own great experience may lead you to prefer, to Porto Praya, where you will doubtless find Commodore Skinner or learn where he may be found.

Your squadron will consist, for the present, of your pennant ship, the Cumberland, the sloop-of-war Marion, the brigs Dolphin and Boxer, and the storeship Southampton.

The general purposes and duties of our naval forces on the African station and the precautions to be observed in the prosecution of them are set forth in detail in the instructions from this department to your predecessor in command, under date of December 20, 1844; a copy of these is herewith forwarded to you for your guidance.

As soon as you meet Commodore Skinner—and you will find him as soon as practicable—you will deliver to him the package to his address herewith forwarded, and at the same time receive from him any instructions to the African squadron which may yet remain to be executed. These you will carry into effect, as if addressed to yourself.

* * * * *

I am, very respectfully,

G. BANCROFT.

Commodore GEORGE C. READ,
Commanding United States naval forces for coast of Africa.

NAVY DEPARTMENT, *September 9, 1847.*

SIR: So soon as the United States sloop-of-war "Jamestown" shall be in all respects ready for sea, you will hoist your broad pennant on board and proceed in her with all practicable despatch to the coast of Africa, to relieve Commodore Read, now in command of the United States naval forces on that station.

Upon your arrival Commodore Read will transfer to you the several despatches of the department, containing instructions for his guidance in the operations of the African squadron; and he will communicate to you such information gained on that station as may, in his judgment, be useful in facilitating the discharge of your duties.

The papers which will be transferred to you by Commodore Read, to which your careful attention is requested, it is believed will indicate the policy of the government in the maintenance of a squadron upon the coast of Africa, and the wishes of the department respecting your course in the discharge of the important and delicate duties of your command.

Commodore Read has been instructed to proceed immediately to the Mediterranean, in the frigate "United States," upon your arrival to relieve him.

Your force will then consist of the following vessels:

| | | |
|--|----|------|
| United States sloop-of-war "Jamestown" | 20 | guns |
| United States brig "Dolphin" | 10 | " |
| United States brig "Boxer" | 10 | " |

Other vessels will be added to your squadron as soon as the wants of the service in other sections will permit. A storeship will also be sent to you at the earliest practicable period. In the mean time the Bureau of Provisions will charter vessels to supply you with the necessary stores for the wants of the squadron.

Your own experience will suggest the most efficient measures to preserve the health of the officers and men under your command, and I need not urge the importance of a strict attention to this subject.

Wishing you a pleasant cruise and a safe return to your country and friends,

I am, very respectfully, your obedient servant,

J. Y. MASON.

Commodore WILLIAM C. BOLTON,

*Appointed to command the U. S. Squadron,
Coast of Africa.*

NAVY DEPARTMENT, *November 10, 1848.*

SIR: So soon as the United States sloop-of-war "Yorktown," under your command, is in all respects ready for sea, you will hoist your broad pennant on board and proceed in her to the Cape de Verdes, touching at Madeira.

On meeting with Commodore Bolton, who is probably at Madeira, you will relieve him and assume command of the naval forces of the United States on the coast of Africa.

The squadron will consist of the following vessels:

| | | |
|---|----|------|
| Sloop-of-war Portsmouth, Commander Armstrong..... | 20 | guns |
| Sloop-of-war Yorktown, Commander Marston..... | 16 | " |
| Sloop-of-war Decatur, Commander Byrne..... | 16 | " |
| Brig Porpoise, Commander Gordon..... | 10 | " |
| Brig Bainbridge, Commander Slaughter..... | 10 | " |

You will receive herewith, from Commodore Bolton, the general and specific instructions which have been transmitted to him, and they will be the guide of your conduct, except so far as any special instruction may have been executed.

Wishing you a pleasant cruise and safe return,

I am, very respectfully, your obedient servant,

J. Y. MASON.

Commodore BENJAMIN COOPER,

*Appointed to command U. S. Squadron,
Coast of Africa.*

NAVY DEPARTMENT, *August 17, 1849.*

SIR: The indisposition of Commodore Cooper has induced the department to detach him from the command of the African squadron, with permission to return to the United States. Having been appointed his successor, you will be pleased to proceed in the United States storeship "Erie," about to sail from New York, for the Mediterranean, *via* Madeira. On your arrival at that island, you will find Commodore Cooper, who has been instructed to transfer to you the command of the African squadron, and to turn over all orders and instructions of the department which remain unexecuted, together

with such books and papers in his possession as may be essential for your information and guidance.

You will hoist your broad pennant on the United States sloop-of-war "Portsmouth," as your flag-ship, and resume cruising on the coast of Africa, in accordance with the instructions heretofore transmitted to the commanders of our naval forces upon that station, which will be communicated to you by Commodore Cooper.

The African squadron consists of the following vessels:

Sloop "Portsmouth," rate 22 guns.

Sloop "John Adams," rate 20 guns.

Sloop "Yorktown," rate 16 guns.

Brig "Bainbridge," rate 10 guns.

Brig "Porpoise," rate 10 guns.

The department reposes entire confidence in your judgment, zeal, and discretion in the discharge of the delicate duties involved in the important command with which you are entrusted, and it is believed that no efforts will be omitted on your part to preserve the discipline of the service and the efficiency of your force.

Wishing you success, I am, respectfully, your obedient servant,

WM. BALLARD PRESTON.

Captain F. H. GREGORY,

*Appointed to command the United States squadron
on the coast of Africa.*

NAVY DEPARTMENT, *May* —, 1851.

SIR: You have been appointed to relieve Commodore Gregory in the command of our naval force on the coast of Africa.

The sloop-of-war Germantown, Commander James D. Knight, has been designated as the flag-ship of the squadron, and when she shall be in all respects ready for sea, you will hoist your broad pennant on her, and proceed with all practicable despatch to your destination.

The sloop John Adams, Commander Samuel Barron, now at Norfolk, recently returned from the coast of Africa, will resume her station; you will, therefore, before sailing, issue your instructions to Commander Barron to join you at Madeira, or such other point as may appear to you to be advisable.

Porto Praya, in the Cape de Verde islands, is the established rendezvous of the squadron, and it will be the endeavor of the department to keep at that point a regular and constant supply of all such provisions and stores as cannot, with more economy, be procured in the vicinity.

The vessels composing the squadron under your command are, for the present—

Sloop-of-war Germantown, Commander Knight, 20 guns.

Sloop-of-war John Adams, Commander Barron, 20 guns.

Sloop-of-war Dale, Commander W. Pearson, 16 guns.

Brig Porpoise, Lieutenant Commanding Lardner, 18 guns.

Brig Perry, Lieutenant Commanding Foote, 10 guns.

The duty of maintaining a squadron on the coast of Africa is imposed on the government of the United States, not only by motives of humanity and philanthropy, to prevent, as far as lies within its power, the abuse of our flag in the slave trade, but by treaty stipulations with the government of Great Britain, which, with the protection of our commerce, and increasing the efficiency of our navy, by affording active service to the officers and crew of the vessels under your command, will require your unremitting attention.

You are charged with the protection of American commerce in that quarter, and with the suppression of the slave trade, as far as the same may be carried on by American citizens, or under the American flag.

The commerce of the United States with the western coast of Africa is rapidly increasing, and becoming every day more and more valuable.

You will afford to it all the aid and support which it may legally require, and which may be in your power. As opportunities offer you will ascertain its condition and extent and its probable future course. The rights of our citizens engaged in lawful commerce are under the protection of our flag; and it is the chief purpose as the chief duty of our naval power to see that those rights are not improperly abridged or invaded. To what extent your interposition may be needed for this object it is impossible to foresee.

The department relies with full confidence on your judgment and discretion so to distribute and employ the force under your command as best to secure these ends without violating the rights and interests of other people. It would be impossible to give you specific instructions to embrace every supposable case.

On approaching the coast your first object will be to make yourself acquainted with the great interests which are entrusted to your protection; and with this view you will communicate, as far as you conveniently can, with the several accredited agents of our government at the colony of Liberia, and obtain all the information you can from sources on which you may venture to rely. Your operations will, of course, be governed in some degree by the information so obtained.

In regard to your duties in suppressing the slave trade the following views are stated for your guidance. The United States are sincerely desirous wholly to suppress this iniquitous traffic, and with that view have declared it to be piracy. They have by their treaty with England come under specific stipulations upon the subject, to which your particular attention is called.

The object which the two governments have in view, and the mode in which they propose to accomplish it, will at once be perceived from the plain language of the eighth article of the treaty.

I need not impress upon you the importance of strictly observing this stipulation and preserving inviolate the pledged faith of your country upon this point. Nevertheless the following suggestions may be found useful in enabling you to understand fully and precisely the views of your own government upon this delicate and interesting subject.

[Then follow instructions, which do not vary materially from those of December 20, 1844, to Commodore Skinner.]

* * * * *

I am, very respectfully, your obedient servant,

WILLIAM A. GRAHAM.

Commodore ELI A. F. LAVALLETTE,

Appointed to command the U. S. squadron on the coast of Africa.

NAVY DEPARTMENT, *December 9, 1852.*

SIR: You have been appointed to relieve Commodore Lavallette in the command of our naval forces on the coast of Africa.

The frigate "Constitution," Commander John Rudd, has been designated as the flag-ship of the squadron; and when she shall be in all respects ready for sea, you will hoist your broad pendant on her, and proceed with all practicable despatch to your destination.

Porto Praya, in the Cape de Verde Islands, is the established rendezvous of the squadron; and it will be the endeavor of the department to keep at that point a regular and constant supply of all such provisions and stores as cannot with more economy be procured in the vicinity.

The vessels comprising the squadron under your command are, for the present, the frigate "Constitution," the sloop-of-war "John Adams," the sloop-of-war "Marion," the brig "Bainbridge," and the brig "Perry."

[Then follow instructions in regard to the duty of the squadron on the coast of Africa, and upon the subject of the slave trade, which do not vary materially from the instructions of December 20, 1844, to Commodore Skinner.]

* * * * *

I am, very respectfully, your obedient servant,

JOHN P. KENNEDY.

Commodore ISAAC MAYO,

Appointed to command the U. S. squadron on the coast of Africa.

NAVY DEPARTMENT, *April 17, 1855.*

SIR: You have been appointed to relieve Commodore Isaac Mayo in the command of the United States naval force on the coast of Africa.

The sloop-of-war Jamestown, Commander Francis B. Ellison, has been designated as the flag-ship of your command, and as soon as she shall be in all respects ready for sea, you will proceed in her, hoisting your broad pendant, and losing no time in reaching your destination.

Porto Praya, in the Cape de Verde Islands, is the established rendezvous of the squadron, where you will no doubt find Commodore Mayo, who will be instructed to transfer the command, with all unexecuted orders, and impart to you such information in relation thereto as may be needful to you in the prosecution of your duties. It will

be the endeavor of the department to keep at that point a regular and constant supply of all such provisions and stores as cannot with more economy be procured in the vicinity.

The vessels constituting the present squadron on the coast will be recalled with the exception of the sloop-of-war Dale, and your command will consist of the sloops-of-war Jamestown and Dale, and the brigs Perry and Dolphin. An additional sloop-of-war will be added at an early day.

The duty of maintaining a squadron on the coast of Africa is imposed on the government of the United States, not only by motives of humanity and philanthropy, to prevent as far as lies within its power the abuse of our flag in the slave trade, but by treaty stipulations with the government of Great Britain, which, with the protection of our commerce, and increasing the efficiency of our navy by affording active service to the officers and crew of the vessels under your command, will require your unremitting attention.

You are charged with the protection of American commerce in that quarter, and with the suppressing of the slave trade so far as the same may be carried on by American citizens or under the American flag.

The commerce of the United States with the western coast of Africa is rapidly increasing and becoming every day more and more valuable. You will afford it all the aid and support which it may legally require and which may be in your power to give. As opportunities offer, you will ascertain its condition and its probable future course.

The rights of our citizens engaged in lawful commerce, are under the protection of our flag, and it is the chief purpose as well as the chief duty of our naval power to see that those rights are not improperly abridged or invaded. To what extent your interference may be needed for this object it is impossible to foresee. The department relies with all confidence in your judgment and discretion so to distribute your command as best to secure these ends without violating the rights and interests of other people. It would be impossible to give you specific instructions to embrace every supposable case.

On approaching the coast your first object will be to make yourself acquainted with the great interests which are intrusted to your protection, and with this view you will communicate as far as you can, conveniently, with the several accredited agents of our government at the colony of Liberia and obtain all the information from other sources on which you can venture to rely. Your operations will of course be governed in some degree by the information so obtained.

In regard to your duties in suppressing the slave trade, the following views are stated for your guidance:

The United States are sincerely desirous wholly to suppress the iniquitous traffic, and with that view have declared it to be piracy. They have, by their treaty with England, come under specific stipulations upon the subject, to which your particular attention is called. The object which the two governments have in view, and the mode in which they propose to accomplish it, will at once be perceived from the plain language of the eighth article of the treaty. I need not impress upon you the importance of strictly observing this stipu-

lation, and preserving inviolate the pledged faith of your country upon this point. Nevertheless the following suggestions may be found useful in enabling you to understand fully and precisely the views of your own government upon this delicate and interesting subject.

The government does not acknowledge a right in any other nation to visit and detain the vessels of American citizens engaged in commerce.

The *flag* which the vessel wears is *prima facie*, although it is not conclusive proof of nationality; it is a mere emblem and it loses its true character when it is worn by those who have no right to wear it. Any vessel that displays the American flag, claims to be American, and therefore may be rightfully boarded and examined by an American cruiser if there be any circumstances attending her to justify a suspicion that she is not what she professes to be. But this privilege does not extend to the cruisers of any other nation. The United States certainly do not claim that the mere hoisting of their flag shall give immunity to those who have no right to wear it. Such a pretension would subject their flag to degradation and dishonor, because it would make it a cover for piracy and other crimes of similar atrocity, but they do claim that their own citizens who rightfully display it, shall have all the protection which it implies. Whenever, therefore, a cruiser of any other nation shall venture to board a vessel of the United States, she will do it upon her own responsibility for all consequences.

These principles are believed to be well understood and settled. Indeed the article of the treaty to which your attention has been directed was agreed to with the obvious view of preventing all difficulty or disagreement on the point.

The United States, in stipulating to keep a squadron on the coast of Africa, meant to give to England and all the world an assurance of her determination and ability to protect her own flag against abuse, and thus remove all pretext for any interference with it by other nations. England accepted this stipulation as satisfactory, so far as she was concerned, and therefore she has no reason, and I trust no wish, to invade the rights of the United States in that respect. I advert to the subject here only to put you in possession of the views of your own government, for your guidance in forming such arrangements as you may find it convenient to make for co-operation with British cruisers. I would consider it highly desirable that a vessel of each nation should, as far as possible, cruise in company with a vessel of the other, so that each might be in a condition to assert the rights and prevent the abuse of the flag of its own country. In this way all just ground of difference or collision will be removed, while the harmonious co-operation of the two powers will go far to insure the full accomplishment of the common object, in the suppression of the slave trade.

The cunning of the slave trader is constantly forming new disguises, to elude detection and escape the consequences of his crimes.

To some of these devices it may be useful to call your attention.

It is not to be supposed that vessels destined for the slave trade

will exhibit any of the usual arrangements for that traffic. They take especial care to put on the appearance of honest traders, and to be always prepared as if in pursuit of lawful commerce. It is their practice to run into some river or inlet, make their bargain with the slave factors, deposit their handcuffs and other things calculated to betray them, and then sail on an ostensible trading voyage to some neighboring port. At the appointed time they return, and as the slaves are then ready to be shipped, they are taken on board without delay, and the vessel proceeds on her voyage. Thus the slavers do not carry within themselves any positive proof of their guilt, except before they reach the coast and after they leave it with slaves on board. Nevertheless, there is a variety of signs and indications by which their true character may at all times be conjectured. Among them are:

1. *Double sets of papers.* It is well known that false papers may be easily obtained, at very little cost. No vessel engaged in lawful commerce requires them.

2. *An unusual number of water casks or tanks; a supply of provisions beyond what the ostensible voyage would require,* and other preparations or arrangements not usual in the trade in which the vessels profess to be engaged.

3. *The log-book* should be particularly examined. It is understood to be a common practice among slavers to keep two logs, one representing the true route, the other a false one. By exhibiting the false log they represent themselves as having been in positions which would not expose them to the suspicion of slave trading. This fraud may be easily detected by judicious questioning.

4. *The shipping list* may afford strong presumptive evidence upon the subject. In consequence of the great exposure, hardships, and hazards of the slave trade, the wages of sailors engaged in it are much higher than are paid in any regular or lawful trade, and of course it may be reasonably inferred that a crew of unusual number and shipped at prices extravagant are not destined for any usual sea duty.

5. *Consular certificates* are often forged, and in lieu of the proper consular seals, the impression is made with an American half dollar.

These are only a few of the devices to which the slave trader resorts. In calling your attention to them I have only in view to impress you with a deep sense of the artful character of the adversaries with whom you will have to deal, and of their reckless disregard of all truth and honor, as well as of all law and humanity. Nothing but the utmost vigilance and caution will enable you to detect them. I have no doubt your own observation and sagacity will soon discover other contrivances for deceiving and escaping you, and I have as little doubt that you will apply, promptly and efficiently, the requisite means of defeating all such attempts. The service on which you are about to be engaged requires the greatest prudence and the soundest discretion.

It is to be borne in mind that while the United States sincerely desire the suppression of the slave trade, and design to exert their power in good faith for the accomplishment of that object, they do

not regard the success of their efforts as their paramount interest nor as their paramount duty. They are not prepared to sacrifice to it any of their rights as an independent nation, nor will the object in view justify the exposure of their own people to injurious and vexatious interruptions in the prosecution of their lawful pursuits. Great caution is to be observed on this point.

There is reason to believe that the flag of the United States has been often, and continues to be, used to cover the traffic in slaves; and it is supposed that no good citizen of the United States will complain that a cruiser of his own country, acting upon well grounded suspicion, visits his vessel in order to ascertain his true character. But he is nevertheless not to be exposed to unnecessary and vexatious detentions, nor to any harsh or uncivil treatment. On this point, I am sure, I need not give you instructions. While, therefore, the utmost vigilance is to be exerted to detect slave traders, great care must be taken not to interrupt unnecessarily the citizens, whether of our own or other countries, in their lawful pursuits.

* * * * *

I am, very respectfully, your obedient servant,

J. C. DOBBIN.

Captain THOMAS CRABBE,

Appointed to command the U. S. squadron on the coast of Africa.

NAVY DEPARTMENT,
June 10, 1857.

SIR: You have been appointed to command the United States naval forces on the west coast of Africa, which will consist of the sloop-of-war Cumberland, (Commander J. S. Missroon,) now at Boston, the sloops-of-war St. Louis, (Commander J. W. Livingston,) and Dale, (Commander William McBlair.)

The brig Dolphin, attached to the squadron, has been ordered to the United States, and is probably now on her way home. The department may add another small vessel to your command.

The Cumberland has been designated as your flag ship, and so soon as she shall in all respects be ready for sea, having hoisted your broad pennant, you will proceed in her with all despatch to your station.

Your cruising ground will extend from Madeira and the Canary islands to Cape Frio, (coast of Africa,) and from the coast to the 30th degree of west longitude.

I transmit herewith extracts from the instructions to Commodore Crabbe, your predecessor, which you will consider as applicable to yourself, and also copy of a letter of the 20th of April, from the Secretary of State, in relation to the slave trade carried on in the

Congo river and its neighborhood, to which your special attention is called and your prompt action desired thereon.

I am, respectfully, your obedient servant,

I. TOUCEY.

Flag-Officer THOMAS A. CONOVER,

*Appointed to command U. S. squadron of coast of Africa,
Boston, Massachusetts.*

B.

UNITED STATES FRIGATE MACEDONIAN,

Port Praya, May 21, 1844.

SIR: In forwarding herewith a copy of a recent correspondence with the senior officer of her Britannic Majesty's naval force on this station, I beg leave to inform the department that that officer has manifested a strong desire to establish, upon the most cordial footing, a friendly co-operation of the respective squadrons of the United States and Great Britain; and, in accordance with my duty as well as inclination, I have assented, so far as I deemed it consistent with my present instructions, to his propositions.

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

M. C. PERRY,

Commanding U. S. naval forces, western coast of Africa.

HON. SECRETARY OF THE NAVY,

Washington, D. C.

HER BRITANNIC MAJESTY'S SHIP MADAGASCAR,

Port Praya, San Jago, May 15, 1844.

SIR: I have the honor to send herewith a copy of the instructions, dated December 12, 1813, which I have received from the Lords Commissioners of the Admiralty, for my guidance in carrying out the objects of the treaty between her Majesty and the United States, signed at Washington on the 9th of August, 1842, in order that you may see the views of her Majesty's government, with respect to our coming to such an understanding as may best conduce to the end which our respective governments have in view.

You will immediately perceive, on the perusal of the documents contained therein, that I have happily anticipated the directions of my government in every particular, excepting that of having communicated with you on the subject of joint cruising, which I have now the honor to do, in obedience to the directions therein contained.

It would appear to me that, in the event of your thinking proper to give directions to your squadron, when requested to do so by the commanders of British cruisers, to aid and assist in the chase of sus-

picious vessels, hoisting the colors of any nation which has conceded to Great Britain the right of search, joint cruising might be of great service in the suppression of the slave trade; and you will observe that my government gives me directions that, in the event of an American cruiser being present when a British cruiser shall happen to fall in with a vessel believed to be British, the commanding officer shall invite the commander of the United States cruiser to join him in visiting her, as well as in the case of vessels hoisting British colors and suspected of having no right to carry them.

Numeral signals, and a telegraph sufficient to carry out the above objects, may be immediately established, with your approbation; but it will be necessary, of course, in the first place, that I should receive your wishes on this subject, that it may be perfectly understood between us, and which I trust you will have the kindness to transmit to me at your earliest convenience.

I have the honor to be, sir, your very humble servant,

JOHN FOOTE,

Captain and Senior Officer, Commanding.

Commodore M. C. PERRY,

Commanding U. S. naval forces on the coast of Africa.

By the commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain, Ireland, &c.

Instructions for Captain John Foote, of her Majesty's ship "Madagascar," senior officer of her Majesty's ships and vessels on the west coast of Africa:

We transmit to you herewith an extract of the preamble of a treaty between her Majesty and the United States of America, dated the 9th of August, 1842, and a copy of the eighth article thereof, by which it is stipulated that the contracting parties shall each maintain on the coast of Africa, a naval force of not less than eighty guns, for the purpose of enforcing, separately and respectively, the laws, rights, and obligations of each country for the suppression of the slave trade; that the two squadrons are to be independent of each other; but that the officers in command shall receive such orders from their respective governments as shall enable them to act in concert and co-operate with each other; and we desire that you will take every opportunity and use your utmost efforts to carry out the objects of the treaty as here described, remembering that it is for this purpose, above all others, that her Majesty's ships on the coast of Africa are placed under your command.

With this view you are to take the earliest opportunity of putting yourself in communication with the senior officer of the United States squadron, for the purpose of coming to such an understanding as may best conduce to the end which your respective governments have in view.

It will be the duty of yourself, and of the commanding officers of her Majesty's ships under your orders, upon all occasions to communicate to the officers of the United States, any information which may be of service in detecting the frauds of the slave traders, as especially to give notice of any vessel suspected to belong to the United States and of being engaged in the slave trade, which may be met with or heard of in the course of a cruise; and you will give directions to the officers under your orders to pay strict attention to this duty.

The occasions upon which it may be convenient for a vessel under your orders to cruise in company with a vessel of the United States will depend on circumstances, which can best be judged of on the spot, and must be left to your own decision, or to that of the commanding officers of vessels under your orders when the latter are separated from a senior officer, and provided that the adoption of such a course will not interfere with their instructions from you.

The system of joint cruising should be adopted whenever, in the judgment of the officers of both nations, it can be done with advantage; and under any such arrangement the commanding officers of her Majesty's ships on the African station will continue to be guided by the instructions under which they act when cruising singly, so far as relates to the visit, search and detention of vessels belonging to nations with whom Great Britain has concluded treaties for the suppression of the slave trade, and of vessels not entitled to claim the protection of the flag of any nation.

But in the event of meeting with a vessel believed to be British, and suspected of being engaged in the slave trade, the commander of the British cruiser will invite the commander of the cruiser of the United States to join him in visiting her. So also in the case of a vessel hoisting British colors, and suspected of having no right to carry them.

If, on the other hand, a vessel should appear under the colors of the United States, and if the British commander should not have reason to believe that she is other than a vessel of the United States, he will carefully abstain from all interference with her, unless his co-operation shall be requested by the commander of the United States cruiser.

It is only when the British commander shall have reason to believe that the United States flag is dishonestly used, and that the vessel is engaged in the slave trade, and either is British or belongs to a nation which has given to Great Britain the right to detain her vessels when so engaged, and that he is in co-operation with the officer of the United States, that he shall cause her to be visited and dealt with according to her nationality. In carrying this part of his instructions into execution, he will do right to leave the commander of the United States cruiser to take the first step of visiting the vessel and ascertaining whether she is entitled to bear the flag of his country, provided that in so doing no such delay is incurred as may enable her to escape altogether unvisited.

The commanding officers of her Majesty's vessels on the African station are to bear in mind that it is no part of their duty to capture

or visit, or in any way to interfere with, vessels of the United States, whether these vessels shall have slaves on board or not; and you will give strict instructions to the commanding officers of the vessels under your orders to abstain therefrom. At the same time you will remember that the government of the United States are far from claiming that the flag of the Union should give immunity to those who have no right to bear it, and that most assuredly Great Britain never will allow vessels of other nations to escape visit or examination by merely hoisting a United States flag, or the flag of any other nation which has not granted to Great Britain the right of search.

Accordingly, when from intelligence which the officer commanding her Majesty's cruisers may have received, or from the manœuvres of the vessel or other sufficient cause he may have reason to believe that the vessel does not belong to the nation indicated by her colors, he is, if the state of the wind and weather will 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 causing her detention, in the event of her really proving to be a vessel of the nation the colors of which she has displayed, and therefore one which he is not authorized to search; but should the strength of the wind or other circumstances render such mode of visiting the stranger impracticable, he is to require the suspected vessel to be brought to, in order that her nationality may be ascertained; and he will be justified in enforcing it, if necessary—understanding always that he is not to resort to any coercive measure until every other shall have failed; and the officer who boards the stranger is to be instructed merely, in the first instance, to satisfy himself by the vessel's papers or other proof of her nationality; and if she proves really to be a vessel of the nation designated by her colors, and one which he is not authorized to search, he is to lose no time in quitting her, offering to note on the papers of the vessel the cause of his having suspected her nationality, as well as the number of minutes the vessel was detained (if detained at all) for the object in question, such notation to be signed by the boarding officer, specifying his rank and the name of her Majesty's cruiser; and whether the commander of the visited vessel consents to such notation on the vessel's papers or not, (and it is not to be done without his consent,) all the said particulars are to be immediately inserted in the log-book of her Majesty's cruiser, and a full and complete statement of the circumstances is to be sent, addressed to the Secretary of the Admiralty, by the first opportunity, direct to England, and also a similar statement to you, as the senior officer on the station, to be forwarded by you to our Secretary, accompanied by any remarks you may have reason to make thereon.

Of course, in cases where the suspicions of the commander turn out to be well grounded, and the vessel boarded proves, notwithstanding her colors, not to belong to the nation designated by those colors, the commander of her majesty's cruiser will deal with her as he would

have been authorized and required to do had she not hoisted a false flag.

Given under our hands this 12th day of December, 1843.

G. COCKBURN.

W. H. GAGE.

By command of their lordships:

JOHN BARRON.

Extract from the preamble of a treaty between her majesty and the United States of America, dated August 9, 1842.

And whereas, by the treaty concluded at Ghent on the 24th day of December, 1814, between her Britannic majesty and the United States, an article was agreed to and inserted of the following tenor, viz: "Article 10. 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." And whereas, notwithstanding the laws which have at various times been passed by the two governments, and the efforts made to suppress it, that criminal traffic is still prosecuted and carried on; and whereas her majesty, the queen of the United Kingdom of Great Britain and Ireland, and the United States of America are determined that, so far as may be in their power, it shall be effectually abolished, &c.

Copy of the eighth article of the treaty between her majesty and the United States of America, signed at Washington August 9, 1842.

ARTICLE 8. 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 description, 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.

UNITED STATES-FRIGATE MACEDONIAN,
Port Praya, May 20, 1844.

SIR: I have the honor of receiving your communication of the 15th instant, together with a copy of the instructions recently issued by the lords commissioners of the admiralty for your guidance as senior officer of her Britannic majesty's naval forces on this station; and I am gratified to learn, from these and other documents in my possession, that our mutual efforts to bring about a useful and harmonious co-operation of the two squadrons have proceeded in perfect unison with the views and wishes of our respective governments.

In regard to the proposition of joint cruising, you will perceive, by reference to the paper herewith enclosed, that the commanding officers of vessels under my command have been, from their first coming upon the coast, instructed upon that point; but I fear, from the small number of vessels composing the American squadron, and considering their various duties and the great extent of their cruising ground, that the co-operation by joint cruising has been, and will continue to be, less effective than might be desired. I shall, however, continue so to arrange the movements of the vessels of my command as to enable them to act in concert, whenever it can be done, with those of her Britannic majesty.

With renewed assurances of my respect and esteem, I am, sir, your most obedient servant,

M. C. PERRY,
Commander-in-Chief U. S. naval forces, western coast of Africa.

JOHN FOOTE, Esq.,
*Captain and senior officer
 comm'g H. B. M. naval forces, western coast of Africa.*

Extract from the general instructions addressed by the honorable Secretary of the Navy of the United States to Commodore Mathew C. Perry, for his government as commander-in-chief of the United States naval forces on the western coast of Africa; copies of which instructions have been furnished by Commodore Perry to the commanding officers of the respective vessels of the American squadron for their guidance:

“I advert to the subject here only to put you in possession of the views of your own government, for your guidance in forming such arrangements as you may find it convenient to make for co-operation with British cruisers. I should consider it highly desirable that a vessel of each nation should, as far as possible, cruise in company with a vessel of the other, so that each may be in a condition to assert the rights and prevent the abuse of the flag of its own country. In this way all just ground of collision or collusion will be removed; while this harmonious co-operation of the two powers will go far to insure the full accomplishment of their common object, in the suppression of the slave trade.”

[Forwarded to the department with despatch of Commodore Perry]

Extracts of orders given by Commodore William Jones, senior officer commanding her Britannic Majesty's squadron employed on the west coast of Africa for the suppression of the slave trade, to the respective commanders of the British cruisers :

May 18, 1844.—“In the course of your service on the coast you will bear in mind the standing and special orders heretofore issued for the guidance of the cruisers; and I particularly request that in your intercourse with the Portuguese, French, or other foreigners, you will be upon your guard not to give any reasonable grounds of offence, or to harass them with any unnecessary interruption of their lawful pursuits.”

W. JONES.

Commander FRANCIS SCOTT,
of the “Hyacinth,”—Benguela division.

May 18, 1844.—“In the course of your service on the coast you will be governed by the standing and special orders heretofore issued for the guidance of the cruisers; and I have particularly to recommend to your attention that, in whatever intercourse you may find necessary with vessels under Portuguese, French, or other foreign colors, due care may be taken to avoid giving them just ground of complaint, and that such vessels shall be harassed or delayed as little as possible in the exercise of legitimate pursuits.”

W. JONES.

Commander C. J. BOSANQUET,
of the “Alert,” Benguela division.

July 9, 1844.—“The great object of your cruising is the suppression of slave trade. In the execution of duty you are to be very circumspect as to the legality and correctness of your proceedings, especially in your intercourse with foreigners. Such of these as you may fall in with which may belong to powers who have conceded to us the right of search, are to be examined with all the civility which is enjoined in the respective slave papers; and with respect to those which may hoist the flags of such States as have not conceded to us the right of reciprocal search, you will, where you conceive strong grounds to suspect that they may be engaged in the slave trade, cause them to be visited, in order to ascertain their nationality by an inspection of their papers, and the officer employed in this duty is strictly to confine himself to that point, which, if clearly proved, protects from our interference vessels which may be actually engaged in the slave trade. But it must be distinctly understood that vessels of all descriptions are to be boarded, under the proper and prescribed forms. The officers are to be in uniform, the boats with their colors displayed, and the crews of the boats to remain in them during the visit. Every care is to be taken to give no just ground of complaint, as to the language or deportment of the officers entrusted with this

duty, and generally, that no foreigners whatever shall be harassed or annoyed in the exercise of lawful pursuits. In every case the detention is to be as short as possible, and its duration carefully recorded. The substance of this clause is to be communicated to the vessels under your orders, for their guidance."

W. JONES.

Commander HENRY BAGOT,
of the "Wasp," Bights of Benin and Biafra.

July 15, 1844.—"In the performance of this service you are yourself, and all the officers under your orders, to act with the utmost circumspection, so that, in the execution of your duty, no just or reasonable ground of complaint shall be given to foreigners. All such vessels as may be met with sailing under the flags of those powers which have by treaty ceded to us the reciprocal right of search, are to be visited with all the civility enjoined in the several slave papers of each of them, respectively. And such vessels as may hoist the colors of those countries whose governments have not agreed to a right of search, are only to be visited when strong grounds may appear for supposing that the colors shown are false, and the said vessel engaged in the slave trade. In such cases vessels may be lawfully visited for the purpose of ascertaining their nationality, which, if satisfactorily proved, will preclude all further interference on our part, even with vessels actually engaged in carrying slaves. And, with respect to all foreign vessels, generally, it is my particular direction that none shall be unnecessarily harassed, detained, or interrupted in their lawful pursuits. The officers who may be employed to visit or examine them are to be entirely enjoined to perform their duty with mildness and civility, and to omit none of the regular forms usual on such service. The officers are to be in uniform, the boats with their colors displayed, and the crews to remain quietly in them. It may be hoped that when the several commanders are duly impressed with the necessity of attending strictly to the instructions on this subject, and with the importance attached by our government to their observance, no future cause of complaint will be given; for I request you to make it distinctly understood that officers who shall offend in this respect will be held responsible, and must expect to take all the consequences of their misconduct."

W. JONES.

Commander CLAUDE HILL BUCKLE,
of the "Growler," Sierra Leone division.

July 16, 1844.—"Within the above limits you will cruise with all possible diligence for the suppression of the slave trade, carefully observing the various instructions relating to that service and the provisions of the several treaties with powers from whom you hold slave papers. As to such foreign vessels as you may meet with under the colors of those countries which have not conceded to us the reciprocal right of search, if you have strong reason to suppose that the colors shown are false, you may lawfully visit such vessels in order

to ascertain their nationality; and if that point shall be clearly established from an inspection of their papers, the visiting officer is to withdraw, such proof being sufficient to protect from our interference vessels engaged in the slave trade, even though they may have slaves on board.

“With respect to all foreign vessels generally, it is my particular direction that the utmost care shall be taken to guard against any just ground of complaint being given, and that foreign vessels are not to be harassed, detained, or interrupted in the exercise of their lawful pursuits. When it is necessary to examine any vessel, the duty is to be performed with mildness and civility, and the usual forms on such service are to be carefully observed. The officer is to be in uniform, the colors of the boats displayed, and their crews to remain in them during the visit, the duration of which is to be noted. Great complaints having been heretofore addressed on this subject to our government, which has enjoined the strictest correctness in all that relates to it in future, it is hoped that due attention will be given, as it must be clearly understood that officers who may neglect these instructions will be held responsible for their conduct.”

W. JONES.

Commander Sir WILLIAM DANIELL,
of the "Ringdove," Benguela division.

July 16, 1844.—“You will cruise with all diligence within the limits of your station for the suppression of the slave trade, strictly observing the orders which you have already received, as well with respect to vessels under the flags of those powers which have conceded to us the mutual right of search as the instructions relating to vessels under the colors of countries which have not entered into treaties with us, which would justify their being searched, and which can only under circumstances of grave suspicion be visited to ascertain their nationality.

“You will be careful to respect the territorial rights of Portugal, so far as they are clearly recognised and established on the coast of your station. And it is my particular direction that, with respect to the Portuguese especially, as well as foreigners in general, their vessels are not to be unnecessarily harassed, interrupted, or detained when engaged in lawful pursuits.”

W. JONES.

Commander ARTHUR MORRELL,
of the "Espoir," Congo division.

July 22, 1844.—“In the course of the service in which you will be thus engaged you are constantly to bear in mind the directions which you have heretofore received for your guidance with respect to the foreign merchant vessels which you may fall in with. The strictest attention is to be paid to the instructions given for the regulation of the intercourse which our cruisers may find necessary, as well with vessels belonging to the powers which have entered into treaties with us as with those which, showing the colors of countries

whose governments have not conceded to us the right of mutual search, may, under circumstances of strong suspicion, be lawfully visited in order to ascertain their nationality. But in every case the greatest care is to be taken that no foreign vessel whatever shall have any just grounds of complaint, or be unnecessarily harassed or detained whilst in the exercise of lawful pursuits."

W. JONES.

Commander R. J. W. DUNLOP,
of the "Star," Bights of Benin and Biafra.

August 5, 1844.—"Within those limits you will cruise with all possible diligence for the suppression of the slave trade, strictly observing the instructions to that effect contained in the volume of 'Instructions for the Guidance of Naval Officers' on that service, with which you are supplied. The rules therein laid down are to be most carefully followed in every respect; more especially, your constant attention will be required in the intercourse which may be necessary with vessels under foreign colors.

"In regard to such as may be sailing under the flags of those powers with which we have treaties for the suppression of the slave trade, the officers under your orders are to be enjoined to observe strictly the printed instructions, and in every part the stipulations contained in the respective slave papers. And as to such vessels as you may meet with under circumstances which may induce you to believe them to be engaged in the slave trade, which shall hoist the colors of countries whose governments have not conceded to us the right of mutual search, they may be lawfully visited in order, by an inspection of their papers, to ascertain their nationality. But where that is clearly established, no further examination or interference on our part is to be permitted, even though slaves be actually embarked in the vessel. In every such case the visit is to be in all its circumstances carefully noted and reported to me, and you and the other commanders of the cruisers under your orders are always to state fully the reasons which led you to believe that the vessel so examined presented grounds for suspecting her of slave trading and showing false colors.

"And as to all foreigners in general, they are to be always treated with civility and due courtesy, and not to be harassed or interrupted unnecessarily in the exercise of lawful pursuits. The greatest circumspection is to be exercised, and to be enjoined on all officers of your division in the execution of their duties, so that no just or reasonable cause of complaint may be afforded against the cruisers under your orders."

W. JONES.

Commander HENRY LAYTON,
of the "Signet," Bights of Benin and Biafra.

August 23, 1844.—"You are to be very circumspect in respecting the territorial rights of Portugal where they are established on the coast of your station, and generally to give no just grounds of offence to any foreigners in the intercourse which may be necessary with

their vessels during your cruising for the suppression of the slave trade. And to this end you will strictly observe the printed regulations for your guidance, and the various stipulations in the slave papers relating to those powers with whom we have treaties as well as the instructions respecting vessels under the flags of countries whose governments have not conceded to us the mutual right of search."

W. JONES.

Commander REGINALD B. YORKE,
of the "*Albatross*," *Benguela division*.

August 23, 1844.—"You are to be very circumspect in respecting the territorial rights of Portugal where they are established on the coast of your station, and generally to give no just grounds of offence to any foreigners in the intercourse which may be necessary with their vessels during your cruising for the suppression of the slave trade. And to this end you will strictly observe the printed regulations for your guidance, and the various stipulations in the slave papers relating to those powers with whom we have treaties, as well as the instructions respecting vessels under the flags of countries whose governments have not conceded to us the mutual right of search."

W. JONES.

Commander J. W. D. BRISBANE,
of the "*Sarne*," *Benguela division*.

August 24, 1844.—"You are to be very circumspect in respecting the territorial rights of Portugal, where they are established on the coast of your station, and generally to give no just grounds of offence to any foreigners in the intercourse which may be necessary with their vessels during your cruising for the suppression of the slave trade. And to this end you will strictly observe the printed regulations for your guidance, and the various stipulations in the slave papers relating to those powers with whom we have treaties, as well as the instructions respecting vessels under the flags of countries whose governments have not conceded to us the mutual right of search."

W. JONES.

Commander JOHN HAY,
of the "*Prometheus*," *Congo division*.

C.

List of captures made by the United States squadron stationed on the west coast of Africa, under the eighth article of the treaty with Great Britain, concluded August 9, 1842.

1. Brig "*Uncas*," Roach, master, captured by the brig *Porpoise*, Lieutenant T. J. Craven, off the river Gallinas, March 1, 1844. Sent to New Orleans.

2. Schooner "*Spitfire*," captured by the brig *Truxton*, commander

Henry Bruce, in the river Pongas, March 24, 1845. Sent into Boston and condemned.

3. Schooner "*Merchant*," Larkin, master, captured at Sierra Leone by the flag-ship *Jamestown*, Commodore Charles W. Skinner, December 3, 1845.

4. Barque "*Pons*," of Philadelphia, captured by the ship *Yorktown*, Commander C. H. Bell, at Kabenda, December, 1845.

5. "*Panther*," captured by the *Yorktown*, Commander Bell.

6. "*Patuxent*," captured by the *Yorktown*, Commander Bell. Released by the court.

7. Schooner "*Robert Wilson*," captured at Porto Praya by the ship *Jamestown*, Commodore Skinner, January 15, 1846.

8. Brig "*Malaga*," Lovett, master, captured by the brig *Boxer*, Lieutenant J. E. Bispham, in Kabenda bay, April 13, 1846. Sent into Beverly, Massachusetts. Released by the court.

9. Brig "*Casket*," Woodbury, master, captured by the ship *Marion*, Commander L. E. Simonds, in Kabenda bay, August 2, 1846, and sent into Boston. Released by the court.

10. Ship "*Chancellor*," Freeman, master, captured by the brig *Dolphin*, Commander John Pope, April 10, 1846, and sent into New York. Released by the court.

11. Ship "*Martha*," of New York, Merritt, master, captured by the brig *Perry*, Lieutenant A. H. Foote, off Ambriz, June 6, 1850. Sent into New York and condemned.

12. Brigantine "*Chatsworth*," Burbank, master, of Baltimore, captured by the brig *Perry*, Lieutenant Foote, at Ambriz, September 11, 1850. Sent into Baltimore and condemned.

13. Brigantine "*Excellent*," captured by the ship *John Adams*, Commander L. M. Powell, off Ambriz, April, 1850.

14. Schooner "*Advance*," of New York, captured by the ship *Germantown*, Commodore E. A. T. Lavallette, at Porto Praya, November 3, 1852. Sent into Norfolk and condemned.

15. Schooner "*Rachael P. Brown*," of New York, captured at Porto Praya by the ship *Germantown*, Commodore Lavallette, January 23, 1853. Sent into Norfolk and condemned.

16. Schooner "*H. N. Gambril*," Jefferson, master, of New York, captured by the ship *Constitution*, Commodore J. Mayo, off the river Congo, November 3, 1853. Sent into New York.

17. Brig "*Glamogan*," of New York, captured by the brig *Perry*, Lieutenant R. L. Page, off Congo river, March 10, 1854. Sent into Boston and condemned.

18. Barque "*William J. Lewis*," Fridell, master, of New York, captured by the ship *Dale*, Commander William McBlair, in the river Congo, November 6, 1857, and sent into Norfolk.

19. Ketch "*Brothers*," of Charleston, South Carolina, James Gage, master, captured off Mayumba, southwest coast of Africa, by the ship *Marion*, Commander T. U. Brent, and sent into Charleston.