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LETTER

FROM

THE SECRETARY OF THE NAVY,

TRANSMITTING

COPIES OF THE INSTRUCTIONS,

WHICH

HAVE BEEN ISSUED TO NAVAL COMMANDERS,

UPON

THE SUBJECT OF THE IMPORTATION OF SLAVES,

MADE IN PURSUANCE OF

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES,

OF

THE FOURTH JANUARY, INSTANT.

JANUARY 12, 1819.

Read, and ordered to lie upon the table.

WASHINGTON:

PRINTED BY E. DE KRAFFT.

1819.

NAVY DEPARTMENT,

January 9th, 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 commanding 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.

(Copy.)

*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the importation of slaves has been violated in frequent instances, near St. Marys', since the gun boats have been withdrawn from that station.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 gun boats 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. Marys' 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 State, 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 cruize 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 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 U. S. brig Saranac, New York, dated Navy Department, July 16th, 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 an 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 of 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 U. S. brig Saranac, St. Mary’s, Georgia, dated

Navy Department, Nov. 7th, 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 14th, 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 capt. Daniel T. Patterson, commanding naval officer, New Orleans, dated
Navy Department, December 17th, 1817.*

“Previously to the loss of the U. S. 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 U. S. ship *John Adams*, under the command of captain *John D. Henley*, has been ordered to the Gulf, with the brigs *Prometheus* and *Enterprize*, and schooner *Lynx*.”



No. 6.

*Extract of a letter from the Secretary of the Navy, to com. John D. Henley, commanding U. S. naval force off Amelia Island, dated
Navy Department, January 16th, 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."

No. 7.

(Copy.)

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 first day of January, 1808, and to repeal certain parts of the same"

I am, very respectfully, &c.

By order of the Secretary of the Navy.

(Signed)

BENJAMIN HOMANS.

Capt. D. T. Patterson,

Commanding naval officer, New Orleans.

No. 8.

(Copy.)

Navy Department, May 30th, 1818.

SIR,

Agreeably to a request recently made by com. 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 first day of January, 1808, and to repeal certain parts of the same."

I am very respectfully, &c.

By order of the Secretary of the Navy.

(Signed)

BENJAMIN HOMANS.

Capt. A. J. Dallas,

Commanding U. S. naval force near St. Mary's, Ga.