

SLAVE TRADE.

[To accompany bill H. R. No. 412.]

APRIL 7, 1830.

Mr. MERCER, from the select committee to which the subject had been referred, made the following

REPORT:

The committee to whom were referred the memorial of the American Society for colonizing the free people of color of the United States; also, sundry memorials from the inhabitants of the State of Kentucky, and a memorial from certain free people of color of the State of Ohio, report:

That the leading object of the memorialists has been often brought to the view of Congress, as will appear from a reference to the accompanying documents, containing an act of Congress and various resolutions and reports of committees and proceedings of this House, the earliest of which bears date the 11th of February, 1817. (See Appendix.)

A wish to provide, somewhere beyond the limits of the United States, a country to which the free people of color of the several States and Territories might voluntarily remove from their present abode, has long been widely diffused.

The State of Virginia, early in the administration of Mr. Jefferson, sought, through the agency of the General Government, to obtain such an asylum for this class of her population. Her efforts for the accomplishment of this object were repeated before as well as shortly after the acquisition of Louisiana, to the Western borders of which her hopes were at one time directed. (See Appendix.) Disappointed in this direction, after the lapse of more than ten years, her General Assembly adopted, with great unanimity, the first of the resolutions annexed to the memorial of the Board of Managers of the American Society for Colonizing the Free People of Color. (See Appendix.) This resolution requests the Executive of the State "to correspond with the President of the United States, for the purpose of obtaining a territory upon the coast of Africa, or at some other place not within any of the States or Territorial Governments of the United States, to serve as an asylum for such persons of color as are now free, and may desire the same, and for those who may be hereafter emancipated" within the Commonwealth. This resolution, further, requests the Senators and Representatives of the State in the Congress of the United States to contribute their best efforts, in aid of those of the President, for the attainment of its object.

A few weeks after the introduction of this resolution into the General Assembly of Virginia, a number of gentlemen of great respectability united, in the City of Washington, to form the Society in behalf of whose purpose the first of the memorials referred to your committee is addressed to Congress by their Board of Managers. (See Appendix.)

It does not fall within the compass of this report to trace, through all its details, the history of the colony already planted by this Society on the coast of Africa, further than to say that its position, remote from any rival European settlement; its soil and climate, yielding two productive harvests in the year; its present population and commerce; its past growth and future prospects, recommend it as a judicious and fortunate selection for all the purposes which the memorialists, its founders and patrons, hope to accomplish. (See Appendix.)

Passing by the other benevolent objects of the memorialists, there is among them one so intimately connected with the prosperity, the character, and honor, of the American Government, that your committee deem it an indispensable duty to draw to it the particular attention of the House of Representatives.

The Government of the United States is not only empowered, but bound, by every consideration of expediency, as regards its immediate constituents; of humanity, as respects another continent; and of fidelity to the obligations of an existing treaty, to abolish, if possible, a traffic which has long been denounced, in vain, by its laws. (See Appendix.)

The slave trade still exists to a great extent, in despite of the concurrent treaties of England, Spain, and the Netherlands, and the separate legislation of all the Christian States of Europe for its abolition. (See Appendix.) The courts of mixed commission, established by these treaties, and the occasional appearance of a few armed ships on the coast of Africa, by imposing the necessity of greater caution, expedition, and vigor, on the part of the trader, have served only to augment the horrors, and, with them, the profits of the trade. (See Appendix.)

Since the rejection of the treaties, negotiated by the President of the United States, with Great Britain and Colombia, all efforts to abolish this iniquitous commerce, by international exchanges of the right of search, have ceased; and the hopes of the patriot and the philanthropist, that the traffic will ever disappear, are now limited to the agency of such colonies on the coast of Africa, as the African Institution of England and the American Colonization Society have planted at Sierra Leone and at Montserado.

Scattered along those shores of that continent, which are now frequented by the slave trader, such colonies will serve as so many citadels to guard against his approach, and will open, at the same time, as many markets for the various productions of African industry.

A colonial system, such as your committee contemplate, for which the United States furnish most abundant materials, would strike at the root of the African slave trade, by substituting an innocent commerce in the fruits of African labor for the persons of the laborers themselves.

One objection to the establishment of such a system of colonization the committee have anticipated, with a view to suggest for it an adequate and secure remedy.

A responsibility, on the part of the American Government, for the safety of such colonies, would involve consequences difficult to reconcile to the established policy of the United States. The purposes of the Colonization

Society have not seemed to your committee to require a departure from this policy. The American colonists of Liberia, in their weakest condition, found themselves secured, by their own strength, from the hostility of the enfeebled African tribes in their vicinity: and the committee confidently believe, that the humanity of the civilized world will hereafter afford to them protection from maritime depredation, more effectual than the American navy could, of itself, supply.

By the diplomatic arrangements, which one of the subjoined resolutions proposes to make, through the Executive of the United States, with the several maritime Powers of Europe and America, for the future peace and neutrality of all such colonies of free people of color as may arise on the coast of Africa, each colony, so long as it merits respect by its conduct, will be secured against external violence, from the only quarter whence it might be seriously apprehended.

For an exemption from domestic causes of inquietude, it must rest mainly upon its own prudence and capacity for self-government. The moral influence of its American founders and benefactors will continue to promote its prosperity, and to shield it from danger, in the only way in which the peculiar climate of tropical Africa, so fatal to the white race, will permit them to exercise their benevolence towards this injured continent.

The committee, entertaining the opinion that all the States of the Union are alike interested, if, not in an equal degree, in the removal from their bosom of such part of their free colored population as may be desirous to settle in Africa, have proposed, in the accompanying bill, to appropriate the sum of twenty-five dollars, without discrimination, between various parts of the United States, to defray the passage of every colored emigrant who may leave America, with intention to make a permanent settlement in Africa.

The memorial from the free people of color of the State of Ohio, referring to a recent decision of the courts of that State, when taken in connexion with certain resolutions subsequently adopted by the colonial Legislature of Upper Canada, presents a case indeed, which, while it confirms the policy of the course recommended by the committee, towards the free people of color in general, makes a special and urgent appeal to the humanity of Congress. It has suggested the provision of the second section of the accompanying bill, for equalizing the bounty which it offers between emigrants from the vicinity of their port of embarkation, and those who have to reach it from a considerable distance, at an increased expense of transportation.

APPENDIX.

COLLECTED AND ARRANGED BY SAMUEL BURCH.

FEBRUARY 22d, 1830.—Printed by order of the House of Representatives, and referred to Mr. Mercer, Mr. Everett, of Massachusetts, Mr. Rose, Mr. Williams, Mr. Vance, Mr. Benny, and Mr. Kincaid.

MEMORIAL OF THE AMERICAN COLONIZATION SOCIETY.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the American Society for Colonizing the Free People of Color of the United States, by their Board of Managers,

RESPECTFULLY REPRESENTS:

That, in the year 1816, a number of respectable individuals formed themselves into a society, at the seat of the National Government, for the purpose of promoting the voluntary colonization of the free people of color of the United States, in Africa, or elsewhere; and soon afterwards adopted preparatory measures for the accomplishment of their purpose.

With this view, suitable persons were sent to the Southwestern coast of Africa, with instructions to visit the British settlement of Sierra Leone, and other places in the vicinity, to select a proper location for the proposed colony, and to ascertain how far reliance might be placed on the favorable disposition of the native tribes; and from these commissioners, a report was received, of the most encouraging character. After some further inquiries and preparatory efforts, a small colony was sent out in the year 1820, and placed on Sherbro Island, as a temporary residence, until possession could be obtained of a neighboring tract of land on the continent, which the natives had promised to sell. The performance of this promise was delayed and evaded, under various pretexts, for a considerable time, during which, the health of the colony suffered very materially from the low, flat, and marshy ground of Sherbro, where they were compelled to continue their residence much longer than had been anticipated.

At length, however, the agents of the Colonization Society were enabled to effect the purchase of an extensive territory at the mouth of Montserado river, including the cape and bay of that river, and there the colony has been established. The soil is fertile, the land elevated nearly one hundred feet above the sea, the climate as healthy as any in Africa, and the anchorage in the bay and roadstead not inferior to any on the whole coast.

The distance from the colony of Sierra Leone is between two and three hundred miles. The natives in the vicinity are divided into a great number of small and nearly independent tribes; and, being but slightly held together by any superior authority, may be considered as wholly incapable of uniting, to any serious extent, for purposes of hostility. In a single instance, an attack was made on the colony, while in its feeblest condition; but the

facility with which it was repelled, renders the future security of the colony from similar attacks, unquestionable, under its probable increase of population, and the improved means of defence with which it has already been provided. The conduct of the natives, indeed, is now of the most peaceable and friendly character; and their kindness and confidence has been considerably increased, by the return of several individuals of distinction among the neighboring tribes, who had been taken from a Spanish slave ship; and, after receiving in America the most friendly attention, were restored by the American Government to the homes from which they had been torn.

Notwithstanding the difficulties inseparable from the opening and first settlement of distant and uncultivated regions; difficulties increased, on the present occasion, by the scanty means to be drawn from the only sources of supply open to the society; the colony has annually increased in population, and now contains more than twelve hundred individuals. A government has been established, republican in its principles, (as far as the unformed character of the colony will permit) regular and efficient in its operation; and, thus far, providing the necessary securities for life, liberty, and property. One hundred and fifty miles of coast are under the colonial jurisdiction; and no less than eight important stations, on this line, are occupied by traders from the colony. From this territory, the slave trade is believed to be nearly, if not quite, banished; and the natives begin to engage in agriculture, and carry on a valuable commerce with the inhabitants of Liberia. The trade of the colony has increased with remarkable rapidity, and many of the settlers have each acquired by it, in the course of three or four years, property to the amount of several thousand dollars.

Many plantations have been cleared and put under cultivation, and so fertile is the soil, that an annual product will soon, doubtless, be realized, adequate to the supply, not only of those who have already emigrated, but of those also, who may be induced hereafter to seek for happiness and independence in the land of their fathers, and a home of their own.

Schools have been established, and every child in the colony enjoys their benefits. Fortifications, and many public buildings, have been erected; a spirit of enterprise prevails; and peace, order, and contentment, are the evidences of general prosperity.

For more full and detailed information concerning the colony, the Society refer to the accompanying extracts from the reports of the Board of Managers. (Doc. A.)

Such is a general outline of the operations of the society, and such the present condition of the colony. In the progress that has been made, your memorialists have found nothing to discourage them, and from the actual state of things which they have thus been enabled to present to the view of your honorable body, they derive the pleasing anticipation of being able to demonstrate to the world, that they are engaged in an enterprise neither unwise, nor impracticable. In the course of a few short years, a small number of individuals, actuated only by the most philanthropic motives, possessing no political power, and destitute of all pecuniary resources, except such as were to be found in the charity, the benevolence, and the patriotism of their fellow-citizens, and the efforts of Congress to abolish the African Slave Trade, have succeeded in exploring a distant coast, in overcoming, in a great measure, the very natural but very powerful prejudices of the community in which they live, and in transporting to the Western

shores of a remote continent, and maintaining, in a state of perfect security, a colony of several hundred of the free colored population of their country. But a period has at length arrived, when the society would no longer be justified in relying on its own limited resources for accomplishing what yet remains of its patriotic undertaking.

The colony that has been settled, small as it is, is yet too large to be governed by a distant and unincorporated society. The acknowledged imperfections of human nature, and the uniform history of mankind, evince the dangers necessarily connected with the sudden transition of any people from a state of moral and political degradation to one of unqualified freedom. If, with such evidences before it, the society should leave its infant settlement to the inadequate protection to be derived from its own resources, it would be justly chargeable with all the evils that must necessarily result from the defective powers of control with which it is invested, for tranquillity at home, or security from foreign danger.

In reference, too, to the great objects to be accomplished, it is now time to look to other means than such as can be supplied by individual charity. The extent to which reliance may be placed on this resource, has been, in a great measure, ascertained; and if, at the very commencement of the undertaking, aided, as it has been, by all the charms of novelty, means have been furnished for removing only a few hundred out of the many thousand that are annually added to the free colored population of the country, it is obvious that a further dependence on this resource would be little less than an abandonment of the enterprise. The evil to be removed is continually increasing; and with every exertion on the part of the Colonization Society, unless access can be had to other resources, each succeeding year must find it more remote from the object of its pursuit. Under these circumstances, the society has felt itself justified in asking the immediate and effectual interposition of the Government of the country. The object it proposes to accomplish, is the removal to Africa, with their own consent, of such people of color within the United States as are already free, and of such others as the humanity of individuals, and the laws of the different States, may hereafter liberate.

Such an object, connected as it is with the justice, the humanity, and the welfare of our country, and calculated to elevate the character, and to improve the condition, of a degraded portion of the human race, cannot fail to be considered as one of deep and general interest; and the wisdom of the National Legislature may be safely relied on, for suggesting and applying the necessary means for its accomplishment. Your memorialists confidently trust, that, in this explicit avowal of the real and only design of the American Colonization Society, will be found its best vindication from the contradictory imputations cast upon it, of attempting, at the same moment, and by the same process, to interfere, on the one hand, with the legal obligations of slavery, and, on the other, to rivet the chains more firmly on its present subjects. The society has, at all times, recognised the constitutional and legitimate existence of slavery; and, whatever may have been thought of its unhappy influence on the general interests of the country, the government of the Union has never been looked to as the proper or authorized instrument for effecting its removal.

But to that Government it has been thought that resort might be had for furnishing the means of voluntary emigration to another description of

population, exercising a confessedly injurious influence on every portion of our country, but especially so on those parts of it in which slavery still exists.

And if, in relation to the latter, the effects of such a measure should be, to afford to individual humanity a wider field for action, and to the State authorities an opportunity and an inducement to encourage rather than to forbid emancipation within their respective limits, your memorialists have hoped that this consideration alone, instead of prejudicing their present application, would operate as one of its most powerful recommendations. And that such would be the case with the nation, they have every reason to believe.

Pecuniary aid is now afforded to the operations of the society, by an annuity from the State of Maryland; and the Legislature of Virginia, besides its early, explicit, and repeated requests to the United States, to open a channel for the removal of her free people of color, has, on two several occasions, granted similar aid to this society.

The District of Columbia, the territory of which is situated between these commonwealths, and placed, by their consent and by the Constitution of the United States, under the exclusive legislation of Congress, has no other tribunal to which it can appeal for like assistance, in removing from its bosom the same description of persons.

There can be no State of the Union, where these persons constitute, as it is believed they do in all, a distinct class from the rest of the community, that must not perceive the expediency of pursuing the same policy.

The reception which the Colonization Society has met, in almost every instance, from the people, bespeaks a deep and general interest in its success.

And the resolutions (see document B) which have been adopted by a very large proportion of the Legislatures of the States, in favor of the plan of colonizing the free people of color, indicate it as an object entitled, in every respect, to the aid and patronage of a Government, whose peculiar province it is, in the exercise of its legitimate powers, as the exclusive Legislature of the District of Columbia, to promote the welfare of the people subject to its sole authority, by legislation as unrestricted and discretionary as can be exercised by any State government over its citizens; and, in its capacity of a General Government, under the limitations of the Constitution, to suppress the African slave trade, by all the means, direct or auxiliary, conducive to that great end of general policy and public morality—a power claimed and practically exercised by the Government, in a spirit manifesting a sense of duty as high and imperative as the power is unquestionable. To that Government the question is now fairly submitted, in the fullest confidence that it will receive the consideration due to its importance, and a decision worthy of the Legislature of a free, a great, and an enlightened nation.

Your memorialists trust, that, in the connexion between their leading purpose, and the utter extinction of the African slave trade, there will be found a sufficient apology for calling your earnest attention to the present extent of that traffic, and the hopelessness of success to the very limited efforts now directed towards its abolition.

The United States are bound, not only by the general claims of humanity on every enlightened nation, but by positive treaty stipulations with Great Britain, to neglect no adequate and legitimate means of attaining this object. It is for the wisdom of Congress to determine whether any such means can

be provided, and to weigh the obligations, both moral and political, which urge their energetic application.

F. S. KEY,
 W. JONES,
 JAMES LAURIE,
 S. B. BALCH,
 O. B. BROWN,
 WM. HAWLEY,
 THOMAS HENDERSON,
 J. N. CAMPBELL,
 W. W. SEATON,
 S. SMITH,
 WM. RYLAND,
 R. R. GURLEY,
 JOHN UNDERWOOD.

A.

POPULATION OF THE COLONY.

About 1,200, exclusive of near four hundred re-captured Africans, which have been transferred to the Colony by the Government of the United States.

FORM OF GOVERNMENT.

At the time of the departure of the first expedition to Africa, in 1820, a concise Constitution of ten articles was adopted by the managers for the government of the settlement, and all emigrants took an oath to support it. By this Constitution, the society is authorized, either directly or through its agents, to make all needful rules and regulations for the government of the settlement, and to appoint all officers in the colony. Slavery, within its limits, is absolutely prohibited. Every settler, when arriving at the age of 21, is bound to take an oath or affirmation to support this Constitution; and the common law, as in force and modified in the United States, and applicable to the situation of the new colony, was to be enforced.

Before and during the year 1824, a spirit of insubordination had been evinced in the colony, and, in some instances, leading individuals had manifested an utter disregard of the authority of the agent.

For this and other reasons, the present secretary of the society was commissioned to visit the colony, and make such arrangements as might be necessary to restore order, and secure the permanent peace and harmony of the settlement. He was joined by the late excellent Mr. Ashmun at the Cape de Verds, (to which islands he had retired for a short season, for the recovery of his strength, which had been greatly impaired,) and, with his most valuable counsel and assistance, the present plan of civil government for the colony of Liberia was adopted in the presence and with the unanimous consent of the colonists, August 19, 1824, and the officers appointed under it, August 20th, 1824. The great object aimed at in that form of Government, was, to confirm and augment the power of the agency; and yet, to admit the existence of officers from among the colonists, and to allow, on political questions, a full expression of the popular opinion. This plan having, after the experience of several months, proved itself well

adapted to promote the welfare and prosperity of the colony, received the sanction of the Board of Managers on the 18th May, 1825.

The plan of government, as submitted to the Board in 1828, exhibited a few deviations from the original form, though it continued in its principles the same. These deviations, Mr. Ashmun, remarks, "have grown gradually out of the altered and improving state of the colony, and are neither the offspring of a rash spirit of experiment, nor have they been made without evident necessity. This revised constitution, or form of government, was adopted by the managers of the society, October 22d, 1828.

PLAN OF CIVIL GOVERNMENT FOR THE COLONY OF LIBERIA.

The necessity of a mild, just, and efficient civil government, for the preservation of individual and political rights among any people, and the advancement of true prosperity, induces the Board of Managers of the American Colonization Society to adopt, after mature consideration, the following system of Government, for the proper regulation of public affairs in the Colony of Liberia.

ARTICLE I. The agent of the American Colonization Society, resident in the colony, possesses, within the same, sovereign power, subject only to the constitution, the chartered rights of the citizens, and the decisions of the Board.

ARTICLE II. All male colored people, who have subscribed the oath to support the constitution, and drawn and not forfeited lands in the colony, shall be entitled to vote for, and be eligible to, the civil offices of the colony.

ARTICLE III. The civil officers of the colony shall be appointed annually: and the polls for the general annual election of the colony shall be opened on the last Tuesday in August, and continued open not more than three nor less than two successive days, in the different settlements. Elections shall be organized by the sheriff, by the appointment in each settlement of a president, two judges, and two clerks.

ARTICLE IV. The colonial officers eligible by the annual suffrage of the freeholders, in which the agent has the right to interpose his negative, assigning to the voters, in time to renew the choice at the same election, his reasons for such interposition, are, *for the colony*, a vice-agent, two counsellors, a high sheriff, a register, and a treasurer: and for each of the settlements consisting of not less than sixty families, two commissioners of agriculture, two commissioners to form a board of health, and two censors.

ARTICLE V. The vice-agent shall be admitted to the council of the agent in all important matters; and shall express an opinion on all questions submitted to his consideration. He shall aid the agent in the discharge of his various duties, and in the support and execution of the laws; and, in the event of the agent's absence, or sickness, the vice-agent shall become the general superintendent of public affairs.

ARTICLE VI. The vice-agent, with two counsellors, shall constitute a council, who shall meet, when requested by the agent, to deliberate on the interests of the colony, and the measures to be taken for their security and advancement.

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

ARTICLE VII. The duty of the councillors shall be, to aid the agent, or vice-agent, with their advice and counsel, on subjects relating to the general welfare of the colony, whenever thereto requested by either.

ARTICLE VIII. The high sheriff shall, either by himself or his deputies, aid in the organization of elections; act as marshal for the government of the colony; execute all processes, judgments, and commands, of the court of sessions, and perform, generally, the services required of the same officer by the common laws of England and the United States.

ARTICLE IX. The secretary of the colony shall take charge, of, and carefully keep, all the papers, records, and archives, of the colony, generally; shall attend and exactly record the doings of the agent in council; shall publish all the ordinances and legal enactments of the government; publish government notices; issue the agent's orders, civil, military, and judicial, to the proper functionaries; deliver a fair copy of government papers, necessary to be recorded, to the register of the colony; and manage its internal correspondence on the part, and under the directions of, the agent.

ARTICLE X. The register shall record all documents and instruments relating to the security and title of public or individual property, government grants, patents, licences, contracts, and commissions; and all other papers which are properly a matter of record, and to which the government of the colony shall be a party.

Every volume of records, when completed, shall be delivered by the register to the secretary of the colony, for preservation among the archives of the colony.

ARTICLE XI. The treasurer of the colony shall receive and safely keep all the moneys and public securities required by law, or the judgment of the courts, to be deposited in the public treasury, and shall deliver up and pay over the same, only by a requisition signed by the agent or vice-agent of the colony, to whom he shall render a statement of the public finances on the Monday preceding the annual election of the colony.

ARTICLE XII. The commissioners of agriculture shall report, and serve as the organ of the government, on all subjects relating to the agriculture of the colony.

The commissioners composing the Board of Health, shall report, and serve as the organ of the government, on all subjects relating to the health of the colony, shall ascertain the proper objects of medical attention, report nuisances prejudicial to the public health, direct their removal, and make themselves generally active in diminishing the sufferings and dangers of the settlers caused by sickness.

Each of these committees shall record, for the future use of the colony, all important observations and facts relating to the subjects of their charge.

ARTICLE XIII. The two censors shall act as conservators of the public morals and promoters of the public industry; and be obliged to all the duties, and invested with all the legal powers, on whatever relates to the public morals and industry, which are lawfully required of, and possessed by, grand jurors, in such parts of the United States as recognise such auxiliaries to their magistracy.

It shall be the special duty of these officers to ascertain in what way every person, in their proper districts, acquires a livelihood; to report or present idlers; detect vicious or suspected practices; and present, for legal investigation and cure, every actual or probable evil, growing out of the immoralities, either of a portion of the community or of individuals.

ARTICLE XIV. The judiciary of the colony shall consist of the agent, and a competent number of the justices of peace created by his appointment. The justices shall have cognizance of all cases affecting the peace, and of criminal cases within the definition of *petit larceny*, and all actions of debt not exceeding twenty dollars. In the court of monthly sessions, whether acting as a court of law, or a court of equity, the agent or vice-agent shall preside, and the justices be his associates.

The court of monthly sessions shall have original jurisdiction in all actions of debt, in which the amount in litigation shall exceed twenty dollars; and in criminal causes above the degree of *petit larceny*; and shall have appellate jurisdiction in all civil causes whatsoever.

The requisite number of constables for the colony shall be appointed by the agent annually.

A clerk and a crier of the court of sessions shall also be appointed by the said court, annually.

An auctioneer, who shall conduct all auction sales, except those of the sheriff and constables, in pursuance of the judgment of the courts of the colony, shall also be created by annual appointment of the agent.

A storekeeper, librarian, commissary of ordnance, to be appointed by the agent, shall be respected and obeyed in matters belonging to their respective functions, as officers of the colony.

Instructors in all public schools, having the sanction of a public charter, or participating in any degree in the public funds, shall be appointed and employed by the regular school committees of the colony, but with the agent's approbation and concurrence.

All custom, port, infirmary, medical, guard, and police officers, not appointed by the managers of the Colonization Society, and whose services are required and defined by the laws of the colony, together with the public measurers, inspectors, and appraisers, shall be appointed by the agent of the colony.

ARTICLE XV. The militia of the colony shall consist wholly of such uniformed volunteer corps as shall obtain charters under the government of the colony; of which charters, the following shall be fundamental articles:

1st. That the corps shall always comply with any requisitions for their services, either wholly or in part, made by the executive government of the colony.

2d. That the corps shall ever preserve, and hold themselves, and their arms and equipments, in a state of readiness for actual service, at the shortest notice.

3d. That the officers be commissioned by the agent: and

4th. That they shall muster, parade, and serve in the line of the colony, under general officers, when thereto required by the executive government.

General officers shall be appointed by the agent; and when especial reasons do not forbid, shall be taken from the officers of the several corps, and promoted according to rank, and the seniority of their commissions.

All military officers and delinquencies shall be tried by a general court martial, to be composed, except the officers and guards of the court, of commissioned officers, and to sit quarterly.

A correct copy.

J. ASHMUN.

A digest of the laws of the colony will be found in the appendix of the Twelfth Report of the Society, page 39.

EXTRACTS FROM THE REPORTS OF THE SOCIETY.

Agriculture, Trade, Public Buildings, Territory, Health, Education, Productions, &c. &c. of the Colony.

TENTH REPORT.

Between the 1st of January and the 15th of July, 1826, no less than fifteen vessels touched at Monrovia, and purchased the produce of the country to the amount, according to the best probable estimate, of \$43,980, African value. The exporters of this produce realize, on the sale of the goods given in barter for it, a profit of \$21,990, and on the freight, of \$8,786, making a total profit of \$30 786.

A gentleman in Portland has commenced a regular trade with the colony; and for his last cargo landed in Liberia, amounting to \$8,000, he received payment in the course of ten days. The advantages of this trade to the colony, are manifest from the high price of labor, (that of mechanics being two dollars per day, and that of common laborers from 75 cents to \$1 25 cents,) and from the easy and comfortable circumstances of the settlers. "An interesting family, twelve months in Africa, destitute of the means of furnishing an abundant table, is not known; and an individual, of whatever age or sex, without an ample provision of decent apparel, cannot, it is believed, be found." "Every family," says Mr. Ashmun, "and nearly every single adult person in the colony, has the means of employing from one to four native laborers, at an expense of from four to six dollars the month; and several of the settlers, when called upon in consequence of sudden emergencies of the public service, have made repeated advances of merchantable produce, to the amount of 300 to 600 dollars each."

ELEVENTH REPORT

The managers rejoice to state, that Liberia and the adjacent country possess resources sufficient to meet the necessities of a very numerous population. On this subject, the Board beg leave to make a short extract from an address of the colonists to the free people of color of the United States, dated the 27th August, 1827: "Away with all the false notions that are circulating about the barrenness of this country; they are the observations of such ignorant or designing men as would injure both it and you. A more fertile soil, and a more productive country, so far as it is cultivated, there is not, we believe, on the face of the earth. Even the natives of the country, almost without farming tools, without skill, and with very little labor, make more grain and vegetables than they can consume, and often more than they can sell. Cattle, swine, fowls, ducks, goats, and sheep, thrive without feeding, and require no other care than to keep them from straying. Cotton, coffee, indigo, and the sugar cane, are all the spontaneous growth of our forests, and may be cultivated at pleasure, to any extent, by such as are disposed. The same may be said of rice, Guinea corn, millet, and too many species of fruits and vegetables to be enumerated. Nature is here constantly renewing herself, and constantly pouring her treasures into the laps of the industrious."

In confirmation of this testimony, might be adduced the opinions of many disinterested individuals who have visited the colony; yet, considering the fact, that, while neglected almost entirely, as has been the agriculture of

this part of Africa, in consequence of the slave trade, African provisions can, at present, be purchased cheaper, by one half, than American—none will question its truth. Fine cattle may be bought, at a little distance from the colony, at from three to six dollars the head; rice, of the best quality, for less than a dollar the bushel; and palm oil, answering all the uses of butter and lard, for culinary purposes, at twenty cents per gallon, equal, in cookery, to six pounds of butter. “The colony is wholly supplied with coffee from its own limits.” It grows without culture, in great profusion, and may be purchased of the natives at about five cents the pound. The settlers find their time too valuable to be employed in gathering it; yet, in the opinion of Mr. Ashmun, it may, should no new plantations be made, finally be exported, in considerable quantities, from the colony.

Agriculture, it must be confessed, has received too little attention. The reasons of this are found in the perplexed and difficult circumstances of the earliest settlers; the unfavorable nature of the lands of the cape; the habits of many who first emigrated, acquired by their long residence in our large cities, and the ignorance of all, of the modes of cultivation best adapted to the climate and productions of Africa; the necessity of employing time in the erection of houses and fortifications; and, above all, the strong temptation to engage in the very profitable trade of the country.

The inhabitants of Caldwell, and other settlements on Stockton creek, are beginning to engage in this pursuit with great decision and energy; and enough has already been accomplished to prove that we have not overrated, in the preceding remarks, the productiveness of Africa; and that time, experience, and effort, alone are requisite to realize all the advantages enjoyed by the cultivators of the soil in the most fertile and favored tropical countries.

The trade of the colony is rapidly increasing, and to this is it principally indebted for its present remarkable prosperity. “It is carried on (say the colonists, in their late address) in the productions of the country, consisting of rice, palm oil, ivory, tortoise shell, dye-woods, gold, hides, wax, and a small amount of coffee; and it brings us, in return, the products and manufactures of the four quarters of the world. Seldom, indeed, is our harbor clear of European and American vessels; and the bustle and thronging of our streets show something already of the activity of the smaller seaports of the United States.”

By means of this trade, the managers are informed that many of the colonists have, in the course of three or four years, acquired property to the amount of several thousand dollars each; and that there exists, throughout the settlements, an abundance, not only of the necessaries, but of the comforts, and not a few of the luxuries, of life. The great advantages of this traffic are manifest from the fact, that the colonial agent estimates the annual nett profits of a small schooner, employed by him in conveying articles for barter to several factories, established, under the authority of the colony, to the leeward of Monrovia, and bringing in return the supplies accumulated in exchange for these articles, at \$4,700—a sum nearly adequate to defray the expense of the whole organization for the public service, both for the United States’ Agency and the Colonial Government. In consequence of an injury done to the schooner, this intercourse has been, for a season, discontinued, but is probably resumed before the present time. The possession of larger vessels would doubtless add immensely to the trade of the country and the interests of the colony.

TENTH REPORT.

Much progress has been made, the last year, in the construction of public buildings and works of defence; though, with adequate supplies of lumber, more might doubtless have been accomplished. Two handsome churches, erected solely by the colonists, now adorn the village of Monrovia. Fort Stockton has been rebuilt in a style of strength and beauty. A receptacle, capable of accommodating 150 emigrants, is completed. The new agency-house, market-house, Lancasterian school, and town-house, in Monrovia, were, some months since, far advanced, and the finishing strokes were about to be given to the government-house, on the St. Paul's. The wing of the old agency-house has been "handsomely fitted up for the colonial library, which now consists of 1,200 volumes, systematically arranged in glazed cases, with appropriate hangings. All the books are substantially covered and accurately labelled, and files of more than ten newspapers, more or less complete, are preserved. The library is fitted up so as to answer the purpose of a reading room; and it is intended to make it a museum of all the natural curiosities of Africa which can be procured."

ELEVENTH REPORT.

The Board rejoice to state that three new fortifications, and thirteen public buildings, exclusive of the churches, are either completed already, or so far advanced as to authorize the expectation that they will be finished in the course of the year. Forty workmen, says Mr. Ashmun, in a letter of March last, are employed in erecting them. In the expense of many of them, it is true, (being indispensable to the fulfilment of the benevolent objects of its agency) the Government has shared; yet several of great importance have been commenced, and depend for their completion upon the resources of the society and the colonists.

It is a fact highly creditable to the public spirit of the people, that a company has been incorporated for improving the navigation of Montserado river, and a subscription raised to the amount of about one thousand dollars, while, with laudable zeal, the stockholders have pledged themselves to increase the sum to four thousand, if necessary to effect their object. To encourage this object, the colonial agent has been authorized by the Board of Managers to subscribe for stock, should he judge expedient, to the amount of one thousand dollars.

The sum of fourteen hundred dollars, annually, including three hundred dollars subscribed by the colonial agent in the name of the society, the colonists have voluntarily engaged to pay for the support of schools; and also expressed a disposition to aid liberally in securing the services of a physician.

The system of government, adopted in 1824, has continued without any material changes during the year, and has fulfilled, in a very efficient and satisfactory manner, the great purposes for which government is instituted. At the last election, most of the officers of the preceding year were re-appointed, and "we commence the year," says Mr. Ashmun, "with a better prospect of harmony in the different operations of our little civil machine, than ever before. The principles of social order, and of a good, equable, and energetic government, are deeply and plentifully implanted in the minds of the influential part, if not of a majority, of the colonists, and promise the certain arrival (I do not think it will be early, however) of that state of im-

improvement, when the Board can safely withdraw their agents, and leave the people to the government of themselves."

The managers have nothing to relate in reference to the moral and religious interests of the colony, that will add much to the expectations which the statements of their last report were calculated to excite. The motives by which the earliest emigrants were animated, and the severity of the trials to which they were subjected on their first arrival in Africa, were well suited to invigorate their faith, and to purify and exalt their religious character. Hence, no village, perhaps, in our own land, exhibits less which is offensive, and more that is gratifying, to the eye of the Christian, than the village of Monrovia. Crimes are almost unknown; and the universal respect manifested for the Sabbath, and the various institutions and duties of Christianity, have struck the natives with surprise, and excited the admiration of foreigners. In the settlements more recently established, there is, the managers regret to say, less attention to the peculiar duties of religion, and a sad deficiency in the number and qualifications of their ministers.

It were unreasonable to expect that a people so illiterate, so little accustomed to reflection, and whose moral habits want that firmness which a clear understanding of their reasonableness and importance alone can secure, should make any great advances in intelligence and piety, without the admonitions and instructions of well educated, faithful, and persevering religious teachers. The managers regard, therefore, the benevolent efforts of several societies to establish missions in Liberia, as promising incalculable benefits to the colony, as well as to the African tribes. The Missionary Society of Basle, Switzerland; the American Board of Commissioners for Foreign Missions; and the Society for Domestic and Foreign Missions of the Protestant Episcopal Church; have all, during the last year, resolved to send missionaries to the colony. The managers perceive, by the public papers, that one individual has already left Germany, for the purpose of devoting himself to the cause of Christianity in Liberia.

The system of instruction, so happily organized under the Rev. Calvin Holton, on the Lancasterian plan, and which seemed well nigh suspended in its operations by his lamented decease, has been placed under the superintendence of the Rev. George McGill, (an experienced teacher from Baltimore) and though the schools are conducted by persons of color, who are deficient in the higher branches of knowledge, yet their progress is by no means inconsiderable; and every child in the colony, native and American, enjoys their advantages. We have already mentioned the liberal support which they receive from the colonists.

Large and important accessions have been made, during the year, to the territories of Liberia. The negotiations, which were stated in our last report to be in progress with the chiefs of Cape Mount, (the trade of which is estimated at \$50,000 per annum) have been satisfactorily concluded; and the actual possession of the soil, which may ultimately be expected, could not, in the opinion of the colonial agent, at the present time, be more advantageous to the colony. The chiefs have stipulated to build a large and commodious factory for the colonial government; to guaranty the safety of all persons and property belonging to the factory; to exact no tribute from those who may resort to it; to encourage trade between it and the interior; and forever to exclude foreigners from similar privileges, and from any right of occupancy or possession in the country.

The whole left bank of Stockton Creek, from the Montserado to the St. Paul's, (9 miles) was secured to the society by purchase, in 1825; and upon this tract, three prosperous settlements are already established. By recent treaty, that part of Bushrod Island, including the whole right bank, has been ceded to the society; and a number of families have taken up their residence upon it. It is intended to connect this tract with Caldwell, by a bridge 140 feet in length. The situation is represented as eligible, and the soil exceedingly fertile.

Perpetual and entire jurisdiction has been obtained of a territory, called the Junk, situated on the coast, forty miles to the Southeast of Monrovia, between two rivers of that name, and by which there will, it is believed, be opened an extensive inland water communication from Montserado nearly to Young Sesters, a distance of about ninety miles.

The managers stated, in their last report, that the right of use and occupancy had been granted to the colonial government, of a region of country on the South branch of St. John's river, North nine miles from Young Sesters; that the factory established there had already proved profitable to the colony; and that the superintendent of this factory had, by his integrity, so impressed the minds of the natives in favor of the colony, that the offer of the colonial agent to purchase Factory Island, in the mouth of the St. John's, had been accepted. The managers have now the pleasure to add, that an invaluable tract of land, of indefinite extent, contiguous to this island, on the North branch of the St. John's, belongs to the society. Factories have been erected on the island, and on both branches of the river. and "they form," says Mr. Ashmun, "new links of union between the tribes along the St. John's and your colony. The interests of both, and all," he continues, "are, I trust, at no great distance of time, to become perfectly identical, and one numerous and Christian nation; using our language, and enjoying our institutions, to cover the whole Western coast of Africa."

No less than EIGHT STATIONS, from Cape Mount to Trade Town, 140 miles, are now under the government of the colony; and four of these have been acquired during the last year.

"We have already, (says the colonial agent,) to some extent, connected with all our factories an agricultural appendage, a plan which has proved mutually advantageous, in different ways, both to the country people and the colony. A most desirable addition to be made to both, is a school for the instruction of the native youth and children of the respective tribes in which our establishments are situated. Whether we regard such schools as a cheap means of extending the power of the colony, as the most effectual instruments of civilizing the continent, as a noble exercise of rational philanthropy, or the best expression of Christian piety, (and the object, I think, is susceptible of each of these views,) I can think of no work, connected with the rearing of the colony, of which the accomplishment is more desirable. I think it nearly capable of moral demonstration, that the *African tribes may be civilized without expulsion from their chosen settlements and villages, and without that fearful diminution of their population which has, from causes that do not exist here as in regard to the Indians of America, accompanied the march of civilization in that hemisphere.*"

Were it necessary to adduce other evidence of the extensive and powerful influence of the colonists over the natives of Africa, than that which is exhibited in the numerous successful negotiations for territory, we might

state, that, from Cape Mount to Trade Town, (140 miles) the chiefs have solemnly bound themselves to exclude others than the people of Liberia from their country; that the colony is at peace with all the native tribes; that the slave trade, formerly almost their only traffic, is nearly, if not quite, extinct; that, to secure education for their sons in the colony, is an object of earnest solicitude; that the colonial agent is not unfrequently addressed by them as head-man of the whole country; and that, in case of a recent robbery committed upon several individuals of Grand Bassa, in the service of the colony, more than 1,000 men were actually marched thence, under arms, to seek directions how to proceed from the government of Liberia.

It has been ascertained, that there exists in the interior, 150 miles from the colony, a comparatively populous and civilized people, partially acquainted with agriculture and the arts; "where (to borrow the language of Mr. Ashmun) the horse is a common domestic animal; where every article absolutely necessary to comfortable life is produced by the soil, or manufactured by the skill of the inhabitants; where the Arabic is used as a written language in the ordinary commerce of life; where regular and abundant markets and fairs are kept; where a degree of intelligence and practical refinement exists, little compatible with the personal qualities attached, in the current notions of the age, to the people of Guinea."

TWELFTH REPORT.

The general health of the colony has through the year been uninterrupted; and additional experience confirms the managers in the belief that there is nothing in the African climate to prevent the successful establishment of colonies of colored persons from the United States, but that its influences are well adapted to the constitutions of the colored race. A slight indisposition, soon after their arrival in Liberia, may be expected, but subsequently they enjoy more vigor and exemption from disease than in countries without the tropics.

The general aspect of affairs cannot be better described than in the language of Mr. Ashmun:

"The established state of the colony, a treasure of past experience, the confirmed health of the settlers, our better knowledge of materials for every useful work, and a path trodden smooth by use, begin now, as the fruit of perseverance in the unfavorable circumstances of former years, to requite, in a fuller measure, the labor and expense bestowed on the improvements of the colony. Every month adds to it some new acquisitions, discloses some new resources, or produces some new valuable improvements."

A very valuable addition has, the past year, been made to the territory of the colony. Just before the illness of Mr. Ashmun, a company was chartered, with certain exclusive privileges for two years, to commence an agricultural settlement, in connexion with a public factory, distant 20 miles from Monrovia, at the head of navigation on the St Paul's, the Dey or St. Paul's chiefs having previously, for a small compensation, been induced to give their consent. The company proceeded to occupy the spot selected for the settlement on the 12th of February. A large tract of country, (including this settlement) the finest, in the opinion of Mr. Ashmun, which he had seen in Africa, easily to be cleared, abounding in streams of fresh water, (the St. Paul's itself being sweet at the falls) which had long been vacated, and left as a sort of barrier between the coast tribes and the interior, was, on the

14th of April, ceded to the society. From the acquisition of this may be expected advantages of the most valuable, extensive, and permanent character. Boatswain, a powerful chief, has already engaged to open a trade road from his own residence, about 100 miles distant, but from the nearest part of the old route not more than fifty. Beyond the residence of Boatswain the roads are open, and, for aught that is known, a free communication to the great cities of Central Africa.

It was stated in the last report, that the whole right or western bank of Stockton Creek had been ceded to the society, and a settlement upon it already commenced. In transmitting the deed, Mr. Ashmun remarks: "We have thus occupied Bushrod Island, which, containing a tract of 20,000 acres of fine level land, is destined, at some future period, to become the orchard and granary of the Montserado district of Liberia." A country, called Tabocanee, situated between Grand Bassa and Young Sesters, has been offered to the society; but, though abounding in coffee, and connecting two important stations, the sterility of the soil, near the sea, and the want of any commodious harbors, have rendered doubtful the propriety of its immediate acquisition. The question in regard to it is still undecided. The native authorities at the head of Junk river have expressed an earnest desire that a settlement should be established in their country, which is represented as promising well for the interests both of agriculture and trade.

It is in contemplation among the colonists to form an agricultural establishment near the head of the Montserado River; and as the soil is good, and the attention of the people directed, with more than usual interest, to the culture of the earth, they will, doubtless, prosecute their plan with a commendable spirit. The managers cannot but regard these facts, taken in connexion with the detailed statements concerning territory, in their last report, as affording evidence the most conclusive, that a rich and almost unlimited country is opening to the enterprise of our colonists, and that the difficulty is not to find lands the most inviting, but men and means to plant and improve them.

The two great interests of the colony, its *agriculture and trade*, have advanced through the year, with a sure and regular, if not a rapid progress. Though to foster and extend the first of these, has been a primary object of the managers and their colonial agent, yet truth demands the avowal, that to the latter is the colony principally indebted for its unexampled prosperity. Nor can we reasonably expect that this order of things will be speedily reversed.

It is a remark of the late lamented agent, "That the sources of trade and commerce naturally belonging to the colony, placed, as it is, on the central part of a coast of vast extent, and bordering on populous and industrious nations in the interior of the continent, are not a tenth part explored. And until they shall be (he adds) both explored and occupied, and so long as this vast field of commercial enterprise holds out new inducements to the settlers to enter upon and cultivate it, is *agriculture* destined to *follow* in the train of *trade*, and not to *lead* it." Admitting the correctness of this remark, yet the managers find reason, from a careful observation of the affairs of the colony, during the year just past, to conclude, that, if trade is to *lead*, agriculture is to follow not far behind with a firm and assured step. A large proportion of the emigrants are by habit entirely unprepared for any but agricultural pursuits; the knowledge which experience in trade has given to the early settlers, diminishes the chance of success to those who would now

enter upon the same employment: several, who have conducted an extensive traffic, have been made to feel the precariousness of hopes founded upon commercial speculation; and, above all, the animating prospects of competency and abundance, clearly apparent before every industrious and persevering cultivator of the soil;—these considerations have powerfully contributed to increase the disposition for agricultural exertions.

There remains not a doubt, said Mr. Ashmun, some months ago, that the products of the colony will, the ensuing year, equal its consumption in every article except rice. Indeed, during the year, the spirit of agricultural industry and effort has, both at Caldwell and Millsburg, (the new settlement on the St. Paul's) been exhibited with extraordinary energy, and in its result have been seen the most convincing proofs of the productiveness of the soil, and the best rewards of labor. The farmers of Caldwell have associated themselves into an agricultural society; at the weekly meetings of which, the members report, individually, their progression their plantations, discuss freely one or more practical questions, on which a vote is finally taken; and each question, unanimously determined, is recorded as a maxim in the practical agriculture of the settlement. These maxims the members are pledged to reduce to practice. The settlement of Millsburg, commenced, (as we have already stated) in the month of February, is represented as in the most promising way; and early in the last Summer, the products of its farms had been sent down in considerable quantities to the market of Monrovia. An intelligent settler writes: "There are many fine mill-seats on this new territory; and it would be almost incredible if I were to state the many advantages which are here visible. Nothing appears to be wanting but means and men of industry; in a short time the whole of the present colony might be supported by its own inhabitants, along the banks of the noble Dey, and in the adjacent country."^{*}

Trade, however, is pursued by many with enthusiastic ardor and great success; and while individuals have derived from it a very valuable profit, it has contributed most essentially to the general prosperity. It is carried on with the natives, through the factories along the coast, or at home, with the tribes of the interior, and with vessels from the United States. It must (as has already been remarked) be regarded as in its infancy, and new sources will, probably, be annually developed in the wide and productive countries, and among the populous, powerful, but, as yet, unvisited tribes of the interior. At the commencement of the year four small schooners had actually gone abroad in the coasting trade under the flag of the colony—several others were about to sail, most of which had been built and fitted out at Monrovia.

^{*}It has occurred to the managers that they might, perhaps, gratify this meeting, by here enumerating the different species of domestic animals, and the various products now rearing in the colony, and which cannot hereafter be wanting, unless through the inexcusable negligence and indolence of the settlers. Of animals, horses, cattle in abundance, sheep, goats in abundance, asses are lately introduced, fowls, ducks, geese, Guinea fowls, swine numerous—fish no where found in greater quantities. Fruits are, plantains, bananas, in endless abundance, limes, lemons, tamarinds, oranges, sousop, cashew, mangoe, 20 varieties of the prune, guava, papaw, pine apple, grape, tropical peach and cherry. Vegetables are, sweet potato, cassava, yam, cocoa, ground-nuts, arrowroot, egg-plant, ocre, every variety of beans, and most sorts of peas, cucumbers, pumpkins. Grains are, rice, the staple—Indian corn, coffee, excellent and abundant—pepper of three varieties, of which each is equal to Cayenne—millet and Guinea corn—cotton, staple good, but not yet cultivated. To these may be added indigo, which, it is thought, may be raised to advantage; and the sugar-cane, which may, and doubtless will, ultimately receive attention.

B.

RESOLUTIONS OF STATE LEGISLATURES IN FAVOR OF THE AMERICAN COLONIZATION SOCIETY.

An act of the Legislature of Georgia, for disposing of any such negro or mulatto, or any person of color, who has been, or may hereafter be, imported, or brought into this State, in violation of an act of the United States, entitled "An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, 1808."

"Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That it shall be lawful for his Excellency the Governor, and he is hereby authorized to appoint some fit and proper person to proceed to all such ports and places within this State, as have, or may have, or may hereafter hold any negroes, mulattoes, or persons of color, as may have been, or hereafter may be, seized or condemned under the above recited act of Congress, and who may be subject to the control of this State; and the person so appointed shall have full power and authority to ask, demand, recover, and receive, all such negroes, mulattoes, or persons of color, and to convey the same to Milledgeville, and place them under the immediate control of the Executive of this State.

SEC. 2. And be it further enacted, That his Excellency the Governor is hereby empowered to cause the said negroes, mulattoes, or persons of color, to be sold, after giving sixty days' notice in a public gazette, in such manner as he may think best calculated for the interest of the State.

SEC. 3. And be it further enacted, That if, previous to any sale of any such persons of color, the society for the colonization of free persons of color within the United States, will undertake to transport them to Africa, or any other foreign place which they may procure as a colony for free persons of color, at the sole expense of said society, and shall likewise pay to his Excellency the Governor, all expenses incurred by the State since they have been captured and condemned, his Excellency the Governor is authorized and requested to aid in promoting the benevolent views of said society, in such manner as he may deem expedient.]

Assented to, December 18, 1817.

Resolution of the General Assembly of Virginia.

"WHEREAS the General Assembly of Virginia have repeatedly sought to obtain an asylum, beyond the limits of the United States, for such persons of color as had been, or might be, emancipated under the laws of this Commonwealth, but have hitherto found all their efforts for the accomplishment of this desirable purpose frustrated, either by the disturbed state of other nations, or domestic causes equally unpropitious to its success:

They now avail themselves of a period when peace has healed the wounds of humanity, and the principal nations of Europe have concurred with the Government of the United States in abolishing the African Slave Trade, (a traffic which this Commonwealth, both before and since the Revolution, zealously sought to terminate,) to renew this effort, and do therefore *Resolve*, That the Executive be requested to correspond with the President of the United States, for the purpose of obtaining a territory upon the coast of Africa, or at some other place not within any of the States or Territorial Governments of the United States, to serve as an asylum for such persons of color as are now free, and may desire the same, and for those who may hereafter be emancipated within this Commonwealth; and that the Senators and Representatives of this State in the Congress of the United States, be requested to exert their best efforts to aid the President of the United States in the attainment of the above object: *Provided*, That no contract or arrangement respecting such territory shall be obligatory on this Commonwealth, until ratified by the Legislature."

Passed by the House of Delegates, December 15th—by the Senate, with an amendment, December 20th—concurred in by the House of Delegates, December 21, 1816.

The following Resolution unanimously passed the Legislature of Maryland.

" BY THE HOUSE OF DELEGATES, Jan. 26, 1818.

"*Resolved, unanimously*, That the Governor be requested to communicate to the President of the United States, and to our Senators and Representatives in Congress, the opinion of this General Assembly, that a wise and provident policy suggests the expediency, on the part of our National Government, of procuring, through negotiation, by cession or purchase, a tract of country on the Western coast of Africa, for the colonization of the free people of color of the United States.

By order:

LOUIS GASSAWAY, *Clerk.*"

Resolution of the Legislature of the State of Tennessee.

"Your committee are of opinion that such parts of said memorials and petitions as ask this General Assembly to aid the Federal Government in devising and executing a plan for colonizing, in some distant country, the free people of color in the United States, are reasonable; and, for the purpose of effecting the object which they have in view, the committee have draughted a resolution, which accompanies this report, the adoption of which they would recommend.

"The committee are of opinion that such parts of said memorials and petitions as pray the passage of a law to prohibit the bringing of slaves into or through the State, for sale, as well as those parts which pray that the owners of slaves of certain ages and descriptions may be permitted to emancipate them without giving any security, are reasonable; and, to endeavor to accomplish those objects, they have draughted a bill, which accompanies this report; the enacting of which into a law the committee also recommend.

All which is respectfully submitted.

NATH. WILLIS, *Chairman.*"

Mr. Willis, from the same committee, submitted the following resolution, which was read and adopted:

“Resolved by the General Assembly of the State of Tennessee, That the Senators in Congress from this State be, and they are hereby, instructed, and that the Representatives be, and they are hereby, requested, to give to the Government of the United States any aid in their power in devising and carrying into effect a plan which may have for its object the colonizing, in some distant country, the free people of color who are within the limits of the United States, or within the limits of any of their Territories.”

By New Jersey—1825.

“Resolved, That, in the opinion of this Legislature, a system of foreign colonization, with correspondent measures, might be adopted, that would, in due time, effect the entire emancipation of slaves in our country, and furnish an asylum for the free blacks, without any violation of the national compact, or infringement of the rights of individuals; and that such a system should be predicated upon the principle that the evil of slavery is a national one, and that the People and the States of this Union ought mutually to participate in the duties and the burthens of removing it.”

By Ohio—1824.

A resolution recommending “the gradual but entire emancipation of slaves, and a system of foreign colonization, and the passage of a law by the General Government, *with the consent of the slave-holding States*, providing that all children born of slaves thereafter be free at the age of twenty-one, and recognizing the evil of slavery as a national one, and the principle that all the States should share in the duties and burthens of removing it.”

By Connecticut—1824.

“Resolved, That the existence of slavery in the United States is a great national evil, and that the People and the States ought to participate in the burthens and the duties of removing it, by all just and prudent measures which may be adopted with a due regard to their internal peace and mutual harmony; and that a system of colonization, under the patronage of the General Government, may reasonably be deemed conducive to so desirable an object.”

By Kentucky—January 16, 1827.

“The committee to whom was referred the memorial of the American Colonization Society, have had that subject under consideration, and now report:

“That, upon due consideration of the said memorial, and from all other information which your committee has obtained touching that subject, they are fully satisfied that no jealousies ought to exist, on the part of this or any other slave-holding State, respecting the objects of this society, or the effects of its labors.

“Your committee are further well assured, that the benevolent and humane purposes of the society, and the political effects of those purposes, are worthy the highest consideration of all philanthropists and statesmen in the Union, whether they be citizens of slave-holding or non-slave holding States. It is believed by your committee that the memorial itself is well calculated to present the subject in a proper point of view, and to interest the public mind in the laudable objects of that society: they therefore refer to the same as a part of this report. Your committee recommend the adoption of the following resolutions:

“*Resolved by the General Assembly of the Commonwealth of Kentucky,* That they view with deep and friendly interest the exertions of the American Colonization Society in establishing an asylum on the coast of Africa for the free people of color of the United States; and that the Senators and Representatives in Congress from this State be, and they are hereby, requested to use their efforts to facilitate the removal of such free persons of color as may desire to emigrate from the United States to the colony of Africa, and to ensure to them the protection and patronage of the General Government, so far as shall be deemed consistent with the safety and interest of the United States.

“*Resolved,* That the Governor be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.”

During the year 1828, the following joint resolutions passed the Senate of Kentucky, with only three dissenting voices:

“*Resolved, &c.* That our Senators and Representatives in Congress be requested to use their best endeavors to procure an appropriation of money of Congress to aid, so far as is consistent with the United States, in colonizing the free people of color of the United States in Africa, under the direction of the President of the United States.

“2. That the Governor of this State be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress, and to the Governors of the several States.”

*By Delaware.**

“WHEREAS the ‘Wilmington Union Colonization Society,’ professing, by its Constitution, to be ‘Auxiliary’ to the American Colonization Society,’ and that the object to which its views shall be exclusively directed is the colonization, on the coast of Africa, *with their own consent,* of the free people of color of the United States, has, by memorial addressed to this General Assembly, requested the expression of an opinion whether their views deserve the national support, and with the national funds, to such an extent as the wisdom of Congress shall deem prudent: And, in the said memorial, has set forth, that the system of colonizing the free people of color on the coast of Africa has already been commenced by the ‘American Colonization Society,’ and that experiments have proved the plans adopted to be no longer doubtful of success, if suitable national encouragement be given: *And whereas* it satisfactorily appears to this Legislature, that the memorialists are engaged in endeavoring to execute one of the grandest schemes of philanthropy that can be presented to the American people: that it is no less than the cause of humanity—suffering humanity—the redemp-

tion of an ignorant and much injured race of men from a degradation worse than servitude and chains, and placing them in that country, on that luxuriant soil, and in that genial climate, pointed to by the finger of Heaven as their natural inheritance:

“And it further appears to this Legislature, that the object of this society is two-fold: for, while it immediately and ostensibly directs its energies to the amelioration of the condition of the free people of color, it relieves our country from an unprofitable burthen, and which, if much longer submitted to, may record upon our history the dreadful cries of vengeance that, but a few years since, were registered in characters of blood at St. Domingo. Therefore,

“*Be it resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met,* That it is requisite for our prosperity, and, what is of more important concern, essential to our safety, that measures should be taken for the removal, from this country, of the free negroes and free mulattoes.

“*Resolved,* That this General Assembly approve the objects of the American Colonization Society, and consider that these objects deserve public support, and that they ought to be fostered and encouraged by the National Government, and with the national funds.

“*Resolved,* That the Senators of this State in Congress, with the Representative from this State, be requested to approve and promote, in the councils of the nation, measures for removing from this country to Africa, the free colored people who may be willing to emigrate.

“*Resolved,* That the Speakers of the two Houses be requested officially to sign these resolutions, and forward a copy to each of our Senators, and a copy to our Representative in Congress.”

“*Resolved by the General Assembly of the State of Ohio,* That our Senators in Congress be instructed, and our Representatives be requested, to use their efforts to induce the Government of the United States to aid the American Colonization Society in effecting the object of their institution, which is so eminently calculated to advance the honor and interest of our common country.

“*Resolved,* That the Governor be, and he is hereby, requested to forward to each of our Senators and Representatives in Congress, a copy of the foregoing resolution.

EDWARD KING,
Speaker of the House of Representatives:

SAMUEL WHEELER,
Speaker of the Senate:

January 24, 1828.

SECRETARY OF STATE'S OFFICE,

Columbus, Ohio, Jan. 26, 1828.

I certify the above to be a correct copy of the original roll remaining in this office.

JEREMIAH McLENE, *Secretary of State.*”

By Vermont—Nov. 12, 1827.

Vermont Legislature.—On the petition of the Vermont Colonization Society, the committee reported a resolution instructing our Senators and Members in Congress to use their exertions in procuring the passage of a law in aid of the objects of the society; which was read, and adopted.

A Joint Resolution of the General Assembly of the State of Indiana, relative to the American Colonization Society.

WHEREAS the members of the present General Assembly of the State of Indiana view, with unqualified approbation, the continued exertions of the American Colonization Society to ameliorate the condition of the colored population of our country; and believing that the cause of humanity, and the true interest of the United States, require the removal of this people from amongst us, more speedily than the ability of the Colonization Society will permit:

Be it resolved by the General Assembly of the State of Indiana, That our Senators and Representatives in Congress be, and they are hereby, requested, in the name of the State of Indiana, to solicit the assistance of the General Government to aid the laudable designs of that society, in such manner as Congress, in its wisdom, may deem expedient.

Resolved, That the Governor be, and he is hereby, requested to forward a copy of the foregoing resolution to our Senators and Representatives in Congress.

ISAAC HOWK, *Sp. H. of Reps.*

MILTON STAPP, *Prest. of the Senate.*

Approved: January 23d, A. D. 1829.

J. BROWN RAY.

A true copy.

JAMES MORRISON, *Secretary of State.*

By Pennsylvania—1829.

The following preamble and resolution have passed the Senate and House of Representatives of Pennsylvania:

Whereas resolutions approving of the object of the American Colonization Society have been adopted by the Legislatures of several States of this Union: *And whereas* Pennsylvania is honorably distinguished in having led the way in benevolent efforts to improve the condition of the African race in this country, and in having seized the first moments of her independence from foreign dominion to abolish slavery, as inconsistent with her benevolent institutions, and, in the eloquent language of the Legislature of that day, “in grateful commemoration of our happy deliverance from that state of unconditional submission to which we were doomed by the tyranny of Britain:” It seems, therefore, proper, that an association of enlightened and philanthropic men, who have united to form, for free persons of color, an asylum in the land of their fathers, should receive the countenance and support of the General Assembly of Pennsylvania: and, from the success which has already attended the colony at Liberia, there is reason to hope that it may be extended and enlarged, so as to offer a home and a country

to all of these people who may choose to emigrate thither: and their removal from among us would not only be beneficial to them, but highly auspicious to the best interests of our country. It also holds out to the Christian and philanthropist, the hope that, by the means of this colony, the lights of Christianity and civilization may be made to shine in a land shrouded in the darkness of barbarism, and thus atonement, in some measure, be made, for the wrongs which slavery has inflicted on Africa. As the evil which this society seeks to remove pervades the whole country, it would seem to deserve the attention of those whose duty it is, and who are provided with the means, "to provide for the general welfare." Therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That, in the opinion of this General Assembly, the American Colonization Society eminently deserves the support of the National Government; and that our Senators be directed, and the Representatives in Congress be requested, to aid the same by all proper and constitutional means.

By Indiana—1830.

Whereas the evils attending the alarming increase of colored persons in this State, are severely felt in many counties, and threaten soon to become insupportable, unless promptly checked: *And whereas* many are of opinion that a law to prohibit their emigration to this State would be unconstitutional, or difficult to enforce; yet all must admit, on this subject, the necessity of self-defence: Therefore,

Be it resolved by the General Assembly of the State of Indiana, That our Representatives in Congress be requested, and our Senators instructed, to use their exertions to procure the passage of a law making provision for gradually removing the free persons of color who are willing to go, and such as may be liberated for that purpose, to the colony at Liberia, in Africa, or to such other place as Congress may direct. And that his Excellency the Governor be requested to transmit a copy of the foregoing preamble and resolution to each of our Senators and Representatives in Congress.

Mr. Monroe's opinion.

The American Colonization Society has, at all times, solemnly disavowed any purpose of interference with the institutions or rights of our Southern communities. By the soundest and most judicious minds in our country, it has, however, been regarded as developing and demonstrating the practicableness and utility of a plan which commends itself as worthy of adoption to those individuals and States who desire not only to benefit the free people of color, while they relieve themselves by their removal, but also to diminish, and finally eradicate, what all sober and unprejudiced minds regard as the greatest of our national evils, the system of slavery. If this system is ever to be removed, it must be, we are convinced, with the consent and through the agency of those most interested in its existence. To such, the scheme of African Colonization presents itself, and solicits their candidly their most profound attention. That they will discern its feasibility, we have not a doubt: and the triumphs of truth on this subject in many of the slave-holding States, encourage the hope that, at no remote period, the opinions of the venerable Ex-President Monroe, in regard to it, will pervade and animate the NATION.

The following is copied from a report of the proceedings in the Convention of Virginia:

Mr. Leigh asked, what would be the effect of this arrangement upon the question of slavery? Might the West not interfere with it? In England, Mr. Wilberforce wished to interfere with the emancipation of the slaves in the West Indies. The gentleman from Hampshire, who stated that slavery was among the most serious evils in this Commonwealth, might he not justify an interference with our slaves on his principles? and would he not seek to remove this serious evil? [Mr. Naylor replied, that he certainly would not; that humanity and religion did not require and justify such an interference.]

Mr. L. replied, that he had no doubt such was the honest conviction of the gentleman from Hampshire; but, as Mr. Wilberforce had, from being an opponent of the slave trade, become an advocate of emancipation of the slaves in the West Indies, so also the transition of opinion in this State would become inevitable; that the West would march on to it, as surely as we march directly to the grave.

Mr. Leigh commented upon a remark of the venerable gentleman from Loudoun, on the system of the United States contributing to the emancipation of slaves. Are, then, the States to interfere? [Mr. Monroe explained, that, at this crisis, when the Western States were throwing off our slaves from their territory, it became Virginia and the Southern States, to decide what they should do; that he did not recommend that the other States should interfere; but that we should find it to our interest to invite their interposition.]

Mr. L. asked the venerable gentleman, where was the power to interfere at all; and whether, if you permitted them to do so, they would not of themselves do it, without our invitation?

Mr. L. referred to the change which the venerable gentleman from Loudoun [Mr. Monroe] had undergone as to this convention question; he strongly opposed innovation in 1810, after his return from France; and how then could he reconcile the change he had now undergone. [Mr. M. rose to explain, but Mr. L. begged him to let him finish the few remarks he had to offer, as his strength was nearly exhausted.] He proceeded for a few minutes only, and then closed with a strong appeal to the gentleman from Frederick [Mr. Cooke] in behalf of the *modus in rebus*; of moderation in public affairs.

When he had closed, Mr. Monroe rose to explain his views in 1810, and at the present time. He stated that the habits of the French people had disqualified them from enjoying a free Government, and had thrown them into disorders. He pointed out the difference among the people of Europe and of America; and that here the people were qualified for the enjoyment of liberty. If there were any people who were fitted to keep up a Republican Government, they were here, in the United States, and in Virginia. As to the people of color, if the people of the Southern States wished to emancipate them (and he never would consent to emancipate them without sending them out of the country) *they might invite the United States to assist us*; but without such an invitation, the other States ought not, and would not, interfere. He was for marching on with the greatest circumspection upon the subject. He concluded with apologizing for the explanation he had given.

Address of the Colonists to the Free People of Color in the United States.

At a numerous meeting of the citizens of Monrovia, held at the court house, on the 27th day of August, 1827, for the purpose of considering the expediency of uniting in an address to the colored people of the United States, JOHN H. FOLKS, Esq. in the chair, it was

Resolved, That a committee of five persons be appointed to frame a circular address, to be published in the United States, for the better information of the people of color in that country, respecting the state of this colony, and the condition of the settlers; and,

That Captains James C. Barbour and F. Devany, W. L. Weaver, Esq. and the Rev. C. M. Waring and George R. McGill, be the committee to prepare and report the said address, on Tuesday, the 4th day of September next.

TUESDAY, September 4, 1827.

The forenamed committee reported the following address; which was adopted, and ordered to be transmitted to the United States, and there published for the information of the colored people of that country.

CIRCULAR.

As much speculation and uncertainty continue to prevail among the people of color in the United States, respecting our situation and prospects in Africa, and many misrepresentations have been put in circulation there, of a nature slanderous to *us*, and, in their effects, injurious to *them*, we feel it our duty, by a true statement of our circumstances, to endeavor to correct them.

The first consideration which caused our voluntary removal to this country, and the object which we still regard with the deepest concern, is liberty—liberty, in the sober, simple, but complete sense of the word: not a licentious liberty, nor a liberty without government, or which should place us without the restraint of salutary laws, but that liberty of speech, action, and conscience, which distinguishes the free enfranchised citizens of a free State. We did not enjoy that freedom in our native country; and, from causes, which, as respects ourselves, we shall soon forget forever, we were certain it was not there attainable for ourselves or our children. This, then, being the first object of our pursuit in coming to Africa, is probably the first subject on which you will ask for information; and we must truly declare to you, that our expectations and hopes, in this respect, have been realized. Our Constitution secures to us, so far as our condition allows, "all the rights and privileges enjoyed by the citizens of the United States; and these rights and these privileges are ours. We are proprietors of the soil we live on, and possess the rights of freeholders. Our suffrages, and, what is of more importance, our sentiments and our opinions, have their due weight in the government we live under. Our laws are altogether our own: they grew out of our circumstances, are framed for our exclusive benefit, and administered either by officers of our own appointment, or such as possess our confidence. We have a judiciary chosen from among ourselves; we serve as jurors in the trials of others; and are liable to be tried only by juries of our fellow citizens, ourselves. We have all that is meant by *liberty of conscience*. The time and mode of worshipping God, as prescribed to us in his word, and dictated by our conscience, we are not only free to follow, but are protected in following.

Forming a community of our own in the land of our forefathers, having the commerce, and the soil, and resources, of the country at our disposal, we know nothing of that debasing inferiority with which our very color stamped us in America: there is nothing here to create the feeling on our part—nothing to cherish the feeling of superiority in the minds of foreigners who visit us. It is this moral emancipation, this liberation of the mind from worse than iron fetters, that repays us ten thousand times over for all that it has cost us, and makes us grateful to God and our American patrons for the happy change which has taken place in our situation. We are not so self-complacent as to rest satisfied with our improvement, either as regards our minds or our circumstances. We do not expect to remain stationary. Far from it. But we certainly feel ourselves, for the first time, in a state to improve either to any purpose. The burden is gone from our shoulders: we now breathe and move freely, and know not (in surveying your present state) for which to pity you most—the empty name of liberty, which you endeavor to content yourselves with in a country that is not yours, or the delusion which makes you hope for ampler privileges in that country hereafter. Tell us, which is the white man, who, with a prudent regard to his own character, can associate with one of you, on terms of equality? Ask us, which is the white man who would decline such association with one of our number, whose intellectual and moral qualities are not an objection? To both these questions, we unhesitatingly make the same answer—there is no such white man.

We solicit none of you to emigrate to this country, for we know not who among you prefers rational independence, and the honest respect of his fellow men, to that mental sloth and careless poverty which you already possess, and your children will inherit after you, in America. But, if your views and aspirations rise a degree higher, if your minds are not as servile as your present condition, we can decide the question at once; and, with confidence, say, that you will bless the day, and your children after you, when you determined to become citizens of Liberia.

But we do not hold this language on the blessings of liberty for the purpose of consoling ourselves for the sacrifice of health, or the suffering of want, in consequence of our removal to Africa. We enjoy health, after a few months' residence in this country, as uniformly, and in as perfect a degree, as we possessed that blessing in our native country. And a distressing scarcity of provisions, or any of the comforts of life, has, for the last two years, been entirely unknown, even to the poorest persons in this community. On these points, there are, and have been, much misconception, and some malicious misrepresentations, in the United States.

We have nearly all suffered from sickness, and, of the earliest emigrants, a large proportion fell in the arduous attempt to lay the foundation of the colony. But are they the only persons whose lives have been lost in the cause of human liberty, or sacrificed to the welfare of their fellow-men? Several out of every ship's company have, within the last four years, been carried off by sickness, caused by the change of climate; and death occasionally takes a victim from our number, without any regard at all to the time of his residence in this country. But we never hoped, by leaving America, to escape the common lot of mortals—the necessity of death, to which the just appointment of Heaven consigns us. But we do expect to live as long, and pass this life with as little sickness as yourselves.

The true character of the African climate is not well understood in other countries. Its inhabitants are as robust, as healthy, as long lived, to say the least, as those of any other country. Nothing like an epidemic has ever appeared in this colony; nor can we learn from the natives that the calamity of a sweeping sickness ever yet visited this part of the continent. But the change from a temperate to a tropical country is a great one—too great not to affect the health, more or less; and, in the cases of old people and very young children, it often causes death. In the early years of the colony, want of good houses, the great fatigues and dangers of the settlers, their irregular mode of living, and the hardships and discouragements they met with, greatly helped the other causes of sickness, which prevailed to an alarming extent, and were attended with great mortality. But we look back to those times as to a season of trial long past, and nearly forgotten. Our houses and circumstances are now comfortable; and, for the last two or three years, not one person in forty, from the middle and Southern States, has died from the change of climate. The disastrous fate of the company of settlers who came out from Boston in the brig *Vine*, eighteen months ago, is an exception to the common lot of emigrants; and the cause of it ought to be explained. Those people left a cold region in the coldest part of Winter, and arrived here in the hottest season of our year. Many of them were too old to have survived long in any country. They most imprudently neglected the prescriptions of our very successful physician, the Rev. Lott Cary, who has great experience and great skill in the fevers of the country, and depended on medicines brought with them, which could not fail to prove injurious. And, in consequence of all those unfortunate circumstances, their sufferings were severe, and many died. But we are not apprehensive that a similar calamity will befall any future emigrants, except under similar disadvantages.

People now arriving have comfortable houses to receive them; will enjoy the regular attendance of a physician in the slight sickness that may await them; will be surrounded and attended by healthy and happy people, who have borne the effects of the climate, who will encourage and fortify them against that despondency which, alone, has carried off several in the first years of the colony.

But you may say that even health and freedom, as good as they are, are still dearly paid for, when they cost you the common comforts of life, and expose your wives and children to famine, and all the evils of want and poverty. We do not dispute the soundness of this conclusion either; but we utterly deny that it has any application to the people of Liberia.

Away with all the false notions that are circulating about the barrenness of this country: they are the observations of such ignorant or designing men as would injure both it and you. A more fertile soil, and a more productive country, so far as it is cultivated, there is not, we believe, on the face of the earth. Its hills and its plains are covered with a verdure which never fades; the productions of nature keep on in their growth through all the seasons of the year. Even the natives of the country, almost without farming tools, without skill, and with very little labor, make more grain and vegetables than they can consume, and often more than they can sell.

Cattle, swine, fowl, ducks, goats, and sheep, thrive without feeding, and require no other care than to keep them from straying. Cotton, coffee, indigo, and the sugar cane, are all the spontaneous growth of our forests, and may be cultivated at pleasure, to any extent, by such as are disposed. The

motives and doings of the Colonization Society traduced—and that, too, by men too ignorant to know what that society has accomplished; too weak to look through its plans and intentions; or too dishonest to acknowledge either. But, without pretending to any prophetic sagacity, we can certainly predict to that society the ultimate triumph of their hopes and labors, and disappointment and defeat to all who oppose them. Men may theorize and speculate about their plans in America, but there can be no speculation here. The cheerful abodes of civilization and happiness which are scattered over this verdant mountain—the flourishing settlements which are spreading around it—the sound of Christian instruction, and scenes of Christian worship, which are heard and seen in this land of brooding Pagan darkness—a thousand contented freemen united in founding a new Christian empire, happy themselves, and the instruments of happiness to others—every object, every individual, is an argument, is demonstration of the wisdom and goodness of the plan of colonization.

Where is the argument that shall refute facts like these? And where is the man hardy enough to deny them?

From the National Gazette.

The following resolutions have passed the House of Assembly of Upper Canada:

“NEGRO SETTLERS.

“1. *Resolved*, That this House has just cause of alarm for the peace and security of the inhabitants of the Western parts of this Province, by reason of the rumored intention, on the part of the Canada Company, of introducing large bodies of Negro settlers into this Province.

“2. *Resolved*, That, in affording such encouragement, the Canada Company seem not to have duly reflected on the danger in which it involves the peace and happiness of the people; and that the act of the Imperial Parliament, constituting this Company, marks the subject of these resolutions as one of the many evils which must result from Legislation by the Imperial Parliament in matters of the internal concerns of this Province.

“3. *Resolved*, That no subject calls more seriously for the attention of the Legislature, than the settlement of the country, by all reasonable facilities given to strangers to come into this Province and cultivate its wastes.

“4. *Resolved*, That, although this House has long observed, without easiness, that fugitive slaves of color do, occasionally, escape into this Province, and, recognizing the law of nature, which says, “that the fugitive shall not be delivered up to his pursuers,” this House is still unwilling to shut the door against the outcast; yet, the sudden introduction of a mass of black population, likely to continue without limitation, is a matter so dangerous to the peace and comfort of the inhabitants, that it now becomes necessary to prevent or check, by some prudent restrictions, this threatened evil.

“5. *Resolved*, That, inasmuch as such a population, sometimes surpassing, and at others approaching an equality with the whites, in several States of this Continent, has proved, in various ways, highly inconvenient and dangerous to those States, it is too certain that the like disasters must flow

from the same cause in this Province, if such projects be permitted to be effected.

“6. *Resolved*, That the Committee to whom was referred the petition of the inhabitants of Gosfield and Colchester, do bring in a bill, if it be practicable, during this session, to prevent the introduction of Blacks and Mulattoes into this Province, as settlers participating in all the civil rights of the people of this Province.

“7. *Resolved*, That an humble address be presented to His Excellency the Lieutenant Governor, requesting him to forward, with as little delay as possible, these resolutions to His Majesty’s Secretary of State for the Colonies, to be by him, with his Majesty’s gracious permission, laid before the Imperial House of Commons; and further requesting His Excellency to discourage, as far as may be within his power, the introduction of such population, until the Legislature of the Province may be enabled to mature some safe enactment on the subject.”

SLAVE TRADE.

Extract from the Thirteenth Annual Report of the Board of Managers of the American Colonization Society, made the 18th Jan. 1830.

“It is painful to state that the managers have reason to believe that the slave trade is still prosecuted, to a great extent; that much was done by Mr. Ashmun to banish it from the territory under the colonial jurisdiction, is unquestionable; but it now exists even on this territory; and a little to the North and South of Liberia it is to be seen in its true characters—of fraud, rapine, and blood. In the opinion of the late agent, the present efforts to suppress this trade must prove abortive. A frigate or two, sent out to pass two or three times a year down the coast, can effect little or nothing. Through the agency of natives employed for the purpose their movements are perfectly understood by the slave dealers. ‘In my opinion,’ says Dr. Randall, ‘the effectual method for breaking up this traffic would be, to send upon the coast ten or twelve well armed, light, fast sailing schooners, which might touch at those places from whence the slaves are taken; which should relieve each other, and remain in this service the whole year. They should be accompanied by one or two sloops of war, with a force sufficient to break up the slave factories.’

“Confident, the managers are, that any suggestions which may in the least degree contribute to annihilate an evil so dark and appalling as to shock the sensibilities of the whole civilized world, will be hailed with exultation by all who share in the common sympathies of our race.”

FOURTEENTH CONGRESS—SECOND SESSION.

FEBRUARY 11, 1817.

Report of the Committee consisting of Mr. Pickering, Mr. Coñstock, Mr. Condict, Mr. Tucker, Mr. Taggart, Mr. Cilley, and Mr. Hooks, on colonizing the free people of color of the United States.

The committee to whom was referred the memorial of the President and Board of Managers of the “American Society for Colonizing the Free Peo

ple of Color of the United States," have had the same under their deliberate consideration. The subject is of such magnitude, and attended with so many difficulties, it is with much diffidence they present their views of it to the House.

Were it simply a question of founding a colony, numerous and well known precedents show with what facility the work might be accomplished. Every new territory established by our own Government, constitutes, indeed, a colony, formed with great ease; because it is only an extension of homogeneous settlements. But, in contemplating the colonization of the free people of color, it seemed obviously necessary to take a different course. Their distinct character and relative condition render an entire separation from our own States and Territories indispensable. And this separation must be such as to admit of an indefinite continuance. Hence, it seems manifest that these people cannot be colonized within the limits of the United States. If they were not far distant, the rapidly extending settlements of our white inhabitants would soon reach them; and the evil now felt would be renewed; probably with aggravated mischief. Were the colony to be remote, it must be planted on lands now owned and occupied by the native tribes of the country. And could a territory be purchased, the transporting of the colonists thither would be vastly expensive, their subsistence for a time difficult, and a body of troops would be required for their protection. And, after all, should these difficulties be overcome, the original evil would at length recur, by the extension of our white population. In the mean time, should the colony so increase as to become a nation, it is not difficult to foresee the quarrels and destructive wars which would ensue; especially if the slavery of people of color should continue, and accompany the whites in their migrations.

Turning our eyes from our own country, no other, adapted to the colony in contemplation, presented itself to our view, nearer than Africa, the native land of negroes; and probably that is the only country on the globe to which it would be practicable to transfer our free people of color, with safety and advantage to themselves and the civilized world. It is the country which, in the order of Providence, seems to have been appropriated to that distinct family of mankind. And while it presents the fittest asylum for the free people of color, it opens a wide field for the improvements in civilization, morals, and religion, which the humane and enlightened memorialists have conceived it possible, in process of time, to spread over that great continent.

Should the measure suggested be approved, an important question occurs—In what way shall its execution be essayed?

A preliminary step would be, to provide for the perfect neutrality of the colony, by the explicit assent and engagement of all the civilized powers; whatever dissensions may at any time arise among themselves.

The next important question is—Will it be expedient to attempt the establishment of a new colony in Africa, or to make to Great Britain a proposal to receive the emigrants from the United States into her colony of Sierra Leone?

At Sierra Leone, the first difficulties have been surmounted; and a few free people of color from the United States have been admitted. A gradual addition from the same source (and such would be the natural progress) would occasion no embarrassment, either in regard to their sustenance or government. Would the British government consent to receive such an accessions of emigrants, however eventually considerable, from the United

States? Would that Government agree that, at the period when that colony shall be capable of self-government and self-protection, it shall be declared independent? In the mean time, will it desire to monopolize the commerce of the colony? This would be injurious to the colonists, as well as to the United States. Should that country, from the nature of its soil and other circumstances, hold out sufficient allurements, and draw to it, from the United States, the great body of the free people of color, these would form its strength, and its ability to render its commerce an object of consideration. Now, as the great and permanent benefit of the *colonists* was the fundamental principle of the establishment—will the British Government decline a proposition calculated to give to that benefit the important extension which will arise from a freedom of commerce? to those, at least, at whose expense, and by whose means, the colony shall be essentially extended? Should an agreement with Great Britain be effected, no further negotiation, nor any extraordinary expenditure of money, will be required. The work already commenced will be continued—simply that of carrying to Sierra Leone all who are willing to embark.

It would seem highly desirable to confine the migrations to a single colony. Two distinct and independent colonies, established and protected by two independent Powers, would naturally inhiibe the spirit and distinctions of their patrons and protectors, and put in jeopardy the peace and prosperity of both. Even the simple fact of separate independence would eventually tend to produce collisions and wars between the two establishments, (unless, indeed, they were far removed from each other,) and perhaps defeat the further humane and exalted views of those who projected them. The spirit which animated the founders of the colony of Sierra Leone, would be exerted to effect a union of design, and the cordial co-operation of the British Government with our own; and, it might be hoped, not without success. It would be in accordance with the spirit of a stipulation in the last treaty of peace, by which the two Governments stand pledged to each other, to use their best endeavors to effect the entire abolition of the traffic in slaves, while the proposed institution would tend to diminish the quantity of slavery actually existing.

If, however, such enlarged and liberal views should be wanting, then the design of forming a separate colony might be announced, by the American ministers, to the maritime Powers; and their guaranty of the neutrality of the colony obtained.

Your committee do not think it proper to pursue the subject any further at this time; but that the Government should wait the result of the suggested negotiations; on which ulterior measures must depend.

In conclusion, your committee beg leave to report a joint resolution, embracing the views hereinbefore exhibited.

FEBRUARY 11, 1817.

Joint resolution for abolishing the traffic in slaves, and the colonization of the free people of color of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to consult and negotiate with all the Governments where ministers of the United States are or shall be accredited, on the

means of effecting an entire and immediate abolition of the traffic in slaves. And, also, to enter into a convention with the Government of Great Britain for receiving into the colony of Sierra Leone such of the free people of color of the United States as, with their own consent, shall be carried thither; stipulating such terms as shall be most beneficial to the colonists, while it promotes the peaceful interests of Great Britain and the United States. And should this proposition not be accepted, then to obtain from Great Britain and the other maritime Powers a stipulation, or a formal declaration to the same effect, guarantying a permanent neutrality for any colony of free people of color, which, at the expense and under the auspices of the United States, shall be established on the African coast.

Resolved, That adequate provision shall hereafter be made to defray any necessary expenses which may be incurred in carrying the preceding resolution into effect.

NOTE.—No proceeding took place in the House on these resolutions at this session.

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A view of exertions lately made for the purpose of colonizing the free people of color in the United States, in Africa, or elsewhere.

The present age witnesses numerous and unexpected changes, and it is peculiarly grateful to the benevolent man to notice among these changes many which are ominous of good. As a traveller, wearied with the roughness and barrenness of the region he has passed, enjoys the scenery of a cultivated and luxuriant country; so the philanthropist, distressed with the confusion and misery which pervade many portions of the world, may still fix his attention on those favorable occurrences in Divine Providence, and contemplate with peculiar pleasure the rising glory of the kingdom of Christ, and the prevalence of that religion which proclaims "peace on earth and good will to men."

The success which attends charitable and benevolent societies, has, in many instances, surpassed the expectations even of their friends and patrons; and whether the public are encouraged and gratified with the success of past exertions, or whether they are alarmed and excited by the miseries which thousands feel, and in which other thousands sympathize, it is but just to acknowledge that there exists an unusual sensibility and desire to aid the cause of humanity and religion. The tone of public feeling is elevated. If any sufficient object can be assigned for benevolent exertion, and can be enforced by any sufficient reasons, it will scarcely fail to receive all deserved approbation and support.

Influenced by these considerations, the following view of exertions lately made for the colonizing free people of color, is presented to the public.

It is already known that the attention of many intelligent men in the United States has been recently turned with peculiar force and a corresponding zeal and spirit of perseverance to this subject. Some very important preparatory steps to such a measure have been taken. Soon after the commencement of the present session of Congress, the expediency of colonizing free people of color became a subject of consideration with many gentlemen of respectability from the different States. The propriety of such a measure, could it be carried into effect, was generally admitted. It was thought that a design of such importance, so intimately connected with the best interests of the citizens of the United States, and promising at the same

time to improve and meliorate the state of that class of the community for whom provision was to be made, should not be abandoned without a vigorous and a thorough effort to carry it into execution.

The formation of a Colonization Society was therefore proposed. Many were led the more readily to approve of an institution of this kind, from a knowledge that this subject occupies the attention of many worthy citizens in different States; but particularly from the consideration which had been bestowed upon it by the Legislature of a highly respectable sister State (Virginia.) As the following preamble and resolution were approved by the House of Delegates of that State, previous to the first meeting for the formation of the American Colonization Society, it will be proper to introduce them in this place, as they were afterwards amended by the Senate and adopted :

“Whereas the General Assembly of Virginia have repeatedly sought to obtain an asylum, beyond the limits of the United States, for such persons of color as had been, or might be, emancipated under the laws of this Commonwealth, but have hitherto found all their efforts frustrated, either by the disturbed state of other nations, or domestic causes equally unpropitious to its success:

“They now avail themselves of a period when peace has healed the wounds of humanity, and the principal nations of Europe have concurred with the Government of the United States in abolishing the African slave trade, (a traffic which this Commonwealth, both before and since the Revolution, zealously sought to terminate) to renew this effort, and do therefore resolve, that the Executive be requested to correspond with the President of the United States for the purpose of obtaining a territory on the coast of Africa, or some other place, not within any of the States or territorial governments of the United States, to serve as an asylum for such persons of color as are now free, and may desire the same, and for those who may be hereafter emancipated within this Commonwealth; and that the Senators and Representatives of this State in the Congress of the United States be requested to exert their best efforts to aid the President of the United States in the attainment of the above object: *Provided*, That no contract or arrangement respecting such territory shall be obligatory on this Commonwealth until ratified by the Legislature.”

Believing that the Legislature of Virginia had entered upon this subject with a spirit and a determination to prosecute the measure proposed, and desirous of producing a more general and simultaneous feeling and movement in aid of this object, by calling the attention of the General Government to the subject, a meeting for the purpose of forming a Colonization Society was appointed to be held in this city on the 21st of December, 1816. At the time proposed a very respectable number of gentlemen attended.

The following extracts relative to the proceedings of the meeting are from the National Intelligencer of December 24.

Mr. Henry Clay, of Kentucky, having been called to the chair, and Mr. Thomas Dougherty, of this District, having been appointed Secretary:

Mr. Clay, on taking the chair, said, that he had hoped to have seen called to the place, for which he had the honor of being selected, a gentleman (Judge Washington) who, from his name, his exalted station, and his distinguished virtues, would have communicated an additional importance to the present meeting.

But as that gentleman was not present, Mr. C. regretted to learn from causes beyond his control, he would, with great pleasure, endeavor to discharge the duties of the Chair. He understood the object of the present meeting to be, to consider of the propriety and practicability of colonizing the free people of color in the United States, and of forming an association in relation to that object. That class of the mixt population of our country was peculiarly situated. They neither enjoyed the immunities of freemen, nor were they subject to the incapacities of slaves, but partook, in some degree, of the qualities of both. From their condition, and the unconquerable prejudices resulting from their color, they never could amalgamate with the free whites of this country. It was desirable, therefore, both as it respected them, and the residue of the population of the country, to drain them off. Various schemes of colonization had been thought of, and a part of our own continent, it was thought by some, might furnish a suitable establishment for them. But, for his part, Mr. Clay said he had a decided preference for some part of the coast of Africa. There ample provision might be made for the colony itself, and it might be rendered instrumental to the introduction, into that extensive quarter of the globe, of the arts, civilization, and Christianity. There was a peculiar, a moral fitness in restoring them to the land of their fathers. And if, instead of the evils and sufferings which we had been the innocent cause of inflicting upon the inhabitants of Africa, we can transmit to her the blessings of our arts, our civilization, and our religion, may we not hope that America will extinguish a great portion of that moral debt which she has contracted to that unfortunate continent? We should derive much encouragement in the prosecution of the object which had assembled us together by the success which had attended the colony of Sierra Leone. That establishment had commenced about 20 or 25 years ago, under the patronage of private individuals in Great Britain. The basis of the population of the colony consisted of the fugitive slaves of the Southern States, during the Revolutionary war, who had been first carried to Nova Scotia, and who, afterwards, about the year 1792, upon their own application, almost in mass, had been transferred to the Western coast of Africa. — This colony, after struggling with the most unheard-of difficulties—difficulties resulting from the ignorance, barbarity, and prejudices of the natives; from the climate; (which were, however, found to be not at all insurmountable;) from wars, African as well as European; and such as are incidental to all new settlements—had made a gradual and steady progress, until it has acquired a strength and stability which promises to crown the efforts of its founders with complete success. We have their experience before us; and can there be a nobler cause than that which, while it proposes to rid our own country of a useless and pernicious, if not a dangerous portion of its population, contemplates the spreading of the arts of civilized life, and the possible redemption from ignorance and barbarism of a benighted quarter of the globe!

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

only, that he had himself attended. He would only further add, that he hoped, in their deliberations, they would be guided by that moderation, politeness, and deference for the opinion of each other, which were essential to any useful result. But when he looked around and saw the respectable assemblage, and recollected the humane and benevolent purpose which had produced it, he felt it unnecessary to insist farther on this topic.

Mr. Elias B. Caldwell, of this District, then rose. He said, he felt peculiar embarrassment in obtruding himself upon the notice of so large and respectable a meeting, in which he found some of the most distinguished characters in our country. I ask, said he, your indulgence in offering to the consideration of the meeting the resolutions which I hold in my hand, and to a few explanatory observations. The objects of the meeting had been feelingly and correctly stated by the honorable chairman. The subject seems to be divided into

1st, The expediency; and, 2dly, the practicability of the proposed plan. The expediency of colonizing the free people of color in the United States may be considered in reference to its influence on our civil institutions, on the morals and habits of the people, and on the future happiness of the free people of color. It has been a subject of unceasing regret, and anxious solicitude, among many of our best patriots and wisest statesmen, from the first establishment of our independence, that this class of people should remain a monument of reproach to those sacred principles of civil liberty, which constitute the foundation of all our constitutions. We say, in the Declaration of Independence, "that all men are created equal," and have certain "inalienable rights." Yet it is considered impossible, consistently with the safety of the State, and it certainly is impossible, with the present feelings towards these people, that they can ever be placed upon this equality, or admitted to the enjoyment of these "inalienable rights," whilst they remain mixed with us. Some persons may declaim, and call it prejudice. No matter—prejudice is as powerful a motive, and will as certainly exclude them, as the soundest reason. Others may say they are free enough. If this is a matter of opinion, let them judge—if of reason, let it be decided by our repeated and solemn declarations, in all our public acts. This state of society unquestionably tends, in various ways, to injure the morals and destroy the habits of industry among our people. This will be acknowledged by every person who has paid any attention to the subject; and it seems to be so generally admitted that it would promote the happiness of the people, and the interest of the country, to provide a place where these people might be settled by themselves, that it is unnecessary to dwell on this branch of the subject.

As to the blacks, it is manifest that their interest and happiness would be promoted by collecting them together where they would enjoy equal rights and privileges with those around them. A state of degradation is necessarily a state of unhappiness: it debases the mind; it cramps the energies of the soul, and represses every vigorous effort towards moral or intellectual greatness. How can you expect from them any thing great or noble, without the motives to stimulate, or the rewards to crown great and noble achievements? It not only prevents their climbing the steep and rugged paths of fame, but it prevents the enjoyment of the true happiness of calm contentment, satisfied with enjoying but a part of what we possess—of using only a portion of what is in our power. Take away, however, the portion that is not used, and it immediately becomes the object of our fondest desires.

The more you endeavor to improve the condition of these people—the more you cultivate their minds, (unless by religious instruction) the more miserable you make them in their present state. You give them a higher relish for those privileges which they can never attain, and turn what we intend for a blessing into a curse. No; if they must remain in their present situation, keep them in the lowest state of degradation and ignorance. The nearer you bring them to the condition of brutes, the better chance do you give them of possessing their apathy. Surely, Americans ought to be the last people on earth to advocate such slavish doctrines, to cry peace and contentment to those who are deprived of the privileges of civil liberty. They who have so largely partaken of its blessings, who know so well how to estimate its value, ought to be among the foremost to extend it to others.

I will consider the practicability of colonization under three heads: The territory, the expense, and the probability of obtaining their consent.

1. The Territory. Various places have been mentioned by different persons: a situation within our own territory would certainly possess some considerable advantages. It would be more immediately under the eye and control of our Government. But there are some real and some apprehended evils to encounter. Many apprehend that they might hereafter join the Indians, or the nations bordering on our frontier, in case of war, if they were placed so near us—that the colony would become the asylum of fugitives and runaway slaves—added to these difficulties, there are inveterate prejudices against such a plan, in so large a portion of the country, which it would be impossible to overcome or remove. Upon mature reflection, with all the light that has yet been shed upon the subject, I believe it will be found, that Africa will be liable to the fewest objections. A territory might, no doubt, be procured there; the climate is best adapted to their constitutions, and they could live cheaper. But, Mr. Chairman, I have a greater and nobler object in view, in desiring them to be placed in Africa. It is the belief that, through them, civilization and the Christian religion would be introduced into that benighted quarter of the world. It is the hope of redeeming many millions of people from the lowest state of ignorance and superstition, and restoring them to the knowledge and worship of the true God. Great and powerful as are the other motives to this measure; (and I acknowledge them to be of sufficient magnitude to attract the attention and to call forth the united efforts of this nation) in my opinion, and you will find it the opinion of a large class of the community, all other motives are small and trifling compared with the hope of spreading among them the knowledge of the gospel. From the importance of this view of the subject, permit me to enlarge a little upon it. Whatever may be the difference of opinion among the different denominations of Christians, I believe they will all be found to unite in the belief that the scriptures predict a time, when the gospel of Jesus Christ shall be spread over every part of the world, shall be acknowledged by every nation, and perhaps shall influence every heart. The opinion is, perhaps, as general, that this glorious and happy day is near at hand. The great movements and mighty efforts in the moral and religious world, seem to indicate some great design of Providence on the eve of accomplishment. The unexampled and astonishing success attending the various and numerous plans which have been devised, and which are now in operation in different parts of the world, and the union and harmony with which Christians of different denominations unite in promoting these plans, clearly indicate a divine hand in their direction. Nay, sir, the

subject on which we are now deliberating, has been brought to public view nearly at the same time in different parts of our country. In New Jersey, New York, Indiana, Tennessee, Virginia, and perhaps other places, not known to me, the public attention seems to have been awakened, as from a slumber, to this subject. The belief that I have mentioned leads Christians to look with anxious solicitude and joyful hope to every movement which they believe to be instrumental in accomplishing the great designs of Providence. They will receive your proposal with joy, and support it with zeal; and permit me to say, that it will be of no small consequence to gain the zealous support and co-operation of this portion of the community.

On the subject of expense, I should hope there would not be much difference of opinion. All are interested, though some portions of the community are more immediately so than others. We should consider that what affects a part of our country, is interesting to the whole. Besides, it is a great national object, and ought to be supported by a national purse. And, as has been justly observed by the honorable gentleman in the chair, there ought to be national atonement for the wrongs and injuries which Africa has suffered. For, although the State Legislatures commenced early after our independence to put a stop to the slave trade, and the National Government interfered as soon as the Constitution would permit; yet, as a nation, we cannot rid ourselves entirely from the guilt and disgrace attending that iniquitous traffic, until we, as a nation, have made every reparation in our power. If, however, more funds are wanting than it is thought expedient to appropriate out of the public treasury, the liberality and the humanity of our citizens will not suffer it to fail for want of pecuniary aid. I should be sorry, however, to see our Government dividing any part of the honor and glory which cannot fail of attending the accomplishment of a work so great, so interesting, and which will tend so much to diffuse the blessings of civil liberty and promote the happiness of man.

Among the objections which have been made, I must confess that I am most surprised at one which seems to be prevalent, to wit: that these people will be unwilling to be colonized. What, sir! are they not men? Will they not be actuated by the same motives of interest and ambition, which influence other men? Or will they prefer remaining in a hopeless state of degradation for themselves and their children, to the prospect of the full enjoyment of the civil rights and a state of equality? What brought our ancestors to these shores? They had no friendly hand to lead them; no powerful human arm to protect them. They left the land of their nativity, the sepulchres of their fathers, the comforts of civilized society, and all the endearments of friends and relatives, and early associations, to traverse the ocean; to clear the forests; to encounter all the hardships of a new settlement, and to brave the dangers of the tomahawk and scalping knife. How many were destroyed! Sometimes whole settlements cut off by disease and hunger; by the treachery and cruelty of the savages; yet were they not discouraged. What is it impels many Europeans daily to seek our shores, and to sell themselves for the prime of their life, to defray the expense of their passages? It is that ruling, imperious desire, planted in the breast of every man—the desire of liberty, of standing upon an equality with his fellow men. If we were to add to these motives, the offer of land, and to aid in the expense of emigration, and of first settling, they cannot be so blind to their own interest, so devoid of every noble and generous feeling, as to hesitate about accepting of the offer. It is not a matter of speculation and opinion only.

It has been satisfactorily ascertained that numbers will gladly accept of the invitation. And when once the colony is formed, and flourishing, all other obstacles will be easily removed. It is for us to make the experiment and the offer: we shall then, and not till then, have discharged our duty. It is a plan in which all interests, all classes and descriptions of people may unite—in which all discordant feelings may be lost in those of humanity, in promoting “peace on earth, and good will to men.”

Mr. John Randolph, of Roanoke, rose and said, that it had been properly observed by the chairman, that there was nothing in the proposition [referring to the resolutions which follow] submitted to consideration, which, in the smallest degree, touches another very important and delicate question, which ought to be left as much out of view as possible. But, Mr. R. said, it appeared to him that it had not been sufficiently insisted on, with a view to obtain the co-operation of all the citizens of the United States, not only that this meeting does not, in any wise, affect the question of negro slavery, but, as far as it goes, must materially tend to secure the property of every master in the United States over his slaves. It appeared to him that this aspect of the question had not been sufficiently presented to the public view. It was a notorious fact, he said, that the existence of this mixed and intermediate population of free negroes was viewed by every slave holder as one of the greatest sources of the insecurity, and also unprofitableness of slave property; that they serve to excite in their fellow beings a feeling of discontent, of repining at their situation, and that they act as channels of communication not only between different slaves, but between the slaves of different districts; that they are the depositaries of stolen goods, and the promoters of mischief. In a worldly point of view, then, without entering into the general question, and apart from those higher and nobler motives which had been presented to the meeting, the owners of slaves were interested in providing a retreat for this part of our population. There was no fear that this proposition would alarm them: they had been accustomed to think seriously of the subject. There was a popular work on agriculture, by John Taylor, of Carline, which was widely circulated and much confided in, in Virginia. In that book, much read because coming from a practical man, this description of people were pointed out as a great evil. If a place could be provided for their reception, and a mode of sending them hence, there were hundreds, nay, thousands of citizens, who would, by manumitting their slaves, relieve themselves from the cares attendant on their possession.

Mr. Robert Wright, of Md. said he could not withhold his approbation of a measure, that had for its object the melioration of the lot of any portion of the human race, particularly of the free people of color, whose degraded state robs them of the happiness of self government, so dear to the American people. And, said he, as I discover the most delicate regard to the rights of property, I shall, with great pleasure, lend my aid to restore this unfortunate people to the enjoyment of their liberty; but I fear gentlemen are too sanguine in their expectations, that they would be willing to abandon the land of their nativity, so dear to man. However, I have no indisposition to give them that election by furnishing all the means contemplated. But, while we wish to promote the happiness of these *free* people of color, we ought to take care not to furnish the means of transporting out of the reach of the master his property.

Mr. Caldwell offered the following preamble and resolutions; which were unanimously adopted.

The situation of the free people of color in the United States has been the subject of anxious solicitude, with many of our most distinguished citizens, from the first existence of our country as an independent nation; but the great difficulty and embarrassment attending the establishment of an infant nation, when first struggling into existence, and the subsequent convulsions of Europe, have hitherto prevented any great national effort to provide a remedy for the evils existing or apprehended. The present period seems peculiarly auspicious to invite attention to this important subject, and gives a well grounded hope of success. The nations of Europe are hushed into peace; unexampled efforts are making, in various parts of the world, to diffuse knowledge, civilization, and the benign influence of the Christian religion. The rights of man are becoming daily better understood; the legitimate objects of Government, as founded for the benefit and intended for the happiness of men, are more generally acknowledged, and an ardent zeal for the happiness of the human race is kindled in almost every heart. Desirous of aiding in the great cause of philanthropy, and of promoting the prosperity and happiness of our country, it is recommended by this meeting to form an association or society for the purpose of giving aid and assisting in the colonization of the free people of color in the United States. Therefore,

Resolved, That an association or society be formed for the purpose of collecting information and to assist in the formation and execution of a plan for the colonization of the free people of color, with their consent, in Africa, or elsewhere, as may be thought most advisable by the constituted authorities of the country.

Resolved, That Elias B. Caldwell, John Randolph, Richard Rush, Walter Jones, Francis S. Key, Robert Wright, James H. Blake, and John Peter, be a committee to present a respectful memorial to Congress, requesting them to adopt such measures as may be thought most advisable for procuring a territory in Africa, or elsewhere, suitable for the colonization of the free people of color.

Resolved, That Francis S. Key, Bushrod Washington, Elias B. Caldwell, James Breckenridge, Walter Jones, Richard Rush, and William G. D. Worthington, be a committee to prepare a constitution and rules for the government of the Association or Society, above mentioned, and report the same to the next meeting for consideration.

And the meeting adjourned until next Saturday evening, at six o'clock.

HENRY CLAY, *Chairman*.

THOMAS DOUGHERTY, *Secretary*.

At an adjourned meeting of the citizens of Washington, Georgetown, and Alexandria, and many others, held in the Hall of the House of Representatives of the United States, on Saturday, the 28th day of December, 1816, for the purpose of receiving and considering, from the committees appointed to that duty at a previous meeting, a constitution of the Society, for meliorating the condition of the free people of color in the United States, by providing a colonial retreat on this or the continent of Africa; and a memorial to Congress requesting the sanction and co-operation of the General Government in the object of the Institution aforesaid; a constitution was reported by the committee appointed for that purpose: and having been discussed and amended, was then unanimously accepted by the meeting, in the following words:

ART. 1. This society shall be called "The American Society for Colonizing the Free People of Color of the United States."

ART. 2. The object to which its attention is to be exclusively directed, is to promote and execute a plan for colonizing (with their consent) the free people of color, residing in our country, in Africa, or such other place as Congress shall deem most expedient. And the Society shall act, to effect this object, in co-operation with the General Government, and such of the States as may adopt regulations upon the subject.

ART. 3. Every citizen of the United States, who shall subscribe these articles, and be an annual contributor of one dollar to the funds of the Society, shall be a member. On paying a sum not less than 30 dollars, at one subscription, shall be a member for life.

ART. 4. The officers of this Society shall be, a President, thirteen Vice Presidents, a Secretary, a Treasurer, a Recorder, and a Board of Managers, composed of the above named officers, and twelve other members of the Society. They shall be annually elected by the members of the Society, at their annual meeting on new year's day, (except when that happens to be the Sabbath, and then the next day,) and continue to discharge their respective duties till others are appointed.

ART. 5. It shall be the duty of the President to preside at all meetings of the Society, and of the Board of Managers, and to call meetings of the Society, and of the Board, when he thinks necessary, or when required by any three members of the Board.

ART. 6. The Vice Presidents, according to seniority, shall discharge these duties in the absence of the President.

ART. 7. The Secretary shall take minutes of the proceedings, prepare and publish notices, and discharge such other duties as the Board or the President, or in his absence the Vice President, according to seniority, (when the Board is not sitting) shall direct. And the Recorder shall record the proceedings and the names of the members, and discharge such other duties as may be required of him.

ART. 8. The Treasurer shall receive and take charge of the funds of the Society, under such security as may be prescribed by the Board of Managers: keep the accounts, and exhibit a statement of receipts and expenditures at every annual meeting, and discharge such other duties as may be required of him.

ART. 9. The Board of Managers shall meet on the first Monday in January, the first Monday in April, the first Monday in July, and the first Monday in October, every year, and at such other time as the President may direct. They shall conduct the business of the Society, and take such measures for effecting its object as they shall think proper, or shall be directed at the meetings of the Society, and make an annual report of their proceedings. They shall also fill up all vacancies occurring during the year, and make such by-laws for their government as they may deem necessary: *Provided*, the same are not repugnant to this constitution.

ART. 10. Every Society which shall be formed in the United States to aid in the object of this Association, and which shall co-operate with its funds for the purposes thereof, agreeably to the rules and regulations of this Society, shall be considered auxiliary thereto, and its officers shall be entitled to attend and vote at all meetings of the Society, and of the Board of Managers.

The committee appointed for the purpose, having reported a draft of a memorial to Congress, discussion arose respecting the same. Whereupon, it was, on motion,

Resolved, That the committee appointed to prepare and present to Congress a memorial on the subject of this Association, be instructed to report the same to the annual meeting of the Society for its consideration.

On motion, it was also

Resolved, That the first election of officers of the Society shall be held on the first Wednesday in January ensuing; of which due notice shall be given by the Secretary in the public prints in the District of Columbia; and that, meanwhile, a book shall be opened for receiving subscriptions to the constitution, at the Reading Rooms in Washington, Georgetown, and Alexandria, at the office of the National Intelligencer, and with the Secretary of this meeting.

And then the meeting adjourned.

H. CLAY, *Chairman*.

THOMAS DOUGHERTY, *Secretary*.

Wednesday, January 1, 1817. The American Society for Colonizing the Free People of Color of the United States met this day, agreeably to the directions of the constitution. The Hon. Henry Clay, Chairman, Thomas Dougherty, Secretary. The Society proceeded to the election of its officers.

The Honorable BUSHROD WASHINGTON was unanimously elected President.

VICE PRESIDENTS.

Hon. William H. Crawford, *of Georgia*.
 Hon. Henry Clay, *of Kentucky*.
 Hon. William Phillips, *of Massachusetts*.
 Col. Henry Rutgers, *of New York*.
 Hon. John E. Heward, }
 Hon. Samuel Smith, } *of Maryland*.
 Hon. John C. Herbert, }
 John Taylor of Caroline, Esq. *of Virginia*.
 Gen. Andrew Jackson, *of Tennessee*.
 Robert Ralston, Esq. }
 Richard Rush, Esq. } *of Pennsylvania*.
 Gen. John Mason, *of the District of Columbia*.
 Rev. Robert Findley, *of New Jersey*.

MANAGERS.

Francis S. Key,	James H. Blake.
Walter Jones,	John Peter,
John Laird,	Edmund I. Lee,
Rev. Dr. James Laurie,	William Thornton,
Rev. Stephen B. Balch,	Jacob Hoffman,
Rev. Obadiah B. Brown,	Henry Carroll.

Elias B. Caldwell, *Secretary*.

W. G. D. Worthington, *Recording Secretary*.

David English, *Treasurer*.

Resolved, That the President and Board of Managers be, and they are hereby, instructed and required to present a memorial to Congress on the subject of colonizing, with their consent, the free people of color of the United States, in Africa, or elsewhere.

Mr. Clay having left the chair, Gen. Mason, one of the Vice Presidents, presided as President.

Resolved, unanimously, That the thanks of this meeting be presented to Mr. Clay, for the ability and attention with which he has presided as Chairman of the meetings in organizing the society.

On motion of Mr. Herbert,

Resolved, unanimously, That the Rev. Robert Findley be requested to close the meeting with an address to the Throne of Grace.

IN THE HOUSE OF REPRESENTATIVES, JANUARY 14, 1817.

Memorial of the President and Board of Managers of the American Society for Colonizing the Free People of Color of the United States.

To the Senate and House of Representatives of the United States of America in Congress assembled:

The memorial of the President and Board of Managers of the "American Society for colonizing the Free People of Color of the United States,"

RESPECTFULLY SHOWS:

That your memorialists are delegated by a numerous and highly respectable association of their fellow citizens, recently organized at the Seat of Government, to solicit Congress to aid with the power, the patronage, and the resources of the country, the great and beneficial object of their institution—an object deemed worthy of the earnest attention, and of the strenuous and persevering exertions, as well of every patriot, in whatever condition of life, as of every enlightened, philanthropic, and practical statesman.

It is now reduced to be a maxim, equally approved in philosophy and practice, that the existence of distinct and separate castes, or classes, forming exceptions to the general system of policy adapted to the community, is an inherent vice in the composition of society: pregnant with baneful consequences, both moral and political, and demanding the utmost exertion of human energy and foresight to remedy or remove it. If this maxim be true in the general, it applies with peculiar force to the relative condition of the free people of color in the United States; between whom and the rest of the community, a combination of causes, political, physical, and moral, has created distinctions, unavoidable in their origin, and most unfortunate in their consequences. The actual and prospective condition of that class of people; their anomalous and indefinite relations to the political institutions and social ties of the community; their deprivation of most of those independent, political, and social rights, so indispensable to the progressive melioration of our nature; rendered, by systematic exclusion from all the higher rewards of excellence, dead to all the elevating hopes that might prompt a generous ambition to excel—all these considerations demonstrate that it equally imports the public good, as the individual and social happiness of the persons more immediately concerned; that it is equally a debt of patriotism and of humanity, to provide some adequate and effectual remedy. The evil has become so apparent, and the necessity for a remedy so palpable, that some of the most considerable of the slave-holding States have been induced to impose restraints upon the practice of emancipation, by annexing conditions, which have no effect but to transfer the evil from one State to another; or, by inducing other States to adopt countervailing regulations, end in the total abrogation of a right, which benevolent or conscientious pro-

prietors had long enjoyed under all the sanctions of positive law and of ancient usage. Your memorialists beg leave, with all deference, to suggest that the fairest and most inviting opportunities are now presented to the General Government for repairing a great evil in our social and political institutions, and at the same time for elevating, from a low and hopeless condition, a numerous and rapidly increasing race of men, who want nothing but a proper theatre to enter upon the pursuit of happiness and independence, in the ordinary paths which a benign Providence has left open to the human race. Those great ends, it is conceived, may be accomplished by making adequate provision for planting, in some salubrious and fertile region, a colony, to be composed of such of the above description of persons as may choose to emigrate; and for extending to it the authority and protection of the United States, until it shall have attained sufficient strength and consistency to be left in a state of independence.

Independently of the motives derived from political foresight and civil prudence on the one hand, and from moral justice and philanthropy on the other, there are additional considerations and more expanded views to engage the sympathies and excite the ardor of a liberal and enlightened people. It may be reserved for our Government, (the first to denounce an inhuman and abominable traffic, in the guilt and disgrace of which most of the civilized nations of the world were partakers) to become the honorable instrument, under Divine Providence, of conferring a still higher blessing upon the large and interesting portion of mankind benefitted by that deed of justice, by demonstrating that a race of men, composing numerous tribes, spread over a continent of vast and unexplored extent, fertility, and riches, unknown to the enlightened nations of antiquity, and who had yet made no progress in the refinements of civilization; for whom history has preserved no monuments of arts or arms; that even this hitherto ill-fated race may cherish the hope of beholding at last the orient star revealing the best and highest aims and attributes of man. Out of such materials, to rear the glorious edifice of well-ordered and polished society, upon the deep and sure foundations of equal laws and diffusive education, would give a sufficient title to be enrolled among the illustrious benefactors of mankind; whilst it afforded a precious and consolatory evidence of the all-prevailing power of liberty, enlightened by knowledge and corrected by religion. If the experiment, in its more remote consequences, should ultimately tend to the diffusion of similar blessings through those vast regions and unnumbered tribes, yet obscured in primeval darkness; reclaim the rude wanderer from a life of wretchedness to civilization and humanity; and convert the blind idolater, from gross and abject superstitions, to the holy charities, the sublime morality, and humanizing discipline of the Gospel, the nation or the individual that shall have taken the most conspicuous lead in achieving the benignant enterprise, will have raised a monument of that true and imperishable glory, founded in the moral approbation and gratitude of the human race; unapproachable to all but the elected instruments of divine beneficence—a glory, with which the most splendid achievements of human force or power must sink in the competition, and appear insignificant and vulgar in the comparison. And above all should it be considered, that the nation or the individual, whose energies have been faithfully given to this august work, will have secured, by this exalted beneficence, the favor of that Being, “whose compassion is over all his works,” and whose unspeakable rewards will never fail to bless the humblest effort to do good to his creatures.

Your memorialists do not presume to determine, that the views of Congress will be necessarily directed to the country to which they have just alluded. They hope to be excused for intimating some of the reasons which would bring that portion of the world before us, when engaged in discovering a place the most proper to be selected: leaving it, with perfect confidence, to the better information and better judgment of your honorable body to make the choice.

Your memorialists, without presuming to mark out, in detail, the measures which it may be proper to adopt in furtherance of the object in view; but implicitly relying upon the wisdom of Congress to devise the most effectual measures, will only pray, that the subject may be recommended to their serious consideration, and that, as an humble auxiliary in this great work, the association represented by your memorialists may be permitted to aspire to the hope of contributing its labors and resources.

BUSH. WASHINGTON, *President.*

The memorial, after being read in the House of Representatives, and ordered to be printed, was referred to the Committee on the Slave Trade, Messrs. Pickering, Comstock, Condict, Tucker, Taggart, Cilly, and Hooker: their report and resolutions follow:

NOTE.—The report and resolutions here referred to, are those presented by Mr. Pickering, February 11th, 1817, and will be found in the preceding part of this appendix.

Letter from the Committee of the Colonization Society to the House of Representatives.

To the Hon. HENRY CLAY,
Speaker of the House of Representatives:

SIR: In obedience to instructions from the American Society for Colonizing the Free People of Color of the United States, we beg leave to lay before Congress some account of the measures pursued by the Society for accomplishing the great objects of its institution; and the result of their inquiries and researches after such facts and information as might most clearly demonstrate how far any scheme of colonization, dependent for its success upon the interior state of Africa, and upon the actual condition and disposition of her native tribes, might be practicable, and also enable the founders of the intended colony to make the most prudent and judicious selection of a situation for it. In order to obtain the most recent and accurate information, from sources of the most unquestionable authority, the Society sent out, at great expense, two agents, Mr. Mills and Mr. Burgess; who have proved themselves eminently qualified for the undertaking. The agents first visited England, with a view to acquire such preparatory instruction in the most efficacious mode of pursuing the objects of their mission, as the great mass of rare, valuable, and authentic information, collected in that country, from various sources, might afford them. They proceeded from England to the West coast of Africa, where they prosecuted their researches with such zeal, industry, and intelligence, as to have contributed essentially to the illustration of many important and interesting facts, connected with the geography, climate, soil, and products, of that part of the continent; and with the habits, manners, social institutions, and domestic economy, of its inhabitants. From the information thus obtained, the present period would

seem to be designated by a combination of favorable circumstances, as the fortunate crisis for reducing to the test of practical experiment these views and objects of the Society, which have already met so encouraging a notice from Congress; and upon the comprehensive utility and beneficence of which (abstracted from any doubts of their being susceptible of practical execution) no question seems to be entertained in any quarter.

The present facilities for acquiring the requisite territory from the native tribes, in situations combining every advantage of salubrious and temperate climate, with fertile soil; the pacific and humanized temper of mind prevailing among these tribes; their existing prepossessions in favor of the expected colonists from America; the actual settlement, in that part of Africa, of some prosperous, intelligent, and well disposed emigrants from among the free people of color in this country; and the state of general peace, so favorable to enterprises of benevolence and utility, wholly unconnected with any political schemes of territorial or commercial aggrandizement; altogether form a conjuncture, which must prove decisive of the success of an immediate experiment. But upon any permanent continuance of so favorable a state of things, no human wisdom or foresight can calculate with any reasonable certainty, if the present opportunity be not adequately improved.

It is now reduced to the single question, whether the undertaking shall be adopted and patronized by the Government, so as to become essentially national in its means and its objects; or whether its ultimate success is to depend upon the responsibility and exertions of individuals, whose zeal and perseverance, unsubdued and unabated by difficulty, by delay, or disappointment, may be surely counted on; but whose unprotected exertions and unaided resources, whether of power or of capital, must necessarily be contingent and precarious, if not in their ultimate effect, at least in the acceleration of the results.

It is now conceived to be apparent that, with the adequate aids and sanction from the Government, the present generation cannot pass away without permanent, practical, and important benefits from the experiment—benefits which will be felt equally in our social and domestic relations, as in the advancement of the great object of political and internal morality, connected with the suppression of the slave trade: and this nation has ever stood foremost in the most decided and vigorous efforts to abolish that opprobrious traffic.

From the journals kept by the agents, of their proceedings and personal observations, with an abstract of collateral information of unquestionable authenticity and great interest, collected by them from sources not frequently accessible to the general reader or inquirer, the Society has become possessed of many rare and valuable materials, not only for forming a more accurate judgment of the utility of the scheme of colonization, but also for demonstrating how flagrantly and notoriously, and with what impunity, the prohibitory laws of the United States, and of other nations, in regard to the slave trade, are violated by their respective citizens and subjects. Some important hints also may be derived from these documents, for making the penal sanctions of those laws more effectual; and there is good reason to conclude, that the establishment of such a colony as has been projected by our Society, may prove an important and efficient adjunct to the other preventive checks provided by law.

The body of accurate and valuable information thus collected, will be found among the documents, which we now beg, Sir, through your kind mediation, to present to Congress.

We have the honor to be,

With great respect,

Your obedient servants,

E. B. CALDWELL, }
WALTER JONES, } *Committee.*
F. S. KEY, }

WASHINGTON, *January 23d*, 1819.

In the House of Representatives of the United States,

January 23d, 1819.

The Speaker presented to the House a letter addressed to him, signed by Elias B. Caldwell, Walter Jones, and Francis S. Key, a Committee of the American Colonization Society, accompanied with an account of the measures pursued by the society for accomplishing the great object of its institution, and of the result of their inquiries and researches; as, also, of documents, showing the unlawful participation of the citizens of the United States in the African slave trade; which letter, and its accompanying documents, were referred to a select committee; and

Mr. Mercer, Mr. Mills, and Mr. Campbell, were appointed the said committee.

An extract, &c.

Attest:

THOS. DOUGHERTY, C. H. R.

In the House of Representatives of the United States,

March 3d, 1819.

Resolved, That the account of Messrs. Davis and Force, for printing the documents accompanying the letter from the Committee of the American Colonization Society to the Speaker of this House, amounting to two hundred and fifty-nine dollars, be paid out of the contingent fund of the House.

Attest:

THOS. DOUGHERTY, C. H. R.

Extract from the First Annual Report of the Board of Managers.

“The Managers have ascertained that there are numbers of the highest standing for intelligence and respectability among that class of people, who are warmly in favor of the plan, from a conviction that it will, if accomplished, powerfully co-operate in placing the situation of their brethren, here and in Africa, in that scale of happiness and respectability among the nations of the earth, from which they have long been degraded. Offers of service have been received from many worthy and influential individuals of

their own color, and from a number of families from different parts of the United States, to become the first settlers in the colony, whenever a suitable situation shall be procured. The Managers can with confidence state their belief, that they would have no difficulty in procuring individuals among them, worthy of trust and confidence, to explore the country, if necessary, and to plant a colony of sufficient strength to secure its safety and prosperity. This being accomplished, there can be no difficulty in presenting its importance to their brethren, in such a manner, and with such unquestionable testimony, as must command their fullest confidence."

Extract of a letter from a respectable gentleman in Vincennes, Indiana, to the President of the Society.

"I feel a deep interest in your society, and highly approve the patriotic and benevolent motives which have induced its formation, and with every American citizen feel a pride in seeing the name of *Washington* at its head.

"To aid its views, I am prompted to send you the following information. There are in this vicinity between fifty and a hundred free people of color, who have by my means heard of your society, and are desirous of going to Africa, to help in forming a settlement or colony, should one be attempted. They live on the *Wabash*, on both sides; some in the *Illinois Territory*, and some in *Indiana*. They are in general industrious and moral. Some of them have landed property, and are good farmers; and some can read and write. They are sensible of the existing degraded condition in which they are placed by our laws, respecting the right of suffrage, and other disabilities."

Extract of a letter written by Capt. Paul Cuffe to Mr. Mills, dated Westport, 1st mo. 6th, 1817.

"In 1815 I carried out to *Sierra Leone* nine families, 38 in number; and in 1816 I have had so many applications that I believe I might have had the greater part to have carried out of *Boston* and the vicinity."

Extract from the Second Annual Report of the Board of Managers.

"Continued assurances have been received by the Board of Managers, in the last year, of the readiness of the free people of color in the United States to avail themselves of their contemplated asylum, whenever a suitable territory for its erection shall have been procured. These have proceeded from the most enlightened of this class of persons, comprehending individuals engaged in all the occupations of civil life, dispersed throughout the United States, and in sufficient number to form the basis of a respectable colony. To these assurances have been added the repeated declarations of several proprietors of their readiness to emancipate the whole, or a part of their slaves, whenever a suitable abode in Africa shall have been provided for them, upon condition that they shall repair to it.

"When the Managers add, that they have purposely avoided all appeals to those motives which ought to, and doubtless will, hereafter induce the free

people of color to exchange political slavery and moral degradation for independence and honor, these assurances are calculated to remove all doubt of the facility with which they will make this exchange, when they can effect it, not only with the permission, but the assistance also of their former masters.

“The humane forbearance of the Managers and friends of the American Society to excite in the breast of the free people of color hopes which might hereafter be disappointed, has deprived them, in some instances, of the means of correcting misconceptions of the origin and views of the Society. It has been suggested to be an invention of the Southern proprietor to rivet the chains of servitude upon his slaves, as if the circumstances which accompanied the origin of the society, the character of its members, and their solemn and reiterated declarations, did not forbid so unfounded an imputation. It would not be more uncandid to ascribe to them a design to invade the rights of private property, secured by the Constitution and the laws of the several slave-holding States, and to proclaim universal emancipation!

“If, as is most confidently believed, the colonization of the free people of color will render the slave who remains in America more obedient, more faithful, more honest, and, consequently, more useful to his master, is it proper to regard this happy consequence to both as the sole object which the society hope to attain? Is it a substantial objection *to this* that, like every other effort to enlarge the stock of human happiness, it enlists in its favor the selfish as well as the disinterested affections of the heart? The inference deducible from all such suspicions serves only to demonstrate that the success of the wise and charitable purpose of the society is assured by the irresistible appeal which it makes to all the powerful sentiments of the heart, the most sordid and degrading, as well as the most benevolent and exalted.”

Letter from the Petersburg African Missionary Society.

PETERSBURGH, VA. *April 30th, 1819.*

DEAR SIR: Having been authorized by the Petersburg African Missionary Society of persons of color to address you in their behalf on the subject of the intended colony in Sherbro, permit me, honored Sir, to tell you, that this society has been in existence only seven months, and their object is to send forth missionaries to the benighted land of Africa; numbers would be willing to go if they could get correct information from you respecting the country, and the means of conveyance from this place. It is the general opinion among us, that, if we could only obtain information from the Board of your Society, that would give us proper ideas of the site and mode of government, and how we should be protected, that we would embrace the opportunity, and prepare to leave our adopted for our beloved asylum.

Please answer this as soon as you conveniently can, as the people are anxious to hear from you. With considerations of the highest esteem and respect,

I remain, dear Sir,

Your truly humble servant,

JOHN T. RAYMOND,

Corresponding Secretary African Missionary Society;

To ELIAS B. CALDWELL, Esq.

Washington City, D. C.

PHILADELPHIA, *June 3d*, 1819.

DEAR SIR: The enclosed has just been left with me to obtain information on the subject to which it refers. At your leisure a communication may be made, which I can hand to the parties.

Very sincerely, I am, dear Sir,

Your friend and obedient servant,

ROBERT RALSTON.

ELIAS B. CALDWELL, Esq.

PHILADELPHIA, *May 29*, 1819.

We, the undersigned, do hereby request the Colonization Society to give us an exact information of their progress in obtaining a ship and men to go on the coast of Africa, on wages for one year, and to return if they choose, and bring the report back to America.

Daniel George,	Ephraim Sanders,
Joseph Blake,	T. George Fortune,
Ashmit Hall,	John Grisen,
John Gun,	Henry B. Kean,
Francis Procter,	Peter Stevenson,
William Johnson,	Henry Whitshny,
James Brister,	Samuel Branham,
Moses Miller,	Caton Green,
John Walters,	Richard Parker.

The above persons are willing to offer their services, (most of them having families) if satisfactory information is given to the inquiries now made.

FIFTEENTH CONGRESS, FIRST SESSION.

TUESDAY, DECEMBER 30, 1817.

On motion of Mr. Mercer,

Resolved, That the committee to whom was referred the memorial of the American Colonization Society be instructed to inquire into the expediency of making such further alterations in the laws prohibiting the citizens of the United States from engaging in the African slave trade, as may more effectually cause [secure] their intended operation; and that the said committee have leave to report by bill or otherwise.

NOTE.—The subject of this resolution was not further acted on during this session.

Report of the Committee of the House of Representatives, consisting of Mr. Mercer, Mr. Comstock, Mr. Darlington, Mr. Terrell, Mr. Edwards—April 18, 1818.

The committee to whom was referred the memorial of the "President and Board of Managers of the American Society for Colonizing the Free People of Color of the United States" have, according to order, had the same under their attentive consideration.

Referring to the memorial itself, and to the report of the committee on the slave trade to the 14th Congress, your committee beg leave to add, that a new interest has been recently imparted to the benevolent enterprise of the memorialists, by the prospect of a speedy termination of that odious traffic, which has been so long the crime of Europe, the scourge of Africa, and the affliction and disgrace of America. Spain and Portugal have at length concurred in that just and humane policy of the United States, which Great Britain was the first to imitate, and which, by her liberal and unremitting zeal, she has successfully extended throughout the civilized world.

So far as the civilization of Africa, the victim of this inhuman traffic, is embraced among the views of the memorialists, the removal of this formidable impediment to their success is calculated to elevate the hopes of the philanthropist, and to secure to their enterprise a larger share of public confidence.

America cannot but sympathize in the wish to redeem from ignorance, barbarism, and superstition, a continent of vast extent, spread out beneath every climate, embracing every variety of soil, and inhabited by a much injured and degraded portion of the human race.

But your committee have no hesitation in acknowledging that they derive a yet stronger incentive to recommend this enterprise to the countenance and favor of the House, from considerations peculiar to the United States. These were presented to the last Congress by the report to which your committee have referred, and they deem it unnecessary, therefore, to press them upon the attention of the House. They cannot, however, forbear to remark, that time is unceasingly aggravating all those domestic evils, for which the memorialists propose the only competent remedy, and that the most auspicious circumstances conspire at present to promote its successful application.

Europe, after passing through a war of unprecedented extent and calamity, enjoys a repose which she has rarely known, and which, for the honor of humanity, it may be hoped she will be disposed to signalize by some act of distinguished generosity. She will not, surely, be content with a mere forbearance of further injustice, but seek to repair the wrongs which she has inflicted upon an unhappy race of men.

The people of the United States have retired from the same conflict, to enjoy a prosperity which has never been surpassed in the history of the world. Respected abroad, they possess abundance, tranquillity, and happiness, at home.

A survey of such blessings naturally inspires a sentiment, the existence of which is illustrated not only by the formation of the society from which this memorial proceeds—a society embracing individuals of every religious and political denomination, and inhabitants of every State in this widespread Union—but by the almost unanimous proceedings of the Legislatures of Virginia, Maryland, Tennessee, and Georgia, either recommending or countenancing the same benevolent object.

It cannot be supposed that the liberal and enlightened policy which dictated the resolutions and acts of those particular States, is confined to themselves alone. Their neighbors, alike circumstanced, actuated by the same interests and feelings, will be conducted to the same conclusion, in relation to questions not only of vital importance to them, but, in their remote bearing, of scarcely less moment to the stability and prosperity of the Union.

The Auxiliary Colonization Societies, which are daily springing up in other quarters of the United States, evince that, if the feelings which animate them were local in their origin, they required only to be manifested, in order to awaken the sympathy and to secure the co-operation of the rest of America in the attainment of their common object.

Your committee would not thus favorably regard the prayer of the memorialists, if it sought to impair, in the slightest degree, the rights of private property, or the yet more sacred rights of personal liberty, secured to every description of freemen in the United States.

The resolution of the Legislature of Virginia, the subsequent acts and declarations, as well as the high character of the memorialists themselves, added to the most obvious interest of the States who have recently sanctioned the purpose, or recognised the existence of the American Colonization Society, exclude the remotest apprehension of such injustice or inhumanity.

The memorialists propose to attain the noblest end which benevolence can conceive, by temperate and practicable means.

As preliminary to their success, and in anticipation of the acts of the Government, they have, at considerable expense, sent out agents to explore the coast of Africa, and to select a seat for their contemplated colony. Those agents were instructed first to visit Europe. Their reception in England, and the intelligence which had been received from them down to the period of their late embarkation for Africa, were as favorable as could have been anticipated to the success of their mission.

This success, however, cannot be complete, until the object of the memorialists shall have received the sanction, and their efforts the aid of the Federal Government.

If their memorial does not furnish sufficient ground for the interposition of the National Legislature in their behalf, it appears to your committee that the resolution of Virginia,* subsequently sustained by a similar resolution of Maryland and Tennessee, unquestionably does so.

Whether a treaty for the territory of the proposed colony is to be opened with the native tribes of Africa, or with the European Governments which claim certain portions of the shores of that continent, it is by the authority of the United States alone, that such negotiations can be effected.

The several States having, by their adoption of the Federal Constitution, surrendered the power of negotiation to the General Government, have an undoubted right to claim the exercise of that sovereign authority for their benefit, whenever it can be exerted consistently with the welfare of the United States.

Your committee cannot forbear to add another, to them a very solemn consideration, as an inducement for the exercise of this authority in the manner proposed by the General Assembly of Virginia. The act of Congress which interdicts the African slave trade, and subjects the citizens of the United States, who engage in its prosecution, to merited punishment, has left the unfortunate beings, whom the violations of this law are daily casting upon the American shore, to the separate provisions of the respective States within whose jurisdiction they may chance to be found.

To say nothing of the abstract propriety of transferring such an authority over the persons and liberty of these foreigners from the national to the

* See preceding part of this Appendix.

State Legislatures, entertaining no apprehension that Congress will be rendered thereby necessary to any act of cruelty or inhumanity; it must be yet apparent, that the individual States have a right to require the aid now sought to be obtained from the General Government, in order to enable themselves to discharge the trust reposed in them, without a violation of their local policy, or injustice to those unfortunate Africans placed at their disposal by the laws of the United States.

Your committee were instructed, by two other resolutions of the House, to inquire into the expediency of making more effectual provision by law for preventing the participation of the citizens of the United States in the African slave trade, and of correcting certain abuses which are practised in the internal commerce of the United States. Both these objects have been accomplished by bills which subsequently originated in the other branch of the National Legislature, and which came down to the House of Representatives under circumstances which ensured to them an earlier decision than would have followed a report from your committee. They beg leave, however, to remark, that the beneficial effect to be expected from any improvement of the pre-existing laws, in relation to the former species of traffic, which commences its enterprises against humanity upon a foreign and remote coast, and matures it upon that of America, in such a manner as to elude detection by ordinary vigilance, must depend on the efforts of another branch of the Government.

It does not become your committee to do more, in relation to this branch of the inquiry charged upon them, than to intimate their opinion that no act of legislation whatever would be so likely to put down this iniquitous traffic as the multiplication of the revenue cutters upon the American shores most frequented by the vessels engaged in it, and the employment of such part of the navy as would be best adapted to such service, in occasional visits to the African coast, at the season when it is frequented by the same description of vessels.

Your committee, therefore, ask to be discharged from the further consideration of the second and third resolutions, to which they have referred, and beg leave to recommend to the House, in relation to the first, the adoption of the following resolution:

Resolved, That the President of the United States be, and he is hereby, requested to take such measures as he may deem proper, to ascertain whether a suitable territory can be procured on the coast of Africa, for colonizing such of the free people of color of the United States as may be willing to avail themselves of such an asylum, and to enter into such negotiation with the native tribes of Africa, or with one or more of the Governments of Europe, as may be necessary to obtain such territory, and to secure to the contemplated colony every advantage which he may deem essential to its future independence and prosperity.

FIFTEENTH CONGRESS, SECOND SESSION.

JANUARY 4, 1819.

On motion of Mr. Mercer, it was

1st. *Resolved*, That the Secretary of the Navy be directed to report to this House a copy of such instructions, if any, as may have been issued by his Department, in pursuance of the act of Congress of 1809, prohibiting the importation of slaves, to the commanders of the several armed vessels of the United States, for the purpose of intercepting, on the coast of Africa, or elsewhere, such vessels of the United States as may be engaged in the slave trade.

2d. *Resolved*, That the Secretary of the Treasury be directed to report to this House the number and names of the slave ships, if any, the ports from which they sailed, and where and by whom owned, which have been seized and condemned within the United States, for violations of the laws thereof, against the importation of slaves; and if any negroes, mulattoes, or persons of color, have been found on board such vessels, their number, and the disposition which has been made of them, by the several State Governments under whose jurisdiction they have fallen.

In obedience to the calls in these resolutions, the following communications were made to the House of Representatives by the Secretaries of the Departments of the Navy and of the Treasury:

NAVY DEPARTMENT,

January 9, 1819.

Sir: In obedience to a resolution of the House of Representatives, passed on the 4th instant, in relation to the instructions issued by this Department to the Commanders of the several armed vessels of the United States, in pursuance of the act of Congress prohibiting the importation of slaves, passed on the 2d day of March, 1807, I have the honor to transmit to you, to be laid before the House, the accompanying papers, numbered *one to eight*, inclusively, being copies of letters, and extracts of letters, to 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.

NAVY DEPARTMENT,

January 22, 1811.

Sir: I hear, not without great concern, that the law prohibiting the importation of slaves has been violated in frequent instances, near St. Mary's, since the 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. Mary's, with orders to their commanders to use all practicable diligence in enforcing the law prohibiting the importation of slaves, passed March 2, 1807, entitled "An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the 1st day of January, 1808." The whole of this law, but especially the 7th section, requires your particular attention; that section declares, that *any* ship or vessel which shall be found in any river, port, bay, or harbor, or on the high seas, within the jurisdictional limits of the United States, or hovering on the coast thereof, having on board any negro, mulatto, or person of color, for the purpose of selling them as slaves, or with intent to land the same in any port or place, within the jurisdiction of the United States, contrary to the prohibition of the act, shall, together with her tackle, apparel, and furniture, and the goods and effects which shall be found on board the same, be forfeited, and may be seized, prosecuted, and condemned, in any Court of the United States having jurisdiction thereof.

It further authorizes the President of the United States to cause any of the armed vessels of the United States to be manned and employed to cruise on any part of the coast of the United States, or territories thereof, and to instruct and direct the commanders to seize, take, and bring into any port of the United States, all such ships or vessels; and moreover, to seize, take, and bring into any port of the United States, all ships or vessels of the *United States, wherever found on the high seas, contravening the provisions of the act, to be proceeded against according to law.*

You will therefore consider yourself hereby especially instructed and required, and you will instruct and require all officers placed under your command, to seize, take, and bring into port, *any vessel, of whatever nature, found in any river, port, bay, or harbor, or on the high seas, within the jurisdictional limits of the United States, or hovering on the coast thereof, having on board any negro, mulatto, or person of color, for the purpose of selling them as slaves, or with intent to land the same, contrary to law, and moreover to seize, take, and bring into port, all ships or vessels of the United States, wheresoever found, on the high seas or elsewhere, contravening the provisions of the law* Vessels thus to be seized, may be brought into *any* port of the United States; and when brought into port, must, without delay, be reported to the District Attorney of the United States, residing in the district in which such port may be, who will institute such further proceedings as law and justice require.

Every person found on board of such vessels must be taken especial care of. The negroes, mulattoes, or persons of color, are to be delivered to such persons as the respective States may appoint to receive the same. The commanders and crews of such vessels will be held under the prosecutions of the District Attorneys, to answer the pains and penalties prescribed by law for their respective offences. Whenever negroes, mulattoes, or persons of color, shall be delivered to the persons appointed to receive the same, duplicate receipts must be taken therefor, and if no person shall be appointed by the respective States to receive them, they must be delivered "to the over-

teers of the poor of the port or place where such ship or vessel may be brought or found," and account of your proceedings, together with the number and descriptive list of such negroes, mulattoes, or persons of color, must be immediately transmitted to the Governor or Chief Magistrate of the State. You will communicate to me minutely all your proceedings.

I am, Sir, respectfully, &c.

PAUL HAMILTON.

H. G. CAMPBELL,
Commanding Naval Officer, Charleston, S. C.

No. 2.

Extract of a letter from the Secretary of the Navy to Captain John H. Elton, commanding the United States' brig Saranac, New York, dated

NAVY DEPARTMENT, July 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 the intention of smuggling. In the execution of these orders, you will take special care not to interrupt or detain any vessels sailing with regular papers and a national character, upon lawful voyages to or from a port or ports of the United States. The traffic in slaves is intended to be restrained, and in the performance of this duty, you will exercise your sound judgment in regard to all vessels you may visit."

No. 3.

Extract of a letter from the Secretary of the Navy to Captain John H. Elton, commanding the United States' brig Saranac, St. Mary's, Georgia, dated

NAVY DEPARTMENT, 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 14, 1817.

“Should you fall in with, on your way to St. Mary’s, or find in Amelia, any vessels acting as privateers contrary to the laws of the United States, you will capture such, and send them to Savannah, Georgia, to be dealt with according to law. You will detain all prize or other vessels having slaves on board, as the presumption is strong that they are intended to be smuggled into the United States.”

No. 5.

Extract of a letter from the Secretary of the Navy to Captain Daniel T. Patterson, Commanding Naval Officer, New Orleans, dated

NAVY DEPARTMENT, *December 17, 1817.*

“Previously to the loss of the United States’ brig Boxer, it was determined to increase the naval force in the Gulf of Mexico, for the better protection of our commerce and the revenue, as well as to prevent the introduction of slaves into our territory.

“For this purpose the United States’ ship John Adams, under the command of Captain John D. Henley, has been ordered to the Gulf, with the brigs Prometheus and Enterprise, and schooner Lynx.”

No. 6.

Extract of a letter from the Secretary of the Navy to Commodore John D. Henley, commanding United States’ Naval Force off Amelia Island, dated

NAVY DEPARTMENT, *January 16, 1818.*

“Maintain a strict discipline among the officers and crews of the several vessels, especially as to their conduct when on shore at St. Mary’s or Amelia, and when circumstances shall permit, you will send the small vessels upon the neighboring coast, to watch the movement of privateers and vessels with slaves on board, all of which can have no other object than to introduce them into the United States, in violation of existing laws.”

No. 7.

NAVY DEPARTMENT, *May 30, 1818.*

Sir: I enclose to you herewith, for your information and government, four copies of an act of Congress, passed on the 20th day of April last, entitled “An act in addition to an act to prohibit the introduction of slaves

into any port or place within the jurisdiction of the United States, from and after the 1st day of January, 1808, and to repeal certain parts of the same."

I am, very respectfully, &c.

By order of the Secretary of the Navy,

BENJAMIN HOMANS.

Captain D. T. PATTERSON,

Commanding Naval Officer, New Orleans.

No. 8.

NAVY DEPARTMENT, *May 30, 1818.*

Sir: Agreeably to a request recently made by Commodore Henley, I transmit, herewith, for your information and government, four copies of the act of Congress, passed on the 20th day of April last, entitled "An act in addition to an act to prohibit the introduction of slaves into any port or place within the jurisdiction of the United States, from and after the 1st day of January, 1808, and to repeal certain parts of the same."

I am, very respectfully, &c.

By order of the Secretary of the Navy,

BENJAMIN HOMANS.

Captain A. J. DALLAS,

Commanding U. S. Naval Force, near St. Mary's, Ga.

JANUARY 21, 1819.

Letter from the Secretary of the Treasury, transmitting the information called for by the Resolution of the House of Representatives, of the 4th instant, in relation to ships engaged in the Slave Trade, which have been seized and condemned, and the disposition which has been made of the negroes, by the several State Governments under whose jurisdiction they have fallen.

TREASURY DEPARTMENT,

January 20th, 1819.

Sir: In obedience to a resolution of the House of Representatives, of the 4th instant, directing the Secretary of the Treasury "to report to this House the number and names of the slave ships, if any; the ports from which they sailed, and where, and by whom owned, which have been seized and condemned within the United States, for violations of the laws thereof, against the importation of slaves; and if any negroes, mulattoes, or persons of color, have been found on board such vessels, their number, and the disposition which has been made of them by the several State Governments under whose jurisdiction they have fallen," I have the honor to submit the enclosed communication from the Register of the Treasury, the Collector of Mobile, and the Marshal of the Alabama Territory.

From these documents, but little information is derived. Independent of the proceedings now pending in the Alabama Territory, it is understood

that proceedings have been instituted under the State authorities, which have terminated in the sale of persons of color illegally imported into the States of Georgia and Louisiana, during the years 1817 and 1818.

There is no authentic copy of the acts of the Legislatures of those States, upon this subject, in this Department; but, it is understood, that, in both States, Africans and other persons of color, illegally imported, are directed to be sold for the benefit of the State. In the former State, however, they are directed to be placed at the disposition of the society for colonizing the free blacks, upon condition of their transportation to some foreign State, and on payment of the expenses incurred by the State in relation to them.

I have the honor to be, very respectfully, Sir,

Your most obedient servant,

W. H. CRAWFORD.

The Hon. the SPEAKER

of the House of Representatives.

TREASURY DEPARTMENT,

REGISTER'S OFFICE, 7th Jan. 1819.

SIR: The resolution of the House of Representatives of the United States, which you did me the honor to refer, calling for information relative to the slave trade, and if any violations thereof had arisen, under the act of July, 1807, I beg leave to state, that it doth not appear, from an examination of the records of this office, and particularly of the accounts (to the date of their last settlement) of the Collectors of the Customs, and of the several Marshals of the United States, that any forfeitures had been incurred under the said act.

Although there are no records at the Treasury, of the facts, yet, from a memorial now before Congress, it appears there had been one ship condemned in the port of Charleston, South Carolina, for a violation of the act above mentioned, called the ————. Upon the sale of which, the sum of two thousand five hundred dollars, it is alleged, remains in the hands of the clerk of the court of that district.

Another, and the only additional case that can, at present, be brought into view, in relation to an infraction of the provisions of the aforementioned act, is explained in the certified copies herewith presented, marked A. of the proceedings of the court of Alabama Territory, the originals being filed in the office of the Comptroller of the Treasury.

I have the honor to be, Sir,

Your most obedient humble servant,

JOSEPH NOURSE.

Hon. W. H. CRAWFORD.

A.

ST. STEPHEN'S, ALABAMA TERRITORY,

July 22d, 1818.

SIR: Enclosed is a copy or transcript of the minutes of our last General Court. The proceeding in this case is perhaps unprecedented, but your bet-

ter judgment can more correctly determine. I believe the law recognises the Marshal only, as the proper person to have the charge of property seized for a violation of the laws of the United States: but that course would have deprived those particular friends of Judge Toulmin of a grand speculation, of which they boast very much. If it was proper that the court should let out the negroes, as a saving to the Government, or parties interested, they could have been hired out for a very considerable sum, clear of all expenses; but this course would have destroyed a grand individual speculation. And, on the contrary, had the negroes been left, as is usual, in the hands of the Marshal, he would have been entitled to a small pittance for keeping, to which the Judge could not reconcile his malice. You will also observe that this court has granted a commission to take depositions in the Havana, a foreign government, and in a government where there is no difficulty in procuring any testimony. There has been considerable expense, on the part of the Government, and I can hazard an opinion, that, if this course of proceeding is admitted, the property will not be condemned.

Your obedient humble servant,

JOUN HAYNES,

Marshal Alabama Territory.

Jos. ANDERSON, Esq. *Comptroller U. S.*

P. S. Should you think this proceeding unlawful, you will please to lay the papers before the proper authority, and indulge me with your opinion.

J. HAYNES.

JULY TERM, 1818.

United States,

vs.

Vessel Merino and cargo, the schooner Louisiana
and cargo, and the Constitution and cargo. }

Ordered, That commissions do issue to take depositions in the Havana to be directed to Messrs. Gray and John Murdock, in Pensacola, to be directed to Gen. Gaines, Colonel King, and Captain Call, or either of them, and that the said depositions be taken as evidence, as well in the case of the United States, against the said vessels and cargoes, as in the several libels for restitution for the negroes on board the said vessels. And that the vessels and cargoes, in these cases, be delivered to claimants on bond and security, to be approved by the court, being entered into in the appraised value thereof, conditioned to have the property forthcoming, to abide the judgment of the court.

Ordered, That Samuel H. Garron, Lewis Judson, David Files, John W. Simonton, John Whitehead, and Jotham S. Patton, or any four of them, David Files being one, be accepted as securities to be given under this order, and that Henry D. Merritt, Christopher Strong Stewart, and Daniel Duval, be appointed appraisers of the vessels and cargoes aforesaid.

Ordered, On the agreement of the parties, That the one hundred and seven negroes found on board the vessel Merino, the schooner Louisiana, and the Constitution, and libelled in this court, be placed in the possession of James Caller, Benjamin S. Smoot, and David Files, on their entering

into bond in such amount and with such security as may be approved and agreed upon by the parties; conditioned that they have the said negroes forthcoming to abide the order and decree of the court.

Whereas one hundred and seven African negroes have been brought within the jurisdiction, and have been placed in the custody of this court, as being liable to forfeiture under the laws of the United States: And whereas certain persons have claimed the said negroes, and deny their liability to forfeiture as aforesaid: And whereas the said causes, in reference to the liability of said negroes, could not be decided at July term, 1818, of the Alabama General Court, sitting in admiralty, it was agreed, by and with the advice and consent of the said court, and of all the persons interested, either in the seizure of said negroes aforesaid, or those claiming restitution of the same, that the said negroes be delivered to some responsible persons, to be admitted by the said court aforesaid, for safe keeping, until the court aforesaid, or their officers, shall demand the same; when the said negroes are to be returned into the custody of the court aforesaid, to abide their decision in the premises; all casualties in reference to the said negroes to be excepted from the liability of the said responsible persons.

Whereupon, James Callier, David Files, and Benjamin S. Smoot, came into court, being the persons agreed upon by the parties interested aforesaid, by consent of the court aforesaid, and stipulated, as well to all the parties interested, as to the court aforesaid, to keep them well, and return them unto this court, when demanded by the said court, free from all expense to any party concerned, under the penalty of one hundred thousand dollars, to be levied of their goods and chattels, lands and tenements, if they should make default in the stipulation herein mentioned.

I, Francis H. Gaines, Deputy Clerk of the General Court of the Alabama Territory, do certify that the foregoing pages, numbered 1, 2, 3, contain true extracts from the minutes of said court, at July term, 1818.

In witness whereof, I have hereunto set my hand, and affixed my private [SEAL.] seal, having no seal of office, the 23d day of July, A. D. 1818, and 43d year of American Independence.

F. H. GAINES, *D. C. General Court.*

TREASURY DEPARTMENT,

REGISTER'S OFFICE, *Jan. 8, 1819.*

I certify the foregoing to be true copies of the originals on file in this Department.

JOSEPH NOURSE.

COLLECTOR'S OFFICE, PORT OF MOBILE,

November 15th, 1818.

SIR: As Congress are now in session, I beg leave to suggest, for your consideration, the subject of a revenue cutter for the coast of this district. It is evident, from a view of our local situation, that no part of the American coast affords more inviting opportunities to violate the revenue laws, and those prohibiting the importation of slaves, than this. In other parts of the country, revenue cutters and boats have been provided; here, from the Chan-

delier Islands to the Perdido river, including the coast, and numerous other islands, we have only a small boat, with four men and an inspector, to oppose to the whole confederacy of smugglers and pirates. Add to this, a view of the situation of the whole coast of West Florida, from the Perdido to Florida Point, open to the secure landing of slaves, and the means of their introduction into the United States. Should West Florida be given up to the Spanish authorities, both American and Spanish vessels, it is to be apprehended, will be employed in the importation of slaves, with an ultimate destination to this country; and, even in its present situation, (the Seminole war having terminated) the greatest facilities are offered for obtaining slaves from Havana and elsewhere, through West Florida. Three vessels, it is true, were taken in the attempt last Summer, but this was owing rather to accident, than any well timed arrangement to prevent the trade. To prevent violations of the revenue laws, and the laws prohibiting the importation of slaves into the United States, and to defend our commerce from the depredations of pirates on our coast, a revenue cutter is necessary; and it appears to me evident that such a vessel on this coast would render more important services to the country than any cutter employed on the Atlantic coast.

The capture of Pensacola, and the consequent change of circumstances, prevented me from transmitting an estimate of the cost of a boat of the description mentioned in my letter of the 23d of February last, as I was requested to do: being fully satisfied that sound policy, both in regard to expense and utility, required a much larger vessel—one fitted to cruise on the coast from the Chandeliers, on the Mississippi, to the bay of Tampa. Such a vessel would be able to clear our coast of pirates, and put an end to the importation of slaves. If the revenue of the district is to be the criterion to decide the propriety of the measure, I know the Government will not make an appropriation for this object; but, if the measure be tested by its general utility in support of our laws, and protection of our commerce, I should suppose they would not withhold the necessary appropriation.

Seven persons are now in custody for piracy, who were taken in the mouth of the Perdido by the military; and repeated instances have occurred of vessels being plundered on the coast.

The revenue boat now in use has been repaired since my letter of the — February last, without much expense, and may perhaps be serviceable for six or eight months longer. But it appears to be necessary that I should be authorized to purchase another, when the present one should be found unfit for service, otherwise we might be two or three months without even a boat. The sails and rigging are stated to be now very good, and might be applied to another; and with those materials, I should estimate the cost of a boat of the like size at from two to three hundred dollars.

I have the honor to be, Sir, very respectfully,

Your most obedient servant,

ADDIN LEWIS, *Collector.*

Hon. W. H. CRAWFORD,
Secretary of the Treasury U. S.

FIFTEENTH CONGRESS—SECOND SESSION.

JANUARY 13, 1819.

Mr. Middleton, from the committee consisting of Mr. Middleton, Mr. Upham, Mr. Sawyer, Mr. Floyd, Mr. Mumford, Mr. Lincoln, and Mr. Lynn, reported the following bill, with the exception of the 5th section, which was inserted as an amendment by the House of Representatives.

A bill in addition to the acts prohibiting the slave trade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized, whenever he shall deem it expedient, to cause any of the armed vessels of the United States to be employed to cruise on any of the coasts of the United States or territories thereof, or of the coasts of Africa, or elsewhere, where he may judge attempts may be made to carry on the slave trade by citizens or residents of the United States, in contravention of the acts of Congress prohibiting the same, and to instruct and direct the commanders of all armed vessels of the United States to seize, take, and bring into any port of the United States, all ships or vessels of the United States, wheresoever found, which may have taken on board, or which may be intended for the purpose of taking on board, or of transporting, or may have transported, any negro, mulatto, or person of color, in violation of any of the provisions of the act, entitled "An act in addition to an act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, and to repeal certain parts of the same," or of any other act or acts prohibiting the traffic in slaves, to be proceeded against according to law. And the proceeds of all ships and vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which shall be so seized, prosecuted, and condemned, shall be divided equally between the United States and the officers and men who shall seize, take, or bring the same into port for condemnation, whether such seizure be made by an armed vessel of the United States or revenue cutter thereof; and the same shall be distributed in like manner as is provided by law for the distribution of prizes taken from an enemy: *Provided,* That the officers and men, to be entitled to one half of the proceeds aforesaid, shall safekeep every negro, mulatto, or person of color, found on board of any ship or vessel so seized, taken, or brought into port for condemnation, and shall deliver every such negro, mulatto, or person of color, to the marshal of the district into which they are brought, if into a port of the United States, or, if elsewhere, to such person or persons as shall be lawfully appointed by the President of the United States, in the manner hereinafter directed; transmitting to the President of the United States, as soon as may be after such delivery, a descriptive list of such negroes, mulattoes, or persons of color, that he may give directions for the disposal of them. *And provided, further,* That the commanders of such commissioned vessels do cause to be apprehended and taken into custody, every person found on board of such vessel so seized and taken, being of the officers or crew thereof, and him or them convey, as soon as conveniently may be, to the civil authority of the United States, to be proceeded against in due course of law in some of the districts thereof.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to make such regulations and arrangements as he may deem expedient for the safe-keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of color, as may be so delivered and brought within their jurisdiction; and to appoint a proper person or persons, residing upon the coast of Africa, as agent or agents for receiving the negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade by commanders of the United States' armed vessels.

SEC. 3. *And be it further enacted*, That a bounty of twenty-five dollars be paid to the officers and crews of the commissioned vessels of the United States or revenue cutters, for each and every negro, mulatto, or person of color, who shall have been, as hereinbefore provided, delivered to the marshal or agent duly appointed to receive them. And the Secretary of the Treasury is hereby authorized and required to pay or cause to be paid to such officers and crews or their agent, the aforesaid bounty for each person delivered as aforesaid.

SEC. 4. *And be it further enacted*, That, when any citizen or other person shall lodge information with the attorney for the district of any State or Territory, as the case may be, that any negro, mulatto, or person of color, has been imported therein, contrary to the provisions of the acts in such case made and provided, it shall be the duty of the said attorney, forthwith, to commence a prosecution by information; and process shall issue against the person charged with holding such negro, negroes, mulatto, mulattoes, person or persons of color, so alleged to be imported contrary to the provisions of the acts aforesaid; and if, upon the return of the process executed, it shall be ascertained by the verdict of a jury, that such negro, negroes, mulatto, mulattoes, person or persons of color, have been brought in contrary to the true intent and meaning of the acts in such cases made and provided, then the court shall direct the marshal of the said district to take the said negroes, mulattoes, or persons of color, into his custody for safe-keeping, subject to the orders of the President of the United States; and the informer or informers who shall have lodged the information shall be entitled to receive, over and above the portion of the penalties accruing to him or them by the provisions of the acts in such case made and provided, a bounty of fifty dollars for each and every negro, mulatto, or person of color, who shall have been delivered into the custody of the marshal; and the Secretary of the Treasury is hereby authorized and required to pay or cause to be paid the aforesaid bounty, upon the certificate of the clerk of the court for the district where the prosecution may have been had, with the seal of office thereto annexed, stating the number of negroes, mulattoes, or persons of color, so delivered.

SEC. 5. *And be it further enacted*, That it shall be the duty of the commander of any armed vessel of the United States, whenever he shall make any capture under the provisions of this act, to bring the vessel and her cargo, for adjudication, into some port of the State or Territory to which such vessel so captured shall belong, if he can ascertain the same; if not, then to be sent into any convenient port of the United States.

SEC. 6. *And be it further enacted*, That all such acts or parts of acts as may be repugnant to the provisions of this act, shall be, and the same are hereby, repealed.

SEC. 7. *And be it further enacted.* That a sum, not exceeding one hundred thousand dollars, be, and the same is hereby, appropriated, to carry this law into effect.

[This bill finally became a law on the 3d March, 1819.]

MARCH 1, 1819.

NOTE—In the course of the proceeding in the House of Representatives on the foregoing act, Mr. Strother, a member for the State of Virginia, moved to strike out the 3d and 4th sections; which motion was disagreed to by the House.

JANUARY 19, 1819.

Mr. Middleton, from the committee on the subject of the slave trade, laid before the House sundry documents transmitted to him as chairman of the said committee; which are as follows:

Extracts from documents in the Departments of State, of the Treasury, and of the Navy, in relation to the illicit introduction of slaves into the United States.

WASHINGTON, November 28th, 1818.

SIR: I am directed by a committee on so much of the President's Message as relates to the illicit introduction of slaves into the United States, to inquire whether you have in your possession any particular information which will enable you to state the extent to which that violation of our laws has been carried of late, or which may suggest any additional prohibitory enactments tending more effectually to repress it.

I have the honor to be,

Sir, very respectfully,

Your obedient servant,

HENRY MIDDLETON,

Chairman of a Committee of the H. of Representatives.

To the Hon. JOHN QUINCY ADAMS.

Secretary of State.

DEPARTMENT OF STATE,

14th January, 1819.

SIR: I have the honor of enclosing, herewith, copies of letters received at the several Departments of State, the Treasury, and the Navy, containing the information, possessed by the Executive, in relation to the subject of your letter of the 28th November last, and requested by the committee.

In answer to the inquiry, whether any additional prohibitory enactment might more effectually repress the illicit introduction of slaves into the United States it is to be observed, that, by the act of Congress, of the last session, the first six sections of the act of 2d March, 1807, "to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight," were repealed: and that the

authority given to the President of the United States, by the 7th section of the same act of 1807, "to instruct and direct the commanders of armed vessels of the United States to seize, take, and bring into any port of the United States, all ships or vessels of the United States, wheresoever found on the high seas, *contravening the provisions of this act*," was thereby also virtually repealed, so far as it could operate upon the offences described in the six repealed sections. And as the authority thus given to the President was expressly limited to the capture of ships or vessels of the United States contravening the provisions of that act, it is understood as not including the authority to give similar directions and instructions to capture and bring into port ships or vessels of the United States contravening the provisions of the act of 20th of April, 1818.

Treaties have been concluded by the Government of Great Britain with Spain, Portugal, and the Netherlands, by virtue of which the commanders of the armed vessels of Great Britain are authorized to capture the slave trading vessels under the flags of each of the others, and vice versa; and to carry them into certain ports, where they are to be tried by courts, consisting of judges from each of the two parties to the several treaties. Copies of these treaties have been communicated by the British Government to that of the United States, with suggestions, that it would be agreeable to Great Britain to enter into arrangements of a similar nature with the United States. The circumstances of the United States would render it impracticable to give to such arrangements the indispensable character of reciprocity; for which reason they have been declined. But, as a view of the treaties may, perhaps, suggest to the committee legislative measures in aid of the object which they are intended to accomplish, and as that object is the same to which the efforts of this nation are earnestly directed, they are herewith enclosed, with the request that, when the committee or the House shall have no further use for them, they may be returned.

I have the honor to be,

With great respect, Sir,

Your very humble and obd't serv.

JOHN QUINCY ADAMS.

HENRY MIDDLETON, Esq.

Chairman of a Committee of the House of Representatives.

Extract of a letter from Beverly Chew, Esq. Collector of New Orleans, to the Secretary of the Treasury, dated 17th April, 1818.

"In consequence of information given me some days ago, that some persons, already distinguished in that way, were preparing to make another piratical cruise, and that their boats were concealed in some of the canals from the plantations into the lakes, I despatched an active and enterprising inspector, who discovered and seized a remarkably fine boat, completely equipped, mounting a brass cannon, and every way fitted for a cruise; one man, named Hacket, being left in charge. The owner of the plantation delivered the sails, oars, powder, &c. belonging to the boat, together with a pocket book, containing a commission and roll d'equipage, (in blank) signed by Amable Humbert, styling himself as commander-in-chief of the province of Texas, in the republic of Mexico, and purporting to be dated at Galveston,

to cruise against and capture the property of vessels of Spain. By an account stated in the pocket book, it appears she was built in this city, by a Captain Chambers, who is believed to be a part *owner*, and a prosecution has been accordingly commenced. In proceeding to the city with the boat and prisoners, the officers met Mitchell and O'Neal, (two of the characters alluded to) with a party of men, going to take possession of the boat which had been seized; the latter having been sent in advance, was captured, and is lodged in jail, to await his trial: Mitchell, with the remainder of his party, pulled across the river, drew up his men behind some logs, and declared he would shoot the officer if he attempted to approach; from the weakness of the inspector's party, they effected their escape. The same party, some days afterwards, robbed a vessel, and sallied out of a small bayou, just above fort St. Philip, where there is a small settlement of fishermen, who, I have reason to believe, assume that character, the more easily to conceal their real one, of smugglers.

"It has been stated to me, on the authority of a letter to a respectable gentleman of this city, that there were three schooners lying in the river Mermentau belonging to Commodore Aury's squadron, smuggling their cargoes on shore. The audacity of the piratical set, since they find Galveston has not been, and, as they say, will not be, suppressed, knows no bounds. In order to keep them somewhat more in check, and to defeat their nefarious schemes, as far as in my power, until Government aid us with such force as it may deem best suited to the purpose, I have determined to station an additional revenue boat and crews, with an active, enterprising officer, at and near Fort St. Philip, and to increase the crews of the boats at the Balize and Fort St. John. It will, I think, render their operations a little more difficult, and I confidently rely on your approbation. The additional expense can be no consideration. But no efforts of the officers of the customs alone can be effectual in preventing the introduction of Africans from the Westward: to put a stop to that traffic, a naval force suitable to those waters is indispensable, and vessels captured with slaves ought not to be brought into this port, but sent to some other in the United States for adjudication. Enclosed you will also find an act passed by the Legislature of this State, respecting slaves imported in violation of the law of Congress of the 2d March, 1807. The object and policy of this law requires no comment from me. Vast numbers of slaves will be introduced, to an alarming extent, unless prompt and effectual measures are adopted by the General Government."

COLLECTOR'S OFFICE, NOVA IBERIA,

July 9, 1818.

SIR: Since Mr. James Miller, Collector of this district, left this place, agreeably to his request I have sent him abstracts of the accounts I have kept in this office, to the 1st of January last, which he said would enable him to make out his returns: he afterwards wrote me to make returns to him, and direct them to the care of the Secretary of State. I complied with his advice; but afterwards, concluding that he had made a mistake, directed the last package to the care of the Secretary of the Treasury. In a short time after, I received information that Mr. Miller was insane, which has kept me from making any further returns to him. Mr. Miller requested

me to make returns of receipts and expenditures quarterly. I have supposed they were yearly returns, and have not returned abstracts of them with the two last quarterly returns. I herewith enclose the boats that have entered and cleared at this office since I have transacted the business, were all boats running between this and the adjoining district, except a sloop from France, that had entered at New Orleans, and afterwards brought her cargo to this place. As to fines and forfeitures, no decision has taken place in the District Court relating to my reports to the District Attorney of seizures, and Mr. Dick wrote me, a short time past, that I might let one of the owners *bail* his boat, as great delay had taken place in bringing the cause to trial. By Mr. Dick's advice, last Summer, I got out State warrants, and had negroes seized to the number of eighteen, which were a part of them stolen out of the custody of the coroner; and the balance condemned by the District Judge of the State, and the informers received their part of the nett proceeds from the State Treasurer. Five negroes, that were seized about the same time, were tried at Opelousas in May last, by the same judge: he decided, that some Spaniards (that were supposed to have set up a sham claim, stating that the negroes had been stolen from them on the high seas) should have the negroes, and that the persons that seized them should pay one-half of the costs, and the State of Louisiana the other. This decision had such an effect as to render it almost impossible for me to obtain any assistance in that part of the country. There has been lately up the Bayou Mermentau two schooners from Galveston; they sold a part of their cargoes, and deposited the balance, and I could get no assistance to take them. I made two seizures of wine, a part of one of their cargoes in the neighborhood of the Vermillion Bridge, about twenty miles to the Westward of this place. I summoned assistance, a part of which refused to assist, a part deserted while guarding the property, and the balance not being sufficiently strong to protect it, it was taken from them the ensuing night; the smugglers had forcibly prevented our removing the property in the day time. A short time before this, I had authorized a man to seize some smuggled property on the Bayou Careuseare, about one hundred and thirty miles to the Westward of this place. He had taken about the amount of \$1,500, and said he could make seizure to a very large amount on that Bayou, and that he had force sufficient to do it. On his return home, a party from Galveston and others retook the property, threw his commission in the Bayou, and I am told the man will have to leave that part of the country to save his life. Mr. Chew lately informed me that he expected General Ripley would order some troops here. On the 2d instant, a part of a company arrived at this place from Baton Rouge, commanded by Captain Amelung. An express started from Plaquimine after these troops left that place; the express passed this place, and arrived at Bayou Careuseare, about the time the troops arrived here. In consequence, a large number of Africans, that had lately been brought from Galveston to that Bayou, were moved off to the Westward. I do not think the small force that arrived will be of much use, as the captain does not appear inclined to go to the Westward of this place. The Creoles here, having lived under the Spanish Government, are much afraid of regular troops; a few regular troops stationed in Opelousas, would have a great effect in breaking up the pirates and smugglers in the Western part of that country. During the last year, I spent, out of my own pocket, more than \$300, in trying to detect contraband negroes, &c. Mr. Miller promised to pay me the amount of his salary, and remit it

to me quarterly, (which he said Mr. Fromentin had informed would not be less than \$450 per annum,) since which, I have not received any thing from him. I drew on him, in favor of Joel K. Mead, for \$87, which, if paid, is all I have received for transacting the business of this office since the 1st May, 1817. If he has not received his pay, I should be glad if the business could be so adjusted that I could get mine.

I have the honor, Sir, of being

Your most obedient servant,

JOSEPH ABORN.

Hon. WILLIAM H. CRAWFORD,

Secretary of the Treasury of the United States.

COLLECTOR'S OFFICE, NOVA IBERIA,

September 27, 1818.

SIR: On the 8th day of July last, Captain Amelung, with eighteen of his company, agreed to go with me to the Bayou Nementou to suppress smuggling. On the day and succeeding night after our arrival there, we took thirteen prisoners that came armed to support smugglers, &c. The next day took one of their vessels, set some hands to work in repairing her, and Captain Amelung returned to Nova Iberia for the balance of his company; returned with them, and we proceeded on with twenty-five men to the Bayou Cureuseau. On our arrival there we made more prisoners, seized three African negroes, two vessels, and part of their cargoes. Runners had been sent ahead of us, and five or six vessels run out of the Bayou a few days prior to our arrival there. A large number of African negroes had been on that Bayou, eighty of which left there a short time before our arrival, and about twenty passed us the night before we arrived. We proceeded down the Cureuseau, and came round to the Bayou Nementou. Captain Amelung furnished me with a lieutenant and eighteen men, and returned by land to Nova Iberia with the balance of his company. We proceeded with the vessels down the Nementou; met a falouche, commanded by one of Lafitte's captains, off the mouth of the Bayou; the captain took us for smugglers; we got him on board one of our vessels; and, notwithstanding his directing his men, in French, when he left his own vessel, to cut their cable if he did not return with the boat, run down our boat, and kill every man on board, we boarded her after they cut their cable; and took her without the loss of one man. Her cargo consists of coffee, cocoa, refined wax for candles, oil, dry goods, and about 10,000 of quicksilver. I arrived here yesterday; have suffered very much; during the line storm we lost three anchors, sprung one mast, carried away our yards and sails. I left the vessels in the Vermillion bay; shall start immediately to bring them round to this place. If there was one small cutter on this coast she would be of great service.

My remaining absent so long, sir, must excuse me for not answering your letter relating to the resolution of the Senate of the United States. There are no persons employed in this office at present except myself, acting as deputy collector, though it is probable to me that, before long, from the emigration to, and increase of trade in this part of the country, that it will be

necessary that there should be appointed a permanent inspector, as well as a collector, in this office.

I am, Sir,
Your most obedient servant,
JOSEPH ABORN,
Deputy Collector.

P. S. If Mr. Miller is living, he has in his possession such returns as he requested me to make to him of receipts and expenditures, &c. from 1st of May, to the 31st December, 1817.

J. A.

Hon. WM. H. CRAWFORD,
Secretary of the Treasury, of the U. S.

*Extract of a letter from George Graham, Esq. to the Secretary of State.
dated*

*Bayou Rapide, 12 miles from
Alexandria, September 9, 1818.*

“Galveston is a position of much more importance than the Government has hitherto supposed; it is the greatest and best part of the province of Texas, and the possession of it is indispensably necessary for the suppression of the most extensive and avowed system of smuggling that has ever been carried on in the United States; and which, from the nature of the adjacent country, can never be checked while Galveston is occupied by any other authority than that of the United States. At this point commences a chain of islands, which runs Southwestwardly along the coast, and beyond the mouth of the Rio Bravo, between which, and the main land, is a continued sound or bay, from three to twenty leagues in width. The only inlets into this Sound N. E. of the Rio Bravo, are those at Matagorda, near the mouth of the Colorado, and at Galveston. The bar at Galveston affords from ten to twelve feet water, according to the state of the tide; the anchorage on the East side of the bar is very good, and as soon as it is passed, there are from four to six fathoms water, and an easy access into one of the safest harbors in the world.

“At Matagorda, the bar is said to afford from eleven to thirteen feet water; but there is no anchorage on the outside of the bar, and that within the harbor is not good. The harbor of Galveston is situated at the East end of Serpent Island, which is thirty miles long, and from two to six miles wide; the soil alluvial, very much mixed with shells, and generally dry and fertile; it is but a few feet above the level of high tide. This island forms a part of the Southern boundary of the bay of Trinity; it is entirely destitute of wood; the present supply of fuel is derived from drift wood; the climate is a delicious one, notwithstanding the water is as bad as it can be to be drinkable, the site is a very healthy one. The bay of Trinity extends Northwestwardly to within a few miles of the Sabine, and Southwestwardly, beyond the Brasses, it receives the Trinity, the St. Jacynths, and the Brasses, all large rivers, affording good navigation, and watering the best parts of the province of Texas. At the mouth of each of these rivers is a bar, which affords only four feet water, and the only pass into the bay for large vessels,

is that at Galveston. But the point of view in which the possession of Galveston is at this time particularly interesting to the United States, and on which account I would recommend its immediate occupation as a military post, is to put an end to the system of smuggling that is actively carried on through this whole country, and which is not confined to merchants, but is the avowed occupation of many; and extends even to the planters, who, entering into the business in the first instance for the purpose of obtaining negroes for their own use, have been induced, in many instances, from the profits, to continue the trade. If the same spirit of smuggling which prevails here, and it is a contagious one, extended to the same class of people in the Atlantic States, the revenue of the United States could not be collected, and a large portion of the population would become hostile to the Government. Such is the nature of the country lying between the swamps of the Mississippi and the Sabine, and such facilities does it afford to smuggling, that it could not even be checked while Galveston was subject to any other authority than that of the United States, except by the military occupation of the mouths of every river and inlet (for the inlets make into very large lakes, through which the rivers flow) between these points. But if Galveston was occupied by a single company, under the command of an officer of great *integrity* and *prudence*, with a revenue cutter under his control and direction, the whole of the smuggling trade now carried on West of the Mississippi swamp could be effectually broken up in two months; to break up that carried on in the swamp, and at New Orleans, will be a work of more time and expense."

NEW-ORLEANS, *November 18, 1818.*

SIR: I have the honor to report to you the capture, by the United States' ketch *Surprize*, Lieutenant-commandant M'Keever, of a small schooner in ballast, under Mexican colors, coming from Galveston, and bound to this place, having on board the ex-French general Humbert, who had for many months been exercising the office of governor of that place, and of its dependencies, and as such, issuing commissions to eleven privateers, a list of which I herein enclose; the abovementioned vessel was also sailing under his commission. On board of her were a number of French emigrants from the French settlement of Camp D'Asile, which has been abandoned and the inhabitants dispersed, in consequence of the orders of our Government, as communicated to them by Mr. Graham. From every thing I can learn, a total abandonment of Galveston, by the piratical association, will immediately take place, if it has not already, in consequence of the frequent capture of their cruisers by United States' vessels; the great difficulty and loss they experience in introducing their captured goods into the United States, and the seductive invitation of Aury at Old Providence, whither they will repair, and, under his commissions, infest the West Indies.

The *Firebrand* is on our western coast, and will, I hope, bring in for trial some of the vessels stated in the within list; the schooner captured by her, and reported by my letter of 10th August ultimo, is the last mentioned one on that list.

I have the honor to be, with great respect, your obedient servant,
DANL. T. PATTERSON.

The Hon. the Secretary of the Navy,

Notes des Commissions Mexicaines en Course conceder par le General Amable Humbert aux Capitaines des Corsairs ci-dessces.

								Guns.
Capitaine	W. W. Mitchel	-	-	-	-	-	-	1
Do.	Ene. Mouleton	-	-	-	-	-	-	1
Do.	Tn. Mitchel	-	-	-	-	-	-	1
Do.	{ Thomas Williams, } Ketch Surprise }	-	-	-	-	-	-	1
Do.	D. Andres	-	-	-	-	-	-	2
Do.	Franco. Thomasy	-	-	-	-	-	-	2
Do.	Frank	-	-	-	-	-	-	2
Do.	Andre (Italian)	-	-	-	-	-	-	2
Do.	Ajustin (Plusieurs)	-	-	-	-	-	-	3
Do.	Gambi	-	-	-	-	-	-	2
Do.	{ Maison, } captured by the Firebrand }	-	-	-	-	-	-	2

Toutes les Commissions donnies aux dites Capitaines en arrivant dans ce Port de Galveston, donnerous un quincieme de la valeur de leur Prizes qui feront au Genl. Amable Humbert, pour les avoir conceder les Commissions Mexicaines.

SIXTEENTH CONGRESS—FIRST SESSION.

On the 20th December, 1819, the President of the United States sent the following Message to the two Houses of Congress, and, in the House of Representatives, it was referred to the Committee on the Slave Trade.

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

Some doubt being entertained respecting the true intent and meaning of the act of the last session, entitled "An act in addition to the acts prohibiting the slave trade," as to the duties of the agents to be appointed on the coast of Africa, I think it proper to state the interpretation which has been given of the act, and the measures adopted to carry it into effect, that Congress may, should it be deemed advisable, amend the same, before further proceeding is had under it.

The obligation to instruct the commanders of all our armed vessels to seize and bring into port all ships or vessels of the United States, wheresoever found, having on board any negro, mulatto, or person of color, in violation of former acts for the suppression of the slave trade, being imperative, was executed without delay. No seizures have yet been made, but, as they were contemplated by the law, and might be presumed, it seemed proper to make the necessary regulations applicable to such seizures, for carrying the several provisions of the act into effect.

It is enjoined on the Executive to cause all negroes, mulattoes, or persons of color, who may be taken under the act, to be removed to Africa. It is the obvious import of the law, that none of the persons thus taken should remain within the United States; and no place other than the coast of Africa being designated, their removal or delivery, whether carried from the United States or landed immediately from the vessels in which they were taken, was supposed to be confined to that coast. No settlement or station being specified, the whole coast was thought to be left open for the selection of a proper place, at which the persons thus taken should be delivered. The

Executive is authorized to appoint one or more agents, residing there, to receive such persons; and one hundred thousand dollars are appropriated for the general purposes of the law.

On due consideration of the several sections of the act, and of its humane policy, it was supposed to be the intention of Congress that all the persons above described, who might be taken under it, and landed in Africa, should be aided in their return to their former homes, or in their establishment at or near the place where landed. Some shelter or food would be necessary for them there, as soon as landed, let their subsequent disposition be what it might. Should they be landed without such provision having been previously made, they might perish. It was supposed, by the authority given to the Executive to appoint agents residing on that coast, that they should provide such shelter and food, and perform the other beneficent and charitable offices contemplated by the act. The coast of Africa having been little explored, and no persons residing there, who possessed the requisite qualifications to entitle them to the trust, being known to the Executive, to none such could it be committed. It was believed that citizens only, who would go hence, well instructed in the views of their Government, and zealous to give them effect, would be competent to these duties, and that it was not the intention of the law to preclude their appointment. It was obvious that the longer these persons should be detained in the United States in the hands of the Marshals, the greater would be the expense, and that, for the same term, would the main purpose of the law be suspended. It seemed, therefore, to be incumbent on me to make the necessary arrangements for carrying this act into effect in Africa, in time to meet the delivery of any persons who might be taken by the public vessels, and landed there under it.

On this view of the policy and sanctions of the law, it has been decided to send a public ship to the coast of Africa, with two such agents, who will take with them tools and other implements necessary for the purposes above mentioned. To each of these agents a small salary has been allowed; fifteen hundred dollars to the principal, and twelve hundred to the other. All our public agents on the coast of Africa receive salaries for their services, and it was understood that none of our citizens possessing the necessary qualifications would accept these trusts, by which they would be confined to parts the least frequented and civilized, without a reasonable compensation. Such allowance, therefore seemed to be indispensable to the execution of the act. It is intended, also, to subject a portion of the sum appropriated to the order of the principal agent, for the special objects above stated, amounting, in the whole, including the salaries of the agents for one year, to rather less than one-third of the appropriation. Special instructions will be given to these agents, defining, in precise terms, their duties, in regard to the persons thus delivered to them; the disbursement of the money by the principal agent, and his accountability for the same. They will also have power to select the most suitable place on the coast of Africa, at which all persons who may be taken under this act shall be delivered to them, with an express injunction to exercise no power founded on the principle of colonization, or other power than that of performing the benevolent offices above recited, by the permission and sanction of the existing government under which they may establish themselves. Orders will be given to the commander of the public ship in which they will sail to cruise along the coast, to give the more complete effect to the principal object of the act.

JAMES MONROE.

WASHINGTON, December 17, 1819.

SIXTEENTH CONGRESS—FIRST SESSION.

FRIDAY, DECEMBER 31, 1819.

On motion of Mr. Whitman, it was

Resolved, That the Secretary of the Treasury be directed to lay before this House copies of such communications as he may have received since 1816, and such information as he may possess, in relation to the illicit introduction of slaves into the United States, with a statement of the measures adopted to prevent the same.

On motion of Mr. Whitman, it was

Resolved, That the Secretary of the Navy be directed to lay before this House copies of such communications as he may have received since 1816, and such information as he may possess, in relation to the introduction of slaves into the United States, with a statement of the measures adopted to prevent the same.

In obedience to the foregoing orders of the House of Representatives, the Secretaries of the Departments of the Treasury and of the Navy made the communications which follow.

TREASURY DEPARTMENT,

January 11th, 1820.

Sir: In obedience to a resolution of the House of Representatives, of the 11st ultimo, directing the Secretary of the Treasury to lay before the House "copies of such communications as he may have received since 1816, and such information as he may possess, in relation to the illicit introduction of slaves into the United States, with a statement of the measures adopted to prevent the same," I have the honor to submit the enclosed letters, from different Collectors of the Customs, to this Department.

It appears, from an examination of the records of this office, that no particular instructions have ever been given, by the Secretary of the Treasury, under the original or supplementary acts prohibiting the introduction of slaves into the United States.

The general practice of the Department has been to confine its attention, and to limit its instructions, to cases arising under the revenue laws, except where, by directions of the President of the United States, the superintendence of the execution of other laws has been specially required of it. No such duty has, in relation to the laws prohibiting the introduction of slaves into the United States, been required of the Secretary of the Treasury.

His letter to the War and Navy Departments, of the 16th July, 1817, a copy of which is also enclosed, was written during the absence of the President, under circumstances which did not admit of the delay necessary to obtain his direction and instruction. An additional reason for writing that letter may be found in the fact that the other heads of department were absent, and the officers exercising their functions provisionally, were unwilling to incur the responsibility of the measures required by the occasion.

I have the honor to be,

Your most obedient servant,

WM. H. CRAWFORD.

The Honorable HENRY CLAY,

Speaker of the House of Representatives.

TREASURY DEPARTMENT,

July 16th, 1817.

SIR: From information recently received by this Department, there is just reason to believe that Sir Gregor McGregor has taken military possession of Amelia Island, in the name of the Spanish Patriots. Considering that the restless and adventurous of all nations, and especially of the island of St. Domingo, have ranged themselves under the banners of the different leaders, by sea and land, who are engaged in the civil war now raging between Spain and her colonies, and that the port of Fernandina will necessarily become the common rendezvous of all the vessels sailing under the various flags of the Spanish provinces which have declared themselves independent, apprehensions are justly entertained by the citizens of the Southern section of the State of Georgia that their peace and tranquillity will be disturbed, and their rights infringed, unless protected by the presence of a force sufficient to command respect from the troops thus expected to be congregated in their immediate neighborhood.

In addition to the circumstances already communicated, the disposition which has been manifested by the vessels of Spain, engaged in the African slave trade, to introduce illicitly into that section of the Union the persons who, in the prosecution of their traffic, have been subjected to their control, seems to require the presence of a force sufficient to enforce the due execution of the laws against the introduction of slaves into the United States. From the known character and conduct of the leader of the enterprise against Amelia Island, there is just ground to apprehend that this illicit traffic, if continued, will, under his auspices, assume a bolder character; and, if abandoned, that it will be substituted by measures equally derogatory to the laws, and more destructive of the rights and interests of the citizens of the Eastern section of the Southern States. To guard against the unlawful introduction of slaves, and to repress any attempt that may be made by the foreign belligerent force collected in that neighborhood to excite domestic insurrection among the blacks, it appears to me to be absolutely necessary that a land and naval force be stationed at St. Mary's.

As the portion of East Florida immediately bordering on the United States is but sparsely, if at all, inhabited, the entrance of vessels into the river St. Mary's, freighted with slaves, can have no other object than the violation of our laws by covertly introducing a population which is prohibited. Under such circumstances, and especially when the imbecility or indisposition of the local authorities to preserve the accustomed relations between independent States are considered, and, above all, the odious character of the traffic intended to be restrained, the seizure of every vessel, freighted with slaves, which shall be found in the river St. Mary's or hovering upon our coast, is respectfully submitted.

I have the honor to be, &c.

W. H. CRAWFORD.

The SECRETARIES of War and the Navy

Extract of a letter from the Deputy Collector of Nova Iberia to the Secretary of the Treasury, dated July 9th, 1818.

“By Mr. Dick's advice, last Summer, I got out State warrants, and had negroes seized to the number of eighteen, which were a part of those stolen

out of the custody of the coroner, and the balance condemned by the District Judge of the State; and the informers received their part of the nett proceeds from the State Treasurer. Five negroes, that were seized about the same time, were tried at Opelousas, in May last, by the same judge; he decided that some Spaniards (that were supposed to have set up a sham claim, stating that the negroes had been stolen from them on the high seas) should have the negroes, and that the persons that seized them should pay one half the costs, and the State of Louisiana the other. This decision had such an effect as to render it almost impossible for me to obtain any assistance in that part of the country. There has been lately up the Bayou Nementou two schooners from Galveston; they sold a part of their cargoes, and deposited the balance, and I could get no assistance to take them. I made two seizures of wine, a part of one of their cargoes, in the neighborhood of the Vermilion bridge, about 26 miles to the Westward of this place. I summoned assistance, a part of which refused to assist, a part deserted while guarding the property, and the balance, not being sufficiently strong to protect it, it was taken from them the ensuing night. The smugglers had forcibly prevented our removing the property in the day time."

COLLECTOR'S OFFICE, DISTRICT OF BRUNSWICK, GEORGIA,

Port of Darien, July 5th, 1818.

SIR: On the 14th March, I did myself the honor to address you on the subject of Africans illicitly introduced into the United States. Not being favored with a reply, it may be proper for me to state, that, a demand being subsequently made, by the Executive of this State, for all such Africans in my possession, in compliance therewith, I delivered over to his agent ninety-one negroes.

I have the honor to be, &c.

W. I. McINTOSH, *Collector.*

The Honorable WILLIAM H. CRAWFORD,

Secretary of the Treasury.

Extract of a letter from the Collector of New Orleans to the Secretary of the Treasury, dated April 17th, 1818.

"It has been stated to me, on the authority of a letter to a respectable gentleman of this city, that there were three schooners lying in the river Mermentau, belonging to Commodore Aury's squadron, smuggling their cargoes on shore. The audacity of the piratical set, since they find Galveston has not been, and, as they say, will not be, suppressed, knows no bounds. In order to keep them somewhat more in check, and to defeat their nefarious schemes, as far as in my power, until Government aid us with such force as it may deem best suited to the purpose, I have determined to station an additional revenue boat and crews, with an active and enterprising officer, at and near Fort St. Philip, and to increase the crews of the boats at the Balize and Fort St. John. It will, I think, render their operations a little more difficult, and I confidently rely on your approbation. The additional expense can be no consideration. But no efforts of the officers of

customs alone can be effectual in preventing the introduction of Africans from the Westward: to put a stop to that traffic, a naval force, suitable to those waters, is indispensable, and vessels captured with slaves ought not to be brought to this port, but sent to some other in the United States, for adjudication. Enclosed you will also find an act passed by the Legislature of this State, respecting slaves imported in violation of the laws of Congress, of the 2d March, 1807. The object and policy of this law requires no comment from me. Vast numbers of slaves will be introduced to an alarming extent, unless prompt and effectual measures are adopted by the General Government.

“The master of an American schooner from Havana reports, that he was offered a full freight of Africans for this river, which he refused.”

COLLECTOR'S OFFICE, DIS. OF BRUNSWICK, GEO.

Port of Darien, March 14, 1818.

SIR: I had the honor to address you per last mail, and to enclose you papers respecting 47 African negroes, taken, by the Surveyor of Darien, from one Jared E. Groce, on their way to the Alabama Territory, through the Indian nation, and 41 others at the Creek agency, from the negro houses of the agent for Indian affairs. It is a painful duty, sir, to express to you, that I am in possession of undoubted information, that African and West India negroes are almost daily illicitly introduced into Georgia, for sale or settlement, or passing through it to the Territories of the United States for similar purposes. These facts are notorious; and it is not unusual to see such negroes in the streets of St. Mary's, and such too, recently captured by our vessels of war, and ordered to Savannah, were illegally bartered by hundreds in that city, for this bartering or bonding (as it is called, but in reality selling,) actually took place before any decision had passed by the court respecting them. I cannot but again express to you, sir, that these irregularities and mocking of the laws, by men who understand them, and who, it was presumed, would have respected them, are such, that it requires the immediate interposition of Congress to effect a suppression of this traffic: for, as things are, should a faithful officer of Government apprehend such negroes, to avoid the penalties imposed by the laws, the proprietors disclaim them, and some agent of the Executive demands a delivery of the same to him, who may employ them as he pleases, or effect a sale by way of a bond for the restoration of the negroes when legally called on so to do; which bond, it is understood, is to be forfeited, as the amount of the bond is so much less than the value of the property. And again, sir, an officer disposed to perform his trust with fidelity, is placed at the mercy of the State: for, to carry the intention of the federal laws into execution, great expenses may be incurred, and for which, the State seems not to have made any provision: but has, by its own law of the last session of the Legislature, invested the Executive with the power of becoming a speculator on the exertions and integrity of such federal officers as feel the weight of their responsibility, and who are willing to perform their duty. For instance, sir: after much fatigue, peril, and expense, 88 Africans are seized and brought by the Surveyor to Darien; they are demanded immediately by the Governor's agents, notwithstanding the knowledge which his Excellency had, that these very

Africans were for some weeks within 60 miles of his Excellency's residence, (the seat of Government) there was no effort, no stir made by him, his agents, or subordinate State officers, to carry the laws into execution; but no sooner than it was understood that a seizure had been effected by an officer of the United States, a demand is made for them; and it is not difficult to perceive, by a compliance, that the very aggressors *may*, by a forfeiture of the *mock* bond, be again placed in possession of the smuggled property, at but little additional expense to him, but at the entire ruin of the officers who had executed with fidelity the laws they felt bound to observe. There are many negroes (independent of those mentioned as having been bartered in Savannah, &c. before any decision had passed respecting them) recently introduced into this State and the Alabama Territory, and which can be apprehended. The undertaking would be great; but, to be sensible that we shall possess your approbation, and that we are carrying the views and wishes of the Government into execution, is all we wish, and it shall be done, independent of every personal consideration.

I have, &c.

WM. I. M'INTOSH, *Collector*.

The Hon. WM. H. CRAWFORD,
Secretary of the Treasury.

COLLECTOR'S OFFICE,
Savannah, 25th November, 1817.

Sir: I have the honor of informing you that the schooner *Tentativa*, reported to be under Spanish colors, with one hundred and twenty-eight slaves on board, was brought into this port on the 19th instant, by a part of the crew of the United States' vessel the *Saranac*, John H. Elton, commander, having been captured by said vessel, and, at the time, abandoned by her crew. The *Tentativa* has been libelled by the proctor for the captors; and the slaves, by order of the court, delivered over to the proctor for the captors and the Collector of this port, to be taken care of by them until demanded by the competent authority: this order was procured by the proctor for the captors, with a view of preserving the lives of the slaves, they being destitute of provisions and clothing, and must have perished had they been longer at sea. Four of them have already died, but the remaining part of them have been so disposed of as to ensure comfort to them for the present. Under the order of court, and the influence of humanity, it appears to be my duty to interest myself for the sufferers; and having an estate near the city, I inquired of my agent how many of these people he could accommodate with house-room, and, upon his statement, I have taken possession of forty in number, all of whom I have clothed, and shall continue otherwise to succor, until demanded by the competent authority.

I have, &c.

A. S. BULLOCK, *Collector*.

The Honorable WM. H. CRAWFORD,
Secretary of the Treasury.

Extract of a letter from the Deputy Collector of Nova Iberia, to the Secretary of the Treasury, dated September 27th, 1818.

“On the 8th day of July last, Captain Amelung, with eighteen of his company, agreed to go with me to the Bayou Nementou, to suppress smuggling. On the day and succeeding night after our arrival there, we took thirteen prisoners that came armed to support smugglers, &c. The next day we took one of their vessels; set some hands to work in repairing her, and Captain Amelung returned to Nova Iberia for the balance of his company, returned with them, and we proceeded on with twenty-five men to the Bayou Cureuseau. On our arrival there we made more prisoners; seized three African negroes, two vessels, and part of their cargoes. Runners had been sent ahead of us, and five or six vessels run out of the Bayou a few days prior to our arrival there. A large number of African negroes had been on that bayou, eighty of which left there a short time before our arrival, and about twenty passed us the night before we arrived. We proceeded down the Cureuseau, and came round to the Bayou Nementou. Captain Amelung furnished me with a lieutenant and eighteen men, and returned by land to Nova Iberia with the balance of his company. We proceeded with the vessels down the Nementou; met a fellucea, commanded by one of Lafitte’s captains, off the mouth of the Bayou. The captain took us for smugglers; we got him on board of one of our vessels, and, notwithstanding his directing his men in French, when he left his own vessel, to cut their cable if he did not return with the boat, run down our boat, and kill every man on board, we boarded her after they cut their cable, and took her without the loss of one man. Her cargo consists of coffee, cocoa, refined wax for candles, oil, dry goods, and about 10,000 lbs. of quicksilver. I arrived here yesterday, having suffered much. During the late storm we lost three anchors, sprung one mast, carried away our yards and sails. I left the vessels in the Vermillion bay; shall start immediately to bring them round to this place. If there was one small cutter on this coast she would be of great service.”

COLLECTOR’S OFFICE,

Savannah, 22d May, 1817.

SIR: I have just received information from a source on which I can implicitly rely, that it has already become the practice to introduce into the State of Georgia, across the St. Mary’s river, from Amelia island, East Florida, Africans, who have been carried into the port of Fernandina, subsequent to the capture of it by the Patriot army now in possession of it.

As this species of traffic may be carried on for an indefinite period of time, without the interposition of Government, I have deemed it my duty to give you the earliest advice of it.

Immediately after the receipt of your letter of the 19th March last, I instructed Captain Smith to cruize with the cutter to the Southward as far as St. Mary’s bar, with a view of preventing the landing of such people on the seaboard; but it is not in his power to guard the St. Mary’s, which is the route for the introduction of them. It becomes more necessary for a guard to be organized by Government, as this State has never legislated on the subject of the importation of slaves. Were the Legislature to pass an act giving compensation, in some manner, to informers, it would have a tendency

in a great degree to prevent the practice; as the thing now is, no citizen will take the trouble of searching for and detecting the slaves. I further understand that the evil will not be confined altogether to Africans, but will be extended to the worst class of West India slaves.

I am, &c.

A. S. BULLOCK, *Collector.*

The Hon. WM. H. CRAWFORD,
Secretary of the Treasury.

COLLECTOR'S OFFICE, PORT OF MOBILE.

October 7th, 1818.

Sir: It is understood that Judge Webb, one of the Judges of the Territory, has resigned. Permit me, Sir, to suggest the importance of an early appointment to the vacancy, in order that the person appointed might be present at the next session of the General Court, on the first Monday of January next. There are now pending before that court a number of cases of very great importance to the public interest, particularly those of the three vessels, their cargoes, and upwards of one hundred slaves.

I hope the Attorney of the United States has informed the Treasury Department of the proceedings of the court in these cases; not having seen him since, I have not attempted a statement of proceedings, to me so very strange. This, however, appears certain, that the vessels and cargoes and the slaves have been delivered on bonds, the former to the owners, and the slaves to three other persons. The grand jury found true bills against the owners of the vessels, masters, and a supercargo—all of whom are discharged; why or wherefore, I cannot say, except that it could not be for want of proof against them.

It is certainly a matter of great importance that these cases be stamped with the full force of the law, to prevent future importations. Two of the vessels were cleared at Havana for New Orleans, and one for this port; and all American registered vessels, the former at New Orleans, the latter at this port.

Perhaps the magnitude and importance of these cases would render it expedient to employ additional counsel, in aid of the United States' Attorney, as he will be opposed by able lawyers from New Orleans. Should you deem this proper, be pleased, Sir, to direct the sum which may be allowed:

I have the honor to be, &c.

ADDIN LEWIS, *Collector.*

The Hon. W. H. CRAWFORD,
Secretary of the Treasury.

NAVY DEPARTMENT, January 6th, 1820.

Sir: In obedience to a resolution of the House of Representatives of the 31st December last, requiring the Secretary of the Navy to furnish copies of such communications as he may have received since 1816, and such information as he may possess, in relation to the introduction of slaves into the United States, with a statement of the measures adopted to prevent the same, I have the honor to transmit sundry extracts of letters, numbered 1 to 4, in-

clusively, comprising all the information communicated to this Department since 1816, in relation to the introduction of slaves into the United States.

I have the honor to refer the House of Representatives to my report of the 9th January, 1819, on this subject; and I transmit, herewith, paper marked A, which contains that part of the instructions from this Department to the commanding naval officers in relation to slave vessels.

The public vessels now cruising have not yet reported their operations, nor is it known that any seizures have been made by them.

I have the honor to be,

With the highest respect,

Sir, your most obedient servant,

SMITH THOMPSON.

The Honorable the SPEAKER
of the House of Representatives.

No. 1.

Extract of a letter from Captain Charles Morris to the Secretary of the Navy, dated

U. S. FRIGATE CONGRESS,

Off the Balize, 10th June, 1817.

“Most of the goods carried to Galveston are introduced into the United States; the more bulky and least valuable, regularly through the custom house; the more valuable, and the slaves, are smuggled in through the numerous inlets to the Westward, where the people are but too much disposed to render them every possible assistance. Several hundred slaves are now at Galveston, and persons have gone from New Orleans to purchase them. Every exertion will be made to intercept them, but I have little hopes of success.”

No. 2.

Extract of a letter from Lieutenant Commandant John Porter to the Secretary of the Navy, dated

U. S. BRIG BOXER,

Off the Balize, June 28th, 1817.

“I shall leave this on Monday to cruise off the Sabine river. It is reported that attempts will be made to smuggle slaves into Louisiana from Galveston, and the natural presumption is, that they will attempt the Sabine or the Achafalaya rivers. The depth of the water of those rivers is very inaccurately represented on the charts, and it will not be in my power to approach nearer the shore than within ten miles of the Sabine, and not nearer than thirty off the Atchafalaya. Whatever can be done to prevent their being brought clandestinely into the country, will have to be performed by the boats, which, sir, shall be actively employed the moment we arrive on the ground.”

No. 3.

Extract of a letter from Captain John D. Henley to the Secretary of the Navy, dated

U. S. SHIP JOHN ADAMS,
Amelia Sound, January 24th, 1818.

"I yesterday detained the English brig Neptune, of London, for a violation of the slave act. By her papers it appears that she cleared from Jamaica for this port, with a small quantity of rum, and eight convict slaves, sentenced to transportation for various offences. It is evident that their object was to smuggle them into the State of Georgia, thus making a Botany Bay of the United States. I shall send her to Savannah for trial.

No. 4.

Extract of a letter from Captain John D. Henley to the Secretary of the Navy, dated

U. S. SHIP JOHN ADAMS,
Cumberland Sound, March 17th, 1828.

"It would be gratifying to me to know how far the commissions granted by Aury or M'Gregor, to vessels evidently commanded and manned by citizens of the United States, are to be respected. I have not the smallest doubt, from the situation those pirates have fixed upon for their rendezvous, that the goods found in their prizes will be disposed of principally in the United States, and that the part which may consist of slaves will be smuggled into Georgia, as many of the inhabitants are too much inclined to afford every facility to this species of illicit trade."

A.

Extract from the instructions of the Navy Department to the Commanders of all United States' vessels cruising in the Atlantic Ocean, Gulf of Mexico, &c.

"You have also enclosed such parts of several acts of Congress, prohibiting the importation of slaves into any ports or places within the jurisdiction of the United States, as are necessary to point out to you your duty and authority under these laws; and it is expected and required of you by the President, that a strict and vigilant attention be paid to the direction therein contained, that, if possible, this inhuman and disgraceful traffic may be suppressed.

"By the act of the 20th of April, 1818, you will perceive that it is made unlawful to import or bring, in any manner whatsoever, into the United States or Territories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of color, with intent to hold, sell, or dispose of such person as a slave, or to be held to service.

“By this act it is also made unlawful for any citizen of the United States, or other person, to build, equip, load, fit, or otherwise prepare, any ship or vessel, in any port or place within the jurisdiction of the United States, or to cause any such ship or vessel to sail from any port or place whatsoever, within the jurisdiction of the United States, for the purpose of procuring and transporting any such slaves to any port or place whatever. And any ship or vessel employed in such importation of slaves, or so built, fitted out, or prepared, is liable to be seized or forfeited. And by the act of the 3d of March, 1819, the President is authorized to employ any of the armed vessels of the United States to cruise in such places as he may think proper, where he may judge attempts may be made to carry on the slave trade by citizens or residents of the United States, in contravention of the acts of Congress prohibiting the same; and to instruct such armed vessels to seize, take, and bring into any port of the United States, to be proceeded against according to law, all ships or vessels of the United States, wheresoever found, which may have taken on board, or which may be intended for the purpose of taking on board, or of transporting, or may have transported, any negro, mulatto, or person of color, in violation of any of the provisions of the act of the 20th April, 1818, above referred to, or in violation of any other act or acts prohibiting the traffic in slaves.

“You will perceive from the generality of the provisions in these laws, you are authorized to take, and bring in, all ships or vessels of the United States, which may have been in any manner employed, or intended to be employed, in the slave trade; or any other vessel offending against the provisions of any of the laws you have enclosed. You will particularly notice the two provisos to the first section of the act of 1819; the first of which directs in what manner you are to keep and dispose of the slaves which may be found on board of any ship or vessel seized by you. If brought within the United States, they are to be delivered to the Marshal of the District where brought in, and transmit the evidence of such delivery to this Department. Upon the capture, therefore, of any vessel having slaves on board, you will immediately proceed to the Island of Sherbro, on the coast of Africa, and deliver such slaves to the agent appointed by the President to receive them, pursuant to the provisions of the act, or to any other agent so appointed, at any other place on the coast of Africa. The second proviso relates to the disposition of the officers and crews of such vessels so captured by you. Great vigilance will be expected from you in the safe-keeping of all such officers and crews, until they shall be handed over to the civil authority to be proceeded against according to law.”

“P. S. No provision having as yet been made for the reception of slaves upon the coast of Africa, you will, for the present, and until ordered otherwise, consider the foregoing orders, relative to the disposition of such slaves as you may capture, so far modified, that you will deliver them on Smith's Island, at the mouth of the Chesapeake Bay, to such agent as may be appointed by the President to receive them there.”

SIXTEENTH CONGRESS—FIRST SESSION.

MAY 8, 1820.

Mr. MERCER, *from the committee, consisting of Mr. Hemphill, Mr. Mercer, Mr. Strong, of New York, Mr. Edwards, of Pennsylvania, Mr. Rogers, Mr. Lathrop, and Mr. Abbott, to whom was referred, at the commencement of the present session of Congress, so much of the President's Message as relates to the slave trade, made the following report:*

The Committee on the Slave Trade, to whom was referred the memorial of the President and Board of Managers of the American Society for Colonizing the Free People of Color of the United States, have, according to order, had under consideration the several subjects therein embraced; and report:

That the American Society was instituted in the City of Washington on the 28th of December, 1816, for the benevolent purpose of affording to the free people of color of the United States the means of establishing one or more independent colonies on the Western coast of Africa. After ascertaining, by a mission to that continent, and other preliminary inquiries, that their object is practicable, the Society requests of the Congress of the United States a charter of incorporation, and such other legislative aid as their enterprise may be thought to merit and require.

The memorialists anticipate from its success consequences the most beneficial to the free people of color themselves, to the several States in which they at present reside, and to that continent which is to be the seat of their future establishment. Passing by the foundation of these anticipations, which will be seen in the annual reports of the Society and their former memorials, the attention of the committee has been particularly drawn to the connexion which the memorialists have traced between their purpose and the policy of the recent act of Congress for the more effectual abolition of the African-slave trade.

Experience has demonstrated that this detestable traffic can be no where so successfully assailed as on the coast upon which it originates. Not only does the collection and embarkation of its unnatural cargoes consume more time than their subsequent distribution and sale in the market for which they are destined, but the African coast frequented by the slave ships is indented with so few commodious or accessible harbors, that, notwithstanding its great extent, it could be guarded by the vigilance of a few active cruisers. If to these be added colonies of civilized blacks, planted in commanding situations along that coast, no slave ship could possibly escape detection; and thus the security, as well as the enhanced profit, which now cherishes this illicit trade, would be effectually counteracted. Such colonies, by diffusing a taste for legitimate commerce among the native tribes of that fruitful continent, would gradually destroy among them, also, the only incentive of a traffic which has hitherto rendered all African labor insecure, and spread desolation over one of the most beautiful regions of the globe. The colonies and the armed vessels employed in watching the African coast, while they co-operated alike in the cause of humanity, would afford to each other mutual success.

There is a single consideration, however, added to the preceding view of this subject, which appears to your committee, of itself, conclusive of the tendency of the views of the memorialists to further the operation of the act of the 3d of March, 1819. That act not only revokes the authority antecedently given to the several State and Territorial Governments to dispose as they pleased of those Africans who might be liberated by the tribunals of the United States, but authorizes and requires the President to restore them to their native country. The unavoidable consequence of this just and humane provision, is, to require some preparation to be made for their temporary succor on being landed upon the African shore; and no preparation can prove so congenial to its own object, or so economical as regards the Government charged with this charitable duty, as that which would be found in a colony of the free people of color of the United States. Sustained by the recommendations of numerous societies in every part of the United States, and the approving voice of the Legislative Assemblies of several States, without inquiring into any other tendency of the object of the memorialists, your committee do not hesitate to pronounce it deserving of the countenance and support of the General Government. The extent to which these shall be carried is a question not so easily determined.

The memorialists do not ask the Government to assume the jurisdiction of the territory, or to become in any degree whatever responsible for the future safety or tranquillity of the contemplated colony. They have prudently thought that its external peace, and security would be most effectually guarded by an appeal, in its behalf, to the philanthropy of the civilized world; and to that sentiment of retributive justice with which all Christendom is at present animated towards a much injured continent.

Of the constitutional power of the General Government to grant the limited aid contemplated by the accompanying bills and resolutions, your committee presume there can exist no shadow of doubt; and they leave it to a period of greater national prosperity to determine how far the authority of Congress, the resources of the National Government, and the welfare and happiness of the United States, will warrant or require its extension.

Your committee are solemnly enjoined by the peculiar object of their trust, and invited by the suggestions of the memorialists, to inquire into the defects of the existing laws against the African slave trade. So long as it is in the power of the United States to provide additional restraints upon this odious traffic, they cannot be withheld, consistently with the justice and honor of the nation.

Congress has heretofore marked with decided reprobation the authors and abettors of this iniquitous commerce, in every form which it assumes; from the inception of its unrighteous purpose in America, through all the subsequent stages of its progress, to its final consummation: the outward voyage, the cruel seizure, and forcible abduction of the unfortunate African from his native home, and the fraudulent transfer of the property thus acquired. It may, however, be questioned if a proper discrimination of their relative guilt has entered into the measure of punishment annexed to these criminal acts.

Your committee cannot perceive wherein the offence of kidnapping a nonoffending inhabitant of a foreign country; of chaining him down for series of days, weeks, and months, amidst the dying and the dead, to the pestilential hold of a slave ship; of consigning him, if he chance to live on the voyage, to perpetual slavery in a remote and unknown land, differs

malignity from piracy, or why a milder punishment should follow the one than the other crime.

On the other hand, the purchase of the unfortunate African, after his enlargement from the floating dungeon which wafts him to the foreign market, however criminal in itself, and yet more in its tendency to encourage this abominable traffic, yields in atrocity to the violent seizure of his person, his sudden and unprepared separation from his family, his kindred, his friends, and his country, followed by all the horrors of the middle passage. Are there not united in this offence all that is most iniquitous in theft, most daring in robbery, and cruel in murder? Its consequences to the victim, if he survive, to the country which receives him, and to that from which he is torn, are alike disastrous. If the internal wars of Africa, and their desolating effect, may be imputed to the slave trade, (and that the greater part of them must, cannot now be questioned) this crime, considered in its remote as well as its proximate consequences, is the very darkest in the whole catalogue of human iniquities; and its authors should be considered as *hostes humani generis*.

In proposing to the House of Representatives to make such part of this offence as occurs upon the ocean piracy, your committee are animated, not by the desire of manifesting to the world the horror with which it is viewed by the American people; but by the confident expectation of promoting, by this example, its more certain punishment by all nations, and its absolute and final extinction.

May it not be believed, that, when the whole civilized world shall have denounced the slave trade as piracy, it will become as unfrequent as any other species of that offence against the law of nations? Is it unreasonable to suppose that negotiation will, with greater facility, introduce into that law such a provision as is here proposed, when it shall have been already incorporated in the separate code of each State?

The maritime powers of the Christian world have, at length, concurred in pronouncing sentence of condemnation against the traffic. The United States, having led the way in forming this decree, owe it to themselves not to follow the rest of mankind in promoting its vigorous execution.

If it should be objected that the legislation of Congress would be partial, and its benefit, for a time at least, local, it may be replied, that the constitutional power of the Government has already been exercised in defining the crime of piracy, in accordance with similar analogies to that which the committee have sought to trace between this general offence against the peace of nations and the slave trade.

In many of the foreign treaties, as well as in the laws of the United States, examples are to be found of piracies, which are not cognizable as such by the tribunals of all nations. Such is the unavoidable consequence of any exercise of the authority of Congress to define and punish this crime. The definition and the punishment can bind the United States alone.

SIXTEENTH CONGRESS—FIRST SESSION.

MAY 8, 1820.

Mr. MERCER reported the following bill to incorporate the American Society for Colonizing the Free People of Color of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Bushrod Washington, William H. Crawford, Henry Clay, John Mason, Henry Foxall, Stephen B. Balch, James Laurie, Obadiah B. Brown, William Wilmer, William Hawley, Walter Jones, Thomas Dougherty, Jacob Hoffman, Francis S. Key, Henry Ashton, William Thornton, Elias B. Caldwell, Richard Smith, and John Underwood, and others, composing the society in the District of Columbia denominated the American Society for Colonizing the Free People of Color of the United States, and their successors, duly elected in the manner hereinafter mentioned, be, and they are hereby, constituted and declared to be a body politic and corporate, by the name and title of the American Society for Colonizing the Free People of Color of the United States.

Sec. 2. And be it further enacted, That said corporation be authorized and empowered to take and receive any sum or sums of money, or other property, real and personal, of any kind or nature, which shall or may hereafter be given, granted, or bequeathed to the said corporation, by any person or persons, bodies politic or corporate, capable of making such gift or bequest: *Provided,* That money or other property be laid out or disposed of for the use and benefit of said corporation, according to the intention of the donors.

Sec. 3. And be it further enacted, That the said corporation hereby created shall have full power and authority to fill all vacancies which may happen in their number; to make, ordain, establish, and execute, such by-laws and ordinances as may be deemed useful to the society, and the same to alter, amend, and abrogate at pleasure; to make, have, and use a common seal, and the same to break, alter, and renew at pleasure; to appoint such officers and agents as may be required for the management of the concerns of the said society, and to assign them their duties; and, generally, to provide for the transaction of all business appertaining to said society: *Provided,* That no by-law, rule, or ordinance, of the said corporation shall be made repugnant to the laws of the District of Columbia.

Sec. 4. And be it further enacted, That there shall be an annual meeting of the members of said corporation, at such time and place as the proper officers of said corporation may appoint, of which due notice shall be given in one or more of the newspapers published in the District of Columbia; at which time and place the members present shall elect or choose the officers of the society, to serve for one year ensuing their election, and until others shall be elected, and consent to serve in their places; but the present officers of the society may serve till the next annual meeting, and until others be appointed or chosen.

Sec. 5. And be it further enacted, That the said corporation shall not engage in any banking operations; and that the charter hereby granted shall be liable to be amended, altered, or repealed, at all times hereafter, by the Congress of the United States.

MAY 12, 1820.—The Committee of the Whole was discharged, and this bill was postponed until the first day of the next session of Congress; at which session it was not taken up.

SIXTEENTH CONGRESS—FIRST SESSION.

MAY 8, 1820.

Mr. MERCER reported the following amendments, proposed by the Committee on the Slave Trade to the bill from the Senate, entitled "*An act to continue in force an act to protect the commerce of the United States, and punish the crime of piracy, and also to make further provision for punishing the crime of piracy.*"

After the third section of the bill, insert the following sections:

And be it further enacted, That, if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel owned in whole or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall land, from any such ship or vessel, and, on any foreign shore, seize any negro or mulatto, not held to service or labor by the laws of either of the States or Territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy, or forcibly bring or carry, or shall receive, such negro or mulatto on board any such ship or vessel, with intent as aforesaid, such citizen or person shall be adjudged a pirate, and, on conviction thereof, before the Circuit Court of the United States for the district wherein he may be brought or found, shall suffer death.

And be it further enacted, That, if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel owned wholly or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall forcibly confine, or detain, or aid and abet in forcibly confining, or detaining, on board such ship or vessel, any negro or mulatto, not held to service by the laws of either of the States or Territories of the United States, with intent to make such negro or mulatto a slave, or shall, on board any such ship or vessel, offer or attempt to sell, as a slave, any negro or mulatto not held to service as aforesaid, or shall, on the high seas, or any where on tide water, transfer, or deliver over, to any other ship or vessel, any negro or mulatto not held to service as aforesaid, with intent to make such negro or mulatto a slave, or shall land, or deliver on shore, from on board any such ship or vessel, any such negro or mulatto, with intent to make sale of, or, having previously sold, such negro or mulatto as a slave, such citizen or person shall be adjudged a pirate, and, on conviction thereof before the Circuit Court of the United States for the district wherein he shall be brought or found, shall suffer death.

NOTE.—These amendments were agreed to by the House, and became a part of the bill which passed both Houses of Congress, and was approved by

the President of the United States, May 15, 1820. When the bill was read the third time in the House of Representatives, and was on its passage:

Mr. Rich moved its re-commitment to a select committee, with instructions to strike out the last section of the amendments; which motion was rejected by the House.

MAY 9th, 1820.

Mr. MERCER, from the committee consisting of Mr. Hemphill, Mr. Mercer, Mr. Strong, of New York, Mr. Edwards, of Pennsylvania, Mr. Rogers, Mr. Lathrop, and Mr. Abbott, reported the following resolutions:

1. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be requested to negotiate with all the governments where ministers of the United States are or shall be accredited, on the means of effecting an entire and immediate abolition of the slave trade.

2. *Resolved further,* That the President of the United States be requested to enter into a stipulation or formal declaration with the several maritime Powers, recognising the independence and permanent neutrality of any colony of the free people of color of the United States, which shall be established on the western coast of Africa.

3. *Resolved further,* That the President of the United States be requested, in such use as he may deem it expedient to make of the public ships of the United States, to afford every aid, not inconsistent with the public welfare, to the efforts of the American Society for Colonizing the Free People of Color of the United States upon the Western coast of Africa.

These resolutions were committed to a Committee of the Whole House.

MAY 12th, 1820.

Mr. Edwards, of North Carolina, moved that the Committee of the Whole to which is committed the bill to continue in force the act, entitled "An act to protect the commerce of the United States, and to punish the crime of piracy;" the bill to incorporate the president and managers of the American Colonization Society, and the resolution authorizing the President of the United States to negotiate with foreign governments on the means of effecting an entire abolition of the American slave trade, be discharged from the further consideration thereof;

And the question being taken thereon,

It passed in the affirmative.

Mr. Edwards then moved that the said resolutions do lie on the table.

A division of the question on that motion was called for;

And on the question, Shall the first of the said resolutions lie on the table?

It was determined in the negative,

{	Yeas,	35,
	Nays,	78.

The question was then put: Shall the second resolution lie on the table?

And decided in the negative.

And the question was then put: Shall the third resolution lie on the table?

And passed in the affirmative.

Mr. Brush then moved that the first and second resolutions be postponed until the next session of Congress.

And on the question: Shall the first resolution be postponed as aforesaid?

It was decided in the negative.

The question was then put: Shall the second resolution be postponed?

And passed in the affirmative.

The first resolution was then ordered to be engrossed, and read a third time to-day.

The said first resolution being engrossed, was read the third time, passed, and sent to the Senate for concurrence.

SIXTEENTH CONGRESS—SECOND SESSION.

MONDAY, DEC. 4, 1820.

On motion of Mr. Mercer,

Resolved, That the President of the United States be requested to lay before this House any correspondence, that he does not deem inexpedient to disclose, which may have existed between the Executive of the United States and the government of any of the maritime powers of Europe, in relation to the African slave trade.

In pursuance of the call contained in the foregoing resolution, the President of the United States transmitted to the House of Representatives two messages, which, with their accompanying documents, are as follows:

I communicate to the House of Representatives a report from the Secretary of State, which, with the papers accompanying it, contain all the information in possession of the Executive, requested by a resolution of the House, of the 4th of December, on the subject of the African slave trade.

JAMES MONROE.

Washington, 4th January, 1821.

DEPARTMENT OF STATE,

January 4th, 1821.

The Secretary of State, to whom has been referred the resolution of the House of Representatives, of the 4th ult. requesting the communication to that House of any correspondence that the President does not deem it inexpedient to disclose, which may have existed between the Executive of the United States and the government of any of the maritime powers of Europe, in relation to the African slave trade, has the honor of submitting copies of the papers requested by the resolution. With the exception of a note from the late Spanish minister Onis, communicating a copy of the treaty between Spain and Great Britain on this subject, the only Government of Europe with whom there has been such correspondence is that of Great Britain; and these papers contain all that has passed between them on the subject in writing. Since the arrival of Mr. Canning, various informal conferences between him and the Secretary of State have been held, in which

the proposals on the part of Great Britain have been fully discussed, without effecting a removal of the objections upon which the President had, in the first instance, found himself under the necessity of declining them. They have not yet terminated, nor have any written communications passed on the subject, with the exception of the note from Mr. Canning, and the answer to it, herewith submitted, both of a date subsequent to that of the resolution of the House.

JOHN QUINCY ADAMS.

LIST OF PAPERS.

Mr. Onis to the Secretary of State,	May 14, 1818.	Translation
Mr. Rush to the same, - - -	Feb. 18, do	Extract.
Same to the same, - - -	April 15, do	do
Same to the same, - - -	June 24, do	do
Lord Castlereagh to Mr. Rush, -	June 20, do	Copy.
Mr. Rush to Lord Castlereagh, -	June 23, do	do
Secretary of State to Messrs. Galatin and Rush - - -	Nov. 2, do	Extract.
Mr. Rush to Lord Castlereagh, -	Dec. 21, do	Copy.
Same to the Secretary of State, -	March 5, 1819.	Extract.
Same to same, - - -	Nov. 10, do	do
Mr. Canning to the Secretary of State, - - -	Dec. 20, 1820.	Copy.
The Secretary of State to Mr. Canning, - - -	Dec. 30, do	do

[TRANSLATION.]

Don Luis de Onis to the Secretary of State.

SIR: The introduction of negro slaves into America was one of the earliest measures adopted by the august ancestors of the king, my master, for the improvement and prosperity of those vast dominions, very shortly after their discovery. The total inaptitude of the Indians to various useful but painful labors, the result of their ignorance of all the conveniencies of life, and the imperfect progress in civil society, made it necessary to have recourse to strong and active laborers for breaking up and cultivating the earth. With the double view of stimulating them to active exertion, and of promoting the population of those countries, a measure was resorted to by Spain, which, although repugnant to her feelings, is not to be considered as having originated the system of slavery, but as having materially alleviated the evils of that which already existed, in consequence of a barbarous practice of the Africans, upon saving the lives of a considerable portion of the captives in war, whom they formerly put to death. By the introduction of this system, the negroes, far from suffering additional evils, or being subjected, while in a state of slavery, to a more painful life than when possessed of freedom in their own country, obtained the inestimable advantage of a knowledge of the true God, and of all the benefits attendant on civilization.

The benevolent feelings of the sovereigns of Spain did not, however, at any time permit their subjects to carry on this trade but by special license; and in the years 1789 and 1798 and on the 22d of April, 1804, certain limited periods were fixed for the importation of slaves. Although the last term had not expired when his majesty, our Lord Don Ferdinand the Seventh, was restored to the throne, of which a perfidious usurper had attempted to deprive him, his majesty, on resuming the reins of government, soon perceived that those remote countries had become a prey to civil feuds; and, in reflecting on the most effectual means of restoring order, and affording them all the encouragement of which they are susceptible, his majesty discovered that the numbers of the natives and free negroes had prodigiously increased under the mild regimen of the government, and the humane treatment of the Spanish slave owners; that the white population had also greatly increased; that the climate is not so noxious to them as it was before the lands were cleared; and, finally, that the advantages resulting to the inhabitants of Africa, in being transported to cultivated countries, are no longer so decided and exclusive, since England and the United States have engaged in the noble undertaking of civilizing them in their native country.

All these considerations combining with the desire entertained by H. M. of co-operating with the Powers of Europe in putting an end to this traffic, which, if indefinitely continued, might involve them all in the most serious evils, have determined H. M. to conclude a treaty with the king of the united kingdom of Great Britain and Ireland, by which the abolition of the slave trade is stipulated and agreed on, under certain regulations; and I have received his commands to deliver to the President a copy of the same, his majesty feeling confident that a measure so completely in harmony with the sentiments of this government, and of all the inhabitants of this republic, cannot fail to be agreeable to him.

In the discharge of this satisfactory duty, I now transmit you the aforesaid copy of the treaty, which I request you will be pleased to lay before the President, and I have the honor to renew the assurances of my distinguished respect.

God preserve you many years!

L. UIS DE ONIS.

Washington, 14th May, 1818.

Extract of a letter from Mr. Rush to the Secretary of State, dated February 18, 1818.

"You will probably have perceived, by the proceedings in the House of Commons, that treaties have been formed between this government and both Spain and Portugal, securing, as far as may be done by treaty, the final abolition, after a specified time, not very remote, of the slave trade. Thus is a last hand to be put to the work of America, whose legislators led the way, with Europe against them, in this transcendent moral reform. But it is a triumph, which, as little the Courts as the public of Europe seem willing, in any shape, to acknowledge. The palm is claimed by others. America is even placed in fault. In his speech on the Spanish treaty, delivered in the House of Commons, on the 8th instant, Lord Castlereagh observed that it was in vain for Britain alone to shut the door of her colonies against the slave trade; for that, unless there was a concert of exclusion, the other

islands of the West Indies, "and the Southern *provinces* of the United States, would become the asylum and depot of it." I gladly caught the opportunity of this accidental meeting* to say what could not have been otherwise than acceptable to the zeal for abolition. I stated the nature of our laws. I said, I felt sure that he would hear from me with pleasure that it was upwards of nine years since the traffic had been abolished throughout the Union; and that, so far had our acts of Congress carried the prohibition, that, to import even a single slave into any of the States, had, during the same period, been denounced as an offence, and subjected to unusually rigorous penalties of fine and imprisonment. His lordship admitted the prohibitions, but intimated fears lest we could not enforce them, alluding to the recent state of things at Amelia. In the end, he invited me to look into all their conventions with other Powers upon this subject, with a view to future conversation, adding that he was well disposed himself to a proper concert of action between our two governments, for the more effectual extirpation of the traffic.

"I shall look into the conventions accordingly, and wait the renewal of the topic. Whether policy would dictate any concert, is a point upon which, not being instructed, I will not presume to give any opinion. But I hope I do not misjudge in thinking that, for the present, I am merely bound to listen to, without seeking, any further conversation. I will take care punctually to communicate, for the President's information, whatever may be said to me, in like manner as my duty devolves it upon me to transmit this first sentiment, so cursorily thrown out by Lord Castlereagh. It will be understood, that, in adverting to our municipal prohibitions, I intended no advance to the point of national co-operation. It was barely for the sake of an incidental and gratuitous vindication, after a public remark, which, to say no more, was susceptible of unjust interpretations. On his allusion to Amelia Island, I reminded him that it was the very anxiety to prevent the illicit introduction of slaves that had formed a ruling motive with the President for breaking up, with the public force itself, the establishment at that place."

Extract of a letter from Mr. Rush to the Secretary of State, April 15, 1818.

* He (Lord Castlereagh) next spoke of the slave trade. The government of Great Britain felt, he said, an increasing desire that the Government of the United States should lend itself to the measures of regulation going forward in Europe for its complete extirpation. These measures mean, in effect, a reciprocal submission to the right of search. He explained, by saying, that only to a limited number of the armed vessels of each of the maritime states would a power to search be deputed, while the exercise of it would be strictly forbidden to all others. It was contemplated, he continued, to form, out of an association of these armed vessels, a species of naval police, to be stationed chiefly in the African seas, and from whose harmonious and co-operating efforts, the best results were anticipated. He added, that no peculiar structure or previous appearances in the vessel searched, no presence of irons, or other presumptions of criminal intention, nothing but the actual finding of slaves on board, was ever to authorize a seizure of

* With Lord Castlereagh.

detention. He said that they had lately pressed France upon the subject, and that there was no doubt of her eventual agreement. The recent vote in both her chambers, on the broad principle of abolition, he regarded as a full pledge of her ulterior steps.

"I replied, that I was sure that the President would listen with an ear the most liberal to whatever distinct proposals were made, more especially as the United States had been long awake, as well to the moral guilt as to the political and social evils of the traffic, and had, as was known, aimed against it the denunciations of their own laws. The distinct propositions, his Lordship gave me reason to think, would be made known, before long, through Mr. Bagot."

Extract of a letter from Mr. Rush to Mr. Adams, dated London, June 24, 1818.

"In two former despatches, I have mentioned what Lord Castlereagh has said to me relative to the slave trade. In my interview with him on the eleventh of this month, he spoke of it in a manner more formal and definitive."

"He first alluded to the late treaties concluded between Great Britain and several of the Powers of Europe upon this subject. Entering into conversation upon their particular nature and provisions, he said that the period had arrived when it was the wish of the British Government to invite the Government of the United States to join in the measures which Europe was so generally adopting for the more perfect abolition of this traffic, and that it was now his design to submit through me proposals to this effect. It will be perceived by my despatch No. 14,* that, at that period, it had been contemplated to make them through the channel of the English mission at Washington. What may have led to a change in this respect, his Lordship did not state, nor did I deem it material to inquire."

"It had occurred to him, he said, to make the proposals by sending me, accompanied by an official note, entire copies of all the treaties in question. They would best unfold the grounds and principles upon which a concert of action had already been settled by the States that were parties to them, and it was his intention to ask the accession of the United States upon grounds and principles that were similar. He added, that he would willingly receive my suggestions as to any other course that might strike me as better adapted to the object. I replied that none appeared to me more eligible, and that, whenever he would enclose me the treaties, I would lose no time in transmitting them for the consideration of the President."

"It naturally occurred to me, during our conversation, that the detached and distant situation of the United States, if not other causes, might call for a modification in some parts of these instruments, admitting that the broad principle of concert met approbation. His Lordship upon this point was full in assurances that the British Government would be happy to listen to whatever modifications the Government of the United States might think fit to propose. Its anxious and only desire he said, was to see a convention formed that would prove free from all objection, and be conducive to the single and grand object to which both sides looked. He ended by expressing the belief which was felt, that the maritime co-operation of the United States would usefully contribute to the advancement of this great work of humanity."

*April 15, 1818.

“ Nothing further passed necessary to the full understanding of the overture, beyond what the documents themselves and his Lordship’s note are calculated to afford. To these I have therefore the honor to refer, as disclosing, in the most authentic and detailed manner, the whole views of the British Government upon this interesting subject.”

Lord Castlereagh to Mr. Rush.

FOREIGN OFFICE,

June 20th, 1813.

SIR: The distinguished share which the Government of the United States has, from the earliest period, borne in advancing the cause of abolition, makes the British Government desirous of submitting to their favorable consideration whatever may appear to them calculated to bring about the final accomplishment of this great work of humanity.

The laudable anxiety with which you personally interest yourself in whatever is passing upon this important subject, will have led you to perceive, that, with the exception of the crown of Portugal, all European States have now either actually prohibited the traffic in slaves to their subjects, or fixed an early period for its cessation, whilst Portugal has also renounced it to the North of the Equator. From May, 1820, there will not be a flag, which *can legally* cover this detested traffic to the North of the line; and there is reason to hope, that the Portuguese may also ere long be prepared to abandon it to the South of the Equator; but so long as some effectual concert is not established amongst the principal maritime Powers for preventing their respective flags from being made a cover for an illicit trade, there is too much reason to fear (whatever be the state of the law upon this subject) that the evil will continue to exist, and, in proportion as it assumes a contraband form, that it will be carried on under the most aggravating circumstances of cruelty and desolation.

It is from a deep conviction of this truth, founded upon experience, that the British Government, in all its negotiations upon this subject, has endeavored to combine a system of alliance for the suppression of this most abusive practice, with the engagements which it has succeeded in lately contracting with the Governments of Spain and Portugal for the total or partial abolition of the slave trade. I have now the honor to enclose to you copies of the treaties which have been happily concluded with those Powers, together with the acts which have recently passed the Legislature for carrying the same into execution.

I have also the satisfaction to transmit to you a copy of a treaty which has been recently concluded with the King of the Netherlands, for the purpose, though at too late a period in the session to admit of its provisions receiving the sanction of Parliament. I am induced the more particularly to call your attention to this convention, as it contains certain provisions which are calculated to limit, in some respects, the powers mutually conceded by the former treaties, in a manner which, without essentially weakening their force, may render them more acceptable to the contracting parties.

The intimate knowledge which you possess of this whole subject renders it unnecessary for me, in requesting you to bring these documents t

the observation of your Government, to accompany them with any more detailed explanation. What I have *earnestly* to beg of you, is, to bring them under the serious consideration of the President; intimating to him the strong wish of the British Government that the exertions of the two States may be combined upon a somewhat similar principle, in order to put down this great moral disobedience, wherever it may be committed, to the laws of both countries. I am confident this cannot effectually be done, except by mutually conceding to each other's ships of war a qualified right of search, with a power of detaining the vessels of either State with slaves *actually on board*.

You will perceive in these conventions a studious, and, I trust, a successful attempt, to narrow and limit this power within due bounds, and to guard it against perversion. If the American Government is disposed to enter into a similar concert, and can suggest any further regulations, the better to obviate abuse, this Government will be most ready to listen to any suggestion of this nature—their only object being to contribute, by every effort in their power, to put an end to this disgraceful traffic.

I have the honor to be, with great truth,

Sir, your most obedient humble servant,

CASTLEREAGH.

Mr. Rush to Lord Castlereagh.

LONDON, June 23, 1818.

MY LORD: I have been honored with your Lordship's note of the twentieth of this month, enclosing copies of treaties recently concluded between this Government and the Governments of Portugal, Spain, and the Netherlands, respectively, in relation to the slave trade, and designed to draw the attention of the Government of the United States to this subject, with a view to its co-operation upon principles similar to those held out in these treaties, in measures that may tend to the more complete and universal abolition of the traffic.

The United States, from an early day of their history, have regarded with deep and uniform abhorrence the existence of a traffic attended by such complications of misery and guilt. Its transcendent evils roused throughout all ranks a corresponding zeal for their extirpation. One step followed another, until humanity triumphed; and against its continuance, under any shape, by its own citizens, the most absolute prohibitions of their code have, for a period of more than ten years, been rigorously, and, it is hoped, beneficially levelled. Your Lordship will pardon me this allusion to the earnest efforts of the United States to put down the traffic within their own limits, failing in, as it merely does, with the tribute which you have been pleased to pay to their early exertions, in helping to dry up this prolific source of

Whether any causes may throw obstacles in the way of their uniting in the concert of external measures, in which Europe generally, and this nation in particular, are now so happily engaged, the more effectually to banish from the world this great enormity, I dare not, in the total absence of all instructions, presume to intimate; much less have I any opinion of my own to offer upon a subject so full of delicacy and interest. But it is still left to me to say, that I shall perform a duty peculiarly gratifying in trans-

mitting, by the earliest opportunities, copies of your Lordship's note, with the documents which accompanied it, to my Government; and I sufficiently know the permanent sensibility which pervades all its councils upon this subject to promise that the overture which the former embraces will receive from the President the full and anxious consideration due to its importance, and, above all, to the enlarged philanthropy on the part of this Government by which it has been dictated.

I have the honor to be,

with the highest consideration,

Your Lordship's obedient faithful servant.

RICHARD RUSH.

Extract of a letter from the Secretary of State to Messrs. Gallatin and Rush, dated

DEPARTMENT OF STATE,

November 2, 1816.

“SLAVE TRADE.

“The President desires that you would make known to the British Government his sensibility to the friendly spirit of confidence with which the treaties lately contracted by Great Britain with Spain, Portugal, and the Netherlands, and the legislative measures of parliament founded upon them, have been communicated to this Government, and the invitation to the United States to join in the same or similar arrangements, has been given. He wishes you also to give the strongest assurances that the solicitude of the United States for the accomplishment of the common object, the total and final abolition of that odious traffic, continues with all the earnestness which has so long and so steadily distinguished the course of their policy in relation to it. As an evidence of this earnestness he requests you to communicate to them a copy of the act of Congress of the last session, in addition to the act of 1807, to prohibit the importation of slaves into the United States; (acts of the last session chap. 86, p. 81;) and to declare the readiness of this Government, within their constitutional powers, to adopt any further measures which experience may prove to be necessary for the purpose of attaining so desirable an end.

“But you will observe that, in examining the provisions of the treaties communicated by Lord Castlereagh, all their essential articles appear to be of a character not adaptable to the institutions or to the circumstances of the United States.

“The power agreed to be reciprocally given to the officers of the ships of war of either party, to enter, search, capture, and carry into port for adjudication, the merchant vessels of the other, however qualified and restricted, is most essentially connected with the institution, by each treaty, of two mixed courts, one of which to reside in the external or colonial possessions of each of the two parties respectively. This part of the system is indispensable to give it that character of reciprocity, without which the right granted to the armed ships of one nation to search the merchant vessels of another, would be rather a mark of vassalage than of independence. But to this part of the system, the United States, having no colonies either on the coast of Africa or in the West Indies, cannot give effect.

"You will add, that, by the Constitution of the United States, it is provided, the judicial power of the United States shall be vested in a Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish. It provides that the judges of these courts shall hold their offices during good behavior; and that they shall be removable by impeachment and conviction of crimes or misdemeanors. There may be some doubt whether the power of the Government of the United States is competent to institute a court for carrying into execution their penal statutes beyond the territories of the United States—a court consisting partly of foreign judges, not amenable to impeachment for corruption, and deciding upon the statutes of the United States without appeal.

"That the disposal of the negroes found on board the slave trading vessels which might be condemned by the sentence of these mixed courts cannot be carried into effect by the United States, for, if the slaves of a vessel condemned by the mixed court should be delivered over to the Government of the United States as freemen, they could not, but by their own consent, be employed as servants or free laborers. The condition of the blacks being in this Union regulated by the municipal laws of the separate States, the Government of the United States can neither guaranty their liberty in the States where they could only be received as slaves, nor control them in the states where they would be recognised as free.

"That the admission of a right, in the officers of foreign ships of war, to enter and search the vessels of the United States, in time of peace, under any circumstances whatever, would meet with universal repugnance in the public opinion of this country; that there would be no prospect of a ratification, by advice and consent of the Senate, to any stipulation of that nature; that the search, by foreign officers, even in time of war, is so obnoxious to the feelings and recollections of this country, that nothing could reconcile them to the extension of it, however qualified or restricted, to a time of peace; and that it would be viewed in a still more aggravated light, if, as in the treaty with the Netherlands, connected with a formal admission that even vessels under convoy of ships of war of their own nation, should be liable to search by the ships of war of another.

"You will, therefore, express the regret of the President that the stipulations communicated by Lord Castlereagh are of a character to which the peculiar situation and institutions of the United States do not permit them to accede. The constitutional objection may be the more readily understood by the British cabinet, if they are reminded that it was an obstacle proceeding from the same principle which prevented Great Britain from becoming, formally, a party to the holy alliance. Neither can they be at a loss to perceive the embarrassment under which we should be placed by receiving cargoes of African negroes, and be bound at once to guaranty their liberty, and to employ them as servants. Whether they will be as ready to enter into our feelings with regard to the search, by foreign navy lieutenants, of vessels under convoy of our own navy commanders, is, perhaps, of no material importance. The other reasons are presumed to be amply sufficient to convince them, that the motives for declining this overture are compatible with an earnest wish that the measures concerted by these treaties may prove successful in extirpating that root of numberless evils, the traffic in human blood, and with the determination to co-operate, to the utmost extent of our powers, in this great vindication of the sacred rights of humanity."

Copy of a letter from Mr. Rush to Lord Castlereagh, dated

LONDON, December 21, 1818.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary from the United States, has the honor to present his compliments to Lord Castlereagh.

In the note of the twenty-third of June, which the undersigned had the honor to address to his Lordship, in answer to his Lordship's communication of the twentieth of the same month, relative to the slave trade, the undersigned had great pleasure in giving the assurance that he would transmit a copy of that communication to his Government, together with the documents which accompanied it, being copies of treaties entered into on the part of Great Britain, with Spain, Portugal, and the Netherlands, for the more complete abolition of the odious traffic in slaves. He accordingly lost no time in fulfilling that duty, and has now the honor to inform his Lordship of the instructions with which he has been furnished by his Government in reply.

He has been distinctly commanded, in the first place, to make known the sensibility of the President to the friendly spirit of confidence in which these treaties, and the legislative measures of Parliament founded upon them, have been communicated to the United States and to the invitation which has been given, that they would join in the same or similar arrangements, the more effectually to accomplish the beneficent object to which they look. He is further commanded to give the strongest assurances that the solicitude of the United States for the universal extirpation of this traffic continues with all the earnestness which has so long and steadily distinguished the course of their policy in relation to it. Of their general prohibitory law of 1807, it is unnecessary that the undersigned should speak, his Lordship being already apprized of its provisions; amongst which the authority to employ the national force, as auxiliary to its execution, will not have escaped attention. But he has it in charge to make known, as a new pledge of their unremitting and active desire in the cause of abolition, that, so lately as the month of April last, another act of Congress was passed, by which not only are the citizens and vessels of the United States interdicted from carrying on, or being in any way engaged in the trade, but in which also the best precautions that legislative enactments can devise, or their penalties enforce, are raised up against the introduction into their territories of slaves from abroad, under whatever pretext attempted, and especially from dominions which lie more immediately in their neighborhood. A copy of this act is herewith enclosed for the more particular information of his Lordship. That peculiarity in the eighth section, which throws upon a defendant the labor of proof, as the condition of acquittal, the undersigned persuades himself will be regarded as signally manifesting an anxiety to suppress the hateful offence—departing, as it does, from the analogy of criminal jurisprudence, which so generally requires the independent and positive establishment of guilt as the first step in every public prosecution. To measures of such a character, thus early adopted, and sedulously pursued, the undersigned is further commanded to say, that the Government of the United States, acting within the pale of its constitutional powers, will always be ready to superadd any others that experience may prove to be necessary for attaining the desirable end in view.

But, on examining the provisions of the treaties, which your Lordship honored the undersigned by communicating, it has appeared to the President, that their essential articles are of a character not adapted to the circumstances or to the institutions of the United States.

The powers agreed to be given to the ships of war, of either party, to search, capture, and carry into port for adjudication, the merchant vessels of the other, however qualified, is connected with the establishment, by each treaty, of two mixed courts, one of which is to have its seat in the colonial possessions of the parties, respectively. The institution of such tribunals is necessarily regarded as fundamental to the whole arrangement; whilst their peculiar structure is doubtless intended, and would seem to be indispensable, towards imparting to it a just reciprocity. But to this part of the system, the United States, having no colonies upon the coast of Africa, in the West Indies, or elsewhere, cannot give effect.

Moreover, the powers of government in the United States, whilst they can only be exercised within the grants, are also subject to the restriction of the Federal Constitution. By the latter instrument, all judicial power is to be vested in a supreme court, and in such other inferior courts as Congress may, from time to time, ordain and establish. It further provides, that the judges of these courts shall hold their offices during good behavior, and be removable on impeachment and conviction of crimes and misdemeanors. There are serious doubts whether, obeying the spirit of these injunctions, the Government of the United States would be competent to appear as party to the institution of a court for carrying into execution their penal statutes in places out of their own territory—a court consisting partly of foreign judges, not liable to impeachment under the authority of the United States, and deciding upon their statutes without appeal.

Again. Obstacles would exist towards giving validity to the disposal of the negroes found on board the slave-trading vessels condemned by the sentence of the mixed courts. — If they should be delivered over to the Government of the United States as freemen, they could not, but by their own consent, be employed as servants, or free laborers. The condition of negroes, and other people of color, in the United States, being regulated by the municipal laws of the separate States, the government of the former could neither guaranty their liberty in the States where they could only be received as slaves, nor control them in the States where they would be recognised as free. The provisions of the fifth section of the act of Congress, which the undersigned has the honor to enclose, will be seen to point to this obstacle, and may be taken as still further explanatory of its nature.

These are some of the principal reasons which arrest the assent of the President to the very frank and friendly overture contained in your Lordship's communication. Having their foundation in constitutional impediments, the Government of his Britannic Majesty will know how to appreciate their force. It will be seen how compatible they are with the most earnest wishes on the part of the United States, that the measures concerted by these treaties may bring about the total downfall of the traffic in human blood; and with their determination to co-operate, to the utmost extent of their constitutional power, towards this great consummation, so imperiously set at the hands of all nations to the past wrongs and sufferings of Africa.

The undersigned prays Lord Castlereagh to accept the assurances of his distinguished consideration.

RICHARD RUSH.

Mr. Rush to the Secretary of State.

EXTRACT.

LONDON, *March 5, 1819.*

“Lord Castlereagh sent me a few days ago the enclosed printed parliamentary document. It will be found to comprise a variety of interesting papers relating to the slave trade, exhibiting all that has lately been done by the Powers of Europe upon the subject, and the actual and precise footing upon which it now stands. Its receipt was the first notice that I had in any shape of the fact of the publication, or of there being any intention to publish my notes to this Government of the twenty-third of June and twenty-first of December. It will be seen from one of the papers, how unequivocal and animated has been the refusal of France to allow her vessels to be boarded and searched at sea for slaves. Now, there is nothing more evident, as may be collected from my despatch of the fifteenth of last April, than that this is a result, which, at that period, Lord Castlereagh did not anticipate. Nevertheless, it would seem, from a passage in his Lordship’s letter to Lord Bathurst, from Paris, dated the 10th of December, the last paper in the collection, and written subsequently to all the conferences and declarations at Aix la Chapelle, that he still indulges a sanguine expectation, that “the French Government may be brought, at no distant period, to unite their *naval* exertions with those of the other allied Powers, for the suppression of the trade.” Some of the evidence furnished by the African Society in London and from Sierra Leone, as to the extent in which the trade continues to be unlawfully carried on, may probably command attention in the United States.

“What communications may, at any former periods, have been made to the Government of the United States, by the Government of France, Russia, or Prussia, through any channel, either in Europe, or at Washington, of their intentions in regard to this naval combination for putting down the traffic, I am not informed. It is impossible to refrain from remarking, that to me they remained utterly unknown, until I saw them recorded in these pages of a document given to the world by England.”

[Extract of a letter from Mr. Rush to the Secretary of State, dated

LONDON, November 10, 1819.

“On the seventh of this month, I received a note from Lord Castlereagh requesting that I would call upon him at his house on the ninth. I waited upon him at the hour appointed.

“His object, he stated, was to say to me, that the Government of Great Britain had lost none of its anxiety to see produced among nations a more universal and effective co-operation than had yet been witnessed, for the total abolition of the slave trade. It was still carried on, he observed, to an extent that was afflicting. In some respects, as the evidence collected by the African Institution, and from other sources, would show, the voyages were marked by more than all their original outrages upon humanity. — It was the intention of the Prince Regent again to invite the United States to negotiate

upon the subject, in the hope, notwithstanding what had heretofore passed, that some practicable mode might still be adopted, by which they could consent to become party to the association for finally extirpating the traffic. That I was aware of the addresses which had been presented to his Royal Highness, by both Houses of Parliament, at the close of the last session, for the renewal of negotiations with the governments both of the United States and France, to effectuate this most desirable end—That it was his Lordship's design to enclose to me, at an early day, copies of these addresses, as a foundation upon which to build in the new endeavor which this Government was now prepared to make. In doing so, his object, however, merely would be, that of bespeaking my interposition towards making known to the President the measure contemplated; since it was intended that all further negotiation should be carried on at Washington. This he thought indispensable, after the past failure, as it could not be supposed that I was prepared with any new authority or instructions to resume it upon this side of the water. That the new minister, Mr. Canning, who, his Lordship now informed me, was to sail as early in the Spring as practicable, would accordingly have the whole subject in charge, and be prepared to enter upon it on his arrival, under ardent hopes for an auspicious termination to his labors.

"I replied, that I would, in the same spirit as before, make known the communication to my Government. I adverted again to the obstacles which the Constitution of the United States interposed to the project, and also to the peculiar and extreme caution with which the momentous question of search mingled with it would be looked at throughout every part of the country. I said, that these reasons superadded themselves to that derived from the failure of the attempt already made here, to give great propriety, as it struck me; to a change of the scene of negotiation; that, if any thing could be done, it could be done only, or at all events be done best, at Washington; that the President, I was sure, continued to possess all his original sensibility to the importance of the subject, and would entertain any proposals, differently modified, that were submitted, with the same anxious dispositions as ever, for a favorable result to their objects.

"The conversation went off by a reference on my part to the Holy League. I remarked, that, as the Government of Great Britain had declared, that the principles of that league had its entire approbation, although it had not formally become a party to it, so the United States, acting within their constitutional limits, had long and earnestly striven, and would, it might be confidently affirmed, though restrained from going hand in hand with Europe, always continue their efforts in the same beneficent spirit, for putting down totally the slave trade. It is well known that the Earl of Liverpool, not longer ago than last February, described, in the House of Peers; the character of this league, as well as the insurmountable impediment which held back this country from signing it. He distinctly declared, that, as the signatures were all in the autograph of the respective sovereigns, England, in point of form, could never accede to it; for it was not consistent with her Constitution, that the Prince Regent should himself sign such an instrument, without the intervention of a responsible minister. Upon my reminding Lord Castlereagh of this declaration, which I was the more ready to do, since it was your wish that the illustration should be brought into view, he candidly admitted, that we, too, doubtless, had our constitutional embarrassments; but he nevertheless hoped, that such, and all others, might, by proper modifications of the plan, be overcome."

Mr. Canning to the Secretary of State.

The undersigned, his Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, took an early opportunity, after his arrival in the City of Washington, to inform Mr. Adams that, in pursuance of Lord Castlereagh's note, dated the 11th November, 1819, communicating to Mr. Rush an address of both Houses of Parliament, relating to the African slave trade, he was instructed to bring that important question again under the consideration of the American Government, in the hope of being found practicable so to combine the preventive measures of the two countries as materially to accelerate the total extinction of an evil which both have long united in condemning and opposing.

Mr. Adams will find no difficulty in recollecting the several conversations which have passed between him and the undersigned on this subject; he will remember that the last of those conversations, which took place towards the close of October, was terminated with an assurance on his part that the proposals of the English Government would be taken into full deliberation as soon after the meeting of Congress as the state of public business would allow, with a sincere disposition to remove any impediments which appeared at first sight to stand in the way of their acceptance.

An interval of considerable length having elapsed since that period, the undersigned is persuaded that Mr. Adams will shortly be at liberty to communicate the definitive sentiments of his Government on a subject which is of too deep and too general an importance not to engage the attention and benevolent feelings of the United States.

In this persuasion the undersigned conceives it unnecessary, on the present occasion, to go over the various grounds which formed the matter of his late conversations with Mr. Adams.

Notwithstanding all that has been done, on both sides of the Atlantic, for the suppression of the African slave trade, it is notorious that an illicit commerce, attended with aggravated sufferings to its unhappy victims, is still carried on; and it is generally acknowledged that a combined system of maritime police can alone afford the means of putting it down with effect.

That concurrence of principle in the condemnation and prohibition of the slave trade, which has so honorably distinguished the Parliament of Great Britain and the Congress of the United States, seems naturally and unavoidably to lead to a concert of measures between the two Governments the moment that such co-operation is recognised as necessary for the accomplishment of their mutual purpose. It cannot be anticipated that either of the parties, discouraged by such difficulties as are inseparable from all human transactions of any magnitude, will be contented to acquiesce in the continuance of a practice so flagrantly immoral, especially at the present favorable period, when the slave trade is completely abolished to the North of the Equator, and countenanced by Portugal alone to the South of that line.

Mr. Adams is fully acquainted with the particular measures recommended by his Majesty's ministers as best calculated, in their opinion, to attain the object which both parties have in view; but he need not be reminded that the English Government is too sincere in the pursuit of that common object to press the adoption of its own proposals, however satisfactory in themselves, to the exclusion of any suggestions equally conducive to the same end; and more agreeable to the institutions or prevailing opinion of other nations.

The undersigned embraces this opportunity to offer Mr. Adams the assurance of his high consideration.

STRATFORD CANNING.

Washington, December 20, 1820.

The Secretary of State to Mr. Canning.

DEPARTMENT OF STATE,

Washington, December 30, 1820.

SIR: I have had the honor of receiving your note of the 20th inst. in reply to which, I am directed by the President of the United States to inform you, that, conformably to the assurances given you in the conversation to which you refer, the proposals made by your Government to the United States, inviting their accession to the arrangements contained in certain treaties with Spain, Portugal, and the Netherlands, to which Great Britain is the reciprocal contracting party, have again been taken into the most serious deliberation of the President, with an anxious desire of contributing, to the utmost extent of the powers within the competency of this Government, and by means compatible with its duties to the rights of its own citizens, and with the principles of its national independence, to the effectual and final suppression of the African slave trade.

At an earlier period of the communications between the two Governments upon this subject, the President, in manifesting his sensibility to the amicable spirit of confidence with which the measures, concerted between Great Britain and some of her European allies, had been made known to the United States, and to the free and candid offer of admitting the United States to a participation in these measures, had instructed the minister of the United States residing near your Government to represent the difficulties resulting as well from certain principles of international law, of the deepest and most painful interest to these United States, as from limitations of authority prescribed by the people of the United States to the legislative and Executive depositaries of the national power, which placed him under the necessity of declining the proposal. It had been stated that a compact, giving the power to the naval officers of one nation to search the merchant vessels of another for offenders and offences against the laws of the latter, backed by a further power to seize and carry into a foreign port, and there subject to the decision of a tribunal composed of at least one half foreigners, irresponsible to the supreme corrective tribunal of this Union, and not amenable to the control of impeachment for official misdemeanor, was an investment of power over the persons, property, and reputation, of the citizens of this country, not only unwarranted by any delegation of sovereign power to the National Government, but so adverse to the elementary principles and indispensable securities of individual rights, interwoven in all the political institutions of this country, that not even the most unqualified approbation of the ends to which this organization of authority was adapted, nor the most sincere and earnest wish to concur in every suitable expedient for their accomplishment, could reconcile it to the sentiments or the principles of which, in the estimation of the people and Government of the United States, no consideration whatsoever could justify the transgression.

In the several conferences which, since your arrival here, I have had the honor of holding with you, and in which this subject has been fully and freely discussed between us, the incompetency of the power of this Government to become a party to the institution of tribunals, organized like those stipulated in the conventions above noticed, and the incompatibility of such tribunals with the essential character of the constitutional rights guaranteed to every citizen of the Union, has been shown by direct references to the fundamental principles of our Government, in which the supreme unqualified sovereign power is considered as inherent in the whole body of its people, while its delegations are limited and restricted by the terms of the instruments sanctioned by them, under which the powers of legislation, judgment, and execution, are administered; and by special indications of the articles in the Constitution of the United States, which expressly prohibit their constituted authorities from erecting any judicial courts, by the forms of process belonging to which, American citizens should be called to answer for any penal offence, without the intervention of a grand jury to accuse, and of a jury of trial to decide upon the charge.

But, while regretting that the character of the organized means of co-operation for the suppression of the African slave trade, proposed by Great Britain, did not admit of our concurrence in the adoption of them, the President has been far from the disposition to reject or discountenance the general proposition of concerted co-operation with Great Britain, to the accomplishment of the common end, the suppression of the trade. For this purpose armed cruisers of the United States have been for some time kept stationed on the coast which is the scene of this odious traffic; a measure which is in the contemplation of this Government to continue without intermission. As there are armed British vessels, charged with the same duty, constantly kept cruising on the same coast, I am directed by the President to propose that instructions, to be concerted between the two Governments, with a view to mutual assistance, should be given to the commanders of the vessels respectively assigned to that service—that they may be ordered, whenever the occasion may render it convenient, to cruise in company together, to communicate mutually to each other all information obtained by the one, and which may be useful to the execution of the duties of the other, and to give each other every assistance which may be compatible with the performance of their own service, and adapted to the end which is the common aim of both parties.

These measures, congenial to the spirit which has so long and so steadily marked the policy of the United States, in the vindication of the rights of humanity, will, it is hoped, prove effectual to the purposes for which this co-operation is desired by your Government; and to which this Union will continue to direct its most strenuous and persevering exertions.

I pray you, sir, to accept the assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

The Right Hon. STRATFORD CANNING,
*Envoy Extraordinary and Minister Plenipotentiary
 from Great Britain.*

To the House of Representatives:

I transmit to the House of Representatives a report from the Secretary of State, with the enclosed documents, relating to the negotiation for the sup-

pression of the slave trade, which should have accompanied a message on that subject, communicated to the House some time since, but which were accidentally omitted.

JAMES MONROE.

Washington, January 12, 1821.

DEPARTMENT OF STATE,

January 11, 1821.

The Secretary of State has the honor of submitting to the President a copy of a despatch from the Minister of the United States at London, enclosing documents relating to the negotiation for the suppression of the slave trade, which should have been transmitted with those accompanying the message of the President, to the House of Representatives, of the 4th instant, but which were accidentally omitted.

JOHN QUINCY ADAMS.

LIST OF PAPERS.

Extracts of a letter from Mr. Rush to the Secretary of State, dated 16th November, 1819.

Lord Castlereagh to Mr. Rush, 11th November, 1819 — Copy.

Address from House of Commons, 7th July, 1819, to the Prince Regent.
Copy.

Address from House of Lords, 9th July, 1819, to the Prince Regent.
Copy.

Mr. Rush to Lord Castlereagh, 16th November, 1819. — Copy.

Extracts of a letter from Mr. Rush to the Secretary of State, dated

London, November 19, 1819.

"I received, on the 14th instant, a note from Lord Castlereagh, dated the 11th, on the subject of the slave trade. The addresses from the House of Commons and House of Lords, to the Prince Regent, came with it. As the whole purport of this communication has been detailed, beforehand, in my last despatch, I am not aware that any further explanations from me are now requisite.

"The distinct testimony which is borne, in both these addresses, to the United States having been first in point of time among the nations of the world to abolish the trade, will be perceived with satisfaction. It is, so far as I know, the first occasion upon which the acknowledgment has been made, in any official or authentic manner, by any State in Europe.

"It appeared to me prudent to frame an answer of entire conciliation to Lord Castlereagh's note; and I hope that the spirit which it breathes may meet the President's approbation. It bears date on the 16th, and is among the enclosures transmitted herewith."

Lord Castlereagh to Mr. Rush.

FOREIGN OFFICE, 11th November, 1819.

The undersigned, his majesty's principal Secretary of State for Foreign Affairs, has the honor to transmit to Mr. Rush, by command of the Prince Regent, copy of addresses which were presented by both Houses of Parliament, at the close of the last session, to his royal highness, which his royal highness has to request Mr. Rush will lay before the President, with an intimation that it is the Prince Regent's earnest desire to enter, without delay, into discussion with the Government of the United States upon the important subject to which those addresses refer, and in the successful accomplishment of which, the common feelings and reputation of both States are equally and deeply involved.

It has occurred to the Prince Regent's Government, that the difficulties which have hitherto operated to prevent a common system of concert and prevention as directed against the illicit slave trade, between the two Governments, could be almost satisfactorily examined by selecting Washington for the seat of deliberation. Under this impression, the undersigned has delayed to transmit to Mr. Rush the addresses in question, till he could accompany them with some proposition to be conveyed to the Government of the United States for giving practical effect to the views of parliament.

The undersigned having lately had the honor of acquainting Mr. Rush that Mr. Stratford Canning had been selected by the Prince Regent to replace Mr. Bagot, as his Envoy and Minister Plenipotentiary in America, and as that gentleman will proceed to his mission early in the Spring, and will carry with him full instructions on this subject, the undersigned has to request Mr. Rush will invite his Government, on the part of the Prince Regent, to enter, as soon as may be after Mr. Canning's arrival, upon the proposed discussions.

Upon a subject so deeply interesting to humanity, the Government of the United States can never require any other impulse than that of its moral principles to awaken it to exertion; but, whatever of aid good offices can contribute to smooth the way for an amicable and advantageous proceeding on such a matter, the undersigned is convinced will be supplied by Mr. Rush's zeal and enlightened attachment to the success of the great cause which this inquiry involves; and in this view, the communication is specially recommended to his personal support and protection.

The undersigned avails himself of this opportunity to renew to Mr. Rush the assurances of his distinguished consideration.

CASTLEREAGH.

Mercurie 7 die Julie, 1819.

“Resolved, That an humble address be presented to his royal highness the Prince Regent, to assure his royal highness that we acknowledge, with becoming thankfulness, the zealous and persevering efforts which, in conformity with former addresses of this House, his royal highness has made for accomplishing the total annihilation of the African slave trade by all the foreign Powers whose subjects have hitherto been engaged in it.

“That we also congratulate his royal highness on the success with which his efforts have been already attended—that guilty traffic having been declared, by the concurrent voice of all the great Powers of Europe, assembled in

congress, to be repugnant to the principles of humanity and of universal morality.

"That, consequently, on this declaration, all the States whose subjects were formerly concerned in this criminal traffic have since prohibited it, the greater part absolutely and entirely; some for a time, particularly on that part of the coast of Africa only, which is to the North of the line; of the two States which still tolerate the traffic, one will soon cease to be thus distinguished, the period which Spain has solemnly fixed for the total abolition of the trade being near at hand; one Power alone has hitherto forborne to specify any period when the traffic shall be absolutely abandoned.

"That the United States of America were honorably distinguished as the first which pronounced the condemnation of this guilty traffic; and that they have since successively passed various laws for carrying their prohibition into effect: that, nevertheless, we cannot but hear with feelings of deep regret that, notwithstanding the strong condemnation of the crime by all the great Powers of Europe, and by the United States of America, there is reason to fear that the measures which have been hitherto adopted for actually suppressing these crimes are not yet adequate to their purpose.

"That we never, however, can admit the persuasion that so great and generous a people as that of France, which has condemned this guilty commerce in the strongest terms, will be less earnest than ourselves to wipe away so foul a blot on the character of a Christian people.

"That we are, if possible, still less willing to admit such a supposition in the instance of the United States—a people derived originally from the same common stock with ourselves, and favored, like ourselves, in a degree hitherto, perhaps, unequalled in the history of the world, with the enjoyment of religious and civil liberty, and all their attendant blessings.

"That the consciousness that the Government of this country was originally instrumental in leading the Americans into this criminal course, must naturally prompt us to call on them the more importunately to join us in endeavoring to put an end to the evils of which it is productive.

"That we also conceive that the establishment of some concert and co-operation in the measures to be taken by the different Powers for the execution of their common purpose, may, in various respects, be of great practical utility; and that, under the impression of this persuasion, several of the European States have already entered into conventional arrangements for seizing vessels engaged in the criminal traffic, and for bringing to punishment those who shall still be guilty of these nefarious practices.

"That we, therefore, supplicate his royal highness to renew his beneficent endeavors, more especially with the Governments of France and of the United States of America, for the effectual attainment of an object which we all profess equally to have in view; and we cannot but indulge the confident hope that these efforts may yet, ere long, produce their desired effect; may ensure the practical enforcement of principles universally acknowledged to be undeniably just and true; and may obtain for the long afflicted people of Africa the actual termination of their wrongs and miseries; and may destroy forever that fatal barrier, which, by obstructing the ordinary course of civilization and social improvement, has so long kept a large portion of the globe in darkness and barbarism, and rendered its connexion with the civilized and Christian nations of the earth a fruitful source only of wretchedness and desolation.

Ordered, "That the said address be presented to his royal highness the Prince Regent, by such members of the House as are of his Majesty's most honorable Privy Council.

G. DYSON.

U. D. Dom. Cdm."

An address precisely similar was voted about the same time, and presented in due course, by the House of Lords.

Die Veneris, 9 Julii, 1812.

Ordered, *Nemo dissentiente*, by the Lords spiritual and temporal in Parliament assembled, That an humble address, &c.

Resolved, That an humble address be presented to his royal highness the Prince Regent, to assure his royal highness that we acknowledge with becoming thankfulness the zealous and persevering efforts which, in conformity with former addresses of this House, his royal highness has made for accomplishing the total annihilation of the African slave trade by all the foreign Powers whose subjects had hitherto been engaged in it.

That we also congratulate his royal highness on the success with which his efforts have been already attended—that guilty traffic having been declared, by the concurrent voice of all the great Powers of Europe, assembled in Congress, to be repugnant to the principles of humanity and of universal morality.

That, consequently, in this declaration, all the States whose subjects were formerly concerned in this criminal traffic have since prohibited it, the greater part absolutely and entirely, some for a time, partially, on that part of the coast of Africa only which is to the North of the line. Of the two States which still tolerate the traffic, one will soon cease to be thus distinguished, the period which Spain has solemnly fixed for the total abolition of the trade being near at hand. One Power alone has hitherto forborne to specify any period when the traffic shall be absolutely abandoned.

That the United States of America were honorably distinguished as the first which pronounced the condemnation of this guilty traffic, and that they have since successively passed various laws for carrying their prohibition into effect. That, nevertheless, we cannot but bear, with feelings of deep regret, that, notwithstanding the strong condemnation of the crime by all the great Powers of Europe, and by the United States of America, there is reason to fear that the measures which have been hitherto adopted for actually suppressing these crimes are not adequate to their purpose.

That we never, however, can admit the persuasion, that so great and generous a people as that of France, which has condemned this guilty commerce in the strongest terms, will be less earnest than ourselves to wipe away so foul a blot on the character of a Christian people.

That we are, if possible, still less willing to admit such a supposition in the instance of the United States, a people derived originally from the same common stock with ourselves, and favored, like ourselves, in a degree hitherto perhaps unequalled in the history of the world, with the enjoyment of civil and religious liberty, and all their attendant blessings.

That the consciousness that the Government of this country was originally instrumental in leading the Americans into this criminal course, must natu-

rally prompt us to call on them the more importunately to join us in endeavoring to put an entire end to the evils of which it is productive.

This we also conceive that the establishment of some concert of co-operation in the measures to be taken by the different Powers for the execution of their common purpose, may, in various respects, be of great practical utility; and that, under the impression of this persuasion, several of the European States have already entered into conventional arrangements for seizing vessels engaged in the criminal traffic, and for bringing to punishment those who shall still be guilty of these nefarious practices.

That we, therefore, supplicate his royal highness to renew his beneficent endeavors, more especially with the Governments of France and of the United States of America, for the effectual attainment of an object which we all profess equally to have in view; and we cannot but indulge the confident hope that these efforts may yet, ere long, produce their desired effect, may ensure the effectual enforcement of principles universally acknowledged to be undeniably just and true, and may destroy forever that fatal barrier, which, by obstructing the ordinary course of civilization, and social improvement, has so long kept a large portion of the globe in darkness and barbarism, and rendered its connexion with the civilized and Christian nations of the earth a fruitful source only of wretchedness and desolation.

Ordered, That the said address be presented to his royal highness the Prince Regent, by the Lords with white staves.

Mr. Rush to Lord Castlereagh.

London, 16th November, 1819.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary from the United States, has the honor to present his compliments to Lord Castlereagh, and to acknowledge the receipt of his note of the 11th of this month.

The copies of the addresses to his royal highness the Prince Regent, from both Houses of Parliament, at the close of the last session, respecting the slave trade, which, by command of his royal highness, came enclosed in his Lordship's note, with a request that they might be laid before the President, the undersigned will lose no time in transmitting to the Secretary of State with that view. The intimation of its being the earnest desire of the Prince Regent to enter, without delay, into discussions with the United States, upon the important subject to which these addresses refer, and in the successful accomplishment of which the two nations have a common interest, will, the undersigned is persuaded, be met by his Government in the same spirit of elevated benevolence which has given birth to the desire in the mind of his royal highness.

The undersigned cannot avoid expressing his acquiescence in the opinion that the difficulties which have hitherto operated to prevent a system of concert against the illicit slave trade between the two Governments, are most likely to be satisfactorily examined by selecting Washington as the seat of deliberation. If, happily, they are of a nature to be removed, it is by such a transfer of the scene of a new endeavor that the best hopes may be formed; and it is hence with a peculiar satisfaction that the undersigned learns, that Mr. Canning, when proceeding on his mission to the United States, will carry with him such full instructions upon the whole subject as may prepare

him for entering upon the interesting duty of giving effect to the views of Parliament. The undersigned will not fail to make known this intention to his Government, by the earliest opportunity that he can command.

Upon a subject so universally interesting to humanity, Lord Castlereagh has justly inferred that the Government of the United States can never require any other incentive than that of its own moral impulse to awaken it, to exertion. But, if, upon the present occasion, it needed any other, the undersigned must be permitted to say that it would be abundantly found in the friendly and enlarged spirit of this renewed overture from the Government of the Prince Regent, and in the liberal justice rendered to the early and steadfast efforts of the United States in the cause of abolition, by the addresses in question, from both Houses of the Parliament of this realm. Following up their uniform policy in this great cause, never tired of adopting new expedients of prohibition, where new evasions have pointed to their necessity, the undersigned feels happy in being able to state, feeling sure that the information cannot be otherwise than acceptable to the unwearied and useful zeal of his Lordship in the same cause, that, besides the law of April, 1818, of which the undersigned had the honor to speak in his note of the twenty-first of December of that year, a subsequent act of Congress, of date so recent as last March, has raised up additional means for the extirpation of the baleful traffic. By this act the President is specially authorized to employ armed vessels of the United States to cruise upon the coasts of Africa; and other new provisions are introduced for intercepting and punishing such delinquent citizens as may be found forgetful of the denunciations of their Government, no less than of their own moral duties, abandoning themselves to the enormity of this transgression. It is well known that the sentiments of the President are in full and active harmony with those of Congress, in the beneficent desire of putting a stop to this deep-rooted and afflicting evil. With such pledges before the world, the undersigned cannot err in confidently anticipating that the fresh proposals of the Government of his royal highness will be promptly taken up at Washington, under the deepest convictions of their importance, and with every anxious desire for a favorable result that can be made, compatible with the constitution and other essential interests of the republic.

The undersigned is happy to embrace this occasion of renewing to Lord Castlereagh the assurance of his distinguished consideration.

RICHARD RUSH

SIXTEENTH CONGRESS—SECOND SESSION

FEBRUARY 9, 1821.

Report of the committee, consisting of Mr. Hemphill, Mr. Mercer, Mr. Strong of New York, Mr. Edwards of Pennsylvania, Mr. Rogers, Mr. McCreary, and Mr. Folger, to which was referred so much of the President's message as relates to the Slave Trade.

The committee to which is referred so much of the President's message as relates to the Slave Trade, and to which are referred the two messages of the President, transmitting, in pursuance of the resolution of the House of Representatives, of the 4th of December, a report of the Secretary of State, and enclosed documents, relating to the negotiation for the suppression of the Slave Trade, report:

That the committee have deemed it advisable, previous to entering into a consideration of the proposed co-operation to exterminate the slave trade, to make a summary review of the Constitution and laws of the United States relating to this subject. It will disclose the earnestness and zeal with which this nation has been actuated, and the laudable ambition that has animated her councils to take a lead in the reformation of a disgraceful practice, and one which is productive of so much human misery: it will, by displaying the constant anxiety of this nation to suppress the African slave trade, afford ample testimony that she will be the last to persevere in measures wisely designed to effectuate this great and most desirable object, whenever such measures can be adopted in consistency with the leading principles of her local institutions.

In consequence of the existence of slavery in many of the States, when British colonies, the habits, and means of carrying on industry, could not be suddenly changed; and the Constitution of the United States yielded to the provision, that the migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808.

But, long antecedent to this period, Congress legislated on the subject wherever its power extended, and endeavored, by a system of rigorous penalties, to suppress this unnatural trade.

The act of Congress of the 22d of March, 1794, contains provisions that no citizen or citizens of the United States, or foreigner, or any other person, coming into, or residing within, the same, shall, for himself, or any other person, whatsoever, either as master, factor, or owner, build, fit, equip, load, or otherwise prepare, any ship or vessel, within any port or place of the United States, nor shall cause any ship or vessel to sail from any port or place within the same, for the purpose of carrying on any trade or traffic in slaves to any foreign country; or for the purpose of procuring from any foreign kingdom, place, or country, the inhabitants of such kingdom, place or country, to be transported to any foreign country, port, or place whatever, to be sold or disposed of as slaves, under the penalty of the forfeiture of any such vessel, and of the payment of large sums of money by the persons offending against the directions of the act.

By an act of the 3d of April, 1798, in relation to the Mississippi territory, to which the constitutional provision did not extend, the introduction of slaves, under severe penalties, was forbidden, and every slave imported contrary to the act was to be entitled to freedom.

By an act of the 10th of May, 1800, the citizens or residents of this country were prohibited from holding any right or property in vessels employed in transporting slaves from one foreign country to another, on pain of forfeiting their right of property, and also double the value of that right in money, and double the value of their interest in the slaves; nor were they allowed to serve on board of vessels of the United States employed in the transportation of slaves from one country to another, under the punishment of fines and imprisonment; nor were they permitted to serve on board of foreign ships employed in the slave trade. By this act, also, the commissioned vessels of the United States were authorized to seize vessels and crews employed contrary to the act.

By an act of the 28th of February, 1803, masters of vessels were not allowed to bring into any port (where the laws of the State prohibited the importation) any negro, mulatto, or other person of color, not being a native, a citizen, or registered seaman, of the United States, under the pain of heavy penalties; and no vessel, having on board of the above description, was to be admitted to an entry; and if any such person should be landed from on board of any vessel, the same was to be forfeited.

By an act of the 2d March 1807, the importation of slaves into any port of the United States was to be prohibited after the first of January, 1808, the time prescribed by the constitutional provision. This act contains many severe provisions against any interference or participation in the slave trade, such as heavy fines, long imprisonments, and the forfeitures of vessels; the President was also authorized to employ armed vessels to cruise on any part of the coast where he might judge attempts would be made to violate the act, and to instruct the commanders of armed vessels to seize, and bring in, vessels found on the high seas contravening the provisions of the law.

By an act of the 20th of April, 1818, the laws in prohibition of the slave trade were further improved; this act is characterized with a peculiarity of legislative precaution, especially in the eighth section, which throws the labor of proof upon the defendant, that the colored persons brought into the United States by him, had not been brought in contrary to the laws.

By an act of the 3d of March, 1819, the power is continued in the President to employ the armed ships of the United States, to seize, and bring into port, any vessel engaged in the slave trade by citizens or residents of the United States, and such vessels, together with the goods and effects on board, are to be forfeited and sold, and the proceeds to be distributed, in like manner as provided by law for the distribution of prizes taken from an enemy; and the officers and crew are to undergo the punishments inflicted by previous acts. The President, by this act, is authorized to make such regulations and arrangements as he may deem expedient, for the safe-keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of color, as may have been brought within its jurisdiction, and to appoint a proper person or persons residing on the coast of Africa, as agent or agents for receiving the negroes, mulattoes, or persons of color, delivered from on board of vessels seized in the prosecution of the slave trade.

And in addition to all the aforesaid laws, the present Congress, on the 15th of May, 1820, believing that the then existing provisions would not be sufficiently available, enacted, that if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel, engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned in the whole, or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall land from any such ship or vessel, and on any foreign shore seize any negro or mulatto, not held to service or labor, by the laws of either of the States or Territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy or forcibly bring, or carry, or shall receive, such negro or mulatto, on board any such ship or vessel, with intent as aforesaid, such citizen or person shall be adjudged a pirate, and on conviction *shall suffer death*.

The immoral and pernicious practice of the slave trade has attracted much public attention in Europe, within the last few years; and in a Congress at Vienna, on the 6th of February, 1815, five of the principal Powers made a solemn engagement, in the face of mankind, that this traffic should be made to cease; in pursuance of which these Powers have enacted municipal laws to suppress the trade. Spain, although not a party to the original engagement, did, soon after, in her treaty with England, stipulate for the immediate abolition of the Spanish slave trade to the North of the Equator, and for its final and universal abolition on the 30th of May, 1820.

Portugal likewise, in her treaty in 1817, stipulated, that the Portuguese slave trade on the coast of Africa should entirely cease to the Northward of the Equator, and engaged that it should be unlawful for her subjects to purchase or trade in slaves except to the Southward of the line: the precise period at which the entire abolition is to take place in Portugal does not appear to be finally fixed; but the Portuguese ambassador, in the presence of the Congress at Vienna, declared, that Portugal, faithful to her principles, would not refuse to adopt the term of eight years, which term will expire in the year 1823.

At this time, among the European States, there is not a flag which can legally cover this inhuman traffic, to the North of the line: nevertheless, experience has proved the inefficacy of the various and rigorous laws which have been made in Europe, and in this country; it being a lamentable fact, that the disgraceful practice is even now carried on to a surprising extent.— During the last year, — Captain Trenchard, the commander of the United States' sloop of war the *Cyane*, found that part of the coast of Africa which he visited lined with vessels, engaged, as it is presumed, in this forbidden traffic; of these he examined many; and five, which appeared to be fitted out on American account, he sent into the jurisdiction of the United States, for adjudication; each of them, it is believed, has been condemned, and the commanders of two of them have been sentenced to the punishment prescribed by the laws of the United States.

The testimony recently published, with the opinion of the presiding judge of the United States' court of the Southern district in the state of New York, in the case of the schooner *Plattsburg*, lays open a scene of the grossest fraud that could be practised to deceive the officers of Government, and conceal the unlawful transaction.

The extension of the trade for the last 25 or 30 years must, in a degree, be conjectural, but the best information that can be obtained on the subject furnishes good foundation to believe, that, during that period, the number

of slaves withdrawn from Western Africa amounts to upwards of a million and a half; the annual average would be a mean somewhere between fifty and eighty thousand.

The trade appears to be lucrative in proportion to its heinousness; and as it is generally prohibited, the unfeeling slave dealers, in order to elude the laws, increase its horrors; the innocent Africans, who are mercilessly forced from their native homes in irons, are crowded in vessels and situations which are not adapted for the transportation of human beings; and this cruelty is frequently succeeded, during the voyage of their destination, with dreadful mortality. Further information on this subject will appear in a letter from the Secretary of the Navy, enclosing two other letters, marked 1 and 2, and also by the extract of a letter from an officer of the Cyane, dated April 10, 1820, which are annexed to this report. While the slave trade exists, there can be no prospect of civilization in Africa.

Howeyer well disposed the European Powers may be to effect a practical abolition of the trade, it seems generally acknowledged, that, for the attainment of this object, it is necessary to agree upon some concerted plan of co-operation; but, unhappily, no arrangement has as yet obtained universal consent.

England has recently engaged in treaties with Spain, Portugal, and the Netherlands, in which the mutual right of visitation and search is exchanged; this right is of a special and limited character, as well in relation to the number and description of vessels, as to space; and, to avoid possible inconveniences, no suspicious circumstances are to warrant the detention of a vessel; this right is restricted to the simple fact of slaves being on board.

These treaties contemplate the establishment of mixed courts, formed of an equal number of individuals of the two contracting nations, the one to reside in a possession belonging to his Britannic Majesty, the other within the territory of the other respective Power; when a vessel is visited and detained, it is to be taken to the nearest court, and if condemned, the vessel is to be declared a lawful prize, as well as the cargo, and are to be sold for the profit of the two nations; the slaves are to receive a certificate of emancipation, and to be delivered over to the government on whose territory the court is which passes sentence, to be employed as servants or free laborers; each of the governments binds itself to guaranty the liberty of such portion of these individuals as may be respectively assigned to it. Particular provisions are made for remuneration, in case vessels are not condemned after trial, and special instructions are stipulated to be furnished to commanders of vessels possessing the qualified right of visitation and search.

These Powers entertain the opinion, that nothing short of the concession of a qualified right of visitation and search can practically suppress the slave trade; an association of armed ships is contemplated, to form a species of naval police, to be stationed principally in the African seas, where the commanders of the ships will be enabled to co-operate in harmony and concert.

The United States have been earnestly invited by the principal Secretary of State for Foreign Affairs of the British Government to join in the same, or similar arrangements; and this invitation has been sanctioned and enforced, by a unanimous vote of the House of Lords and Commons, in a manner that precludes all doubts as to the sincerity and benevolence of their designs.

In answer to this invitation, the President of the United States has expressed his regret that the stipulations in the treaties communicated are of a charac-

ter to which the peculiar situation and institutions of the United States do not permit them to accede.

The objections made are contained in an extract of a letter from the Secretary of State, under date of the 22d of November, 1818; in which it is observed, that, "in examining the provisions of the treaties communicated by Lord Castlereagh, all the essential articles appear to be of a character not compatible to the institutions, or to the circumstances of the United States. The powers agreed to be reciprocally given to the officers of the ships of war of either party, to enter, search, capture, and carry into port for adjudication, the merchant vessels of the other, however qualified and restricted, is most essentially connected with the institution, by each treaty, of two mixed courts, one of which to reside in the external or colonial possession of each of the two parties, respectively. This part of the system is indispensable to give it that character of reciprocity, without which the right granted to the armed ships of one nation, to search the merchant vessels of another, would be rather a mark of vassalage than of independence. But to this part of the system the United States, having no colonies, either on the coast of Africa, or in the West Indies, cannot give effect. That, by the Constitution of the United States, it is provided that the judicial power of the United States shall be vested in a supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. It provides that the judges of these courts shall hold their offices during good behavior; and that they shall be removable by impeachment, on conviction of crimes and misdemeanors. There may be doubts whether the power of the Government of the United States is competent to institute a court for carrying into execution their penal statutes beyond the territories of the United States—a court consisting partly of foreign judges, not amenable to impeachment for corruption, and deciding upon statutes of the United States without appeal.

"That the disposal of the negroes found on board of the slave trading vessels, which might be condemned by the sentence of these mixed courts, cannot be carried into effect by the United States: for, if the slaves of vessels condemned by the mixed courts, should be delivered over to the Government of the United States as free men, they could not, but by their own consent, be employed as servants or free laborers. The condition of the blacks being, in this Union, regulated by the municipal laws of the separate states, the Government of the United States can neither guaranty their liberty in the States where they could only be received as slaves, nor control them in the States where they would be recognised as free. That the admission of a right, in the officers of foreign ships of war, to enter and search the vessels of the United States in time of peace, under any circumstances whatever, would meet with universal repugnance in the public opinion of this country; that there would be no prospect of a ratification, by advice and consent of the Senate, to any stipulation of that nature; that the search by foreign officers, even in time of war, is so obnoxious to the feelings and recollections of this country, that nothing could reconcile them to the extension of it, however qualified or restricted, to a time of peace; and that it could be viewed in a still more aggravated light, if, as in the treaty with the Netherlands, connected with a formal admission that even vessels under convoy of ships of war of their own nation, should be liable to search by the ships of war of another."

The committee will observe, in the first instance, that a mutual right of search appears to be indispensable to the great object of abolition; for, while

flags remain as a cover for this traffic, against the right of search by any vessels except of the same nation, the chance of detection will be much less than it would be if the right of search was extended to vessels of other Powers; and as soon as any one nation should cease to be vigilant in the discovery of infractions practised on its own code, the slave dealers would avail themselves of a system of obtaining fraudulent papers, and concealing the real ownership under the cover of such flags; which would be carried on with such address, as to render it easy for the citizens or subjects of one State to evade their own municipal laws; but, if a concerted system existed, and a qualified right of mutual search was granted, the apprehension of these piratical offenders would be reduced to a much greater certainty; and the very knowledge of the existence of an active and vigorous system of co-operation would divert many from this traffic, as the unlawful trade would become too hazardous for profitable speculation.

In relation to any inconveniences that might result from such an arrangement, the commerce of the United States is so limited on the African coast that it could not be much affected by it; and, as it regards economy, the expense of stationing a few vessels on that coast would not be much greater than to maintain them at any other place.

The committee have briefly noticed the practical results of a reciprocal right of search, as it bears on the slave trade; but the objection as to the propriety of ceding this right remains. It is with deference that the committee undertake to make any remarks upon it. They bear in recollection the opinions entertained in this country, on the practice of searching neutral vessels in time of war; but they cannot perceive that the right under discussion is, in principle, allied, in any degree, to the general question of search; it can involve no commitment, nor is it susceptible of any unfavorable inference on that subject; and even if there were any affinity between the cases, the necessity of a special agreement would be inconsistent with the idea of existing rights: the proposal itself, in the manner made, is a total abandonment, on the part of England, of any claim to visit and search vessels in a time of peace, and this question has been unequivocally decided in the negative in her admiralty courts.

Although it is not among the objections that the desired arrangement would give color to a claim or right of search in time of peace, yet, lest the case in this respect may be prejudiced in the minds of any, the committee will observe, that the right of search, in time of peace, is one that is not claimed by any Power as a part of the law of nations; no nation pretends that it can exercise the right of visitation and search upon the common and unappropriated parts of the sea, except upon the belligerent claim. A recent decision in the British admiralty court, in the case of the French slave ship *Le Louis*, is clear and decisive on this point. The case is annexed to this report.

In regard, then, to the reciprocal right wished to be ceded, it is reduced to the simple inquiry whether, in practice, it will be beneficial to the two contracting nations. Its exercise, so far as it relates to the detention of vessels, as it is confined to the fact of slaves being actually on board, precludes almost the possibility of accident or much inconvenience.

In relation also to the disposal of the vessels and slaves detained, an arrangement perhaps could be effected, so as to deliver them up to the vessels of the nation to which the detained vessel should belong. Under such an understanding, the vessels and slaves delivered to the jurisdiction of the

United States might be disposed of in conformity with the provisions of our own act of the 3d of March, 1819; and an arrangement of this kind would be free from any of the other objections.

An exchange of the right of search, limited in duration, or to continue at pleasure, for the sake of experiment, might, it is anxiously hoped, be so restricted to vessels and seas, and with such civil and harmonious stipulations, as not to be unacceptable.

The feelings of this country on the general question of search have often been roused to a degree of excitement that evince their unchangeable character; but the American people will readily see the distinction between the cases; the one on its exercise, to the extent claimed, will ever produce irritation, and excite a patriotic spirit of resistance; the other is amicable and charitable; the justness and nobleness of the undertaking are worthy of the combined concern of Christian nations.

The detestable crime of kidnapping the unoffending inhabitants of one country, and chaining them to slavery in another, is marked with all the atrociousness of piracy; and, as such, it is stigmatized, and punishable by our own laws.

To efface this reproachful stain from the character of civilized mankind, would be the proudest triumph that could be achieved in the cause of humanity. On this subject the United States, having led the way, owe it to themselves to give their influence and cordial co-operation to any measure that will accomplish the great and good purpose; but this happy result, experience has demonstrated, cannot be realized by any system, except a concession by the maritime Powers to each other's ships of war, of a qualified right of search; if this object was generally attained, it is confidently believed that the active exertions of even a few nations would be sufficient entirely to suppress the slave trade.

The slave dealers could be successfully assailed on the coast upon which the trade originates, as they must necessarily consume more time in the collection and embarkation of their cargoes than in the subsequent distribution in the markets for which they are destined; this renders that coast the most advantageous position for their apprehension; and, besides, the African coast frequented by the slave ships is indented with so few commodious or accessible harbors, that, notwithstanding its great extent, it could be guarded by the vigilance of a small number of cruisers. But, if the slave ships are permitted to escape from the African coast, and to be dispersed to different parts of the world, their capture would be rendered uncertain and hopeless.

The committee, after much reflection, offer the following resolution:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be requested to enter into such arrangements as he may deem suitable and proper, with one or more of the maritime powers of Europe, for the effectual abolition of the African slave trade.

NAVY DEPARTMENT, February 7, 1821.

Sir: I have the honor to transmit to you such information as this Department affords upon the subject of the slave trade, in answer to your letter of the 30th of January last.

The enclosed copy, No. 1, of a circular of the United States' District Attorneys and Marshals, has been answered, generally, that no slaves have been brought into their respective districts, with the exception of Maryland, South Carolina, and Georgia; ~~answers have not been received from Louisiana.~~

There appears to have been partial captures made upon the coast, and in the neighborhood of Georgia, by the public vessels of the United States; the slaves, in some cases, have been bonded out to individuals until adjudication.

The slave trade has been checked by our cruisers upon the Southern coasts of the United States, and no great attempts appear to have been made to introduce slaves through illicit channels.

There are now in charge of the Marshal of Georgia two hundred and forty-eight Africans, taken out of a South American privateer, the General Ramirez, whose crew mutinied, and brought the vessel into St. Mary's, Georgia; sixty more are in custody of the Marshal, detained and maintained in the vicinity of Savannah; forty or fifty more have been sent out of the State; under what orders it is not known.

The ships cruising on the coast of Africa, during the last year, captured the following vessels engaged in the slave trade, but having no slaves on board at the time, viz:

Schooner *Erdymion*,
Do. *Plattsburgh*,
Do. *Scieñce*,
Do. *Esperanza*, and
Brig *Alexander*.

These vessels have been condemned in the District Courts of the New York and Massachusetts; and their commanders sentenced to fine and imprisonment, under the acts of Congress.*

The most detailed information that has been communicated to this Department, in relation to the slave trade, will be found in the enclosed copy, No. 2, from the late United States' agent, then resident in Africa, but since deceased.

I have the honor to be,

With great respect, sir,

Your most obedient servant,

SMITH THOMPSON.

Hon. JOSEPH HENPHILL,

Chairman of the Committee on Slave Trade, H. R.

No. 1.

NAVY DEPARTMENT, *13th January, 1821.*

SIR: I duly received your letter of the 25th November last, an answer to which has been delayed by the urgency of public business.

I request you will be pleased to inform me what disposition has been made of the two hundred and fifty-eight Africans mentioned in your letter; and what expense, if any, has been incurred for their safe keeping. It is very desirable to save further expenses by an early decision of their case.

*The information contained in this paragraph is not derived from any official source: it is nevertheless believed to be correct.

I wish also to be informed upon the cases of all others within your jurisdiction, and coming within the execution of the laws for prohibiting and suppressing the slave trade.

I am, very respectfully,

Your obedient servant,

SMITH THOMPSON.

JOHN H. MOHEL, Esq.

Marshal of the district of Georgia, Savannah.

No. 2.

Extract of a letter from the Rev. Samuel Bacon, to the Secretary of the Navy, dated

CAMPBLAR, (Sherbro Island,) 21st March, 1820.

"The slave trade is carried on briskly in this neighborhood: had I authority so to do, I could take a vessel lying within the floating of one tide, say 25 miles from us, in the Sherbro, under American colors, taking in a cargo of slaves. Their policy is to come with a cargo of goods suited to the market, deliver it to a slave factor on shore, and contract for slaves. They then lie at anchor in the river, or stand out to sea for a specified number of days, till the slaves are all procured and brought to the beach, and placed under a hovel or shed prepared for the purpose, all chained two and two. At the appointed time, or on a concerted signal, the vessel comes in and takes her slaves on board, and is off in an hour. This is rendered necessary, as they cannot be seized unless they have slaves on board; and they are watched by the cruisers, so as to be taken when they have slaves with them. The Augusta, (the schooner I purchased) is a vessel of 104 tons, a swift sailer, and was intended to take a cargo of 100; she has a cambouse fitted to boil rice in large quantities. Slaves receive one pint each per day."

UNITED STATES' SHIP CYANE,

Off Sierra Leone, April 10, 1820.

During our stay at Sierra Leone, the European gentlemen who were residents at the place treated us with the utmost respect, striving who should be most forward in attention and hospitality. A party was formed by those gentlemen to show our officers the interior settlements; and from their report on their return, I learned the extent of the colony, and the benevolent philanthropy of the British nation, in alleviating the miseries of the oppressed and ignorant Africans. Not less than six thousand captured Africans have been landed at this settlement by the British ships of war. On their arrival, those of a proper age are named and sent to the adjacent villages. A house and lot is appointed to each family, and they are supported one year by government, at the expiration of which they are obliged to look out for themselves. The captured children are also sent to the villages, where they are kept at school till married, which is always at an early age. At the head of each village is a missionary, who receives his annual support

from the government, and who acts in the double capacity of minister and schoolmaster.

Lieutenant Cooper and myself walked through the villages situated to the westward of Sierra Leone. We landed at King Town, the former residence of King Tom. The house in which the king resided is in ruins, and almost hidden from view by shrubbery. From thence we proceeded to Kroo Town, a small village, inhabited by about five hundred Kroomea. The British ships of war on this station have each from twenty-five to seventy of these men on their books.

The trade of this place is considerable. Several vessels entered and sailed during our short stay; many of them were loaded with ship timber, which is somewhat like our white oak. The other articles of trade are ivory, camwood, wax, and palm oil. We sent a boat from Sierra Leone for Mr. Bacon, who came up, and remained with us two days. He has already settled himself, with his followers, (until after the rain,) on Sherbro Island. I fear this island will not answer his wishes; it is low, unhealthy, difficult of access for ships, and is not very fertile. There are many places to beward possessing greater advantages, one of which I hope he will select for a permanent settlement.

After remaining nine days at Sierra Leone, we sailed for the Gallinas, a place of resort for slave vessels; since which, we have made ten captures; some by fair sailing, others by boats and stratagem. Although they are evidently owned by Americans, they are so completely covered by Spanish papers, that it is impossible to condemn them. Two schooners, the *Endymion* and *Esperanza*, were sent home. We shall leave the coast in the course of three or four days, for Port Praya, from whence we shall proceed to Tenerife for provisions.

The slave trade is carried on to a very great extent. There are, probably, not less than three hundred vessels on the coast, engaged in that traffic, each having two or three sets of papers. I sincerely hope government have revised the law, giving us more authority. You have no idea how cruelly these poor creatures are treated by the monsters engaged in taking them from the coast.

Case of the French slave ship Le Louis, extracted from the 12th annual report of the African Institution, printed in 1818.

This vessel sailed from Martinique on the 30th of January, 1816, on a slave trading voyage to the coast of Africa, and was captured near Cape Mesurado, by the Sierra Leone colonial vessel of war, the *Queen Charlotte*, after a severe engagement, which followed an attempt to escape, in which eight men were killed and twelve wounded of the British; and proceedings having been instituted against *Le Louis* in the Vice Admiralty court of Sierra Leone, as belonging to French subjects, and as fitted out, manned, and navigated, for the purpose of carrying on the slave trade, after the trade had been abolished both by the internal laws of France, and by the treaty between that country and Great Britain, the ship and cargo were condemned as forfeited to his majesty.

From this sentence, an appeal having been made to the High Court of Admiralty, the case came on for hearing, when the court reversed the judgment of the inferior court, and ordered the restitution of the property to the claimants.

The judgment of Sir William Scott was given at great length. The directors will advert to such points of it as are immediately connected with their present subject. "No doubt," he said, "could exist that this was a French ship, intentionally engaged in the slave trade." But, as these were facts which were ascertained in consequence of its seizure, before the seizer could avail himself of this discovery, it was necessary to inquire whether he possessed any right of visitation and search; because, if the discovery was lawfully produced, he could not be allowed to take advantage of the consequences of his own wrong.

The learned judge then discussed, at considerable length, the question, whether the right of search exists in time of peace. And he decided it without hesitation in the negative. "I can find," he says, "no authority that gives the right of interruption to the navigation of States in amity, upon the high seas, excepting that which the rights of war give to both belligerents against neutrals. No nation can exercise a right of visitation and search upon the common and unappropriated parts of the sea, save only on the belligerent claim." He admits, indeed, and with just concern, that if this right be not conceded in time of peace, it will be extremely difficult to suppress the traffic in slaves.

"The great object, therefore, ought to be to obtain the concurrence of other nations, by application, by remonstrance, by example, by every peaceable instrument which men can employ to attract the consent of men. But a nation is not justified in assuming rights that do not belong to her, merely because she means to apply them to a laudable purpose."

"If this right," he adds, "is imported into a state of peace, it must be done by convention; and it will then be for the prudence of States to regulate, by such convention, the exercise of the right, with all the softenings of which it is susceptible."

The judgment of Sir William Scott would have been equally conclusive against the legality of this seizure, even if it could have been established in evidence that France had previously prohibited the slave trade by her municipal laws. For the sake of argument, however, he assumes that the view he has taken of the subject might, in such a case, be controverted. He proceeds, therefore, to inquire how far the French law had actually abolished the slave trade at the time of this adventure. The actual state of the matter, as collected from the documents before the court, he observes is this:

"On the 27th of July, 1815, the British minister at Paris writes a note to Prince Talleyrand, then minister to the King of France, expressing a desire on the part of his court to be informed whether, under the law of France as it then stood, it was prohibited to French subjects to carry on the slave trade. The French minister informs him in answer, on the 30th of July, that the law of the Usurper on that subject was null and void, (as were all his decrees) but that his most Christian Majesty had issued directions, that, on the part of France, 'the traffic should cease from the present time, every where and forever.'

"In what form these directions were issued, or to whom addressed, does not appear; but, upon such authority, it must be presumed that they were actually issued. It is, however, no violation of the respect due to that authority to inquire what was the result or effect of those directions so given? what followed in obedience to them, in any public and binding form? and I fear I am compelled to say, that nothing of the kind followed; and that the directions must have slept in the portfolio of the office to which they

were addressed: for it is, I think, impossible that, if any public and authoritative ordinance had followed, it could have escaped the sleepless attention of many persons in our own country, to all public foreign proceedings upon this interesting subject. Still less would it have escaped the notice of the British resident minister, who, at the distance of a year and a half, is compelled, on the part of his own Court, to express a curiosity to know what laws, ordinances, instructions, and other public and ostensible acts, had passed for the abolition of the slave trade.

“On the 30th of November, in the same year, (1815) the additional article of the definitive treaty, a very solemn instrument, most undoubtedly is formally and publicly executed, and it is in these terms: ‘The high contracting parties, sincerely desiring to give effect to the measures on which they deliberated at the Congress of Vienna, for the complete and universal abolition of the slave trade; and having, each in their respective dominions prohibited, without restriction, their colonies and subjects from taking any part whatever in this traffic, engage to renew conjointly their efforts, with a view to ensure final success to the principle which they proclaimed in the declaration of the 8th of February, 1815, and to concert, without loss of time, by their Ministers at the Court of London, the most effectual measure for the entire and definitive abolition of the traffic, so odious, and so highly reproved by the laws of religion and nature.’

“Now, what are the effects of this treaty? According to the view I take of it, they are two, and two only; one declaratory of a fact, the other promissory of future measures. It is to be observed, that the treaty itself does not abolish the slave trade; it does not inform the subjects that that trade is *hereby* abolished, and that, by virtue of the prohibitions therein contained its subjects shall not in future carry on the trade; but the contracting parties mutually inform each other of the fact, that they have, in their respective dominions, abolished the slave trade, without stating at all the mode in which that abolition had taken place.

“It next engages to take future measures for the universal abolition.

“That, with respect to both the declaratory and promissory parts, Great Britain has acted with the *optima fides*, is known to the whole world, which has witnessed its domestic laws, as well as its foreign negotiations.

“I am very far from intimating that the Government of this country did not act with perfect propriety, in accepting the assurance that the French Government had actually abolished the slave trade, as a sufficient proof of the fact; but the fact is now denied by a person who has a right to deny it for, though a French subject, he is not bound to acknowledge the existence of any law which has not publicly appeared; and the other party having taken upon himself the burthen of proving it in the course of a legal inquiry the Court is compelled to demand and expect the ordinary evidence of such a disputed fact. It was not till the 15th of January, in the present year (1817) that the British resident Minister applies for the communication have described, of all laws, instructions, ordinances, and so on: he receives in return what is delivered by the French Minister as *the* ordinance, bearing date only one week before the requested communication, namely, the 8th of January. It has been asserted, in argument, that no such ordinance has yet, up to this very hour, even appeared in any printed or public form however much it might import both French subjects and the subjects of foreign States so to receive it.

"How the fact may be, I cannot say; but I observe it appears before me in a manuscript form; and, by inquiry at the Secretary of State's office, I find it exists there in no other plight or condition.

"In transmitting this to the British Government, the British Minister observes, it is not the document he had reason to expect: and, certainly, with much propriety; for, how does the document answer his requisition? His requisition is for all laws, ordinances, instructions, and so forth. How does this, a simple ordinance, professing to have passed only a week before, realize the assurance given on the 30th of July, 1815, that the traffic 'should cease, from the present time, every where and forever?' or how does this realize the promise made in November, that measures should be taken, without loss of time, to prohibit not only French colonists, but French subjects likewise, from taking any part whatever in this traffic? What is this regulation in substance? Why, it is a mere prospective colonial regulation, prohibiting the importation of slaves into the French colonies from the 6th of January, 1817.

"Consistently with this declaration, even if it does exist in the form and with the force of a law, French subjects may be yet the common carriers of slaves to any foreign settlement that will admit them, and may devote their capital and their industry, unmolested by law, to the supply of any such markets.

"Supposing, however, the regulations to contain the fullest and most entire fulfilment of the engagement of France, both in time and in substance, what possible application can a prospective regulation of January, 1817, have to a transaction of March, 1816?

"Nobody is now to be told that a modern edict, which does not appear, cannot be presumed; and, that no penal law of any State can bind the conduct of its subjects, unless it is conveyed to their attention in a way which excludes the possibility of honest ignorance. The very production of a law professing to be enacted in the beginning of 1817, is a satisfactory proof that no such law existed in 1816, the year of this transaction. In short, the seizer has entirely failed in the task he has undertaken, in proving the existence of a prohibitory law, enacted by the legal government of France, which can be applied to the present transaction."

Papers relating to the Slave Trade. Presented to both Houses of Parliament, by command of the Prince Regent, February, 1819.

No. 1.

Extract of the Protocol of the conference between the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, held at London on the 14th December, 1817.

Present.

LORD CASTLEREAGH,	Plenipotentiary of Great Britain.
COUNT LIEVEN,	do. of Russia.
BARON HUMBOLDT,	do. of Prussia.
PRINCE ESTERHAZY,	do. of Austria.
COUNT CARAMAN,	Chargé des Affaires of France.

The plenipotentiaries of Great Britain, Russia, Prussia, and Austria, and the Chargé des Affaires of France, having agreed to meet together for the

purpose of resuming the conferences relative to the abolition of the slave trade, Lord Castlereagh presents two conventions which his government has concluded during the present year, the one with Portugal, and the other with Spain, on the subject of the abolition of the slave trade: his excellency requests to defer to another day the consideration of these two transactions, with reference to the further measures which may, under the present circumstances, be to be taken respecting this question. The two said documents are annexed to this protocol, sub litt. A and B.

A note, dated the 19th February, 1817, addressed by the Portuguese minister to the plenipotentiaries, on the question of the abolition of the slave trade, is read; their excellencies agree to take into consideration the contents thereof, as soon as the subject shall again be proceeded in by them, and they order that it may, in the mean time, be inserted in the protocol, to which it is annexed, sub litt. C.

After which the sitting was adjourned.

HUMBOLDT.
LIEVEN.
CASTLEREAGH.
ESTERHAZY.
G. DE CARAMAN.

Note.—The annexes A and B to the protocol of the conference of the 4th December, 1817, (viz: the additional conventions between Great Britain, Portugal, and Spain, signed at London on the 28th July, 1817, and at Madrid on the 23d September, 1817, respectively,) have been already printed and laid before parliament.

Annex C to the protocol of the conference of the 4th December, 1817.
(Enclosed in No. 1.)

Note of the Count de Palmella to the plenipotentiaries of the five Powers.

London, 19th February, 1817.

The undersigned, envoy extraordinary and minister plenipotentiary of his most faithful majesty, having received from his court the instructions requested by his predecessor, M. de Freire, upon the subject of the invitation addressed to him by the plenipotentiaries of the Powers who signed the additional article of the treaty of Paris on the 20th of November, 1815, considers it his duty to make their excellencies acquainted with the tenor thereof, being persuaded that they will find therein satisfactory proof of the plain and candid line of conduct which the king his master has adopted, from the beginning of this negotiation.

His majesty the king of Portugal, not having signed the additional article of the treaty of Paris of the 20th November, 1815, does not consider himself bound to take a part in the conferences established in London by virtue of that article; and the less so, as, at the time when the said conferences were proposed at the Congress at Vienna, the Portuguese plenipotentiaries positively refused to concur therein.

His majesty being, nevertheless, desirous of giving this further proof of his wish to co-operate with the high powers who signed the additional article, in the accomplishment of the object proclaimed in the declaration of the

Congress of Vienna of the 8th February, 1815, has authorized the undersigned, notwithstanding the efforts and the sacrifices which it has already and must still cost the Brazils to accomplish it, to accept the invitation of the plenipotentiaries of those Powers who signed the above mentioned additional article, and to take part in their conferences, whenever their excellencies shall have given him the assurance that the negotiation in question will be grounded upon the following principles:

1st. That, in conformity to the solemn declaration of the Congress of Vienna, due regard shall be had, in proceeding to the abolition of the slave trade, to the interests, the customs, and even the prejudices, of the subjects of those powers which still permit this traffic.

2dly. That each of the said Powers having the right to enact the final abolition at the period which it may judge most expedient, that period shall be fixed upon between the Powers by means of negotiation.

3dly. That the general negotiation which may ensue, shall in no way prejudice the stipulation of the 4th article of the treaty of the 23d January, 1815, between his most faithful Majesty and his Britannic Majesty, wherein it is stated, that the period when the said traffic is universally to cease and be prohibited in the Portuguese dominions, shall be fixed by a separate treaty between the two high contracting parties.

The principles thus laid down appear to the undersigned to be so clear, and so conformably to every thing which the Plenipotentiaries to whom he has the honor of addressing himself have themselves communicated to him, that he doubts not they will explicitly acknowledge them in the answer, which he has been desired by the King his master to request they will favor him with, and in consequence of which he will consider himself duly authorized to accept the invitation addressed by their excellencies to his predecessor, and to take part in the negotiation proposed at the sitting of the Congress at Vienna, held on the 20th January, 1815.

The undersigned most readily avails himself of this opportunity to request their excellencies to accept the assurance of his highest consideration.

LE COMTE DE PALMELLA.

To their excellencies the Plenipotentiaries of the Powers who signed the additional article of the treaty of Paris, of the 20th November, 1815.

No. 2.

Protocol of the Conference between the Plenipotentiaries of the five Powers, of the 4th of February, 1815.

Present: PRINCE ESTERHAZY,
MARQUIS D'OSMOND,
BARON DE HUMBOLDT,
COUNT LIEVEN,
LORD CASTLEREAGH.

Lord Castlereagh reads a note verbally, containing a proposition on the part of the government, the object of which is to make a convention between the powers represented by the plenipotentiaries assembled, for the purpose of abolishing illicit slave trade; and he accordingly invites his colleagues to

request forthwith instructions on this subject from their respective courts, in the event of their not being provided with sufficient authority to negotiate such a convention.

Lord Castlereagh then reads several reports derived from different societies occupied in the abolition of the slave trade, relative to the extent and nature of this traffic on the coast of Africa, and requests the insertion in the protocol of the proposition above stated, together with the said reports, as annexes thereto. All these documents are inserted sub litt. A, B, C, D.

The plenipotentiaries agree to invite verbally Count Palmella, Minister of Portugal, to assist at the ensuing conference on the abolition of the slave trade, and adjourn for the present the further consideration of the subject.

CASTLEREAGH.
LIEVEN,
ESTERHAZY,
OSMOND.
HUMBOLDT.

FIRST ENCLOSURE IN No. 2.

Annex 1 to the protocol of the conference of the 14th of February, 1818.

MEMORANDUM OF VISCOUNT CASTLEREAGH.

In laying before the Conference the reports received from the African societies in London, in answer to the queries addressed to them by his Majesty's government, upon the present state of the slave trade, as connected with the improvement and civilization of Africa, Lord Castlereagh (the reports being read) called the attention of his colleagues to the following prominent facts.

That a considerable revival of the slave trade had taken place, especially on the coast of Africa North of the line, since the restoration of peace; and that the principal part of this traffic being now of an illicit description, the parties engaged in it had adopted the practice of carrying it on in armed and fast sailing vessels:

That the ships engaged in this armed traffic not only threatened resistance to all legal attempts to repress the same, but, by their piratical practices, menaced the legitimate commerce of all nations on the coast with destruction:

That the traffic thus carried on was marked with increased horrors, from the inhuman manner in which these desperate adventurers were in the habit of crowding the slaves on board vessels better adapted to escape from the interruption of cruisers than to serve for the transport of human beings:

That, as the improvement of Africa, especially in a commercial point of view, has advanced in proportion as the slave trade had been suppressed, so, with its revival, every prospect of industry and of amendment appears to decline:

That the British government has made considerable exertions to check the growing evil; that, during the war, and whilst in possession of the French and Dutch settlements on that coast, their endeavors had been attended with very considerable success; but that, since the restoration of those possessions, and more especially since the return of peace had rendered it illegal for

British cruizers to visit vessels sailing under foreign flags, the trade in slaves had greatly increased:

That the British government, in the performance of this act of moral duty, had invariably wished, as far as possible, to avoid giving umbrage to the rights of any friendly power; that, with this view, as early as July, 1816, the accompanying circular order had been issued to all British cruizers, requiring them to advert to the fact, that the right of search (being a belligerent right) had ceased with the war, and directing them to abstain from exercising the same:

That the difficulty of distinguishing, in all cases, the fraudulent from the licit slave traders, of the former of whom a large proportion were notoriously British subjects, feloniously carrying on this traffic in defiance of the laws of their own country, had given occasion for the detention of a number of vessels upon grounds which the Prince Regent's government could not sanction; and in reparation for which seizures, due compensation had been assigned in the late convention with Spain and Portugal:

That it was, however, proved, beyond the possibility of a doubt, that, unless the right to visit vessels engaged in this illicit traffic should be established by the same being mutually conceded between the maritime States, the illicit slave trade must, in time of peace, not only continue to subsist, but to increase:

That the system of obtaining fraudulent papers, and concealing the real ownership, was now carried on with such address as to render it easy for the subjects of all States to carry on the traffic, whilst the trade in slaves remained legal for the subjects of any one State.

That, even were the traffic abolished by all States; whilst the flag of one State shall preclude the visit of all other States, the illicit slave trader will always have the means of concealing himself under the disguise of the nation whose cruiser there is the least chance of his meeting on the coast. Thus the Portuguese slave trader, since the abolition North of the line took effect, has been found to conceal himself under the Spanish flag. The American, and even the British dealer, has in like manner assumed a foreign disguise. Many instances have occurred of British subjects evading the laws of their country, either by establishing houses at the Havana, or obtaining false papers. If such has been the case in time of war, when neutral flags were legally subjected to the visit of the belligerent cruiser, the evil must tenfold increase when peace has extinguished this right, and when even British ships, by fraudulently assuming a foreign flag, may, with every prospect of impunity, carry on the traffic.

The obvious necessity of combining the repression of the illicit slave trade with the measure of abolition, in order to render the latter in any degree effectual, has been admitted both by the Spanish and Portuguese governments; and, in furtherance of this principle, the late conventions have been negotiated; but, whilst the system therein established is confined to the three powers, and whilst the flags of other maritime States, and more especially those of France, Holland, and the United States, are not included therein, the effect must be to vary the ostensible character of the fraud, rather than, in any material degree, to suppress the mischief.

The great powers of Europe, assembled in Congress at Vienna, having taken a solemn engagement, in the face of mankind, that this traffic should be made to cease; and it clearly appearing that the law of abolition is nothing in itself, unless the contraband slave trade shall be suppressed by a combined system; it is submitted, that they owe it to themselves to unite their

endeavors, without delay, for that purpose; and, as the best means, it is proposed that the five powers now assembled in conference under the third additional article of the treaty of Paris, should conclude a treaty with each other, upon such enlarged, and at the same time simple principles, as might become a conventional regulation, to which all other maritime States should be invited to give their accession. This convention might embrace the following general provisions:

1st. An engagement, by effectual enactments, to render not only the import of slaves into their respective dominions illegal, but to constitute the trafficking in slaves, on the part of any of their subjects, a criminal act, to be punished in such suitable manner as their respective codes of law may ordain.

2d. That the right of visit be mutually conceded to their respective ships of war, furnished with the proper instructions, *ad hoc*; that the visit be made under the inspection of a commissioned officer, and no vessel be detained unless slaves shall be found actually on board.

3d. The minor regulations to be such as are established in the conventions with Spain and Portugal, under such further modifications as may appear calculated to obviate abuse, and to render the system, if possible, more unobjectionable as a general law, amongst the high contracting parties, applicable to this particular evil.

After the abolition shall have become general, in a course of years, the laws of each particular state may perhaps be made in a great measure effectual to exclude import. The measure to be taken on the coast of Africa will then become comparatively unimportant; but so long as the partial nature of the abolition, and the facility to contraband import throughout the extensive possessions to which slaves are carried from the coast of Africa, shall afford to the illicit slave trader irresistible temptation to pursue this abominable but lucrative traffic, so long, nothing but the vigilant superintendence of an armed and international police on the coast of Africa can be expected successfully to cope with such practices.

To render such a police either legal or effectual to its object, it must be established under the sanction and by the authority of all civilized states concurring in the humane policy of abolition: the force necessary to repress the same may be supplied, as circumstances of convenience may suggest, by the powers having possessions on the coast of Africa, or local interests, which may induce them to station ships of war in that quarter of the globe; but the endeavors of these powers must be ineffectual, unless backed by a general alliance, framed for this especial purpose. The rights of all nations must be brought to co-operate to the end in view, by at least ceasing to be the cover under which the object, which all aim at accomplishing, is to be defeated.

At the outset, some difficulty may occur in the execution of a common system, and especially whilst the trade remains legal, within certain limits, to the subjects both of the crowns of Spain and Portugal; but if the principal powers frequenting the coast of Africa evince a determination to combine their means against the illicit slave trader as a common enemy, and if they are supported in doing so by other states denying to such illicit slave traders the cover of their flag, the traffic will soon be rendered too hazardous for profitable speculation. The evil must thus cease, and the efforts of Africa be directed to those habits of peaceful commerce and industry, in which all nations will find their best reward for the exertions they shall have devoted to the suppression of this great moral evil.

Lord Castlereagh, upon these grounds, invited his colleagues, in the name of the Prince Regent, should the Powers under which they at present act not enable them to proceed to negotiate a convention upon the grounds above stated, to solicit, without delay, from their respective sovereigns, the authority necessary to this effect; his royal highness confidently trusting that the enlarged and enlightened principles which guided the councils of these illustrious persons at Vienna, and which have now happily advanced the cause of abolition so nearly to its completion, will determine them perseveringly to conduct the measure to that successful close, which nothing but their combined wisdom and continued exertions can effectuate.

Lord Castlereagh concluded by calling the attention of his colleagues to the indisputable proofs afforded, both by the present state of the colony of Sierra Leone, and by the increase of African commerce in latter years, of the facilities of that continent, both in its soil and population, for becoming civilized and industrious; the only impediment to which undoubtedly was the pernicious practice of slave trading, which, wherever it prevailed, at once turned aside the attention of the natives from the more slow and laborious means of barter which industry presented, to that of seizing upon and selling each other.

It was therefore through the total extinction of this traffic that Africa could alone be expected to make its natural advances in civilization, a result which it was the declared object of these conferences, by all possible means, to accelerate and to promote.

Note.—The proposition made by Viscount Castlereagh, in the preceding memorandum, was immediately transmitted by the several plenipotentiaries for the consideration of their courts; but no answer was received from the respective governments previous to the meeting of the conferences at Aix-la-Chapelle, in September, 1818.

SECOND ENCLOSURE IN NO. 2.

Annex B to the Protocol of the conference of the 14th of February, 1818

Queries proposed by Viscount Castlereagh to, and answers of, the African Society in London, December, 1816.

Query 1. What number of slaves are supposed at present to be annually carried from the western coast of Africa across the Atlantic?

Answer 1. It would be impossible to give any other than a conjectural answer to this question. It has been calculated, but certainly on loose and uncertain data, that the number of slaves at present carried from the western coast of Africa across the Atlantic, amounts to upwards of 60,000.

Query 2. State as far as you can the comparative numbers annually withdrawn for the last 25 years, either by giving the probable number withdrawn in each year, or upon an average of years?

Answer 2. The number of slaves withdrawn from western Africa during the last 25 years, is also necessarily involved in considerable uncertainty. It has probably amounted to upwards of a million and a half. During many of the early years of that period, the number annually withdrawn is stated, on credible authority, to have amounted to near 80,000.

This agrees with the result of the evidence taken before the privy council in 1787 and 1788. Even this enormous amount, however, is more likely

to fall below the real export than to exceed it; for, in the specification contained in the Privy Council report, the Portuguese are supposed to have carried off only 15,000 annually, whereas there is reason to believe that their export was much more considerable. The number carried off by ships of the United States is also, it is apprehended, rated too low.

The abolition of the British slave trade in 1808 must of course have materially lessened the extent of the slave trade.

The diminution in the price of slaves on the coast, however, which followed that measure, appears in no long time to have had the effect of tempting other nations to enlarge their purchases, and to crowd their ships; and British capital also gradually found its way into this branch of trade through the medium of foreign houses. On the whole, it is supposed that the average export of the last eight years may have somewhat exceeded the rate of 50,000 annually.

Query 3. From what parts of the coast have these supplies been drawn? State as far as may be the approximated distribution of these numbers with respect to different parts of the coast of Africa.

Answer 3. Previously to the year 1810, these supplies were drawn from all parts of the African coast, without distinction.

About a fourth part of the whole, it is supposed, was drawn from that part of the coast extending from the river Senegal to the eastern extremity of the Gold Coast. Of the remaining three fourths, one-half is supposed to have been drawn from Whydow, the Bight of Benin, the rivers Bonny, Calabar, Gaboon, and the intermediate districts North of the equator; and the other half from Congo, Angola, Benguela, and other parts of the South of the equator.

Subsequently to the year 1793, the slave trade between the Senegal and the eastern extremity of the Gold Coast was divided almost exclusively between the English and the Americans, probably more than three-fourths of it being engrossed by the former. The contemporaneous abolition of the slave trade, therefore, by these two nations, tended greatly to diminish the export of slaves from that line of coast. The Portuguese had previously confined their slave trade almost entirely to the Bight of Benin and the coast to the Southward of it, but, in consequence of the reduction in the price of slaves on the Windward and Gold Coasts, which followed the abolition of the British and American slave trade, they were gradually drawn thither. Before, however, their expeditions to this part of the coast had become very frequent, they were checked by the promulgation of the treaty of amity between Great Britain and Portugal, of February, 1810, confining the Portuguese slave trade to places under the dominion of the crown of Portugal. The Windward, and also the Gold Coast, were thus preserved for some years from suffering so severely by the ravages of the slave trade, as would otherwise probably be the case. Considerable cargoes, it is true, were occasionally carried away from these districts during the years in question, especially when it could be ascertained that there were no British cruisers in the way to obstruct their progress.

But still, from the year 1808 to the year 1815, the slaves carried from Western Africa were principally taken from Whydow, the Bight of Benin, and the coast Southward of it, and the coast North of that line was comparatively exempt from the ravages of this traffic.

Query 4. By what nations, and in what proportions, is it understood that the gross annual supply has been purchased and carried away?

Answer 4. Previous to the Revolutionary war, the number carried away in British ships was estimated at 38,000 annually. About 40,000 or 42,000 more were supposed to be carried away by the Portuguese, French, Dutch, Danes, and Americans.

This estimate, however, probably falls below the truth, as there is reason to believe that the annual export of the Portuguese alone usually amounted to 25,000; and the number of slaves introduced into St. Domingo by the French, for some time before the revolution in that island, is known to have been very large.

For about two years after the breaking out of the maritime war of 1793, the slave trade on the west coast of Africa suffered a considerable interruption. The French and Dutch were entirely driven from it, and the captures made from the English greatly discouraged their trade on that open and unprotected coast. Our maritime successes, and the capture of Dutch Guiana, combined to revive it, and the English share of the slave trade rose to the enormous amount of 55,000 slaves in a single year. The only other nations that, during this period, and down to the year 1810, were engaged in the slave trade of Western Africa, were the Portuguese and Americans. The number carried off by the Portuguese has been estimated at from 20,000 to 25,000 annually, and by the Americans about 15,000. Notwithstanding the prohibitory act of America which was passed in 1807, ships bearing the American flag continued to trade for slaves until 1809, when, in consequence of a decision in the English prize appeal courts, which rendered the American slave ships liable to capture and condemnation, that flag suddenly disappeared from the coast. Its place was almost instantaneously supplied by the Spanish flag, which, with one or two exceptions, was now seen for the first time on the African coast, engaged in covering the slave trade.

This sudden substitution of the Spanish for the American flag seemed to confirm what was established in a variety of instances by more direct testimony, that the slave trade, which now for the first time assumed a Spanish dress was in reality only the trade of other nations in disguise.

Query 5. To what parts of the continent of North or South America, or the islands in the West Indies, have these slaves been carried?

Answer 5. The slaves formerly taken from the coast by the French, Dutch, and Danes, were almost exclusively for the supply of their own colonies.

Until the abolition of the British and American slave trade, the Portuguese carried the slaves taken by them from the coast, with scarcely any exceptions, to the Brazils.

Subsequently to that event, the Portuguese flag was for some years employed in carrying cargoes of slaves to the Spanish colonies.

This practice, however, was greatly checked, at least, if not wholly suppressed, in consequence of instructions issued to British cruizers, authorizing them to bring in for adjudication such Portuguese ships as might be found carrying slaves to places not subject to the crown of Portugal.

For the last two or three years, therefore, the Portuguese flag has been almost exclusively used in carrying slaves to the Brazils.

Before the abolition of the American slave trade, a considerable number of slaves were constantly introduced into South Carolina and Louisiana. The chief part, however, of the American slave trade before that event, and nearly the whole of it afterwards, was carried on for the supply of the Spanish colonies.

From the year 1810, as has been already noticed, whatever slave trade may have been carried on by an American capital, has been under the disguise of either the Portuguese or Spanish flag, but chiefly of the latter.

The English for many years were in the habit of supplying the colonies of Spain with a considerable number of slaves. The remainder of the slaves they carried from the coast was distributed throughout their own colonies. Between the years 1795 and 1805, the largest share of their slave trade was carried on for the supply of Dutch Guiana, then in the possession of Great Britain, Trinidad, and the conquered colonies. Cuba also continued to receive a considerable supply of slaves from the English.

In 1805 Great Britain prohibited the slave trade for the supply of the colonies she had captured during the war, and in the following year prohibited that for the supply of the colonies of any foreign power whatever.

The whole of the slaves, therefore, taken from Africa by the English, in the years 1806 and 1807, excepting what may have been smuggled, must have been distributed among her old colonies, and, in the prospect of the approaching abolition of the British slave trade, that number was very considerable.

Query 6. What is the present extent and nature of the contraband trade in slaves?

Query 7. By what description of persons, under what flag, upon what part of the coast, and for the supply of what market, is this illicit trade carried on?

Answers 6, 7. It would be impossible, by any probable estimate, to distinguish, at the present moment, the contraband slave trade from that which may be considered as legal. The whole of the slave trade, whether legal or contraband, which is now carried on from Western Africa, passes, with a very few exceptions, under the Spanish and Portuguese flags; the former being seen chiefly to the North of the equator, and the latter to the South of it. The flag, however, affords but a very slight presumption of the real national character of the adventure. In the case of a very great majority of the vessels detained by our cruizers, it has proved a disguise assumed by the contraband trader in order to escape detention. Of the slaves exported from the Western coast of Africa, at the present time, estimated, as has been already said, at upwards of 50,000, probably a half is carried off under the Spanish, and the other half under the Portuguese flag. During the last months of 1814, and the first months of 1815, several ships bearing the French flag appeared on the African coast, and carried off cargoes of slaves. Within the last 12 months, also, several vessels bearing the American flag have come upon the coast, professedly for the purpose of carrying on its innocent and legitimate commerce: meeting, however, as they conceived, with a convenient opportunity of carrying off a cargo of slaves for the Havana market; they have not scrupled to take them on board. Two vessels under these circumstances sailed from the Rio Nunez full of slaves, in January, 1816, and it is supposed reached the place of their destination in safety. Another vessel of the same description was captured in the Rio Pongas, in April, 1816, while employed in taking the slaves on board.

With these exceptions, the whole slave trade of Western Africa, for the last six or seven years, has been carried on, it is believed, under the flags of Spain and Portugal.

The Spanish flag, however, is probably, in almost every case, a mere disguise, and covers not *bona fide* Spanish property, but the property of unlawful traders, whether English, American, or others.

It is a well known fact, that, until the year 1809 or 1810, the Spanish flag had not for a long time been engaged in the African slave trade, except in one or two instances. Its sudden and extensive appearance subsequently to that period furnishes, as has already been remarked, a very strong presumption of the fraudulent character of the adventurers which it is employed to protect.

The ordinary course of proceeding is this: the ship belonging to the unlawful trader calls at the Havana or Teneriffe; for the most part at the former port. A nominal sale of ship and cargo is there effected to some Spanish house, and regular Spanish papers, and a nominal Spanish captain, having been obtained, and her real captain having taken the character either of supercargo or passenger, she sails on her slave trading expedition as a Spanish ship.

Since the Portuguese have been restricted by treaty from trading for slaves on certain parts of the African coast, they have resorted to similar expedients for protecting their slave trading expeditions to places within the prohibited district; and at the present moment there is little doubt that a considerable part of the apparently Spanish slave trade which is carrying on to the North of the equator, where the Portuguese are forbidden to buy slaves, is really a Portuguese trade.

A farther use is now found for the Spanish flag, in protecting the French slave traders; and it is affirmed that the French ships fitted out in France for the slave trade call at Corunna for the purpose of effecting a nominal transfer of the property engaged in the illegal voyage to some Spanish house; and thus obtaining the requisite evidence of Spanish ownership.

In consequence of these uses to which the Spanish flag has been applied, a great increase of the apparently Spanish slave trade has taken place of late; and as the flag of that nation is permitted to range over the whole extent of the African coast, it seems to keep alive the slave trade in places from which it would otherwise have been shut out; and it has of late revived that trade in situations where it had been previously almost wholly extinguished.

The Portuguese flag is now chiefly seen to the South of the equator, although sometimes the Portuguese traders do not hesitate still to resort to the rivers between Whydaw and the equator, even without a Spanish disguise. The only two cruizers which have recently visited that part of the coast found several ships under the Portuguese flag, openly trading for slaves, in Lago and the Bight of Benin.

In a great variety of cases the Portuguese flag has been found to cover the property of British or American slave traders. It will doubtless be now employed to protect also the slave traders of other nations by which the trade is prohibited. The limitation of that flag to parts South of the line renders it less desirable for a general voyage to the unlawful trader, than the Spanish flag, which is under no local restriction.

The extraordinary facility with which a change may be effected in the national character of a ship and cargo, intended to be employed in the slave trade, has been judicially established in a great variety of instances. The Brazils and the island of Cuba form the great marts of the sale of the slaves carried from the Western coast of Africa, exclusive of those smuggled into the British and restored French and Dutch colonies.

Query 8. Has this trade been lately carried on to a considerable extent on the coasts North of the equator?

Answer 8. The slave trade, under the circumstances stated in the answer to the last question, has certainly been carried on, during the last two years, to a great extent, on the African coast North of the equator.

Query 9. By what description of persons, and under what flag?

Answer 9. This question has been already answered.

Query 10. Have those fraudulent slave traders come in armed vessels, and have they employed force in order to effectuate their purposes?

Answer 10. During the last two years many slave ships have come to the coast armed, and have employed force to effectuate their purposes.

Query 11. When interrupted, have they threatened to return with armed ships of a larger class?

Answer 11. They have, and in some instances have executed their threats.

Query 12. From whence are these armed contrabandists chiefly fitted out?

Answer 12. A few of these armed ships have come from the Brazils, and one or two from Martinique; but for the most part they have come from the United States, having first obtained a Spanish disguise at the Havana. They have consisted chiefly of vessels which had been employed as American privateers during the war, and which sail uncommonly fast. In more than one instance they have come in small squadrons of two or three vessels, for the purpose of attacking and carrying any armed vessel which might obstruct their proceedings.

Query 13. What has been the effect produced by their depredations on the coast North of the line?

Answer 13. The effects of these proceedings have been highly detrimental. Exclusive of all the evils which are inseparable from a slave trade under any circumstances, they have discouraged, and in some cases crushed the first efforts to extend agriculture and legitimate commerce, which had been produced in this quarter by the cessation for a time of the slave trade. Even the innocent commerce of Sierra Leone with the surrounding districts, which had tended more than any thing else to give a steady impulse to the industry of the neighboring natives, has been subjected to outrage and spoliation, attended in some cases with the loss of life. They operate most fatally in another point of view. The native chiefs and traders, who began at length to be convinced, by the evidence of facts, that the abolition was likely to be permanently maintained, and that it was therefore absolutely necessary to engage heartily in schemes of cultivation, if they would preserve their influence, have learnt from recent events to distrust all such assurances. Notwithstanding all that had been said and done, they now see the slave traders again sweeping the whole range of coast without molestation, nay, with the air of triumph and defiance. It will be long, therefore, before they are likely to yield to the same conviction respecting the purposes of the European Powers to abolish the slave trade which they had been led to admit. Even if effectual means should now be adopted for totally and finally abolishing this traffic, years will probably elapse before they will be induced to forego the expectation of its revival. It would be difficult fully to appreciate the deep and lasting injury inflicted on Northern Africa by the transactions of the last two or three years; and this injury will be the greater on this account, that, in the interior of that country at least, they do not discriminate with any accuracy between the different nations of Europe. They only know in general that the white men who had ceased to trade in

slaves, and who they understood were to trade no more in that commodity, except as smugglers, liable to be seized and punished, have now resumed the open, avowed, and uncontrolled practice of that traffic.

Query 14. What system do you conceive best calculated to repress this evil?

Answer 14. I do not apprehend that the evil can be repressed, or even very materially alleviated, unless the abolition be made total and universal; and, even then, unless the slave trade be pronounced to be felonious, and punished as such. At present no check whatever exists; not even that very inadequate one, which, in time of war, arises from the right of search, exercised by belligerents. It may be expected, therefore, that the slave trade, instead of being diminished, will increase from day to day. Mere prohibitory acts, even should they be adopted by all the Powers of Europe, would be eluded, unless regulations adapted to the very peculiar circumstances of the case were devised for confirming them.

Query 15. What progress had there been made, during the war, to exclude the trade in slaves from the coast of Africa North of the line?

Answer 15. The progress had been very considerable, as has been shown above, and was shown more largely by authentic documents communicated to Lord Castlereagh and the Duke of Wellington in 1814. The restoration of peace in Europe has been attended with very disastrous effects to this part of Africa.

Query 16. What effects can be traced to have arisen from such exclusion upon the interior civilization, of industry, or upon the external commerce of this part of the coast, compared with what existed twenty years before?

Answer 16. In some remarks, drawn up in August, 1814, on the subject of the legitimate commerce of Africa, it was very clearly shown that, at that period, a very considerable effect had been produced by the exclusion of the slave trade from Northern Africa, imperfect as that exclusion was, on the external commerce; and consequently on the industry of that part of the coast, as compared with what existed twenty years before. Since 1814, the slave trade in Northern Africa has unhappily experienced a very considerable revival, and it is to be apprehended that a corresponding check may have been given to the progress of industry and legitimate commerce.

It is obviously only when the slave trade has been eradicated, that any marked progress in civilization can be expected. The existence of that trade is necessarily a bar to improvement. Supposing, however, that it should be effectually abolished, we are already in possession of very satisfactory evidence to show that there is nothing in the local circumstances of Africa, and as little in the character of her inhabitants, which would prevent, in their case at least, as rapid an advance in the arts of civilized life, and in the acquisition of moral and religious habits, as the world has witnessed in any other similar instance. A part of this evidence is derived from the colony of Sierra Leone. The population of that colony, in 1809, did not exceed 1500 souls, chiefly Africans. Since that time it has swelled to upwards of 10,000. This large increase consists almost entirely of persons who, having been rescued, at different periods during the last seven years, from the holds of slave ships, may be supposed, at the time of their introduction, to have stood at the lowest point of mental and moral depression.

The population of Sierra Leone, therefore, at this time, exhibits all the varying shades of civilization. (varying partly according to the time that has

elapsed since their introduction into the colony, and partly according to the character and opportunities of each individual,) from the enterprising trader, skillful mechanic, or industrious farmer, supporting himself and his family in comfort, and performing respectably his social, and even religious duties, to the almost brutish state of the recently liberated captive.

Of these 10,000 Africans, all, excepting those who may yet be too young to labor, or who may have been too recently introduced into the colony to be able as yet to reap the fruits of their labors, maintain themselves by their own industry, chiefly in the cultivation of farms of their own. Making due allowance for previous habits, and the difficulties arising from difference of language, they are found to be as susceptible of moral and intellectual culture as any people whatever.

In the month of October last, the schools in the colony contained 1237 scholars, whose advancement in knowledge was satisfactory to their instructors and to the Government; and it is said that a great eagerness existed among them to avail themselves of the means of instruction within their reach. The general conduct of the liberated captives has been such as to merit the approbation and confidence of their governors; and not a few have already so far improved their advantages as to be capable of discharging such subordinate judicial functions as jurors, constables, &c. &c.

From the foundation of the colony, indeed, these functions have been almost exclusively discharged by Africans; and Sierra Leone exhibits the important example of a community of black men, living as freemen, enjoying the benefits of the British Constitution, maintaining themselves by the ordinary pursuits of commerce, agriculture, or some mechanical art, fulfilling their various social and civil relations by the means only of such sanctions as the administration of British law and the precepts of charity impose upon them, and gradually improving, by means of schools and other institutions, in knowledge and civilization.

“A population of 10,000 freemen,” observes Dr. Hogan, the Chief Judge of the colony, in a letter dated in October, 1816, “collected upon one spot, *so favorably situated*, and guided and governed with a view to such noble and ennobling objects, forms too grand a stride in the moral march of human affairs, not to fix the attention of an enlightened observer. I take this colony, then, as it is; and looking steadily to the great objects which it was, from its first settlement, intended to promote, am well content.” He afterwards adds, that, with so much to deplore as there necessarily must be in a population such as has been described, he distinctly perceives “all the principal elements of social order and effectual civilization in existence and vigor, requiring only the care of a skillful hand to mould them into form, and to collect from them the early fruits of a successful and rapid cultivation.”

The case of Sierra Leone has been adduced chiefly for the purpose of showing that the African character is susceptible of improvement and civilization, in a degree perhaps not inferior to any other. It was in that part of the coast adjoining to Sierra Leone that the slave trade was, for a time, most effectually extinguished; and the consequence of that suspension of the slave trade was a very considerable increase of innocent commerce, and particularly of the export of rice: of that article considerable quantities were carried, during the peninsular war, to Portugal and Spain; and many cargoes have also been carried to Madeira, Teneriffe, and the West Indies. The trade in rice was one which might have been indefinitely extended, provided

the slave trade had not revived. There is reason to fear that its revival may destroy in the bud this promising branch of commerce.

Query 17. State what measures are now in progress for the improvement of Africa, and how they are likely to be affected by the continuance or discontinuance of this trade, partially or generally?

Answer 17. This question has received a partial answer above.

Sierra Leone, and its immediate neighborhood, may be considered as the only part of the African coast where plans of improvement can be pursued without immediately encountering the malignant influence of the slave trade. It is almost necessary, therefore, to confine within that sphere, at least for the present, the direct efforts made for the civilization and improvement of Africa. Even the establishment formed in the Rio Pongas for the instruction of the natives, it is feared, must be withdrawn, in consequence of the revival of the slave trade.

At Sierra Leone, between 12 and 1300 African youths of both sexes, most of them rescued from the holds of slave ships, are now under instruction. These have been brought to Sierra Leone from all parts of Africa, from Senegal to Benguela, so that there is scarcely a language spoken in that extensive range of coast, which is not spoken by some of the Sierra Leone colonies.

In instructing these liberated captives, the views of their benefactors are by no means confined to the benefits which they themselves may derive from the instruction afforded them, but extend to the possibility that individuals may hereafter arise from among them, who may convey to their own native regions that light which they have acquired at Sierra Leone.

Query 18. Is there any reason to apprehend that the contraband trade may become extensive in time of peace, even on the coast North of the line, where so considerable a progress had been made to suppress the slave trade generally, if some decisive measures are not adopted by the Powers conjointly to repress the same?

Answer 18. There is the strongest reason to apprehend this consequence. Indeed, the event here only supposed possible, is actually, at this moment, matter of history.

Query 19, 20. Has it not been found that the trade is conducted with peculiar inhumanity and waste of life by these illicit traders? State the instances that have latterly occurred to illustrate the fact.

Answer 19, 20. Undoubtedly. The slave ships are now crowded to excess, and the mortality is dreadful. The following are some of the instances which have come to our knowledge:

1. The Venus Havannera, under Spanish colors, of the burden of about 150 tons, carried off from the river Bonny 550 slaves. When captured on her passage to the Havana, and carried into Tortola, the mortality was found to have amounted to 120.
2. La Manella, a ship of the burden of 272 tons, sailed under the Spanish flag, and took on board, in the river Bonny, 642 slaves. The deaths on the passage to the West Indies, previous to her capture, amounted to 140.
3. The Gertrudes, a ship sailing under the Spanish flag, took on board upwards of 600 slaves. This ship was taken while yet on the African coast, and brought to Sierra Leone for adjudication. But, notwithstanding the short time that had elapsed since the slaves were taken on board, such was the dreadful state of crowding, that about 200 died before the ship was brought in, or within a short time after her arrival; many, even of those

who survived, were so much debilitated by their sufferings, as never to be likely to enjoy sound health.

4. Nueva Constitucion, a vessel under the Spanish flag, of only 30 tons burden; had on board 81 slaves; but, having been brought in within a few days after the slaves had been taken on board, the bad effects which must have followed such a state of crowding, on a very long passage, were prevented.

5. The Maria Primeira, a ship under Portuguese colors, took on board upwards of 500 slaves. This number was reduced to 403, in consequence of extreme crowding, before she was brought into Sierra Leone; and nearly 100 more died soon after, in consequence of the diseases contracted on board.

6. Portuguese brig San Antonio, of 120 tons, took on board 600 slaves; when captured, although she had only sailed 80 leagues, 30 slaves had already died, and many more were found to be in a dying state, and died soon after. The capturing officer took 150 of the slaves on board his own ship, to prevent the almost universal mortality he apprehended. When he first went on board the slave ship he found a dead body, in a state of absolute putridity, lying among the sick.

7. The Spanish ship Carlos, under 200 tons burden, took on board 512 negroes, in addition to a crew consisting of 84. About 80 slaves had died previous to her capture, and the rest were in a most deplorable state. Many more instances might be added; but these may be considered as exhibiting the ordinary rate of mortality on board the ships engaged in the illicit slave trade.

Query 21. What has been the general influence, observable on the interior of Africa, by the successive acts of abolition on the part of different States?

Answer 21. Very little is known of the interior of Africa, or of the moral or political changes which take place there. Our knowledge is almost entirely confined to the banks of navigable rivers, and to the line of the sea coast. There, indeed, the influence has been very observable, of all the variations in the policy of European nations in respect to the slave trade; and, perhaps, some corresponding effect may be assumed to be produced in the interior regions, which are removed from observation. Many proofs might be given of the evil effects produced on the coast of Africa by the vacillation and uncertainty which has attended the measure of abolition. And, if any truth be more than another fully demonstrated by experience, with respect to Africa, it is this: that, without an effective abolition of the slave trade by all the Powers of Europe, it will be in vain to expect the development of the immense agricultural and commercial faculties of that continent; or that, except in very partial instances, the many millions of men by whom it is peopled should rise a single step in the scale of civilization above their present degraded level.

Query 22. What do you conceive would be the particular effect of an abolition of the slave trade on the part of Spain?

Answer 22. An abolition on the part of Spain would at once deliver the whole of Northern Africa from the slave trade, provided effectual measures were taken to seize and punish illicit traders. The Spanish flag being now the only flag that can show itself in Northern Africa, engaged in the slave trade, the beneficial effects of such an arrangement may be inferred from what has been already said.

Another effect would be this: No slave trade would be lawful but what was found moving in the line between Southern Africa and the Brazils; and no slave trader, therefore, could navigate any part of the Atlantic North of the equator; so that the risk of smuggling into the West India islands would be greatly increased.

By the prolongation of the Spanish slave trade, on the contrary, not only is the whole of Northern Africa, which would otherwise be exempt, given up to the ravages of that traffic, and the progress already made in improvement sacrificed, but facilities are afforded of smuggling into every island of the West Indies, which could not otherwise exist, and which, while slave ships may lawfully pass from Africa to Cuba and Porto Rico, it would perhaps be impossible to prevent.

Query 23. What amount of slaves do the Portuguese import annually into the kingdom of Brazil?

Answer 23. The number has been estimated at from 20,000 to 30,000 annually.

December, 1816.

THIRD ENCLOSURE IS No. 2.

Annex C to the Protocol of the Conference of the 4th of February, 1818.

Answers from Sierra Leone to the queries of Viscount Castlereagh, dated April, 1817.

Query 6. What is the present extent and nature of the contraband trade in slaves?

Answer 6. For some time past, especially after the settlement was formed in the Gambia, and previous to the recent transfer of Senegal and Goree to France, the contraband slave trade was confined to the part of the coast Southward of the river Sherbro, in latitude seven degrees North, with the exception of a few vessels which now and then took off slaves from Bissao, and the trade carried on in the Rio Pongas.

The expedition in 1814 crushed the trade in the Rio Pongas for two years; but as many of the Rio Pongas traders have settled in the Havana, they have, since their recovery from that shock, returned to it with more vigour and rapacity than ever.

From Sherbro and the Gallinas to Cape Appolonia, a most extensive, and, by far, the most abominable slave trade is carried on: in this district the practice of kidnapping the natives who go off in canoes is chiefly pursued: the vessels employed for this part of the coast are generally under the Spanish flag, but connected with former and present slave factors on that part of the coast.

It is supposed that very little, if any, slave trade is carried on between Cape Appolonia and Popo, where the Portuguese factories commence; and from which place to their most Southern settlements, a very extensive trade is carried on.

It is generally carried on in large schooners and brigs, well armed and manned; and from the circumstance of slaves being cheaper on the coast than whilst the slave trade was permitted by Great Britain and America, and from the risks run in each voyage, they crowd their vessels to an inhuman and destructive degree.

The vessels are chosen for their force and swiftness, without the least regard to the accommodation or the comforts of the slaves; and the persons chosen to man and command these vessels are certainly far more celebrated for their ferocity and daring spirit than for their humanity.

There can be no doubt but that a very great proportion of the slaves carried from the coast are fairly purchased from the factories by the slave captains, however unjustly they may have come into the possession of the factors; still it is equally notorious that the Havana traders do, whenever there is an opportunity, kidnap and carry off the free natives.

Query 7. By what description of persons, under what flags, upon what part of the coast, and for the supply of what market, is this illicit trade carried on?

Answer 7. The greatest part of, indeed nearly the entire slave trade, on the Windward Coast, is carried on by vessels fitted out from the Havana, and other ports in the island of Cuba, though many vessels come for slaves from old Spain and Teneriffe, but their ulterior destination is ostensibly for the Havana.

Several vessels have been fitted out from France, as the "Rodeur," from Nantes; and from the French West India islands, as the "Louis."

Though the settlements of Senegal and Goree have been delivered up so very lately to France, yet there is a very active and extensive slave trade already carrying on from those places and the adjacent countries. Some of the vessels are from France, some from Teneriffe; and there can be no doubt but that this last mentioned place, from its vicinity to these settlements, will, in a very short time, become the depot for vessels intended to be employed in this trade on the Windward Coast.

From experience in the trade, it has now become the practice to have their vessels manned, &c. as much as possible, with Spanish subjects, and the voyage under the control of a Spaniard. But this is far from being universally the case. It has been clearly proved, in many instances, that the property was not Spanish: for instance, the Dolores proved to be English; the Paz, English and American; the Theresa, English and French; the Triomphante, Portuguese; &c. with many others; besides the vessels sent out by several English subjects resident in the Havana.

The Alexander and Triumverata were both under the command of American subjects, and came directly from North America to the coast, though documented with Spanish papers from the Spanish consuls residing in ports from whence they sailed.

The exertions of Captain Irby and Captain Scobell induced the Portuguese traders to confine themselves to their own factories in the Bight of Benin, or rather to those parts of the Bight which are considered as Portuguese.

With the exception of those places, where I fancy little but Portuguese slave-trading is carried on, the greatest part of that trade, from Sherbro to Cape Appollonia, and among the rivers on the coast, as well as at Cape Formosa and Gaboon, is under the Spanish flag; and there is every reason to believe that three-fourths of the slaves carried from the coast North of the line (except by the Portuguese in the Bight of Benin) are procured in the extensive rivers of Calabar, Cameroons, Bonny, Gaboon, &c.

A very extensive Portuguese slave trade is carried on in the Bight of Benin and Biafra, especially about Popo, Whydaw, and the Cameroon; and those vessels wishing to trade in slaves from the Gaboons and the places adjoining, lie at Cane Lopez, in about one degree South, and send their large launches to

those places to trade; and small craft are, also, constantly employed in carrying slaves from those places to St. Thomas, from which they are shipped across the Atlantic. These facts have been repeatedly proved in the court of vice admiralty here; for instance, in the case of the *Ceres*, *Joanna*, *Carolina*, *Dos Almigos*, &c. &c.

The islands of Cuba and Porto Rico are held out by the vessels under the Spanish flag, as their ports of destination, though there can be very little doubt but that many are intended for, and actually do unload at, the French West India islands. What becomes of the slaves after their arrival at the island of Cuba, is no part of this question.

The Portuguese carry the greatest part of their slaves to Brazil, though many vessels, as the *General Silvera* and the *Temerario*, were intended for the Havana. It clearly appears, from the cases of the *Intrepida* and others, that a very considerable trade in slaves is carried on between the Brazils and that place. It may also be proper to remark, that, from the open confessions of all the masters and supercargoes of slave vessels brought in here, a most extensive slave trade is carried on at every part of the coast distant from a British settlement. So eager are the slave traders to carry on this trade, that, after the cession of Goree and Senegal to France, but before the British troops had all left the former place, 200 slaves were actually exported from it. The Moorish princes are already ravaging the negro towns within their reach.

Query 8. Has this trade been lately carried on to a considerable extent on the coast North of the equator?

Answer 8. The preceding observations apply chiefly to the trade carried on North of the line; few of our cruizers go to the South of it, consequently very few vessels from that part of the coast are detained or sent in here. On this account it is difficult to form any opinion at this place on the trade carried on there, although no doubt can be entertained that it is still more extensive than that carried on to the North. Nearly all these observations are therefore intended for the trade North of the line, the extent and misery of which, though dreadful, are not one half of what is entailed on the western coast of this continent.

Query 9. By what description of persons, and under what flag?

Answer 9. It is impossible, from the art with which experience has taught them to cover their vessels, to say how much of the slave trade carried on is, *bona fide*, the property of the nation whose flag it bears; but, from the proportion of vessels amongst those sent to this port for adjudication, which have been clearly proved to be fraudulently disguised, there is no doubt but that much English, but more American property is engaged in it. The captain and supercargo are generally, also, Spanish subjects, though many instances have occurred to the contrary; and, during the war, the sailors were often of that nation. Since the war, however, this practice is altered. The large American privateers have been completely fitted out in America, with the exception, perhaps, of the gratings; and have come to the Havana fully manned, where, a sale, or pretended sale, having taken place, a Spanish subject or two are put on board, whilst the American mate and sailors remain, engage for a new voyage, and come upon the coasts; and there is too much reason to believe, at present, that many English sailors are also engaged in these vessels. With the exception of the Portuguese flag in the Bight of Benin and Biafra, and the rivers near the line, the trade carried on to the North is chiefly under the Spanish flag; though a few vessels, like the *Louis*,

(French) Rebecca, (American) and two schooners (French) now said to be trading in slaves in the Gaboon, do now and then appear under their own flag. Some vessels, as the Catilina, have been also fitted out from Jamaica.

Query 10. Have these fraudulent slave traders come in armed vessels: and have they employed force to effectuate their purpose?

Answer 10. The fact is so notorious, that the best answer to this query may be an enumeration of some cases concerning which we have certain information.

1st. The schooner, name unknown, which destroyed the brig Kitty, of Liverpool, murdered the master, (Roach) and carried the black people, two of whom were captured negroes of Sierra Leone, as slaves, to the Havana.

2d. The Camperdown, a brig of 16 guns, and a large complement of men, commanded by the same person as the preceding. She destroyed the sloops Rambler and Trial, belonging to this port, and carried the blacks off as slaves. It is supposed that she carried off at least 200 free blacks in her different voyages, as she made slaves of all the people going off in canoes. She had several skirmishes with the Princess Charlotte, and was once chased by the Creole and Astrea.

3d. The Laura Anna, taken in the Rio Nunez, where they were obliged to promise the sailors their wages to prevent an action.

4th. The Venganza, which fought the party sent to the Gambia after her, and at last blew up whilst engaging.

5th. The Meulatto, a large black schooner from the Havana, which made two or three voyages to the coast, carried off a great number of free negroes, and beat the Princess Charlotte off.

6th. A large black schooner, her companion, which also beat the Princess Charlotte off.

7th. The Paz, which, under the American flag, beat off the Princess Charlotte, and killed several of her men.

8th. The Leal, Portuguese, a large brig under Portuguese colors, with 12 or 14 guns, fought the Princess Charlotte off Lagos, for a long time, but was taken.

9th. The Rosa, formerly the American privateer Commodore Perry, fitted out in America, and manned with Americans, but supposed to be the property of an Englishman who was an old slave trader, and partner of Boostock at Mesurado, fought the boats of his majesty's ship Bann, and the commissioned sloop Mary, for some time, but was at length captured.

10th. The schooner Guadaloupe, taken by the Young Princess Charlotte; besides their regular charge of two round shot, ten guns were each of them loaded with bags of 500 musket balls. She was taken by boarding.

11th. Brig Temerario, from Brazil. She was built on purpose for this forced trade, has 18 guns, which were cast on purpose, with her name on them. She made one voyage to the coast, when she was chased by the Princess Charlotte, but escaped. On her second voyage she was taken, after an action of two hours, by his majesty's ship Bann. She had a complement of 80 men.

12th. Schooner Dolores, formerly American schooner Commodore M'Donnough, said to belong to an English house in the Havana, taken, after a severe action, by his majesty's ship Forrest.

13th. Brig Nueva Paz, formerly the American privateer Argus, fitted from America, though supposed in part to be British property, and manned with Americans and English. She took and plundered the schooner Apollo,

of this port, and made an attack on the Prince Regent, but was captured by boarding, after a short but severe action.

14th. Schooner Carmen, from Brazils, taken for slave trading to the North of the line.

15th. Schooner Triumfante, from Havana, late the American privateer Criterion, of sixteen guns, commanded by a Portuguese subject, taken by the boats of the Prince Regent, after a severe action, in the river Cameroons.

16th. American schooner Dorset, from Baltimore direct, called the Spanish schooner Triumvirate, with an American supercargo, a Spanish captain, and American, French, English, and Spanish crew, taken after a smart action in the Rio Pongas, last January, by a vessel from this place.

17th. A large schooner, name unknown, supposed from the Havana, took and plundered the brig Industry, of this port, last November, and carried the greatest part of the crew off as slaves.

18th. Saucy Jack, an American privateer, which carried off a cargo of slaves in 1814, and I believed convoyed several vessels to and from the coast: he boarded, but did not molest, a sloop from this place to Goree, with rice.

These are specified instances, which have all been proved before some court of justice; and it is notorious that these are not one eighth part of the vessels of this description, which come on the coast for the purpose of carrying on this trade.

It has also lately become the practice of these vessels to sail in company. Captain Lawson, of the ship Diana, wished last year to seize one in the river Bonny, (or Calabar,) but durst not; and Captain Hogan, during his last cruize in the Prince Regent, looked into their rivers, but durst not go in, though he had a crew of 120 men.

Query 11. When interrupted, have they threatened to return with armed ships of a larger class?

Answer 11. Yes, almost uniformly; although, from the universality of the trade, it is difficult to remember every particular instance.

The Neuva Paz was one where the threat was put in execution; and one of the most violent of the slave traders has very lately returned to the Galinas, and sent up a message by an American, that he was waiting for the Prince Regent. Unfortunately, she was unrigged, and repairing at Bance Island, which gave an opportunity to the trader of carrying off a cargo of slaves. The Dolores and Temerario were avowedly fitted up for the destruction of the colonial brig; and there can be no doubt but that very violent and powerful attempts will be made for that purpose, as, from the great annoyance she has been to the slave traders, the constant terror which has existed of her being found between Cape Verd and Cape Palmas, a circumstance which has prevented many vessels from carrying on the slave trade in these limits, and from the number of vessels she has captured, she is the greatest object of hatred and detestation to the slave merchants.

Query 12. From whence are these armed contrabandists chiefly fitted out?

Answer 12. The Havana is the port from which the majority of these vessels are fitted out, though many of them, as the old American privateers, are fitted out in America, and only go to the Havana for papers; and whilst some, like the Triumvirata, also Dorset, have the papers carried from Havana to America, a few, like the Louis, are fitted out from the French islands; and the Portuguese come from the Brazils.

Query 13. What has been the effect produced by their depredations on the north coast of the line?

Answer 13. The worst consequence of this contraband trade, as far as respects the civilization of the coast, and the turning of the natives from this inhuman and destructive trade to the arts of social life and the pursuits of an innocent commerce, is, that the natives will never believe that the abolition is really to take place; and as long as one slave ship is allowed to visit the coast, the natives will always be looking forward to more, and will never believe it to be for their interest to change their present pursuits.

There can be no doubt but that the natives, immediately after the English abolition act took place, were more inclined to believe in the probability of an universal abolition of the trade than they are now. A stop was put to the trade for some time, and it was nearly two years before the slave traders took to other flags; and in this interim the natives began to look forward to some other means of procuring the luxuries and necessaries of life. A few vessels, with American and English men and papers, and a foreign flag, began at last to appear, and the hopes of the slave factors for a renewal of this trade to revive; and it is now increased to such an extent, that the slave traders who frequent the part of the coast near Sierra Leone, destroy every vessel they meet, unless of very considerable force, and these they drive away. This at first had merely the effect of injuring the owners of these vessels; but the practice being continued, and the slave traders having declared their determination to persist in it, whatever might be the consequence, no English vessel, especially if connected with this place, dare show itself on the neighboring coasts. The result of which is clear; the innocent coasting trade is completely destroyed; nothing but a large English vessel dare go; these go but seldom; and the natives, thus deprived of every other means of acquiring what to them have by habit become necessaries of life, must engage in the slave trade.

Query 14. What system do you conceive best calculated to repair this evil?

Answer 14. This certainly is a question which requires the greatest consideration, and which will be very difficult to solve: as, however, we have the advantage of some experience to guide us, we may be more able to decide it now, with a prospect of success, than any person could have done in 1807.

The following points must be firmly established before any adequate success can be expected to follow the greatest efforts:

1st. That the prohibition be positive and universal, and that all persons agree in the same regulations for its extinction.

2d. That the penalties inflicted on persons and property engaged in it be severe and certain.

3d. That power be given to all the contracting parties to enforce these regulations; that the force employed for this purpose be adequate to the object for which it is intended; and that the remuneration offered to the persons employed in this service be certain, and easily obtained.

It must be clear and evident, that, whilst any one power is allowed to carry on the trade, the subjects of the other powers, wishing to be engaged in it, will cover themselves with the flag of the permitting power; and, from the experience these men have had in the art of fraudulent disguise, will cover themselves beyond the possibility of detection. We need look no further for a proof of this than to the difference between the Spanish slave trade before the war, in the years 1808, 1809, and now.

It is also clear, that, to make this a common cause, and not the cause of each State entering into the agreement, the regulations, provisions, and penalties, attached to it should be the same in all; and that it should not only be agreed upon between the States, but that every individual State should make a positive internal law upon the subject, embracing all the regulations, &c. And this is the more necessary; to prevent any future collisions or jealousies in enforcing the penalties; for if the parties are honest in the cause, and the penalties to be inflicted by all the parties are equal, no difficulties can arise; but if they are unequal, a very great ground is laid for complaints, reproaches, and disputes, which would at once destroy every thing which had previously been done.

As this may be a matter of much dispute, the following plan is proposed, as less liable to objection:

That all property found engaged in the trade, either in the inception, the prosecution, or the conclusion, be confiscated to the seizor's use, either by the courts of his own country, or by a tribunal to be specially appointed for that purpose.

That the sentence of inferior courts be final and conclusive, whenever slaves are found on board.

That an appeal be allowed if no slaves are on board. That some further punishment should be inflicted on the parties engaged, which, in case of resistance, should be much severer than when none was made; and that this punishment should be inflicted as agreed on between the contracting parties.

That death should be inflicted by the courts of the party's own country, on the officers of any ship where free natives had been kidnapped, or any persons killed by their piratical resistance.

Neither agreements, regulations, or penalties, will be of any use, unless the contracting parties are determined, one and all, to enforce them upon every person found engaged in the trade, and also to use every means of detecting them. This is an object which cannot be obtained with a small force. A large one must at first be employed; but there is every reason to believe that this force, if actively and properly employed, would soon render it safe to reduce it.

The whole coast of Africa will be frequented by the smugglers; and smugglers there will be, unless some very energetic measures are adopted to prevent the importation of slaves into the transatlantic world; and it is not to be supposed for a moment that the coast of Africa can be guarded by one ship.

Query 15. What progress had there been made during the war to exclude the trade in slaves from the coast of Africa North of the line?

Answer 15. Whatever exclusion has taken place during the last war, must be attributed chiefly to the war itself, and the activity of the officers employed. Generally one, sometimes two, and now and then three ships of war, were on the coast. After the settlement was formed in the Gambia, the slave trade was completely excluded to the Northward of Bissao. The trade between that place and Popo was reduced, from a most extensive and open trade, to a comparatively small and smuggling one. It was entirely suppressed for a considerable distance round the British settlements.

Query 16. What effect can be traced, to have arisen from such exclusion, upon the interior civilization and industry, or upon the external commerce of this part of the coast, compared with what existed twenty years before?

Answer 16. The civilization, to a certain degree, of the natives for some distance around the British settlements, and in those places where the trade was entirely excluded, is the effect of the partial abolition: the natives have also become more peaceable and quiet, and have turned their attention to the arts of a civilized life, and have left off those practices whose only object was to procure slaves. In places where the exclusion of the trade has only been partial, these advantages have not arisen. Wars, kidnappings, and false trials, have not been so frequent; because the demand for slaves was small; still they existed, and the natives, with minds unchanged, continued to have recourse to them when slaves were wanted. No doubt can exist but that these circumstances have affected the very interior of the continent; and that, though not more civilized, yet they have been more peaceable and quiet since the abolition than before; for the slaves procured are not more in number than answer the present comparatively small demand. The effects upon the external commerce of the coast has been astonishing: compare the imports into England at present with what they were twenty years ago. Let it also be considered that not one-third, perhaps not one quarter, of the trade goes to England; and then some ideas may be formed of the capabilities of the coast of Africa to carry on an immense traffic in innocent articles. A complete exclusion would do more to promote this object in five years, than a partial one in fifty.

Query 17. State what measures are now in progress for the improvement of Africa, and how they are likely to be affected by the continuance of the trade, partially or generally.

Answer 17. Little can be here said upon the measures in progress for the civilization of Africa, which is not known already. Since Senegal and Goree have been transferred, those measures are nearly confined to Sierra Leone. Here the greatest improvements have been and are still making, and hence must the civilization of Africa proceed. With common attention, a large number of persons may be educated, anxious and capable of spreading the blessings they have received throughout their native continent. But where the slave trade is allowed, no improvements can come; its pestiferous breath blasts at once the hopes of the philanthropist and the missionary, and a train of desolation, barbarity, and misery, follows close on the steps of the slave trader.

Query 18. Is there any reason to apprehend that the contraband trade may be become extensive in time of peace, even on the coast North of the line, where so considerable progress had been made to suppress the slave trade generally, if some decisive measures are not adopted by the Powers conjointly to repress the same?

Answer 18. Of this, not a doubt can exist. It will be carried on more extensively and more ferociously than ever. It is since the conclusion of the war that the large armed vessels have increased so very considerably. Whilst the war existed, and condemnation followed resistance, those persons who thought their property secure if taken before courts of justice, sent unarmed and heavy sailing vessels: now that there is no penalty attached to it, every person engaging in the trade will send to the coast vessels well armed and manned, with orders to fight their way through every obstacle: the wages they give are enormous, from seven to ten pound per month; and, in consequence, their vessels will be soon manned with entire crews of American and English sailors; the greatest enormities will be perpetrated; and unless not only the right of search, with condemnation for resistance, be a

lowed, but also very vigorous measures be adopted to enforce it, these crimes must all pass unpunished.

Sierra Leone, April, 1817.

FOURTH ENCLOSURE IN No. 2.

Annex D to the protocol of the Conference of the 4th of February, 1818.

Letter of Z. Macauley, Esq. to Viscount Castlereagh, dated

LONDON, 20th of December, 1810.

MR LORD: I have been honored with your lordship's note of the 13th instant, acknowledging the receipt of the answers made on the 26th December, 1816, to the queries which your lordship had proposed relative to the then state of the African slave trade, and requesting the communication of such farther intelligence as I might have since obtained. The answers to the same queries which I delivered last week to Mr. Planta, were written on the coast of Africa, in the month of April last, and therefore apply to a period six months later than that to which my answers refer. Since that time I have not received from Africa any detailed communications on this subject. Such as I have received, I will now lay before your lordship.

Colonel McCarthy, the Governor of Sierra Leone, in a letter dated 20th April, 1817, observes, "I am grieved to say that there is nothing favorable to state with respect to the slave trade, which has not only been renewed in those places from which it had been driven, but actually extended three times as far as at any period during the late war." This representation has been fully confirmed to me, and it is added, "that the slave trade is now openly and undisguisedly carried on both at Senegal and Goree."

Governor McCarthy, in a subsequent letter, dated 10th June, 1817, says, "The slave trade is carried on most vigorously by the Spaniards, Portuguese, Americans, and French. I have had it affirmed from several quarters, and do believe it to be a fact, that there is a greater number of vessels employed in that traffic than at any former period." To the same effect, are the letters I have received from Sierra Leone, which, under date of 28th June, 1817, state as follows: "The coast is crowded with slave ships, and no trade can be done where they are. We could get rice to Leeward, but dare not go there, as we are certain of being plundered by them. I saw it mentioned in a London newspaper, that a Carthaginian pirate had been plundering our vessels. It was an Havana slave ship, and all the Spaniards who come on the coast swear to do the same whenever they have it in their power. If this should be suffered, we must give up all the trade, and leave the African coast to the slave dealers."

On the 20th of July, 1817, it is further stated as follows: "The slave trade is raging dreadfully on the coast. Goree has become quite an emporium of this traffic. Our merchants are losing the whole trade of the coast. The whole benefit of it accrues to the slave dealers. No other trade can be carried on where the slave trade prevails."

This view of the subject is confirmed in a report recently published by the Church Missionary Society in Africa and the East. The committee of that society, in communicating to its subscribers the substance of the information recently received from their missionaries on the Windward coast of

Africa, observe as follows: "The natives saw the missionaries sit down in the midst of them, while the slave trade was yet a traffic, sanctioned by the laws of this country, and of the civilized world. They utterly disbelieved, at first, the professions of the missionaries; and, when at length brought, by their patient and consistent conduct, to believe them, yet so debased were their minds by that traffic, which our nation in particular had so long maintained among them, that they had no other value for the education offered to their children, than as they conceived it would make them more cunning than their neighbors. But the missionaries gladly became the teachers of their children, in the hope that they should outlive the difficulties which then opposed their mission. The act of abolition seemed to open a bright prospect to the friends of Africa. The numerous slave factories which crowded the Rio Pongas vanished, and Christian churches began to spring up in their room. The country was gradually opening itself to the instruction of the missionaries, when the revival of the slave trade, by some of the European powers, proved a temptation too great to be resisted. At the moment when the natives began to assemble to hear the missionaries preach, and even to erect houses for the worship of God, at this moment their ancient enemy comes in like a flood, and, it is to be feared, will drive away our missionaries for a time. So great is the demoralizing effect of the slave trade, and so inveterate the evil habits which it generates, that it is not improbable it may be necessary to withdraw wholly, for the present, the society's settlements beyond the precincts of the colony of Sierra Leone." Subsequent accounts render it probable that this anticipation has been actually realized.

In addition to the facts already adduced to show the prevalence of the French slave trade, a letter from Dominica, dated 7th January, 1817, states, "that, in the month of November, 1816, a Portuguese brig, the *Eleanora*, of Lisbon, with 265 Africans from Gaboon, arrived off St. Pierre's, in Martinique; and, on the 25th of the same month, landed them at Carlet, between St. Pierre's and Fort Royal, the brig afterwards returning to the former port." It was also known that two vessels had been fitted out and despatched from St. Pierre's to the coast of Africa, for slaves; and that, at the same time, a fast sailing schooner was about to depart for a similar purpose. "The impunity," it is added, "which these infractions of treaties meet with in the French colonies, will no doubt increase the repetition of them to an unbounded degree." In a subsequent letter, dated Dominica, 4th September, 1817, it is observed, "a few weeks ago, a large ship arrived from the coast of Africa, and landed at Martinique more than five hundred slaves; they were disembarked some little distance from St. Pierre's, and marched in by twenties."

In addition to these instances of slave trading, I have to state, that a gentleman who returned about a fortnight since from a voyage to the coast of Africa, informed me, that, while he was lying (about three or four months ago) in the river Gambia, two French vessels, navigating under the white flag, carried off, openly from that river, about 350 slaves.

The following extract of a letter from Cape Coast Castle, 5th of March, 1817, shows that the Dutch functionaries in that quarter, notwithstanding the decrees of their government, are actively engaged in the slave trade. "We deem it our duty to inform you of the conduct of the Governor of Elmina; we are well aware that a particular feature in the Dutch government at this time, is the desire of preventing the slave trade, which their repre

representative in this country takes every opportunity of aiding and abetting. Portuguese vessels are furnished with canoes, and Spaniards supplied with water. The beginning of last month, a Spanish ship was four days at anchor in Elmina, receiving water, and bartering dollars for such goods as were suited for the purchase of slaves. This vessel proceeded a short distance to leeward, and came to anchor off Opam, a place about eight miles to the Eastward of Tantom; where the master purchased to the number of 400 slaves, and carried them off to the coast; a Spanish schooner also took slaves off from the same neighborhood about three months ago."

I have the honor to be, &c.

Z. MACAULEY.

To Viscount Castlereagh. K. G. &c. &c. &c.

No 3.

Protocol of the Conference between the Plenipotentiaries of the five Powers, of the 7th of February, 1818.

Present: BARON DE HUMBOLDT,
LORD CASTLEREAGH,
COUNT LIEVEN,
MARQUIS D'OSMOND,
PRINCE ESTERHAZY.

The protocol of the last conference being read, the plenipotentiaries approved and signed it.

Count Palmella having accepted the verbal invitation, which, in conformity to what had been agreed upon at the conference of the 4th of February last, was made to him by the plenipotentiaries, Lord Castlereagh communicates to him the convention concluded between his government and that of Spain, on the 23d September, 1817, relative to the abolition of the slave trade, and invites him, in concert with the plenipotentiaries, his colleagues, to add his efforts to theirs, for the attainment of an object so interesting to humanity, and which can only be completed when his most faithful majesty shall have adopted similar measures.

Count Palmella replied, that, in accepting, by his note of the 17th February, 1817, the invitation which had been addressed to his predecessor, to take part in the conferences held in pursuance of the additional article of the treaty of Paris, of the 20th of November, 1815, he had, by order of his court, declared the conditions upon which he was authorized to assist at these conferences, and that he did not doubt, from the renewed invitation he had just received from the plenipotentiaries, but that those "bases" had been accepted; the more so, as they were entirely grounded upon the most just principles.

Count Palmella added, that he would lose no time in transmitting to his court the communication of the treaty just concluded between the British and Spanish governments for the abolition of the slave trade on the part of the subjects of his Catholic majesty; and that his most faithful majesty, according to the known principles professed by him individually, would doubtless behold, with the most perfect satisfaction, the advantages which would

thereby result to the cause of humanity; which principles his plenipotentiaries had solemnly declared at the Congress of Vienna, and to which Count Palmella entirely referred himself, as also to the explanations given at the same period respecting the circumstances particularly affecting the Brazil Upon which the sitting was adjourned.

HUMBOLDT,
ESTERHAZY,
OSMOND,
LIEVEN,
CASTLEREAGH.

No. 4.

Protocol of the conference between the Plenipotentiaries of the five Powers, of the 11th of February, 1815.

Present: LORD CASTLEREAGH,
COUNT LIEVEN,
BARON DE HUMBOLDT,
MARQUIS D'OSMOND,
PRINCE ESTERHAZY.

The protocol of the last conference of the 7th of February, being read was approved and signed.

Count Palmella having declared himself, at the conference of the 7th February, ready to receive and transmit to his court the communication of the convention concluded between Great Britain and Spain, under date of the 23d September, 1817, the plenipotentiaries agree to enclose the same to him in a note which is annexed to this protocol, sub litt. [A].

The plenipotentiaries do not consider themselves called upon to enter present into discussion on the subject of the conditions stated in Count Palmella's official note of the 17th February, 1817, and to which he alluded the last conference, thinking it sufficient to refer, as to the principal object of their present proceeding, entirely to what is to be found in the protocols of the conferences held on this subject at the Congress of Vienna, as also the solemn declaration of the Powers, dated on the 8th February, 1815 made at the said Congress.

Upon which the sitting was adjourned.

HUMBOLDT,
ESTERHAZY,
D'OSMOND,
LIEVEN,
CASTLEREAGH.

ENCLOSURE IN NO. 4.

Annex A to the Protocol of the conference of the 11th of February, 1815

Note of the plenipotentiaries of the five Powers to Count Palmella

London, December 11, 1817

The undersigned, in reference to the communication made to Count Palmella, at the conference of the 7th instant, lose no time in having the h

of transmitting herewith enclosed to his excellency, the treaty concluded between his Britannic majesty and his Catholic majesty, which stipulates on the part of Spain the final abolition of the slave trade, and thus offers a very satisfactory result to the solicitude which their respective courts evince for the fulfilment of the engagements they have contracted by the additional article of the treaty of Paris, of the 20th November, 1815. The complete attainment of this interesting object, now solely depending on the abandonment, by the court of Portugal, of that part of the slave trade which she has still reserved to herself South of the line, the undersigned have the honor to invite Count Palmella to solicit from his court full powers to enable him to act in concert with them towards the accomplishment of so desirable an object.

They have, at the same time, the honor to add, herewith, extracts from the protocols of the two last conferences on this subject, for his excellency's information, and they avail themselves of this opportunity to offer him the assurance of their distinguished consideration.

LIEVEN,
HUMBOLDT,
CASTLEREAGH.
D'OSMOND,
ESTERHAZY.

No. 5.

Extract of the protocol of the sitting of the 14th of February, 1818.

Present: THE MARQUIS D'OSMOND,
LORD CASTLEREAGH,
BARON DE HUMBOLDT,
PRINCE ESTERHAZY,
COUNT DE LIEVEN.

The plenipotentiaries having approved the protocol of the last conference of the 11th February, it is signed.

The answer of the Count de Palmella to the note which the plenipotentiaries addressed to him on the 11th February, is read, and placed upon the present protocol, sub litt. A.

ENCLOSURE IN No. 5.

Annex A to the protocol of the 14th of February, 1818.

LONDON, February 12, 1818.

The undersigned has received the note which the plenipotentiaries of those courts who signed the additional article of the treaty of Paris, of the 20th November, 1815, have done him the honor to address to him, under date of yesterday.

He will take the earliest opportunity of conveying to the knowledge of his court the treaty concluded between his Britannic majesty and his Catholic majesty, which their excellencies have been pleased to communicate to him officially, together with the extracts of the protocols of their two last conferences on this subject.

The undersigned being already furnished with the full powers and instructions necessary to enable him to assist at the conferences held by their excellencies, and to discuss in concert with them the means of attaining the desirable objects in question, does not think himself entitled to ask for new full powers, unless the question should positively change its nature, by a refusal (which the undersigned cannot possibly expect from the plenipotentiaries) to admit, on their part, the principles put forth in the first note which he had the honor to address to them. Whenever their excellencies shall think themselves called upon to enter into the discussion of those principles, they will see that they all evidently and immediately spring from the declaration of the Congress of Vienna, of the 8th February, 1815, and from the treaty concluded at the period of the said Congress, between his most faithful majesty and his Britannic majesty, for the extinction of the slave trade to the North of the line.

The undersigned takes this opportunity of offering to their excellencies the assurance of his high consideration.

THE COUNT DE PALMELLA.

Memorandum. The plenipotentiaries having reason to understand that the instructions under which Count Palmella acted were not of a nature which would enable him to conclude any convention, assigning any fixed period for the abolition on the part of Portugal, without reference to his Government, did not think it expedient to enter, under such circumstances, into further discussions with Count Palmella, inasmuch as they conceived that such discussions could not have led to any satisfactory result.

CONFERENCES AT AIX-LA-CHAPELLE.

No. IX.

Despatch from Viscount Castlereagh to Earl Bathurst, dated Aix-la-Chapelle, 2d November, 1818.

MY LORD: In the conference of the 24th October, I opened to the plenipotentiaries the existing state of the trade in slaves, and the progress made by the plenipotentiaries in London in proposing further measures for accomplishing its final abolition.

As the further examination of this question required that the ministers should have time to peruse the voluminous documents connected with it, I gave notice that I should, on a future day, submit to them two propositions:

The first, for addressing a direct appeal, on the part of the five courts, to the King of Portugal, founded upon the declaration made in his Majesty's name by his Plenipotentiary at Vienna, and urging his Majesty to give effect to that declaration at the period fixed by Spain for final abolition, viz: on the 20th May, 1820.

The second would be, that the powers there represented should accept the principle of a qualified right of mutual visit, as adopted by the courts of Great Britain, Spain, Portugal, and the Netherlands, and should apply the same to the case of their respective flags, as circumstances should point out.

It was impossible not to perceive, in the short discussion which ensued that there was considerable hesitation; especially in the French Plenipoten

tiary, with regard to the principle of the latter measure. Under these circumstances I thought it better to avoid a prolongation of the conversation. I had an interview with the Duke de Richelieu on the following day, for the purpose of urging his Excellency to a more favorable view of this important question. This led to a very full examination of the measure in all its bearings; and, though I cannot say that I succeeded in shaking his Grace's opinion, I flatter myself I reduced the weight and number of his objections, and that I brought his mind to feel the extreme inconvenience, as well as moral objection, to leaving the question where it is.

It is due to the Duke de Richelieu that I should state, that I have found his Excellency uniformly anxious to render the measures of his own Government effectual to its object; and that he has been cordially disposed to receive and follow up every information which I have laid before him concerning the malpractices of the subjects of France in this traffic; but he seems, as yet, under great apprehension of the effect in France of any concession of the nature above suggested.

The Duke, however, gave me every assurance of its being fully considered; and, as a means of doing so, his Excellency desired me to furnish him with a memorandum, stating the substance of those explanations which I had given him of the question. I now have to transmit to your Lordship a copy of this paper, and to assure you that I shall lose no opportunity, in conjunction with the Duke of Wellington, of following up, with zeal and perseverance, this important part of my instructions.

I have the honor, &c.

CASTLEREAGH.

EARL BATHURST, &c. &c.

FIRST ENCLOSURE IN NO. 9.

Protocol of the conference between the five Powers, held at Aix-la-Chapelle, the 24th. October, 1818.

Lord Castlereagh makes known to the conference the result hitherto obtained by the measures adopted for the general abolition of the trade in slaves, and the actual state of things in regard to this interesting question, distinguishing between the legal and the illegal trade. His Excellency observed, that, since the convention of the 23d of September, 1817, by which Spain fixed the year 1820 for the final termination of this traffic, Portugal was the only power which had not explained itself as to the period of abolition. Lord Castlereagh added, that, while there was a State whose laws authorized the trade, if it were but partially, and a flag which could protect it, it would scarcely be possible to prevent the continuation of this commerce by contraband means, the increase of which had been very considerable of late years; and that, even when the slave trade should be prohibited by the laws of all civilized countries, an active and permanent *surveillance* could alone guarantee the execution of those laws.

After this representation, Lord Castlereagh communicated several papers relative to the question, referring to the details already submitted to the ministers assembled in London. He at the same time explained his ideas:

1st. Upon the means of prosecuting the application of the principle of the legal abolition of the trade.

2d. Upon the means of insuring the execution of the laws and conventions relating to it.

Relative to the first object, Lord Castlereagh proposed that a measure should be agreed upon to be taken with respect to the Court of Rio de Janeiro, in order to induce it to explain itself as to the period it intended to fix for the final abolition of the trade.

Relative to the second object, his Excellency proposed to adopt, generally, and in an obligatory form, the measures decreed by the last treaties between Great Britain, Spain, Portugal, and the Kingdom of the Netherlands.

These propositions were taken *ad referendum*, and it was agreed to resume the deliberation in a subsequent sitting.

METTERNICH,
RICHELIEU,
CASTLEREAGH,
HARDENBERG,
BERNSTOFF,
NESSELRODE,
CAPO D'ISTRIA.

SECOND ENCLOSURE IN NO. 9.

Note from Viscount Castlereagh to the Duke de Richelieu, dated

AIX-LA-CHAPELLE, the 27th of October, 1816.

Lord Castlereagh has the honor to enclose to the Duke de Richelieu the memorandum which he yesterday promised to submit to his Excellency for consideration.

Lord Castlereagh will be most happy to reply, without loss of time, any queries which the Duke de Richelieu will have the goodness to put him on this subject; or to procure for his Excellency any information which may appear to him material, and which Lord Castlereagh may not have the means of immediately himself supplying.

Lord Castlereagh requests the Duke de Richelieu to accept the assurance of his distinguished consideration.

THIRD ENCLOSURE IN NO. 9.

Memorandum. (A.)

First—as to right of Visit.

None of the three conventions signed by Great Britain with Spain, Portugal, and Holland, gives this right to king's ships indiscriminately. It is confined to king's ships having the *express instructions and authority*, as specified in the treaty.

The provision is, in all cases, reciprocal; but the treaty with the Netherlands restricts the exercise of this right to a specified number of ships of power, not exceeding twelve in the whole. Each power, as soon as it gives these instructions to any of its ships of war, is bound to notify to the other the name of the vessel so authorized to visit.

Second—Right of Detention.

No visit or detention can take place, except by a commissioned officer having the instructions above referred to, as his special authority for the same; nor can he detain and carry into port any vessel so visited, except on the single and simple fact of *slaves found on board*. There is a saving clause to distinguish domestic slaves, acting as servants or sailors, from those strictly appertaining to the traffic. The powers mutually engage to make the officer personally responsible for any abusive exercise of authority, independent of the pecuniary indemnity to be paid, as hereafter stated, to the owner, for the improper detention of his vessel.

Third—Adjudication.

The visiting officer finding slaves on board, as he conceives, contrary to law, may carry the vessel into whichever of the two ports is the nearest, where the mixed commission belonging to the capturing and captured vessels shall reside; but by doing so, he not only renders himself personally responsible to his own government for the discretion of the act, but he also makes his government answerable to the government of the State to whom the vessel so detained belongs, for the full compensation, in pecuniary damage, which the mixed commission may award to the owners for the detention, if unjustifiably made.

The mixed commission has no jurisdiction of a criminal character, and consequently can neither detain nor punish the persons found on board ships so detained, for any offences they may, by such slave trading, have committed against the laws of their particular State. The mixed commission has no other authority than summarily to decide whether the ship has been properly detained, or not, for having slaves illicitly on board. If this is decided in the affirmative, the ship and cargo (if any on board) are forfeited; the proceeds to be equally divided between the *two States*; the slaves to be provided for by the State in whose territory the condemnation takes place.

If the mixed commission orders the vessel to be released, it is required at the same moment to award such pecuniary compensation to the owners for the detention, as appears to them reasonable.

A table of demurrage is given in the treaties, and the government of the detaining officer is bound to discharge the sum so awarded, without appeal, within twelve months.

The mixed commission is composed of a commissary judge, and a commissary arbitrator, of each nation, as was provided in the convention signed between Great-Britain and France, in 1815, for adjudicating the private claims.

Fourth—the Sphere of Operation.

In the Spanish and Portuguese conventions, there is no other restriction as to the limits within which detention, as above, may take place, than what arose naturally out of the state of the laws, viz: that so long as either Power might lawfully trade in slaves to the South of the equator, no detention should take place within those limits.

In the convention with Holland, a line is drawn from the Straits of Gibraltar to a point in the United States, so as to except out of the operation what may be called the European seas.

In all these conventions, the whole range of voyage, from the coast of Africa to the opposite shores of both Americas, including the West Indies, is subjected to the regulated *surveillance* thus established.

Observations.

Upon the first head, it does not occur that any further restrictions than those provided in the Netherlands' convention can be required. But this is always open to negotiation.

The same observation appears applicable to the second head.

The same observation applies also to the third head, with this distinction: that a State, such as Austria for example, agreeing to the measure, but having little or no trade on that coast, instead of immediately going to the expense of constituting commissions, might reserve the power of doing so whenever she thought fit; or might be enabled, if she prefer it, to authorize the commissioners of any other State to take cognizance, in her name, of any cases in which the property of Austrian subjects might be concerned.

The fourth head seems most susceptible of comment, as it admits the possibility of search over the whole surface of the Atlantic, and in the West Indian seas, where the trading vessels of commercial States are more numerous than on the coast of Africa.

Great Britain was herself so fully satisfied, that, under the checks established, abuse is so little to be presumed, that she did not hesitate to expose her own commerce in those seas, however extended, to this, as she conceives, imaginary inconvenience; considering that so urgent a claim upon her humanity would not only justify, but impose upon her as a moral duty even a greater sacrifice.

But notwithstanding what Great Britain has already done in her treaties with the three powers with whom she has contracted, and is ready to do with all other civilized States, namely, to run some risk of inconvenience for so noble a purpose, there is a distinction which may reasonably be taken between giving effect to this system upon the coast of Africa; and for a certain distance, say two hundred leagues from that particular coast, and the extending the same over the entire of the Atlantic and West Indian sea. The latter, as the most effectual measure, Great Britain has preferred, with whatever of inconvenience it may be connected in its operation; but she would not be the less disposed to attach value to the more limited application of the principle.

It may be stated, that, so long as the laws of any one State shall permit a trade in slaves, or that any flag shall exist in the world which is not comprehended in this system of maritime police against the contraband slave trader, the evil will continue to exist. This reasoning, although plausible, should not discourage a common effort against the abuse committed, and upon close examination it will be found fallacious.

1st. The whole of the African coast North of the line, is at this moment emancipated from the traffic by the laws of all States having colonies.

2dly. By the 20th May, 1820, no flag of any such state will be enabled legally to carry on the traffic any where to the North of the line on either side of the Atlantic; nor any flag, other than the Portuguese, be authorized to trade South of the line.

Supposing, for a moment, that Portugal should not abolish to the South of the line, till the expiration of the eight years complete from the declaration

of Vienna, viz. 1823, what an immense sphere, nevertheless, of salutary operation, would not this conservative alliance have in the interval?

The other branch of the objection is not more solid; it is true, that the ship and flag of the smallest Power might, in legal theory, cover these transactions; but, where the property is not belonging to a subject of that Power, but of a state that has abolished, the flag of that power, so used in fraud, would be no cover, and the property thus masked would be condemned, whilst the sovereign whose flag was thus prostituted, neither could nor would complain.

But so long as any of the great Powers, such as France, having a considerable extent of commerce on those coasts, shall refuse to adopt the system, not only their example will discourage other States, whose interest is merely nominal, from taking a part, but it will furnish the illicit slave trader with a flag, not only so much to be respected in itself, but so presumable to be found on the coast for purposes of innocent commerce, that no commissioned officer will run the risk of looking into such a vessel, at the hazard of involving himself and his government in a question with a foreign Power. The practical as well as the moral effects of the principal maritime States making common cause upon this subject is incalculable. In fact, it must be decisive: without it, their flags must be made the instrument of reciprocally withdrawing the subject from the authority of the sovereign, when committing this offence.

This latter point will appear clear, when we consider the working of the system under the two alternatives. If all the great maritime States adopt the principle, their cruizers form but one squadron against the illicit slave traders, and none of their flags can be made to cover the fraudulent transaction; the immediate effect of which would be considerably to multiply the number of the cruizers, consequently the chance of captures, whilst it would reduce the number of the flags which the illicit slave traders could assume. Whereas, if France acts alone, the danger to the French illicit trade is reduced to the chance of what her own cruizers may be enabled to effect along the immensity of that coast; and even where a French armed ship falls in with a French slave trader, by hoisting English, Spanish, Portuguese, or Dutch colors, the French officer, supposing him anxious to do his duty, will be very cautious in hazarding a visit where there is so reasonable a presumption that the vessel may be what the flag announces.

But take the other supposition, that all the principal maritime Powers shall act in concert, and that the vessel suspected of having slaves on board hoists the flag of any other State, suppose the Hanseatic flag, the presumption is so conclusive against a Hamburg vessel trading in slaves on her own account, that no officer would hesitate to search the vessel in order to detect the fraud.

It may be further confidently asserted, that, if the Powers having a real and local interest, come to an understanding and act together, the other states will cheerfully come into the measure, so far as not to suffer their flags to be so monstrously perverted and abused. The omission of France is above all others important, from its station in Europe, and from its possessions in Africa; its separation from the common effort, more especially if imitated by Russia, Austria, and Prussia, will not only disappoint all the hopes which the world has been taught to form, with respect to the labors of the conference established in London under the third additional article of the treaty of November, 1815, but will introduce schism and murmur into the ranks of the friends of abolition. The States having abolished, will no longer form

one compact and unanimous body, laboring to affiliate the state which has yet to abolish, to a common system, and to render their own acts efficacious, but they will compose two sects, one of States that have made the possible inconvenience of a restricted visit to their merchant ships, bend to the greater claims of humanity; the other, of States considering their former objection as so far paramount, as not to admit of any qualification, even for the indisputable advantage of a cause, to the importance of which they have at Vienna given a not less solemn sanction. This must materially retard the ultimate success of the measure, and it may in the interval keep alive an inconvenient degree of controversy and agitation upon a subject which has contributed, above all others, seriously to excite the moral and religious sentiments of all nations, but especially of the British people, by whom the question has long been regarded as one of the deepest interest.

X.

Despatch from Viscount Castlereagh to Earl Bathurst, dated

AIX-LA-CHAPELLE, November 12, 1818.

MY LORD: I have the honor to enclose to your Lordship the Protocol of the conferences of the allied ministers of the 4th instant.

This Protocol details the further proceedings upon the slave trade, and has annexed to it the memorandum drawn up by me on the same subject, which was communicated to your Lordship in my despatch of the 2d instant.

I have, &c.

CASTLEREAGH.

EARL BATHURST, &c. &c.

ENCLOSURE IN No. 10.

Protocol of the conferences between the Plenipotentiaries of the five Powers, held at Aix-la-Chapelle, the 4th of November, 1818.

In reference to the communications made to the conference on the 24th of October, Lord Castlereagh this day developed his propositions relative to the abolition of the slave trade; propositions the object of which is, on the one hand, to complete and extend the measures already adopted for the attainment of the definite extinction of this traffic, and on the other hand, to ensure the execution and the efficacy of those measures. As to the first object, Lord Castlereagh proposed that some measures should be adopted towards his majesty the king of Portugal and Brazil, and that a letter should be written in the name of the sovereigns, in the most pressing, and at the same time the most affectionate terms, in order to engage his most faithful majesty, reminding him of the part he had taken in the declaration of Vienna, of the 8th of February, 1815, to fix without further delay the period for the definitive abolition of the slave trade throughout his possessions, a period which, after the engagements entered into by the plenipotentiaries of his said majesty at Vienna, and inserted in the Protocol of the 20th November, 1815, should not extend beyond the year 1823, but which the allied

sovereigns desire, from the interest they take in this great cause, to see coincide with that which his majesty the king of Spain has adopted in fixing the 30th of May, 1820, as the final term of that traffic. This proposition was unanimously received.

Lord Castlereagh, in calling the attention of the conference to the declaration of the plenipotentiaries of his most faithful majesty, made at Vienna, on the 6th of February, 1815, "that they were forced to require, as an indispensable condition for the final abolition, that his Britannic majesty should on his side consent to the changes which they had proposed to the commercial system between Portugal and Great Britain," renewed the assurance that his majesty the king of Great Britain was ready to accede to all the reasonable modifications which should be proposed in the existing treaties of commerce with Portugal; which assurance he had repeatedly given to the Portuguese minister in London. Lord Castlereagh, above all, desired to call the attention of the conference to the expression *reasonable modifications*, which he made use of, because he could not suppose that the Portuguese ministers intended to demand, on the part of a single Power, sacrifices which one state could not well expect of another as indispensable conditions of a general measure, having for its object the good of humanity alone.

As to the second object, Lord Castlereagh communicated a memorandum (A.) containing explanations of the treaties concluded in 1817, between Great Britain, Spain, and Portugal, and the kingdom of the Netherlands, establishing the right of visit against the vessels evidently suspected of being engaged in the trade, in direct contravention of the laws already existing, or hereafter to be made by the different states. Persuaded that, after the explanations given, and the modifications proposed in the said memorandum, such a measure might be adopted without any serious inconvenience, Lord Castlereagh invited the plenipotentiaries to take it into their consideration in the sense the most favorable to the success of the abolition, and to agree to it; or if not, at least to substitute some counter project effectually to prevent the abuse which the illicit trader will not fail to make of the flag of the Powers who should refuse to concur in the above mentioned general measure. The memorandum of Lord Castlereagh was annexed to the Protocol, sublit. A.

Lord Castlereagh added to these propositions, that, according to the opinion of several persons, whose authority was of great weight on this question, it would be useful, and perhaps necessary, to consider the trade in slaves as a crime against the law of nations, and to this effect to assimilate it to piracy, as soon as, by the accession of Portugal, the abolition of the traffic shall have become an universal measure. He requested the plenipotentiaries to take this opinion into consideration, without making at present a formal proposition upon it.

METTERNICH.

RICHELIEU.

CASTLEREAGH.

WELLINGTON.

HARDENBERG.

BERNSTORFF.

NESSELRODE.

CAPO D'ISTRIA.

No. 11.

Despatch from Viscount Castlereagh to Earl Bathurst, dated

AIX-LA-CHAPELLE, November 23, 1818.

MY LORD: I have the honor to transmit to your Lordship the notes of the Russian, French, Austrian, and Prussian plenipotentiaries, upon the two propositions which were brought forward by the British plenipotentiaries, and earnestly pressed upon their attention, as stated in the protocol of the 24th ultimo.

The result of these notes being extremely discouraging to our hopes, it was determined to review the objections brought forward to the measure of mutually conceding the right of visit, especially by the plenipotentiary of France.

After presenting this review to the consideration of the conference, in the memorandum B, (of which a copy is enclosed;) and, in an audience with which I was honored by the Emperor of Russia, I took occasion to represent to his imperial majesty, in the strongest terms, the necessity of taking some effective measure of this nature, without delay, and without waiting for the decree of final abolition on the part of Portugal.

His imperial majesty listened with his accustomed interest to my representations on this subject, and promised me to give directions to his ministers, to propose that the consideration of the question should be re-opened in London, under fresh instructions.

The modification which I have finally urged of this measure, and, I trust, with considerable hope of success, is, that, in addition to the limitation of the right of visit to the coast of Africa, and to a specific number of ships of each Power, the duration of the convention should be for a limited number of years—say seven; at the end of which period, the several Powers would again have it in their power to review their decision, after some experience of its convenience, or inconvenience, of its efficacy to the object, and of the necessity of its being renewed, regard being had to the then state of the illicit slave trade. This arrangement would sufficiently meet our most pressing wants, whilst it would go less permanently to disturb the acknowledged principles of maritime law, as regulating the right of visit. By the aid of this latter expedient, I flatter myself that I have made a considerable impression in removing the strong repugnance which was at first felt to the measure.

A projet of the letters to be addressed by the sovereigns to the King of Portugal on this subject is also forwarded in this despatch; and I have to request that your Lordship will receive the Prince Regent's pleasure as to making a similar appeal to his most faithful majesty, on his royal highness's part, taking measures for forwarding the whole to the Brazils, by the first packet.

I have, &c. &c.

CASTLEREAGH.

EARL BATHURST, &c. &c.

FIRST ENCLOSURE IN NO. 11.

Opinion of the Russian Cabinet upon the Slave trade.

AIX-LA-CHAPELLE, November 7, 1818.

The Russian cabinet has laid before the emperor, and taken, in pursuance of his orders, into mature consideration, the different communications made

to the conferences of Aix-la-Chapelle, by the plenipotentiaries of his Britannic majesty, on the subject of the slave trade.

There is no object in which his imperial majesty takes a more lively interest, and which he has more at heart, than that the decision upon this question may be conformable to the precepts of the Christian religion, to the wishes of humanity, and to the rights and real interests of all the Powers invited to assist therein.

Although it cannot be dissembled that the measures in which these indispensable conditions are to be united, are attended with difficulty, his imperial majesty hopes, nevertheless, that the obstacles will not be insurmountable.

His imperial majesty entirely concurs in the proposition of the British cabinet, to make an amicable representation to the court of Brazil for the purpose of engaging it to fix a final and early termination to the power which it has reserved to itself to exercise the trade. The force of the motives upon which the wishes of the allied sovereigns rest, and that of the example which they have already given, will, doubtless, be sufficient to influence the free determination which Portugal is invited to make. The cabinet of Russia has hastened to draw out, upon the invitation of the British Plenipotentiaries, the projet of a letter which may be addressed, with this view, to the King of Portugal. This projet is hereunto annexed.

The emperor views with satisfaction the probable success of a measure which will complete the accession of all the Christian states to the entire and perpetual abolition of the trade.

It is only when this abolition shall have been thus solemnly declared in all countries, and without reserve, that the Powers will be able to pronounce, without being checked by distressing and contradictory exceptions, the general principle which shall characterize the trade, and place it in the rank of the deepest crimes.

Then, and taking this principle for a basis, may be put in practice the measures which shall serve for its application.

The cabinet of his Britannic majesty has communicated those by which it has already begun to give effect to the principle of abolition: that is to say, the conventions with Portugal, Spain, and the Netherlands.

It is proposed to adopt generally, among the maritime Powers, the rules laid down in these three conventions, and more particularly to establish, as a general principle, the reciprocal right of visit to be exercised by the respective cruisers.

The cabinet of Russia, in doing homage to the intentions which have dictated these dispositions, stipulated between the British Government and the three courts above mentioned, and in appreciating their real efficacy on the supposition that they were universally adopted, has only to express its hopes that the special and most urgent interests which each of the maritime States must consult, will not oppose the attainment of a general coalition. For inasmuch as it is true that the universal establishment of the reciprocal right of visit would contribute to this end, so it is equally incontestible that the measures in question must necessarily become illusory, if a single maritime State only, of whatever rank it may be, finds it impossible to adhere to them. It is, therefore, with a view to produce this universal consent, that the allied Powers should use their efforts, having once agreed among themselves upon the principle of the right of visit, to obtain the free adherence of all the others to the same basis.

The ministers of his majesty the emperor of Russia regret not to be able to contemplate an accession so unanimous. It appears to them beyond a doubt, that there are some States whom no consideration would induce to submit their navigation to a principle of such high importance. It cannot, then, be disguised, that it is not in this principle that the solution of the difficulty is to be sought.

It has been asked if some other mode, equally sure in its effects, could not be proposed, and of which the general admission on the part of all the States might be more easily foreseen.

Without prejudging the result of the overture of the British cabinet, a mode is here submitted, which, in the event of that not being adopted, is without exception in respect to the right of visit, and which will, perhaps, obtain the suffrage of all States, equally desirous of accomplishing a sacred duty, in putting an end to the horrors of the slave trade.

This expedient would consist in a special association between all the States, having for its end the destruction of the traffic in slaves.

It would pronounce, as a fundamental principle, a law characterizing this odious traffic as a description of piracy, and rendering it punishable as such.

It appears evident that the general promulgation of such a law could not take place until the abolition was universally pronounced, that is to say, until Portugal had totally and every where renounced the trade.

~~The execution of the law should be confided to an institution, the seat of which should be in a central point on the coast of Africa, and in the formation of which, all the Christian States should take a part.~~

Declared forever neutral, to be estranged from all political and local interests, like the fraternal and Christian alliance, of which it would be a practical manifestation, this institution would follow the single object of strictly maintaining the execution of the law. It would consist of a maritime force, composed of a sufficient number of ships of war, appropriated to the service assigned to them:

Of a judicial power, which should judge all crimes relating to the trade according to a legislation established upon the subject by the common law

Of a supreme council, in which would reside the authority of the institution; which would regulate the operations of the maritime force, would revise the sentences of the tribunals, would put them in execution, would inspect all the details, and would render an account, of its administration to the future European conferences.

The right of visit and of detention would be granted to this institution the means of fulfilling its end; and, perhaps, no maritime nation would refuse to submit its flag to this police, exercised in a limited and clearly defined manner, and by a power too feeble to allow of vexations, too disinterested in all maritime and commercial questions, and, above all, too widely combated in its elements not to observe a severe but impartial justice towards all.

Would it not be possible to compose this institution of such different elements as to give it no other tendency, as long as it remained united, than that of doing its duty?

The expense which it would occasion, divided amongst all the Christian States, could not be very burthensome, and its duration would be regulated according to the time required for the development of African civilization which it would protect, and it might also bring about a happy change in the system of cultivation in the colonies.

In submitting these views to the wisdom of the allied cabinets, that of Russia reserves to itself the power, in case they desire to search into and examine them, of entering into more ample explanations upon the subject.

SECOND ENCLOSURE IN NO. 11.

Memoir of the French Government on the slave trade.

France has proved, in the most evident manner, that she desires to concur effectually in the complete abolition of the slave trade. Engaged by the declaration to which she has subscribed, of the 8th of February, 1815, at Vienna, with the powers who signed the treaty of the 30th of May, to employ, for this purpose, "all the means at her disposal, and to act in the employment of these means with all the zeal and perseverance due to such a great and noble cause," she flatters herself that she has complied with this engagement; and, in a few months after the declaration of Vienna, she renounced the stipulation of 1814, which had given her a delay of five years for effecting the cessation of the trade. She declared, the 30th of July, 1815, that, from that day, the trade should cease on her part every where and forever. The acts of her administration have been conformable to this declaration. The instructions given in the ports of France, and in the colonies, have preceded a special ordinance of the king prohibiting the trade.

This ordinance has since been confirmed by a law, enacted in March, 1816, which pronounces against the violators of the dispositions agreed upon, the most severe punishments which the laws of France can inflict.

Measures of *surveillance* have also been prescribed with a view to secure the executions of the law; and the king has ordered a naval force to cruise on the Western coast of Africa, and visit all vessels which should be suspected of continuing a trade which has been prohibited.

Such are the acts of the French Government; they clearly prove that they have used "the means which they had at their disposal" to repress the trade.

They have displayed their zeal, in creating the means which were wanted, and in the adoption of a formal law.

Nevertheless, the government of his Britannic majesty, who, to secure the actual abolition of the trade, evince an ardor which cannot but add to the glory which the English nation have acquired in fostering whatever has for its object the good of humanity, have been informed, that the end of their efforts, and of those of the other Powers, is not yet attained; and that, in despite of the measures taken to prevent it, many slaves are still carried away from the coast of Africa, by a contraband trade. And they have conceived, that these violations of the laws evince the insufficiency of the dispositions to ensure the execution of them. They believe that a system of measures combined between the principal Powers already engaged, by a clause in the treaty of the 20th of November, 1815, to concert means for this object, might finally eradicate the evil. They have proposed, among other measures, to visit rigorously the vessels which shall navigate upon the Western coast of Africa; and, in order that this visit should have due effect, they have judged that it would be proper that each of the Powers should grant to the others the right of exercising it upon all the ships carrying its flag. The creation of mixed commissions, charged to pronounce upon the legitimacy of the expeditions suspected of fraud, forms the second part of the English project.

It would be impossible not to acknowledge, that, in proposing such a measure, the Government of his Britannic majesty have done all that depended on them to accompany it with precautions to prevent its abuse.

With this view, the limitation of the number of ships of war authorized to visit, and of the places where the visit may be exercised, the rank of the officers who alone can perform this service, give assurance of their respect for the rights of each of the contracting parties.

Three powers, Spain, Portugal, and the kingdom of the Netherlands, have subscribed to these propositions.

The Government of his most Christian majesty would eagerly follow such an example, if, carrying their views exclusively to the object, they did not perceive, in the means indicated for its attainment, dangers which attach perhaps to their particular position, but which it is their duty to prevent.

It would be useless to discuss here, in regard to right, the question of visit at sea in profound peace.

The English Government has done homage to the principle which ensures, in this respect, the independence of all flags; and it is only in limitation of the principle, not in denial of its existence, that they propose to grant to each power, respectively, the faculty of detaining ships carrying the flag of others, and of ascertaining the legality of the trade in which they are engaged.

But, upon this first point, the Government of his most Christian majesty feel an invincible obstacle to the proposition of England.

France, by the reverses and misfortunes which she has lately experienced, and which, if they have not effaced, have, at least, obscured the glory which she had acquired, is bound to evince more jealousy of her own dignity than if fortune had not betrayed her. The nation, happy to be again under the rule of its legitimate sovereign, does not regret vain conquests, but she is more than ever alive to the feeling of national honor.

Without doubt, a concession, accompanied by the necessary precautions, and with that clause of reciprocity which would save the dignity of each party, might be proposed, without fear of wounding the vanity of any one. But it would still be a concession; and the opinion of a nation habituated to judge of the acts of her Government under the influence of a lively imagination, would be alarmed to see abandoned, even with every possible modification, what she regards as one of her most precious rights. She would conceive that the honor of her flag was thereby endangered—a point of the utmost delicacy, and on which she has ever shown a quick susceptibility. She would see, in the abandonment of this right, a new sacrifice, attached, as it were, as an indispensable condition to the evacuation of her territory, and as a monument of the state of dependence in which she was for a moment placed. There is no doubt, that, in giving a generous example, in submitting to the reciprocal right of visit, which she regards as proper to attain the end proposed, England proves to the world that the visit is not incompatible with the honor of the flag. But, placed in different circumstances, supported by the opinion of the English nation, which for twenty five years has called for the abolition of the trade, Great Britain secures all her advantages, even in appearing to abandon the absolute exercise of them, and she cannot fear that the idea of a compulsory sacrifice might attach to the concession.

But even should the Government of his most Christian majesty feel themselves authorized to overlook such powerful considerations, and to adopt

notwithstanding the dangers which they perceive in theory, the project relative to the visit, they would still see in its application serious cause of uneasiness.

It cannot be denied that there exists between the subjects of Great Britain and France, and, as it were, blended with the esteem which they mutually inspire, a sentiment of rivalry, which, heightened by numerous and unfortunate circumstances, has often assumed the character of animosity. It is unfortunately too probable that the mutual exercise of the right of visit at sea would furnish it with new excitements. Whatever precautions may be taken, however mildly it be exercised, the visit must necessarily be a source of disquiet and vexation. Can it be thought that the vessel which believes she can elude it, will not seek to do so by every means? It will then be necessary that the visiting vessel exert force. This force may produce resistance. On the high seas, far from all control, the subjects of the two Powers might be tempted to believe themselves no longer bound by the orders of their own sovereigns; and, listening to the voice of a false point of honor, might take up arms in their defence. The most prudent enactments will be illusory. Will the captain of a ship of war charged with the visit, consent to show his commission to the inconsiderable trader? If not, how is he to be constrained to do so, and what guarantee shall the detained vessel have, that the visit is not an arbitrary act? How prevent, also, the possible infractions of the regulations agreed upon for rendering the visit less vexatious? The trader may indeed complain and demand punishment; but it is known by experience how difficult is the decision of these abuses. Will not the oppressed be often without the means of knowing what officer shall have abused, in his case, the right reserved to the cruisers, or shall have unduly arrogated it to himself? What proof do the incidents bring which pass far from all witnesses, and which each of the parties may represent under a different light? The English Government know, that, when they have themselves wished to punish abuses committed by their ships upon the coast of France, or within the limits of her territorial jurisdiction, they have been prevented by the impossibility of procuring documents sufficiently positive to ascertain the guilty.

These inconveniences, which it would be imprudent to lose sight of receive an additional importance from the probability that they would lead to mutual exasperation; and it is too well known that such sentiments among the people have often disturbed the peace of nations.

If such a misfortune were to follow, would not Europe have a right to demand of the Powers a strict account of those measures which, concerted for the good of humanity, should have compromised the public tranquillity.

There is another consideration which would have induced the Government of his most Christian majesty to pause, even if they did not see the impossibility of admitting the proposition of the visit. This is in reference to the mixed commissions which would be empowered to adjudge the questions of prize, in the spirit of the regulations for restricting the trade.

The immediate consequence of such an institution would be to withdraw the subjects of his majesty from their natural judges, and his conscience will not permit him to believe that he has the right to do so. Jurisdiction is, of the rights of sovereignty, that which is the most essentially destined to the defence of the subject; and it may be said that it is the only one exclusively for the interest of the latter. There are circumstances in which the common law of Europe admits that the jurisdiction of the sovereign ceases

of right, because he cannot in fact exercise it. It is when a subject commits upon a foreign territory a crime against the laws of the country upon which this territory depends; he is then liable to the application of those laws, and his sovereign, who cannot oppose, tolerates it.

But, except in these circumstances, the sovereign could not consent that his subject should pass under a foreign jurisdiction. In vain would it be alleged that the mixed commission does not exercise its jurisdiction in a criminal manner, and that it only pronounces "upon the legality of the seizure of the vessels having slaves illicitly on board."

To pronounce upon the legality of the seizure, is to judge the question as much as it is possible to do it; it is to decide that the captured has or has not incurred the penalties attached to the crime which he has committed. His fate is thenceforward fixed.

It matters little that the penalties which he has or has not incurred be determined by the code of his country, or by that of another. When he has undergone the examination of the commission, it only remains to apply this code, or to set him at liberty: he is then in reality judged, and that not by his natural judges. His most Christian majesty, it is repeated, does not believe himself, in conscience, to have the right to sanction such a change in the legislation of his kingdom; and, should he think that this right might belong to him, it is out of all probability that the Powers whose co-operation would be necessary to him, in order to admit of this change, would acknowledge it.

It results, from the preceding observations, that France has done all that depended upon her to bring about the complete abolition of the slave trade; that she perceives in the project proposed by England for suppressing all possible continuation of this odious commerce, dangers which will not permit her to admit it; that, in a word, it appears to her that, to attain one desirable end, for the interests of a portion of mankind, the risk is run of compromising interests still more precious, since they relate to the maintenance of the peace and the repose of Europe.

She has given her opinion upon this subject with the more freedom, in proportion to her anxiety to attain the objects to which her acts of legislation and administration have been directed. She has no separate views, inconsistent with her declarations. The reports, indeed, which announce that the trade is still actively continued on the French territory, are anterior to the establishment of a naval force upon the coast, and to the new instructions sent to Senegal for putting an end to all fraudulent trade. This is perhaps the place to remark, that implicit faith should not be given to the reports brought forward against the authorities of Senegal. The reports, which implicate them so seriously that the accusers ought to be called upon for their proofs, are in part prepared by persons who conceived themselves to have other grounds of complaint against these authorities.

France, moreover, would not feel that she had sufficiently proved her desire to co-operate in the measures of repression against the trade, if she did not indicate, in her turn, new means of effecting it. Hitherto, the dispositions made in this respect have been directed against the transport of slaves, since it is principally upon the manner of detaining at sea the vessels employed in this commerce, that they have been concerted. The principle is good, since the length of the passage offers great probability that the illicit traffic may be intercepted. But, on the other hand, the uncertainty of the sea, and consequently the hope of escaping observation, as well as the error

mous benefits it holds out, offer chances, and an attraction, sufficiently powerful for the slave merchants not to be totally discouraged. The measures which would tend to check the commerce of slaves, not in its middle passage, but at its birth and at its termination, that is to say, upon the points where the purchase and sale of the negroes are effected, might effectually contribute, when combined with the other arrangements, to accomplish the salutary work which is intended.

It is proposed then to establish in the comptoirs where the purchase of slaves is habitually made, commissioners charged to notify the same to the government, and empowered to prosecute the offending parties in the public tribunals. There might also be introduced into all colonies where the proprietors are interested in recruiting slaves, regulations like those of the registry bill, to fix the number of blacks existing upon each plantation, and to ascertain, by periodical computations, that the law has not been eluded. The condensation of the negroes upon each plantation, beyond the number previously declared, (saving those born on the spot) and a heavy fine for each slave clandestinely introduced, might be the punishment inflicted upon the delinquents. These measures, which enter into the interior administration of each government, might, however, be concerted between all; and, instead of mixed commissions, charged with pronouncing upon the culpability of the individuals who import the negroes, committees might be established, charged with the duty of watching the individuals who purchase them, and to make known to the superior authorities of the country the infractions which the inferior agents might show reluctance in prosecuting. These arrangements are in the nature of those which the government of his most Christian majesty might take, without fear to wound the rights of his subjects, and he is ready to come to an understanding in this respect with the Powers who unite their efforts for bringing about the entire abolition of a trade, odious in itself, and which has been stigmatized with general condemnation.

THIRD ENCLOSURE IN No. 11.

Opinion of the Austrian cabinet upon the question of the slave trade.

Since the abolition of the slave trade has been the object of the common deliberations of the Powers of Europe, the cabinet of Austria has not ceased to devote to this question all the interest which it merits in its great relation with the good of humanity, as well as with the precepts of sound morality and religion. Faithful to the principles solemnly proclaimed in this respect at the period of the congress of Vienna, and to the successive engagements founded upon those bases, Austria, although not able, from her geographical position, to co-operate directly for the success of so meritorious and noble an enterprise, has not less eagerly concurred in all which might advance and perfect it; and it has been with these unalterable sentiments that the minister of Austria has examined, with the most serious attention, the propositions made by the plenipotentiaries of his Britannic Majesty to the present conferences, for completing and extending the system hitherto pursued for attaining the final extinction of the trade, and for ensuring the execution and the efficacy of this system.

His majesty the Emperor is ready to take part in the measures which the allied sovereigns are about to adopt with the cabinet of Rio de Janeiro, to engage it to fix, as soon as possible, the period of definitive abolition.

His Majesty cannot but feel that the sovereign of Brazil may meet, in this transaction, difficulties more real, perhaps, and stronger, than any other Power has had to surmount who has consented to this salutary measure. But he reckons too much upon the loyalty of this sovereign to admit that any obstacles whatever would prevent him from fulfilling a sacred engagement, such as that which he has contracted in the face of the world, by the declaration of the 8th of February, 1815.

With respect to the measures proposed by the British plenipotentiaries, to put an end to the illicit trade, as it appears admitted on all parts that a system of permanent *surveillance* cannot be effectually established, until the abolition of the trade shall have been generally and definitively pronounced by all the Powers, the Austrian cabinet is of opinion that, in adjourning to that period the ulterior discussion of the measures to be adopted for this purpose; the intermediate time might be usefully employed in reconciling and conciliating all opinions, persuaded, as it is, that, provided the fundamental principle, that of arriving at the universal and effectual abolition of the trade, be never lost sight of, and that each power continues to second, with its utmost efforts, those which the British Government have hitherto used in so honorable a cause, they will ultimately agree upon the most effectual means for securing its full and complete accomplishment.

The Austrian cabinet also desire that the ministerial conference established in London for the consideration of this question, may continue its work in the sense most conformable to the principles by which it has hitherto been guided.

FOURTH ENCLOSURE IN No. 11.

Opinion of the Prussian cabinet on the slave trade question.

Invariably attached to the principles of morality and humanity, which for a long time have demanded the abolition of the slave trade, and faithful to the engagements which they have made to this effect, the Prussian Government is constantly ready to concur in every thing that may contribute to the definitive accomplishment of this noble end.

In consequence, they do not hesitate to accede to the proposition of a combined representation to the court of Brazil, in order to engage it to accelerate as much as the circumstances and the necessities of its situation may admit the entire abolition of the trade.

As to the measures of general police that may be adopted to prevent or put a stop to the illicit trade, the Prussian Government cannot dissemble the inseparable inconveniences of the concession of a right of visit, exercised on the high seas; a concession which will become but too easily a source of abuse and misunderstanding, and which would subject peaceable and innocent traders to molestations, of which the idea alone will indispose them perhaps more than the real mischief.

The Prussian Government, in consequence, believe it to be their duty to give the preference to every measure of precaution and of *surveillance* which, being confined to the point of departure, and to the point of arrival, that is, to the coast of Africa, and the colonies interested in favoring the illicit enterprises, will admit of an execution more rigorous and more decisive.

FIFTH ENCLOSURE IN No. 11.

Memorandum (B.)

The plenipotentiaries of Great Britain, after attentively perusing the notes given by the several cabinets on the measures brought forward on the part of the Prince Regent, for effectuating the abolition of the slave trade, cannot dissemble their deep regret that the deliberations of the august assembly which is now about to terminate, are not destined to be marked in the page of history by some more decisive interposition than is likely to take place, in relief of the sufferings of Africa.

They had persuaded themselves that it was reserved for the plenipotentiaries assembled at Aix-la-Chapelle to have completed at once the work of peace in Europe, and to have laid a broad and lasting foundation, on which the deliverance of another great quarter of the globe from a scourge far more severe than European warfare, in its most aggravated forms, might have been effectuated by establishing an alliance which should for ever deny to the fraudulent slave trader, of whatever nation, the cover of their respective flags for the purposes of his iniquitous traffic. Although disappointed in this hope, they will not despair of ultimately arriving at their object, whilst they have so powerful a cause to advocate, and whilst they can address themselves, not less to the understandings, than to the hearts of those sovereigns, who, when assembled in congress at Vienna, solemnly pronounced upon this question, and devoted their future exertions to the consummation of this work of peace.

~~They derive additional consolation from the perusal of the documents above referred to; for although they fail them for the present in their conclusion, they nevertheless bear in all their reasonings such homage to the principle, and in some of their details so fully evince the strong sense of duty which animates the august sovereigns in the prosecution of this measure, as to be regarded rather as the precursors of some decided effort for putting an end to this great moral evil, than as indicating on their part any abandonment of a cause, which, in the face of mankind, they have taken under their especial protection. It has been the fate of this question, in every stage of its progress, to have difficulties represented as insurmountable, which, in a little time, have yielded to the perseverance and to the more matured impulses of humanity.~~

The language in every country has been at times discouraging, and yet the principles of truth and of justice have ultimately triumphed, so as to have left only one great blot in the civilized world at this day unremoved. Every nation, one only excepted, has secured itself from this pollution, and his most faithful majesty has taken steps sufficiently decisive in the same direction, to afford the most encouraging prospect of his determination to deliver his people, without loss of time, from a practice which must degrade them, in the scale of enlightened policy, so long as it shall continue to be tolerated amongst them. ~~It is against the fraudulent slave trader for the welfare of Africa, that more decisive measures are urgently called for; were it not for his pre-
tential influence, more than half of that great continent would at this day have been consigned to peaceful habits, and to the pursuits of industry and innocent commerce. But they are his piratical practices on the coast of Africa, in breach of the laws of every civilized government, which not only ~~per that~~ extended portion of the globe, but which have undone the work of ~~many~~ years of slow but successful improvement.~~

It was the fraudulent slave trader who introduced anew on those coasts the traffic, with all its desolating influence on the interior of the country, and which, if not soon checked by measures of a decisive character, will banish not only every trace of improvement, but all commerce other than that of slaves.

On the eve of the departure of the illustrious sovereigns from this place, and after the ample deliberations which have already taken place on this subject, the British plenipotentiaries cannot flatter themselves with the hope of obtaining at this time a more favorable decision; but they could not satisfy their own sense of duty, were they not to record their observations upon the objections which have been brought forward to the measures which they were directed to propose, humbly but confidently submitting them on the part of their court to the more matured consideration of the different cabinets. And as it is the species of measure best calculated to suppress this evil, upon which they are alone divided in sentiments, as all are agreed in the enormity of the offence, and all equally animated with a determination effectually to suppress it, they indulge the confident expectation that the subject may be resumed at no distant period in the conferences in London, and prosecuted, under more favorable auspices, to some decisive result.

And first, with respect to the memoir presented by the plenipotentiaries of Russia. The plenipotentiaries of Great Britain do homage to the sentiments of enlightened benevolence which on this, as on every other occasion, distinguish the elevated views of the august sovereign of Russia.

They only lament that the Russian cabinet, in the contemplation of other measures to be hereafter taken, should have been discouraged with respect to the great good which lay within their reach; and that his imperial majesty should thus have abstained for the present to throw into the scale of the proposed measure his illustrious and powerful example.

It appears that the Russian Government looks forward to the moment when Portugal shall have finally abolished the trade, for founding a system upon the coast of Africa, which shall be authorized not merely to pronounce upon the property of the slave trader, but which shall be competent to proceed criminally against him as a pirate, and which, in addition to those high functions, shall have a naval force at its disposition, and be invested with a general right of visit of all flags, at least upon those coasts; that this institution should be composed of elements drawn from all civilized States; that it should have a directing council and a judicial system: in short, that it should form a body politic, neutral in its character, but exercising these high authorities over all States. The British Government will, no doubt, be most anxious to receive from the Russian cabinet the further development of this plan which is promised; but as the prospect of some institution of this nature may form a serious obstacle to the adoption of what appears to them the more pressing measure, the British plenipotentiaries cannot delay to express their doubts as to the practicability of founding, or preserving in activity, so novel and so complicated a system.

If the moment should have arrived when the traffic in slaves shall have been universally prohibited, and if, under those circumstances, the mode shall have been devised by which this offence shall be raised in the criminal code of all civilized nations to the standard of piracy, they conceive that this species of piracy, like any other act falling within the same legal principle, will, by the law of nations, be amenable to the ordinary tribunals of any or every particular State.

That the individuals charged with the piracy can plead no national character in bar of such jurisdiction, whether taken on the high seas or on the African coast.

If they be pirates, they are "*hostes humani generis.*" They are under the protection of no flag, and the verification of the fact of piracy by sufficient evidence brings them at once within the reach of the first criminal tribunal of competent authority before whom they may be brought.

It seems equally unnecessary to have recourse to so new a system for arriving at a qualified and guarded right of visit.

In this, as in the former instance, the simplest means will be found the best, and the simplest will generally be found to consist in some modification of what the established practice of nations has for ages sanctioned.

Right of visit is known and submitted to by all nations in time of war.

The belligerent is authorized to visit the neutral, and even to detain upon adequate cause.

If the right of visit be to exist at all, and that it must exist, at least upon the coast of Africa, in some shape, or to some extent, seems to be fully admitted by the Russian Memoir, it is infinitely better it should exist in the form of a conventional, but mitigated regulation of the established practice of nations, for the due administration of which every government is responsible, than that it should be confided to a new institution, which, to be neutral, must be irresponsible, and whose very composition would place it wholly beyond the reach of control.

These observations apply to the period when all nations shall have abolished the trade; but, why should the Russian, Austrian, and Prussian Governments unnecessarily postpone the taking some measure of this nature for an indefinite period, and until Portugal shall have universally abolished?

Have they not more than two-thirds of the whole coast of Africa, upon which it might at once operate, and as beneficially as if that much-wished-for era was arrived?

Has not Portugal herself given unanswerable proofs upon this point by conceding the right of visit north of the equator, where the abolition has been completed, as well by her, as now by Spain and all other Powers?

Perhaps it is because no instance can be quoted that any slave trader, under either the Russian, Austrian, or Prussian flags, has yet appeared on the coast of Africa, that these Powers, from a sentiment of delicacy towards States more directly interested both in the local and maritime question, have felt some reluctance to take a lead in giving their sanction to this principle.

The Russian Memoir seems expressly to withhold, or rather to delay its adherence, until there is reason to presume that a general concurrence is attainable; but surely in all such cases the most certain mode of obtaining a general concurrence is to augment the ranks of the concurring parties.

The United States and France are probably alluded to as the dissenting Powers; but even in those States, how much might not the chances of success have been improved, had the three Powers in question followed the example of those that have already adopted this system; and how narrowed would have been the chance of fraud, had the sphere of the alliance been thus extended by their accession? It is still to be hoped that their present doubts will yield to more mature reflection upon the nature of the proposition. The first instance in which any of their flags should be made the cover of abuse, the British plenipotentiaries are satisfied would be the signal for their vindicating its character, by taking an immediate and decisive step

on this subject; but, without waiting for such a stimulus, they trust that the minds of those illustrious sovereigns remain still open to every suggestion on this subject, which can improve the chances of general success; and that the opinion hitherto given on the part of their respective cabinets, will form no obstacle to the adoption, on their part, of that measure, whatever it may be, which, under all the circumstances of the case, shall appear to them most effectual to the suppression of the mischief.

In adverting to the memoir which has been presented to the conference by the plenipotentiaries of France, the British plenipotentiaries are ready to bear their testimony to the spirit of fairness with which the subject has been met; and to the auspicious protection which the cause of abolition has progressively received from his most Christian majesty.

The French plenipotentiary has candidly conceded, 1st. That the proposed measure cannot be considered as any infraction of the law of nations. That it confirms, on the contrary, that law, inasmuch as it seeks to obtain a new power as a conventional exception from the admitted principles of the general law.

2dly. That it can be regarded as no exclusive surrender of the maritime rights of any particular State, as its provisions are strictly reciprocal; and for an object in which all feel and avow that they have a common interest.

3dly. That the principle of reciprocity may be still further guarded, by confining the right of visit, as in the treaty with Holland, to an equal and limited number of the ships of war of each State.

4thly. That every endeavor has been made, strictly to limit the exercise of the power to the immediate purpose for which it is granted; and by suitable regulations to guard it against abuse.

5thly. That, in order still further to distinguish this system from the ordinary right of visit, which every belligerent is entitled to exercise in time of war, it has been proposed to confine its operations, if desired, to the coasts of Africa, and to a limited distance from those coasts.

The objections on the part of France are of a more general description, and such as it is hoped time will in itself serve to remove; and 1st. As to the objection which seems to weigh so strongly, viz: That the measure, if now taken, might be falsely regarded by the French nation as a concession imposed upon their Government by the Powers of Europe, as the price of the evacuation of their territory. It is impossible to contend in argument against such a delusion; but it may be observed, that, had the other Powers been pressed to adopt the arrangement in concert with France, it does not seem possible that such an invidious interpretation could have been given to so general and so benevolent a measure; but this happily is one of those objections which a short time must serve to remove.

The second objection is, that there is, as it were, some moral incompetency in the French nation to conform themselves to this measure; that what is felt by the crowns of Spain and Portugal, and of the Netherlands, to be no disparagement of the honor of their flag, nor any inconvenient surrender of the commercial rights and interests of their people, would in France work nothing but a sense of humiliation and discontent.

With great deference to the authority upon which this conclusion is stated, the plenipotentiaries of Great Britain cannot refrain from indulging the hope, that, although, in France, there may at first sight exist prejudices against this measure, when received in an exaggerated shape, and without the necessary explanations; that, although there may be also a feeling with respect

to possible inconveniences, which, notwithstanding every exertion on the part of the respective Governments, might occasionally attend it in the execution; yet, they confidently persuade themselves, that a people so enlightened would not fail cordially to answer to an appeal made by their Government to the generosity of their feelings upon such a point; and that the French nation would never shrink from a competition with the British or any other nation, in promoting whatever might conduce to an end in which the great interests of humanity are involved. It is true that Great Britain and France have been regarded as rivals, as well as neighboring nations; but, if they have had occasionally the misfortune to contend against each other in arms, nothing has arisen in the result of those contests which should create a sense of inferiority on either side. Both nations have well sustained their national honor, and both have learnt to respect each other. Why then should the French people feel that as derogatory to their dignity, which is viewed by the British nation in so different a light? Let us rather hope, that, after their long and common sufferings in war, both nations will feel the strong interest they have in drawing closer those ties of friendship which now happily unite them; and in cultivating those relations in peace, which may render their intercourse useful to each other, and to the world. What object more worthy of their common councils and efforts than to give peace to Africa; and could their rivalry take a more ennobling and auspicious character?

Should a doubt or murmur, at the first aspect, arise among the people of France, they may be told, that four of the most considerable of the maritime Powers of the world have cheerfully united their exertions in this system, for the deliverance of Africa; they will learn that the British people, so sensitively alive as they are known to be to every circumstance that might impede their commercial pursuits, or expose the national flag to an unusual interference, have betrayed no apprehension in the instance before us; not a single remonstrance has been heard, either in Parliament, or from any commercial body in the empire, not even from any individual merchant or navigator. If the doubt should turn upon the prejudice which such a measure might occasion to the French commercial interests on the coast of Africa, they will on inquiry find, that, if France wishes to preserve and to improve her legitimate commerce on that coast, she cannot pursue a more effectual course, than by uniting her efforts to those of other Powers for putting down the illicit slave trader, who is now become an armed freebooter, combining the plunder of merchant vessels, of whatever nation, with his illegal speculations in slaves.

If the idea should occur, that French merchant ships, frequenting that coast, may experience interruption and delays by such visits; that officers may possibly abuse their trust, and that disputes may occur between their subjects and those of foreign Powers, let them reduce this objection calmly to its true value; let them estimate it according to the extent of trade on that coast, and the chances of such accidents occurring. Notwithstanding every precaution taken by the respective Governments, let them set this evil, taken at the highest computation, in competition with the great moral question, whether a whole continent, in order to avoid these minor inconveniences, shall be suffered to groan under all the aggravated horrors of an illicit slave trade; and let the Government of his most Christian majesty judge whether it is possible that the French Government would hesitate in the decision to which it would wish to come, upon such an alternative.

If any instance of abuse should occur for a moment to occasion regret, it will be remembered that this is the price, and how inconsiderable a price, which an humane and enlightened people are deliberately willing to pay for the attainment of such an object; it will be looked at in contrast with the African villages that would have been plundered; with the wars that would have been waged in the interior of that unhappy continent; with the number of human victims that would have been sacrificed to the cupidity of the slave trader, if civilized nations had not combined their exertions for their protection.

The French memoir argues against the principle of subjecting the property of French subjects to any other jurisdiction than that of their own tribunals; but it will appear that this practice is by no means unusual; in time of war, and for the security of the belligerent, this is constantly the case.

The neutral is, in all cases, amenable for the alleged infractions of the rights of the belligerent in matters of blockade, contraband of war, &c. to the tribunals of the belligerent, not to his own or to any mixed tribunal.

If it is said that this is not a case of war, but a regulation introduced in peace, and for the first time; the obvious answer is, does the case warrant the innovation?

If it does, the novelty of the practice ought to form no decisive objection to its adoption; but it is by no means true that this is the first instance, in time of peace, where the property of the subject has been brought under a jurisdiction other than the ordinary tribunals of his own State. Claims, both of a private and public nature, have frequently, by conventional laws, been made the object of such a proceeding, which is made to operate as a species of arbitration. Can we quote a more decisive example than the two conventions which, in November, 1815, referred the private claims upon the French Government, immense as they were in amount, to the decision of a *mixed* commission similarly constituted?

It is also to be observed, that the subject gains a singular advantage by having his case disposed of before such a commission, which he would not obtain were he to have to proceed either in his own courts, or in that of the capturing Power, for the restitution of his property, namely, that the commission, in deciding upon his cause, not only has the power of pronouncing upon his wrongs, but can give him, by its decision, ample damages, for the discharge of which the State of the capturing ship is made answerable; whereas, in an ordinary case of capture, he would have a dilatory and expensive suit to carry on, against, perhaps, an insolvent captor.

Having noticed the principal objections brought forward in the French memoir, which they venture to persuade themselves are not insurmountable, the British plenipotentiaries have observed, with satisfaction, the exertions which the French Government have made, and are still prepared to make, for combatting this evil, at least as far as it can be alleged to subsist within their own limits, and to be carried on by French subjects, but they feel persuaded that the Government of his most Christian majesty will take a more enlarged view of their power of doing good, and that they will be disposed to extend the sphere of their activity to the suppression of the mischief wherever it can be reached by their exertions.

The British Government also does full justice to the manner in which the French Government has, on all occasions, sought from them such information as might enable them the better to enforce the law of abolition. They bear testimony with pleasure not only to the sincerity of their exertions, but to the arrangements lately made, by stationing a naval force on the coast of Af-

rica, for the more effectual suppression of the slave trade, so far as it is carried on by French ships and subjects. They also view, with the highest satisfaction, the determination now announced of introducing into all the French colonies a registry of slaves. All these beneficent arrangements may be expected to operate powerfully, so far as the mischief has decidedly a French character but until all the principal Powers can agree to have, as against the illicit slave trader, *at least on the coast of Africa*, but one common flag, and co-operating force, they will not have gone to the full extent of their means to effectuate their purpose, in conformity to their declarations at Vienna. With these observations the British plenipotentiaries will conclude their statement, submitting it to the candid examination of the several cabinets.

It would be a great satisfaction to them to be assured, that the representations which they have felt it their duty to make, were likely to receive their earliest consideration, and that the ministers of the several Powers in London might expect to receive such farther instructions as might enable them, without loss of time, to resume their labors with effect; it being humbly submitted that the final act, which the sovereigns are about to solicit from his majesty the king of Portugal, is not an indispensable preliminary towards establishing, by common consent, on the coast of Africa, at least North of the equator, some efficient system for the suppression of the illicit traffic in slaves, which is, at this moment, carried on to the most alarming extent, and under the most aggravating circumstances, such as loudly to call for the special and authoritative interference of the illustrious sovereigns to whom these remarks are respectfully submitted.

SIXTH ENCLOSURE IN NO. 11.

Projet of a letter to His Most Faithful Majesty.

SIR, MY BROTHER:

At the period of the Congress of Vienna, the voice of religion, and the groans of suffering humanity, obtained the most consoling triumph. The world contemplated the near prospect of the termination of a scourge which has long desolated Africa; and your majesty has justly acquired the right to the eternal gratitude of nations in proclaiming, in concert with your allies, the principle of universal abolition of the trade in slaves. Since then, the acts concluded at Paris in 1815, and the happy issue of the several negotiations devoted to the progressive execution of this measure, have strengthened the generous hopes of the age, and have predicted the full accomplishment of the transaction which they have solemnly sanctioned.

If the results of the conference, of Aix-la-Chapelle, which consummate the pacification, and guaranty the prosperity of Europe, still leave a wish, it is that of seeing ensured the final triumph of the declaration of the 8th of February, 1815, by the means of an act decreeing the abolition of the slave trade in all parts, and for ever; that my allies and myself be not permitted to separate without turning our confident regards towards the Powers to whom the Supreme Arbiter of the destinies of the earth has reserved the glory of putting an end to the afflictions of an unfortunate population.

This definitive success will be without doubt the fruit of your majesty's intimate relations with the Government of Great Britain, because a concurrence of conciliating intentions and of reciprocal sacrifices, is alone of a nature to prosper a work equally meritorious before God and in the eyes of men.

It is only at the close of this negotiation that the measures of mutual inspection, decreed for the strict execution of a law become general, will crown the noble efforts of all the Powers called to govern the different parts of the globe, by the same sentiments of fraternity, of justice, and of religion.

&c. &c. &c.

No. 12.

Despatch from Viscount Castlereagh to Earl Bathurst, dated Aix-la-Chapelle, November 24, 1818.

MY LORD: I have the honor to transmit to your Lordship the enclosed protocol of the conferences of the allied ministers, of the 11th and 19th instant, containing the votes of the different Powers on the subjects of the slave trade, which I have already forwarded to your Lordship.

I have the honor, &c.

CASTLEREAGH,

Earl BATHURST, &c. &c. &c.

FIRST ENCLOSURE IN NO. 12.

Protocol of the Conference between the Plenipotentiaries of the Five Powers, held at Aix-la-Chapelle, the 11th of November, 1818.

The Duke de Richelieu read his observations upon the means proposed by the plenipotentiaries of Great Britain for inspecting and repressing the illicit slave trade. The observations of the Duke de Richelieu, as well as the opinion of the Austrian cabinet, and that which the Prussian cabinet made known in a preceding sitting, are annexed to the protocol.

METTERNICH,
RICHELIEU,
CASTLEREAGH,
WELLINGTON,
HARDENBERG,
BERNSTORFF,
NESSELRODE,
CAPO D'ISTRIA.

SECOND ENCLOSURE IN NO. 12.

Protocol of the conference between the Plenipotentiaries of the Five Powers, held at Aix-la-Chapelle, the 19th of November, 1818.

To resume the discussion of the ulterior measures to be adopted against the slave trade, Lord Castlereagh read a memorandum, in which he observed, upon the different propositions which have occupied the preceding confer-

ences, and expressed his sincere regret that the present re-union had not brought about a more decisive result for the final success of the abolition, nor, above all, some resolution directly applicable to the repression of the cruel abuses by which the fraudulent commerce has hitherto eluded and frustrated the measures already agreed upon, and the laws and regulations already in force in various States.

After having analysed and discussed in detail the objections brought forward to combat the system of reciprocal visit of ships suspected of being engaged in the illicit trade, and especially those which were developed in the note of the plenipotentiaries of France, as well as the means of execution proposed by the plenipotentiaries of Russia, Lord Castlereagh, in again calling the most serious attention of the Powers to a cause so deserving of their interest, desired that the ministers of the courts taking part in the conferences in London should be enjoined to continue their deliberations upon this question, without waiting the effect which the formal measure adopted towards his Majesty the King of Portugal and the Brazils might produce; particularly as the result of this step was not an indispensable preliminary to the resolutions to be adopted with common consent for effectually suppressing the illicit traffic on the coast to the North of the line.

The memorandum of Lord Castlereagh was annexed to the protocol, and the plenipotentiaries agreed to instruct the Ministers of the Courts in London, in the sense of this last proposition.

On the reading of this protocol, the plenipotentiaries of Russia added, that, independent of the instruction agreed upon between the courts, the ambassador of his majesty the emperor, in London, would be informed of the desire of his imperial majesty to see the ministerial conference in London occupied not only with the general question, relative to the basis of the system to be adopted against the illicit trade, but, at the same time, the practical question of the amount of force necessary to be provided for the execution of the general measures; his majesty the emperor of Russia being ready to furnish his contingent as soon as the regulations to be established for this purpose shall be agreed upon.

METTERNICH,
RICHELIEU,
CASTLEREAGH,
WELLINGTON,
HARDENBERG,
BERNSTORFF,
NESSELRODE,
CAPO D'ISTRIA.

No. 13.

Despatch from Viscount Castlereagh to Earl Bathurst, dated Paris, December 10, 1818.

MY LORD: Since I arrived here I have deemed it my duty to renew, with the Duke de Richelieu, the subject of the abolition, in order that I might be better enabled to judge as to the course it would be most advisable to pursue. In resuming, in London, under the protocol signed at Aix-la-Chapelle, on the 19th November, the deliberations on this question.

In conference with his excellency, it was agreed that I should have an interview with the minister of the marine and colonies, the Count de Molé, and with the count de Laisné, the minister of the interior, as the two departments in the government the most competent to advise the king upon the propriety, as well as upon the effect which those regulations might be expected to produce upon the public mind in France, which I had been directed, in conjunction with the Duke of Wellington, to press at Aix-la-Chapelle.

I had, accordingly, a conference with these ministers, of nearly three hours, in which I was enabled to go through with them, in the utmost detail, the whole of this important subject; to all the bearings of which they appeared to me to give their utmost attention, and with a desire that the difficulties which they conceived, at least for the present, to stand in the way of their adopting the measure, might be found, in the end, not to be insurmountable.

It is unnecessary that I should attempt to report to your Lordship the particulars of this extended conversation, as they would not vary, in any essential point, from the arguments brought forward by the Duke de Richelieu, and which are already so fully before the prince regent's government; I have no reason to draw any more unfavorable inference from the manner in which these ministers treated the subject, and they assured me of their disposition to render public in France every information which might tend to throw light on this interesting question, and to strengthen it in the public favor.

Upon the whole, my lord, whilst I cannot give you hopes of any immediate progress, I venture, nevertheless, to indulge a sanguine expectation, that, if the object be pursued with the same persevering and conciliating temper on the part of Great Britain, which has already achieved so much for the cause of abolition, the French Government may be brought, at no distant period, to unite their naval exertions with those of the other allied Powers for the suppression of the illicit slave trade, under the modified regulations submitted for this purpose to the plenipotentiaries assembled at Aix-la-Chapelle.

I have the honor to be, &c.

CASTLEREAGH.

Earl BATHURST. &c. &c. &c.

SEVENTEENTH CONGRESS—FIRST SESSION.

MONDAY, DECEMBER 10, 1821.

On motion of Mr. Sawyer,

Resolved, That the Committee on so much of the President's message as relates to the suppression of the slave trade be instructed to inquire into the expediency of continuing in force, for a further term, an act, passed 3d March, 1819, which, by the act of the 15th May, 1820, was extended to two years, and entitled an act to protect the commerce of the United States and punish the crime of piracy.

TUESDAY, JANUARY 15, 1822.

On motion of Mr. Mercer,

Resolved, That the Committee on the suppression of the slave trade be instructed to inquire whether the laws of the United States prohibiting the

traffic have been duly executed, and, if so, into the general effect produced thereby, on the trade itself; also, to inquire into and report the defects, if any exist, in the operation of those laws, and to suggest adequate remedies therefor.

Mr. Gorham, from the committee, consisting of Mr. Gorham, Mr. Hemphill, Mr. Poinsett, Mr. Phillips, Mr. John T. Johnson, Mr. Borland, and Mr. Van Swearingen, reported the following bill, in addition to "An act to continue in force an act to protect the commerce of the United States and punish the crime of piracy," "and also to make further provision for punishing the crime of piracy."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first, second, third, and fourth sections of an act, entitled "An act to protect the commerce of the United States and punish the crime of piracy," passed on the 3d day of March, 1819, be, and the same are hereby, continued in force, in all respects, as fully as if the said sections had been enacted without limitation in the said act, or in the act to which this is in addition, and which was passed on the 15th day of May, 1820.

NOTE.—This bill was not acted upon during the session which it was reported; it was taken up at the succeeding session of Congress, and passed both Houses without amendment, and received the approbation of the President of the United States on the 30th of January, 1823.

APRIL 12, 1822.

Report of the Committee on the Suppression of the Slave Trade, consisting of Mr. Gorham, Mr. Hemphill, Mr. Poinsett, Mr. Phillips, Mr. John T. Johnson, Mr. Borland, and Mr. Van Swearingen.

The Committee on the Suppression of the Slave Trade, to whom was referred a resolution of the House of Representatives, of the 15th of January last, instructing them to inquire whether the laws of the United States prohibiting that traffic have been duly executed; also, into the general operation thereof; and if any defects exist in those laws to suggest adequate remedies therefor, and to whom many memorials have been referred touching the same subject, have, according to order, had the said resolution and memorial under consideration, and beg leave to

REPORT:

That, under the just and liberal construction put by the Executive on the act of Congress of March 3d, 1819, and that of the 15th May, 1820, inflicting the punishment of piracy on the African slave trade, a foundation has been laid for the most systematic and vigorous application of the power of the United States to the suppression of that iniquitous traffic. Its unhappy subjects, when captured, are restored to their country, agents are there appointed to receive them, and a colony, the offspring of private charity, is rising on its shores, in which such as cannot reach their native tribes, will find the means of alleviating the calamities they may have endured before their liberation.

When these humane provisions are contrasted with the system which they superseded, there can be but one sentiment in favor of a steady adherence to its support. The document accompanying this report, and marked A, states the number of Africans seized or taken within or without the limits of the United States and brought there, and their present condition.

It does not appear to your committee that such of the naval force of the country as has been hitherto employed in the execution of the laws against this traffic, could have been more effectually used for the interest and honor of the nation. The document marked B is a statement of the names of the vessels, and their commanders, ordered upon this service, with the dates of their departure, &c. The first vessel destined for this service arrived upon the coast of Africa in March, 1820, and in the few weeks she remained there, sent in for adjudication four American vessels, all of which were condemned. The four which have been since employed in this service, have made five visits, (the Alligator having made two cruises in the past Summer) the whole of which have amounted to a service of about ten months by a single vessel, within a period of near two years; and since the middle of last November, the commencement of the healthy season on that coast, no vessel has been, or, as your committee is informed, is, under order, for that service.

The committee are thus particular on this branch of their inquiry, because unfounded rumors have been in circulation, that other branches of the public service have suffered from the destination given to the inconsiderable force above stated, which, small as it has been, has in every instance been directed, both in its outward and homeward voyage, to cruise in the West India seas.

Before they quit this part of their inquiry, your committee feel it their duty to state, that the loss of several of the prizes made in this service, is imputable to the size of the ships engaged in it. The efficacy of this force, as well as the health and discipline of the officers and crews, conspire to recommend the employment of no smaller vessel than a corvette or sloop of war, to which it would be expedient to allow the largest possible complement of men, and, if possible, she should be accompanied by a tender, or vessel drawing less water. The vessels engaged in this service should be frequently relieved, but the coast should at no time be left without a vessel to watch and protect its shores.

Your committee find it impossible to measure with precision the effect produced upon the American branch of the slave trade by the laws above mentioned, and the seizures under them. They are unable to state, whether those American merchants, the American capital and seamen which heretofore aided in this traffic, have abandoned it altogether, or have sought shelter under the flags of other nations. It is ascertained, however, that the American flag, which heretofore covered so large a portion of the slave trade, has wholly disappeared from the coasts of Africa. The trade, notwithstanding, increases annually, under the flags of other nations. France has incurred the reproach of being the greatest adventurer in this traffic, prohibited by her laws; but it is to be presumed that this results, not so much from the avidity of her subjects for this iniquitous gain, as from the safety which, in the absence of all hazard of capture, her flag affords to the greedy and unprincipled adventurers of all nations. It is neither candid or just to impute to a gallant and high minded people the exclusive commission of crimes, which the abandoned of all nations are alike capable of perpetrating, with the additional wrong to France herself of using her flag to cover and

protect them. If the vigor of the American navy has saved its banner from like reproach, it has done much to preserve unsullied its high reputation, and amply repaid the expense charged upon the public revenue by a system of laws to which it has given such honorable effect.

But the conclusion to which your committee has arrived, after consulting all the evidence within their reach, is, that the African slave trade now prevails to a great extent, and that its total suppression can never be effected by the separate and disunited efforts of one or more States; and as the resolution to which this report refers requires the suggestion of some remedy for the defects, if any exist, in the system of laws for the suppression of this traffic, your committee beg leave to call the attention of the House to the report and accompanying documents, submitted to the last Congress by the Committee on the Slave Trade, and to make the same a part of this report. That report proposes, as a remedy for the existing evils of the system, the concurrence of the United States with one or all the maritime Powers of Europe, in a modified and reciprocal right of search on the African coast, with a view to the total suppression of the slave trade.

It is with great delicacy that the committee have approached this subject, because they are aware that the remedy which they have presumed to recommend to the consideration of the House requires the exercise of the power of another department of this Government, and that objections to the exercise of this power, in the mode here proposed, have hitherto existed in that department.

Your committee are confident, however, that these objections apply rather to a *particular proposition* for the exchange of the right of search, than to that modification of it which presents itself to your committee. They contemplate the trial and condemnation of such American citizens as may be found engaged in this forbidden trade, not by mixed tribunals sitting in a foreign country, but by existing courts, of competent jurisdiction, in the United States; they propose the same disposition of the captured Africans now authorized by law; and least of all, their detention in America.

They contemplate an exchange of this right, which shall be in all respects reciprocal; an exchange, which, deriving its sole authority from treaty, would exclude the pretension, which no nation, however, has presumed to set up, that this right can be derived from the law of nations; and further, they have limited it in their conception of its application, not only to certain latitudes, and to a certain distance from the coast of Africa, but to a small number of vessels to be employed by each Power, and to be previously designated. The visit and search thus restricted, it is believed, would ensure the co-operation of one great maritime Power in the proposed exchange, and guard it from the danger of abuse.

Your committee cannot doubt that the people of America have the intelligence to distinguish between the right of searching a neutral on the high seas, in time of war, claimed by some belligerents, and that mutual, restrictive, and peaceful concession by treaty, suggested by your committee, and which is demanded in the name of suffering humanity.

In closing the report, they recommend to the House the adoption of the following resolution, viz:

Resolved, That the President of the United States be requested to enter into such arrangements as he may deem suitable and proper with one or more of the maritime Powers of Europe, for the effectual abolition of the slave trade.

A.

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STATEMENT of the number of Africans seized or taken within and without the limits of the United States, and their present situation.

NUMBER.	DATE OF SEIZURE.	PRESENT SITUATION, &c.
202	Captured by the Revenue Cutter Dallas, in the General Ramirez.	184 in the hands of the Marshal of Georgia. 18 liberated by a decree of Court, and ready to be sent to Africa.
37	- -	In the hands of the Governor of Georgia. A warrant issued from Court against these Africans 21st February, 1821; the Marshal has been instructed not to proceed on this warrant to take the Africans, because they are in the hands of the Governor.
100	Captured in May and June, 1818.	In the hands of the Marshal of Alabama.
10	Seized in March, 1819, at Baltimore.	In the custody of the Marshal of Maryland, subject to the orders of the President of the United States.
4	Seized in Charleston, S. C. April 9, 1819.	Sent to Norfolk, Va. and conveyed to Africa on board brig Nautilus, under the charge of J. B. Winn, Esq. United States' Agent to Africa, in January, 1821.
220	Captured in the brig La Pensee, by the sloop of war Hornet, November 12, 1821.	Sent into New Orleans, and delivered to the Marshal.

[Rep. No. 348.]

STATEMENT showing the names and rates of the several vessels ordered to cruise on the Coast of Africa for the suppression of the Slave Trade; the names of their several Commanders; the time of their respective departures from the United States; arrivals on the Coast of Africa, and departures therefrom; and the number of their captures.

VESSELS' NAMES.	RATES.	COMMANDERS' NAMES.	Date of departure from the United States.	Date of arrival on the Coast of Africa.	Date of departure from the Coast of Africa.	NUMBER OF CAPTURES.
Ship Cyane . .	^{GUNS.} 24	Edw. Trenchard	Jan. 1820	March, 1820		Four schooners, viz: Endymion, Esperanza, Plattsburg, and Science, sent into New York.
Ship Hornet . .	18	George C. Reed	June, 1820	-	-	Brig Alexander, sent into Boston.
Ship John Adams	24	A. S. Wadsworth	July 18, 1820			
Schooner Alligator	12	R. F. Stockton	April 3, 1821 Oct. 4, 1821	May 6, 1821 Nov. 1821	July, 1821 Dec. 17, 1821	Four schooners, viz: Jeune Eugene, Mathilde, Daphne, and Eliza; the J. E. sent into Boston, the rest recaptured.
Schooner Shark .	12	M. C. Perry	Aug. 7, 1821	Sept. 1821	Nov. 1821	None.

☞ All the above vessels were ordered to pass through the West Indies, on their return to the United States, for the protection of commerce against the depredations of pirates, as well as the suppression of the Slave Trade.

SEVENTEENTH CONGRESS—SECOND SESSION.

FRIDAY, FEBRUARY 10, 1823.

Mr. Mercer submitted the following resolution which; was read, and laid on the table:

Resolved, That the President of the United States be requested to enter upon and prosecute from time to time, such negotiations with the several maritime Powers of Europe and America, as he may deem expedient for the effectual abolition of the African slave trade and its ultimate denunciation as piracy under the law of nations, by consent of the civilized world.

FEBRUARY 28, 1823.

The House proceeded to the consideration of the above resolution.

The said resolution being read, and debate arising thereon, Mr. Hooks moved that the said resolution be again laid on the table;

And the question being taken,

It was determined in the negative, $\left\{ \begin{array}{l} \text{Yeas,} \quad 25, \\ \text{Nays,} \quad 104. \end{array} \right.$

Mr. Wright then moved an amendment to the said resolution; and further debate having arisen thereon,

The previous question being called for, and being demanded by a majority of the members present,

The said previous question was put in the form prescribed by the rules and orders of the House, viz: Shall the main question be now put?

And passed in the affirmative.

The said main question was then put, to wit: Shall the said resolution pass?

And passed in the affirmative, $\left\{ \begin{array}{l} \text{Yeas,} \quad 131, \\ \text{Nays,} \quad 9. \end{array} \right.$

EIGHTEENTH CONGRESS—FIRST SESSION.

JANUARY 26, 1824.

Mr. Mercer laid the following resolution on the table:

Resolved, That the President of the United States be requested to communicate to this House such part as he may not deem inexpedient to divulge, of any correspondence or negotiation, which he may have instituted with any foreign Government since the 28th of February last, in compliance with a request contained in a resolution of the House of Representatives of that date, relative to the denunciation of the African slave trade as piracy.

JANUARY 27, 1824.

The above resolution was adopted by the House, and, in compliance with it, the President, on the 19th March, 1824, transmitted to the House the following message, with the accompanying documents:

To the House of Representatives:

I transmit, herewith, to the House of Representatives, a report from the Secretary of State, with the papers therein referred to, in compliance with a resolution of that House, of the 27th January last.

JAMES MONROE.

WASHINGTON, 19th March, 1824.

DEPARTMENT OF STATE,

WASHINGTON, 18th March, 1824.

The Secretary of State, to whom has been referred a resolution of the House of Representatives of the 27th of January last, requesting the President to communicate to that House such part as he may not deem inexpedient to divulge, of any correspondence or negotiation, which he may have instituted with any foreign Government since the 28th of February, 1823, in compliance with a request contained in a resolution of the same House of that date, relative to the denunciation of the African slave trade as piracy, has the honor to submit to the President copies of the correspondence requested.

JOHN QUINCY ADAMS.

List of papers sent.

1. Mr. Canning to Mr. Adams,	-	-	29 January, 1823
2. Mr. Adams to Mr. Canning,	-	-	31 March, do
3. Mr. Canning to Mr. Adams,	-	-	8 April, do
4. Mr. Adams to Mr. Canning,	-	-	24 June, do
5. Mr. Adams to Mr. Nelson,	(Extract,)		28 April, do
6. Same to Mr. Rodney,	do		17 May, do
7. Same to Mr. Anderson,	do		27 May, do
8. Same to Mr. Rush, with one enclosure; Con-			
vention Slave trade, (Extract,)			24 June, do
9. Same to Mr. Middleton, (Copy,)			28 July, do
10. Same to Mr. Everett,	do		8 August, do
11. Same to Gen. Dearborn, (Extract,)			14 do do
12. Mr. Rush to Mr. Adams, (Extracts,)			9 October, do
13. Mr. Sheldon to same,	do		16 do do
14. Same to same, with two enclosures; correspond-			
ence with Viscount Chateaubriand, (Ex-			
tracts,)	-	-	5 November do
15. Mr. Everett to Mr. Adams, with two enclosures;			
correspondence with Baron Nagell, (Ex-			
tracts,)	-	-	20 November do

Mr. Canning to Mr. Adams.

WASHINGTON, *January 29, 1823.*

SIR: To the complete abolition of the African slave trade, Great Britain, as you are well aware, has long devoted her anxious and unremitting exertions: she availed herself, during war, of her belligerent rights and extended dominion in the colonies, to put down the inhuman traffic; in peace, she has spared no labor, and shrunk from no sacrifice, to supply, by a general co-operation of the maritime Powers, whatever has been withdrawn from her peculiar control by the cessation of hostilities, and the colonial arrangements consequent on that event. It is matter of deep regret to his Majesty's government, that the result of their exertions is far from corresponding either to the cause which demands or to the zeal which sustains them. The pest, which they have pledged themselves to destroy, if it be in human power to destroy it, not only survives, to the disgrace and affliction of the age, but seems to acquire a fresh capacity for existence with every endeavor for its destruction.

To whatever fatality it may be owing, that, while the obligation of adopting and enforcing measures for the extermination of the slave trade, is solemnly acknowledged by the civilized world, this great object seems rather to elude the grasp than to approach its consummation. Great Britain perceives, in the postponement of her hopes, however mortifying for the moment, no reason either to relax from her efforts, or to abandon the expectation of final success. Impelled by the noblest motives to persevere in the cause of abolition, and mindful by what slow laborious steps the present point has been attained, she looks forward, through surrounding obstacles, to that triumphant accomplishment of her purpose, the benefit and glory of which will only be rendered more signal by the difficulties attendant on its progress.

In calling on Europe and America to join with them in the discharge of this sacred duty, his Majesty and his Ministers have appealed, Sir, with the more confidence, to your Government, as the United States have long proclaimed their decided hostility to the slave trade, and are surpassed by no country in the vigor of their legislative enactments for its repression. The identity of principle existing on this subject between the two Governments is distinctly recorded in the treaty of peace; and, in answer to every proposal which has since, by his Majesty's command, been addressed to your cabinet, for redeeming that pledge, by a broad and effectual application of the principle, a fresh assurance has been given of the unceasing interest with which the United States continue to promote the cause of abolition. When, to this accord in principle and sentiment, is added the conviction, avowed by both parties, that, in spite of laws and treaties, the accursed traffic still thrives; under the eyes of an indignant world, it would seem impossible that the two Powers should be long prevented from concerting a joint system of measures against the common object of their abhorrence and just proscription. Whatever circumstances, views, or impressions, may have hitherto defeated this expectation, his Majesty's Ministers are still unwilling to despair of finding the United States at length prepared either to close with the system of concert already offered to their acceptance, or to suggest a plan of equal efficiency in its place. The alternative embraces a duty, for the performance of which both countries are responsible before God and man.

A deep sense of this duty, and a reliance, by no means relinquished, on the general disposition of the United States, have prompted the several communications on this question which have been addressed to you at successive periods, either through me or by means of the American Envoy in London. You will readily call to mind, Sir, that, in the course of last Summer, I apprised you of the intention of his Majesty's Ministers to press for an early re-consideration of the subject, submitting whether it might not prove agreeable to the American cabinet to anticipate that intended recurrence to it on the part of Great Britain, by some efficient proposal, originating with itself. I took occasion, in repeated conversations, to urge anew those various arguments which support and justify the opinion of his Majesty's Government; and I also placed in your hands the official papers, then recently printed by order of Parliament, in further evidence of the extent to which the traffic in human beings was still carried on from Africa, under circumstances of aggravated cruelty. In declaring, as on former occasions, the readiness of his Majesty's Ministers to examine, with respect and candor, whatever scheme of concert, if any, the American cabinet might think proper to bring forward, as a substitute for theirs, you will remember how strongly I expressed my belief that the only effectual measure devised, or likely to be devised, was a mutual concession of the right of search. In the exercise of that right, under such guards, and with such limitations, as may serve to tranquillize the most apprehensive and scrupulous minds, it is still conceived that the best and only cure for this intolerable mischief is to be found. You assured me, at a subsequent conference, that my representations had been duly submitted to the President. I wish it were in my power to add, that the cause which I pleaded had prevailed.

From the printed documents which I had the honor of communicating to you, it appears that the French flag is more particularly employed to cover the illicit trade on the coast of Africa. It would, perhaps, be unfair to conclude that French property and French subjects are concerned to the full proportion in which the colors of that nation are used; but it is manifest that both are engaged in this commerce of blood, to an extent which reflects discredit, if not on the motives of the French administration, at least on the efficiency of its measures, and makes it imperative on those governments which are pledged to each other for the suppression of the slave trade to declare their reprobation of what is at best a culpable remissness, and to omit nothing that may rouse the French cabinet to a more active exercise of its authority.

It was a part of my instructions to bring this point under your immediate consideration, and to intimate that the remonstrances of his Majesty's Ambassador at Paris might be attended with more effect, if the American envoy at that court were directed to concur with his Excellency in a joint representation on the subject. It would be idle at present to repeat the arguments adduced in executing this instruction. The answer which you returned in the name of the President, was unfavorable to the step I had suggested; and such was the result which it became my duty to announce to his Majesty's Secretary of State. But no doubt was started with respect to the grounds on which my application rested; and, of those notorious facts to which I referred, as calling for a joint and impressive appeal to the good faith and good feelings of the French Government, you seemed to be equally convinced with myself.

The reasons, indeed, which you allege for declining at that time to comply with a proposal, no less simple in its nature than useful in its object, I understood to be rather of a temporary character; and under this impression, I cannot but hope that the period is now arrived when they will no longer be found to stand in opposition to the great considerations involved in this question.

In repeating, therefore, the invitation which I have already had the honor to convey to you on the part of his Majesty's Government, it only remains for me to request an early communication of the intentions at present entertained on this head by the Government of the United States.

I beg, Sir, that you will accept the assurance of my distinguished consideration.

STRATFORD CANNING.

To the Hon. JOHN QUINCY ADAMS,
Secretary of State, &c.

Mr. Adams to Mr. Canning.

DEPARTMENT OF STATE,
Washington, 31st March, 1823.

SIR: Your letter of the 29th of January was, immediately after being received, submitted to the consideration of the President of the United States. The delay which has hitherto procrastinated a reply to it has been occasioned, not by any abatement of the interest, on the part of the Government of the United States, with which it regards every effort and proposal for the full and final suppression of the African slave trade, nor by any hesitation with regard to the decision which had already been formed and declared respecting the proposal of submitting the vessels and citizens of the United States to the search of foreign officers upon the high seas; but by an expectation that measures contemplated by the national House of Representatives might, before the close of the session of Congress, indicate to the Executive government of this country views upon which it would be enabled to substitute a proposal for accomplishing the total abolition of the traffic, more effectual to its purpose, and less liable to objections, on other accounts, than that to which the United States cannot be reconciled, of granting the right of search. These measures were matured in the branch of the Legislature where they originated, only at the very termination of the session; and the Senate had not the opportunity of pronouncing its opinion upon them. There is, however, no doubt on the mind of the President that they would have obtained their sanction; and he has, therefore, no hesitation in acting so far upon the expressed and almost unanimous sense of the House, as to declare the willingness of this Union to join with other nations in the common engagement to pursue and to punish those who shall continue to practise this crime, so reprobated by the just and humane of every country as enemies of the human race, and to fix them, irrevocably, in the class, and under the denomination of pirates.

I have the honor of enclosing herewith, a copy of the 4th and 5th sections of a law of the United States, passed on the 15th of May, 1820; by which it will be seen, that any citizen of the United States, being of the

crew or ship's company of any foreign ship or vessel engaged in the slave Trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned in the whole or part, or navigated for, or in behalf of, any citizen or citizens of the United States, participating in the slave trade, is declared to have incurred the penalties of piracy, and made liable to atone for the crime with his life. The legislation of a single nation can go no further, to mark its abhorrence of this traffic, or to deter the people subject to its laws, from contamination, by the practice of others.

If the inference in your letter of the 29th of January, from the documents to which it refers, be correct, that the French flag is more particularly employed to cover the illicit trade on the coast of Africa; and the conjecture likewise suggested in it, that this flag is used to cover the property and the persons of individuals bound to other allegiances, be well founded, this statute makes every citizen of the United States, concerned in such covert traffic, liable, if detected in it, to suffer an ignominious death. The code of Great Britain herself, has, hitherto, no provision of equal severity in the pursuit of her subjects, even under the shelter of foreign banners, and to the covert of simulated papers and property.

I am directed by the President of the United States to propose, on their part, the adoption, by Great Britain, of the *principle* of this act; and to offer a mutual stipulation to annex the penalties of *piracy* to the offence of participating in the slave trade, by the citizens or subjects of the respective parties. This proposal is made as a substitute for that of conceding a mutual right of search, and of a trial by mixed commissions, which would be rendered useless by it. Should it meet the approbation of your Government, it may be separately urged upon the adoption of France, and upon the other maritime Powers of Europe, in the manner most conducive to its ultimate success.

I have the honor of tendering to you the renewed assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

The Right Hon. STRATFORD CANNING,
*Envoy Extraordinary and Minister Plenipotentiary
from Great Britain.*

Mr. Canning to Mr. Adams.

WASHINGTON, April 8, 1823.

Sir: I have received your official letter, dated the 31st ultimo, in answer to that which I had the honor of addressing to you on the 29th of January; and, together with it, a transcript of the 4th and 5th sections of an act of Congress, approved the 15th of May, 1820.

From this communication, I learn that the Government of the United States is willing to join with other Powers in declaring the slave trade piracy, under the law of nations, and treating the perpetrators of this crime as enemies of the human race; that the American Government is further prepared to enter into a formal engagement with Great Britain, to the effect of carrying the principle just specified into immediate operation, reciprocally as to their respective subjects or citizens; and finally, that, as soon as this proposal

shall be accepted by the British Government, the United States will be ready to concur in pressing its adoption on the court of France, and other maritime Powers, in such manner as may afford the fairest prospect of success.

In whatever degree His Majesty's Government may be disposed to receive this offer, as an acknowledgment that measures more efficient than any now generally in force, are indispensable for the suppression of the slave trade, it is not difficult to foresee, that fresh sentiments of regret will be excited, by the unfavorable view which the American administration continues to take of the principal measure suggested on the part of His Majesty. That measure, you are well aware, Sir, is a mutual limited concession of the right of search; and though, as I have frequently stated, his Majesty's Government, in adopting it by treaty with several of the maritime Powers, and in recommending it with earnestness to the acceptance of others, particularly of the United States, have never opposed the consideration of any other plan brought forward as equally effective; yet having, from the first, regarded it in conscience as the only true and practical cure for the evil in question, they are naturally anxious, from a deep sense of duty, to place it in its proper light, and to guard it, as far as possible, from prejudice or misconception. I, therefore, deem it of importance, on this occasion, to bring into one point of view, the several limitations under which it is conceived, that the right of search might be so exercised, as to clear it of every imaginable difficulty. To give the intended limitations their just value, it is requisite to bear in mind the particular objections which have been urged against the interchange of a right of search; and for these, in their full extent, I can hardly be wrong in referring to your previous correspondence, since the last communication which I have received from you on this subject, though it describes the impressions of the American Government as remaining unaltered, does not exhibit any argument in support of their opinion.

In answer to that class of objections which relate to the mixed commissions established by treaty, between his Majesty and the courts of Lisbon, Brussels; and Madrid, it may suffice to remind you of the intimation, conveyed through Mr. Rush, in the early part of last year, which I had subsequently the honor of confirming at the Department of State. It might be expected, that any arrangement for the adjudication of vessels engaged in the slave trade, independent of these tribunals, would either leave the detained vessels to be disposed of in the ordinary way, by the sentence of a court of admiralty, in the country of the captor, or place them under the jurisdiction of a similar court in the country to which they belonged. On the former supposition, it is not to be anticipated that the United States could hesitate to admit the jurisdiction of a foreign court of admiralty, when sanctioned by mutual agreement, over the persons and property of citizens, abandoned to a pursuit so flagrantly iniquitous as to be classed by the Legislature of their country with crimes of the most heinous description, and which the American Government has declared its willingness to treat as piracy, under the law of nations. Great Britain, for her part, desires no other than that any of her subjects, who so far defy the laws, and dishonor the character of their country, as to engage in a trade of blood, proscribed not more by the acts of the legislature, than by the national feeling, should be detected and brought to justice, even by foreign hands, and from under the protection of her flag. In either of the supposed cases, it is clear that all impediments

connected with the forms of proceeding, and peculiar construction of the mixed commissions, would be completely avoided; and, with respect to any embarrassments attending the disposal of condemned vessels and liberated slaves, it has already been suggested by a committee of the House of Representatives that the provisions of the act of Congress passed the 3d of March, 1819, might be applied to them without difficulty or inconvenience.

The question being thus relieved from all connexion with the mixed commissions, every constitutional objection, arising out of their alleged incompatibility with the institutions of the United States, is at once removed from consideration. The remaining obstacles may be reduced under the following heads: the unpopularity of the right of search in this country; its tendency, if mutually employed, to produce an unfriendly collision between the two nations; and a certain supposed inequality, which would attend its exercise.

With respect to any doubt of its utility, created by a persuasion that very few vessels under American colors have been discovered, for some time past, on the coast of Africa, it requires but little reflection to prove that no conclusive inference can be drawn from that circumstance. Not to dwell upon the extent and nature of the slave coast, peculiarly favorable to the concealment of trading vessels, it must be remembered, that the United States have maintained, at no time, a greater number of cruizers than two, rarely more than one, and latterly, during several months together, no ship of war whatever, on the African station. As late as the 14th of January, 1822, it was stated, officially, by the Governor of Sierra Leone, "that the fine rivers Nunez and Pongas were entirely under the control of renegado European and American slave dealers."

But, if it were even manifest, that the active and judicious exertions of your naval officers, in that quarter, had really effected a total disuse of the American flag in slave trading, the right of search would still be most highly desirable, in order to secure and extend so important an advantage. As an example, indeed, to other Powers, particularly to France, whose subjects, encouraged by the loose and equivocal measures of their Government, are convicted, by a mass of evidence too strong to be resisted, of being concerned, to a deplorable degree, in this atrocious commerce, the concurrence of the United States in a system of which the very first result is to augment considerably the means of bringing offenders to justice, can hardly be rated at too high a value. The example which they are called upon to give, is not merely due to the claims of humanity: Great Britain and the United States are not only pledged to put down the slave trade, within the limits of their immediate jurisdiction; they are also bound, by solemn obligations, to employ their utmost endeavors for its complete and universal extermination. They have both succeeded in their great and benevolent object, so far as the rigor of legislative enactments is capable of counteracting the temptation of enormous profit, which stimulates the unprincipled avarice of the slave merchant. It is the facility of escaping detection, and not any want of severity in the punishment attached to a violation of their laws, which, as far as they are concerned, requires a more decisive remedy; and a remedy adequate to the evil can only be found in such measures as will strip the illicit trader of every disguise, and throw the chances entirely on the side of failure in his inhuman speculations. In the case of a search at sea, the means unavoidably employed in the commission of this crime are fortunately, it may be said providen-

tially, of such a nature as in general to furnish a plain substantial body of proof for the conviction of the criminal.

For the satisfaction of those who seriously apprehend that the friendly relations subsisting between the two countries would be endangered by the admission of a practice which, in their opinion, must necessarily produce a vexatious exercise of authority on the part of the searching officer, and frequent complaints on that of the merchant whose vessel is subjected to search, with the supposed aggravation of an unequal pressure on one of the contracting parties, his Majesty's Government would, doubtless, agree to confine the right of visit to a fixed number of cruizers on each side, restricted, in the performance of this duty, to certain specified parts of the ocean, and acting under regulations, prepared by mutual consent, for the purpose of preventing abuses. To these important limitations, if not deemed sufficient, others might easily be added; the arrangement, for example, might be temporarily, adopted, in the first instance, for a short period, and only to be continued in the event of its being found, on trial, to operate in a satisfactory manner. With this understanding, a speedy termination would at least be ensured to any objectionable result attending its operation; and, for the sake of interests so dear to humanity, an experiment, of which the advantage, as to its main object, is certain and complete, the inconvenience contingent and momentary, might surely be reconciled with a due regard to considerations exclusively national.

Supposing that inconvenience should be found, in practice, to press unequally on either of the two parties, Great Britain, and not the United States, is most likely to have cause of complaint, inasmuch as the greater extent of her trade, especially on the coast of Africa, must naturally expose her, in a greater degree, to any injurious consequences of the agreement. Great Britain, however, is less disposed to shrink from any sacrifice, by which she can materially advance the sacred cause of abolition, than to lament, and if possible, to dispel those mistaken notions and unfounded jealousies, which deprive her exertions of their full effect, and serve, but too successfully, to protract the existence of a mischief which all unite in deploring. In point of principle, the honor of neither flag would be tarnished by having its protection withdrawn for a season from those who perpetrate the atrocities of the slave trade; and permit me, sir, to add, that what Great Britain is ready to allow, in a matter so vital to her pride and to her power, may surely be allowed, reciprocally, by any other nation, however scrupulous in the maintenance of its maritime independence.

That an agreement between our respective cabinets, founded on a mutual right of search, thus guarded and explained, would fail to obtain the consent of the American Senate, or that a nation so inquiring and enlightened as the United States would confound the proposed measure with that practice which afforded matter of painful contention during the last wars in Europe, is what I am extremely unwilling to anticipate. The two objects are, in fact, so totally distinct from each other, in principle, purpose, and mode of execution, that the proposal of the British Government need only be presented to the examination, I will not say of a select and experienced assembly, but of the people at large, in order to be seen in its true bearings.

So far is the British proposal from tending to commit the American Government on the long disputed question of the belligerent right of search, that, if it may be supposed to touch that question at all, it appears rather to operate in the sense of the United States than unfavorably for their view of the subject.

The officers entrusted on either side with the duty of examining suspected vessels, would necessarily act under instructions calculated to ensure a perfect harmony between the principle and the application of this conceded right; nor is it to be feared that they would presume, in any case, to extend the visit thus authorized at sea beyond the particular and specified object to which it is meant to be confined.

I have the honor to request, Sir, that you will again accept the assurance of my highest consideration.

STRATFORD CANNING.

Hon. JOHN QUINCY ADAMS,
Secretary of State, &c.

Mr. Adams to Mr. Canning.

DEPARTMENT OF STATE,

Washington, 24th June, 1825.

SIR: In the letter which I had the honor of addressing you on the 31st of March last, a proposal was made, to be submitted to the consideration of your Government, that the *principle* assumed in an act of the Congress of the United States, of 15th of May, 1820, of considering and punishing the African slave trade as *piracy*, should be adopted as the basis of a stipulation by treaty between the United States and Great Britain, and to be urged separately upon the adoption of France, and upon the other maritime nations of Europe, in the manner most conducive to its ultimate success. It was observed that this offer was presented as a substitute for that of conceding a mutual right of search, and a trial by mixed commissions, to which the United States could not be reconciled, and which would be rendered useless by it.

Your letter of the 8th of April, to which I have now the honor to reply, intimates that his Majesty's Government will be disposed to receive this offer only as an acknowledgment that measures more efficient than any now generally in force are indispensable for the suppression of the slave trade; and that, although they have never opposed the consideration of any other plan, brought forward as equally effective, yet, having from the first regarded a mutual limited concession of the right of search as the *only* true and practical cure for the evil, their prevailing sentiment will be of regret at the unfavorable view still taken of it by the Government of the United States. Your letter, therefore, urges a reconsideration of the proposal for this mutual concession of the right of search, and, by presenting important modifications of the proposal heretofore made, removes some of the objections which had been taken to it, as insuperable, while it offers argumentative answers to the others which had been disclosed in my previous communications on the subject to you.

In the treaties of Great Britain with Spain, Portugal, and the Netherlands, for the suppression of the slave trade, heretofore communicated, with the invitation to the United States to enter into similar engagements, three principles were involved, to neither of which the Government of the United States felt itself at liberty to accede. The first was the mutual concession of the right of search and capture, in time of peace, over merchant vessels, on the coast of Africa. The second was, the exercise of that right even over vessels under *convoy* of the public officers of their own nation; and the third

was the trial of the captured vessels by mixed commissions in colonial settlements, under no subordination to the ordinary judicial tribunals of the country to which the party brought before them for trial should belong. In the course of the correspondence relating to these proposals, it has been suggested that a substitute for the trial by mixed commissions might be agreed to: and in your letter of the 8th of April, an *expectation* is authorized, that an arrangement for the adjudication of the vessels detained, might leave them to be disposed of in the ordinary way, by the sentence of a Court of Admiralty in the country of the captor, or place them under the jurisdiction of a similar court in the country to which they belonged; to the former alternative of which you anticipate the unhesitating admission of the United States, in consideration of the aggravated nature of the crime, as acknowledged by their laws, which would be thus submitted to a *foreign* jurisdiction. But it was precisely because the jurisdiction was *foreign* that the objection was taken to the trial by mixed commissions; and if it transcended the constitutional authority of the Government of the United States, to subject the persons, property, and reputation of their citizens, to the decisions of a court partly composed of their own countrymen, it might seem needless to remark, that the constitutional objection could not diminish, in proportion as its cause should increase, or that the power incompetent to make American citizens amenable to a court consisting one-half of foreigners, should be adequate to place their liberty, their fortune, and their fame, at the disposal of tribunals entirely *foreign*. I would further remark, that the sentence of a Court of Admiralty in the country of the captor is not the *ordinary way* by which the merchant vessels of one nation, taken on the high seas, by the officers of another, are tried in time of peace. There is, in the ordinary way, no right whatever existing, to take, to search, or even to board them; and I take this occasion to express the great satisfaction with which we have seen this principle solemnly recognised by the recent decision of a British Court of Admiralty. Nor is the aggravation of the crime for the trial of which a tribunal may be instituted, a cogent motive for assenting to the principle of subjecting American citizens, their rights and interests, to the decision of foreign courts; for, although Great Britain, as you remark, may be willing to abandon those of her subjects who defy the laws and tarnish the character of their country, by participating in this trade, to the dispensation of justice even by foreign hands, the United States are bound to remember that the power which enables a court to try the guilty authorizes them also to pronounce upon the fate of the innocent; and that the very question of *guilt* or innocence is that which the protecting care of their constitution has reserved for the citizens of this Union, to the exclusive decision of their own countrymen. This principle has not been departed from by the statute which has branded the slave trader with the name, and doomed him to the punishment of a pirate. The distinction between piracy by the law of nations, and piracy by statute, is well known and understood in Great Britain; and while the former subjects the transgressor guilty of it to the jurisdiction of any and every country into which he may be brought, or wherein he may be taken, the latter forms a part of the municipal criminal code of the country where it is enacted, and can be tried only by its own courts.

There remains the suggestion, that the slave trader captured under the mutual concession of the power to make the capture, might be delivered over to the jurisdiction of his own country. This arrangement would not be liable to the constitutional objection, which must ever apply to the jurisdiction

of the mixed commission, or of the admiralty courts of the captor; and if your note is to be understood as presenting it in the character of an alternative, to which your Government is disposed to accede, I am authorized to say, that the President considers it as sufficient to remove the insuperable obstacle which had precluded the assent of the United States to the former proposals of your Government, resulting from the character and composition of the tribunals to whom the question of guilt or innocence was to be committed.

The objections to the right of search, as incident to the right of detention and capture, are also in a very considerable degree removed, by the introduction of the principle, that neither of them should be exercised, but under the responsibility of the captor to the tribunals of the captured party, in damages and costs. This guard against the abuses of a power so liable to abuse, would be indispensable; but, if the provisions necessary for securing effectually its practical operation, would reduce the right itself to a power merely nominal, the stipulation of it in a treaty would serve rather to mark the sacrifice of a great and precious principle, than to attain the end for which it would be given up.

In the objections heretofore disclosed to the concession desired, of the mutual and qualified right of search, the principal stress was laid upon the repugnance which such a concession would meet in the public feeling of this country, and of those to whom its interests are entrusted in the department of its Government, the sanction of which is required for the ratification of treaties. The irritating tendency of the practice of search, and the inequalities of its probable operation, were slightly noticed, and have been contested in argument, or met by propositions of possible palliatives, or remedies for anticipated abuses, in your letter. But the source and foundation of all these objections, was, in our former correspondence, scarcely mentioned, and never discussed. They consist in the nature of the right of search, at sea, which, as recognised or tolerated by the usage of nations, is a right exclusively of war, never exercised but by an outrage upon the rights of peace. It is an act analogous to that of searching the dwelling-houses of individuals on the land. The vessel of the navigator is his dwelling-house; and, like that, in the sentiment of every people that cherishes the blessings of personal liberty and security, ought to be a sanctuary, inviolable to the hand of power, unless upon the most unequivocal public necessity, and under the most rigorous personal responsibility of the intruder. Search at sea, as recognised by all maritime nations, is confined to the single object of finding and taking contraband of war. By the law of nature, when two nations conflict together in war, a third, remaining neutral, retains all its rights of peace, and friendly intercourse with both. Each belligerent, indeed, acquires, by war, the right of preventing a third party from administering to his enemy the direct and immediate materials of war; and, as incidental to this right, that of searching the merchant vessels of the neutral on the high seas, to find them. Even thus limited, it is an act of power which nothing but necessity can justify, inasmuch as it cannot be exercised, but by carrying the evils of war into the abodes of peace, and by visiting the innocent with some of the penalties of guilt. Among the modern maritime nations, an *usage* has crept in, not founded upon the law of nature, never universally admitted, often successfully resisted, and against which, all have occasionally borne testimony, in renouncing it in treaties, of extending this practice of search and seizure, to all the property of the enemy in the vessel of the friend. This practice, in its origin, evidently an abusive and wrongful extension of the search

for contraband; effected by the belligerent, because he was armed; submitted to by the neutral, because he was defenceless; and acquiesced in by his sovereign, for the sake of preserving a remnant of peace, rather than become himself a party to the war. Having thus, occasionally, been practised by all, as belligerents, and submitted to by all as neutrals, it has acquired the force of an usage, which, at the occurrence of every war, the belligerent may enforce or relinquish, and which the neutral may suffer or resist, at their respective options.

This search for, and seizure of, the property of an enemy in the vessel of a friend, is a relic of the barbarous warfare of barbarous ages; the cruel, and, for the most part, now exploded system of *private* war. As it concerns the enemy himself, it is inconsistent with that mitigated usage of modern wars, which respects the private property of individuals on the land. As relates to the neutral, it is a violation of his natural right to pursue, unmolested, his peaceful commercial intercourse with his friend. Invidious as is its character, in both these aspects, it has other essential characteristics, equally obnoxious. It is an uncontrolled exercise of authority, by a man in arms, over a man without defence; by an officer of one nation, over the citizen of another; by a man intent upon the annoyance of his enemy, responsible for the act of search to no tribunal, and always prompted to balance the disappointment of a fruitless search by the abusive exercise of his power, and to punish the neutral for the very clearness of his neutrality. It has, in short, all the features of unbridled power, stimulated by hostile and unsocial passions.

I forbear to enlarge upon the further extension of this practice, by referring to injuries which the United States experienced, when neutral, in a case of vital importance; because, in digesting a plan for the attainment of an object, which both nations have equally at heart, it is desirable to avoid every topic which may excite painful sensations on either side. I have adverted to the interest in question from necessity, it being one which could not be lost sight of in the present discussion.

Such being the view taken of the right of search, as recognised by the law of nations, and exercised by belligerent Powers, it is due to candor to state, that my Government has an insuperable objection to its extension by treaty, in any manner whatever, lest it might lead to consequences still more injurious to the United States, and especially in the circumstance alluded to. That the proposed extension will operate in time of peace, and derive its sanction from compact, present no inducements to its adoption. On the contrary, they form strong objections to it. Every extension of the right of search, on the principles of that right, is disapproved. If the freedom of the sea is abridged by compact for any new purpose, the example may lead to other changes. And if its operation is extended to a time of peace, as well as of war, a new system will be commenced for the dominion of the sea, which may eventually, especially by the abuses into which it may lead, confound all distinction of time and circumstances, of peace and of war, and of rights applicable to each state.

The United States have, on great consideration, thought it most advisable to consider this trade as piracy, and to treat it as such. They have thought that the trade itself might, with great propriety, be placed in that class of offences; and that, by placing it there, we should more effectually accomplish the great object of suppressing the trade, than by any other measure which we could adopt.

To this measure, none of the objections which have been urged against the extension of the right of search, appear to be applicable. Piracy being an offence against the human race, has its well known incidents of capture and punishment by death, by the people and tribunals of every country. By making this trade piratical, it is the nature of the crime which draws after it the necessary consequences of capture and punishment. The United States have done this, by an act of Congress, in relation to themselves. They have also evinced their willingness, and expressed their desire, that the change should become general, by the consent of every other Power, whereby it would be made the law of nations. Till then, they are bound, by the injunctions of their Constitution, to execute it, so far as respects the punishment of their own citizens, by their own tribunals. They consider themselves, however, at liberty, until that consent is obtained, to co-operate to a certain extent with other Powers, to ensure a more complete effect to their respective acts; they placing themselves, severally, on the same ground, by legislative provisions. It is in this spirit, and for this purpose, that I have made to you the proposition under consideration.

By making the slave trade piratical, and attaching to it the punishment, as well as the odium, incident to that crime, it is believed that much has been done by the United States, to suppress it, in their vessels, and by their citizens. If your Government would unite in this policy, it is not doubted that the happiest consequences would result from it. The example of Great Britain, in a manner so decisive, could not fail to attract the attention, and command the respect, of all her European neighbors. It is the opinion of the United States, that no measure, short of that proposed, will accomplish the object so much desired; and it is the earnest desire of my Government that the Government of his Britannic Majesty may co-operate in carrying it into effect.

I pray you, sir, to accept the renewed assurances of my distinguished consideration.

JOHN QUINCY ADAMS.

The Right Hon. STRATFORD CANNING,
*Envoy Extraordinary and Minister Plenipotentiary
from Great Britain.*

Extract of a letter from Mr. Adams to Mr. Nelson, dated

“DEPARTMENT OF STATE,
“WASHINGTON, 28th April, 1823.

“A resolution of the House of Representatives, at the last session of Congress, requests the President to enter upon, and to prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient, for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world. You will take an early opportunity to make known this disposition to the Spanish Government; communicating to them copies of the fourth and fifth sections of the act of 3d March, 1819, which declares this traffic piratical when pursued by citizens of the United States; and you will express the willingness of the American Government to enter into negotiations for the purpose of declaring it so, by the common consent of nations.”

Extract of a letter from Mr. Adams to Mr. Rodney, dated

“ DEPARTMENT OF STATE,

“ WASHINGTON, 17th May, 1823.

“ A resolution of the House of Representatives, at the late session of Congress, requests the President of the United States to enter upon, and prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as *piracy*, under the law of nations, by the consent of the civilized world.

“ In pursuance of the object proposed by this resolution, you will communicate to the Government of Buenos Ayres, copies of the several acts of Congress for the suppression of the slave trade, of the 20th of April, 1818; (U. S. Laws, vol. 6, page 325;) 3d March, 1819, (page 435;) and of 15th May, 1820, (page 529;) pointing their attention, particularly, to the fourth and fifth sections of the last, which subject to the penalties of piracy every citizen of the United States guilty of active participation in the African slave trade. The adoption of this principle in the legislative code of all the maritime nations, would, of itself, probably, suffice for the suppression of the trade. But, as it would yet not authorize the armed vessels of any one nation to capture those of another, engaged in the trade, a stipulation to that effect might be agreed to, by treaty, conditioned that the captor shall deliver over the captured party to the tribunals of his own country for trial; to which should be added, some guard of responsibility upon the capturing officer, to prevent the abusive exercise of his power.”

Extract from the General Instructions to Richard C. Anderson, appointed Minister Plenipotentiary to the Republic of Colombia, dated

“ DEPARTMENT OF STATE,

“ WASHINGTON, May 27, 1824.

“ A resolution of the House of Representatives, at the late session of Congress, requests the President of the United States to enter upon, and to prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as *piracy*, under the law of nations, by the consent of the civilized world.

“ In pursuance of this object, you will communicate to the Colombian Government copies of the several acts of our Congress for the suppression of the slave trade, of the 20th of April, 1818, (U. S. Laws, vol. vi. p. 325,) of 3d March, 1819, (p. 435,) and of 15th May, 1820, (p. 529,) pointing their attention particularly to the fourth and fifth sections, of the last, which subject to the penalties of piracy every citizen of the United States guilty of active participation in the African slave trade. The adoption of this principle in the legislative code of all the maritime nations, would, of itself, probably, suffice for the suppression of the trade; but, as it would yet not authorize the armed vessels of any one nation to capture those of another, engaged in the trade, a stipulation to that effect may be agreed to by the treaty, conditioned that the captor shall deliver over the captured party to the tribunals of his own country for trial; to which should be added some guard of responsibility upon the capturing officer, to prevent the abusive exercise of his powers.”

Extract of a letter from Mr. Adams to Mr. Rush, dated

“DEPARTMENT OF STATE,

“WASHINGTON, June 24, 1823.

“A resolution of the House of Representatives, almost unanimously adopted, at the close of the last session of Congress, requested the President of the United States to enter upon, and to prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient, for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world.

“At the two preceding sessions of Congress, committees of the House had proposed a resolution, expressed in more general terms, that ‘the President of the United States be requested to enter into such arrangements as he may deem suitable and proper, with one or more of the maritime Powers of Europe, for the effectual abolition of the African slave trade;’ and this resolution had, in each case been the conclusion of a report, recommending that the United States should accede to the proposal of a mutual and qualified concession of the right of search. The sentiments of the committee were, in this respect, different from those which had been expressed by the Executive Department of the Government, in its previous correspondence with that of Great Britain. No decision, by the House of Representatives, was made upon these resolutions, proposed at the preceding sessions; but, upon the adoption of that which did pass, at the last session, it was well ascertained that the sentiments of the House, in regard to the right of search, coincided with those of the Executive: for they explicitly rejected an amendment which was moved to the resolution, and which would have expressed an opinion of the House favorable to the mutual concession of that right.

“You have been fully informed of the correspondence between the Governments of the United States and of Great Britain, concerning the suppression of the slave trade, heretofore; and have been from time to time effectually instrumental to it yourself. You are aware of the grounds upon which the proposals, on the part of Great Britain, that the United States should accede to the stipulations similar to those which she had succeeded in obtaining from Spain, Portugal, and the Netherlands, were on our part declined.

“The subject was resumed by the British minister residing here, Mr. S. Canning, a short time before the decease of the Marquis of Londonderry. It was suggested, that, since the total disappearance of the British and American flags, as well as of those of the nations which had consented to put the execution of their laws against the trade under the superintendance of British naval officers, it continued to flourish under that of France; that her laws, though in word and appearance equally severe in proscribing the traffic, were so remiss in the essential point of execution, that their effect was rather to encourage than to suppress it; and the American Government was urged to join in friendly representations to that of France, by instructing the minister of the United States at Paris to concur in those which the British ambassador at that court had been charged with making, to ensure a more vigilant fulfilment of the prohibitory laws. This invitation, at that time given only in oral conference, was also declined, from an impres-

sion that such a concurrence might give umbrage to the French Government, and tend rather to irritation, than to the accomplishment of the object for which it was desired. Mr. Gallatin was, nevertheless, instructed separately to bring the subject to the notice of the French Government; and did so, by a note communicating to them copies of the recent laws of the United States for the suppression of the trade, and particularly of that by which it has subjected every citizen of the United States, who, after the passage of the law, should be polluted with it, to the penalties of piracy.

“On the 29th of January last, Mr. Canning, in a letter to this Department, repeated the invitation of a joint and concurrent remonstrance, to be made by the British ambassador and our minister in France; and at the same time called, with great earnestness, upon the Government of the United States, either to accede to the principle of the mutual and qualified right of search, emphatically pronounced, in his belief, to be the *only* effectual measure devised, or likely to be devised, ‘for the accomplishment of the end, or to bring forward some *other* scheme of concert,’ which he again declared the readiness of His Majesty’s minister to examine with respect and candor, as a substitute for that of the British cabinet.

“However discouraging this call for an alternative might be, thus coupled as it was with so decisive a declaration of belief, that no effective alternative had been, or was likely to be, devised, an opportunity was offered, in pursuance of the resolution of the House of Representatives, adopted at the close of the last session of Congress, for proposing a substitute, in our belief more effectual than the right of search could be, for the total and final suppression of this nefarious trade, and less liable either to objections of principle, or to abuses of practice.

“This proposition was accordingly made, in my letter to Mr. Canning of 31st of March last, to which his letter of the 8th of April was the answer. In this answer Mr. Canning barely notices our proposition, to express an opinion that his Government will see in it nothing but an acknowledgment of the necessity of further and more effectual measures, and then proceeds with an elaborate review of all the objections which, in the previous correspondence between the two Governments, had been taken on our part to the British connected proposal of a mutual right of search, and a trial by mixed commissions. Our objection had been of two kinds; first, to the mixed commissions, as inconsistent with our Constitution; and secondly, to the right of search, as a dangerous precedent, liable to abuse, and odious to the feelings and recollections of our country.

“In this letter of Mr. Canning, the proposal of trial by mixed commissions is formally withdrawn, and an alternative presented as practicable, one side of which only, and that the inadmissible side, is distinctly offered, namely, of trial by the courts of the *captor*. The other side of the alternative would, indeed, remove our constitutional objection, and with it might furnish the means of removing the principal *inherent* objection to the concession of the right of search, that by which the searching officer is under no responsible control for that act.

“But, in our previous correspondence, our strong repugnance to the right of search had been adverted to merely as matter of fact, without tracing it to its source, or referring to its causes. The object of this forbearance had been to avoid all unnecessary collision with feelings and opinions which were not the same on the part of Great Britain and upon ours. They had been willingly left undiscussed. This letter of Mr. Canning, however,

professedly reviewing all the previous correspondence, for the removal or avoidance of our objections, and contesting the analogy between the right of search, as it had been found obnoxious to us, and as now proposed for our adoption by formal compact, I have been under the absolute necessity of pointing out the analogies really existing between them, and of showing that, as right of search, independent of the right of *capture*, and irresponsible or responsible only to the tribunals of the captor, it is, as proposed, essentially liable to the same objections as it had been, when exercised as a belligerent right. Its *encroaching* character, founded in its nature as an irresponsible exercise of force, and exemplified in its extension from search for contraband of war, to search for enemies' property, and thence to search for *men* of the searcher's own nation, was thus necessarily brought into view, and connected the exhibition of the evils inherent in the practice with that of the abuses which have been found inseparable from it.

"We have declared the slave trade, so far as it may be pursued by citizens of the United States, piracy, and, as such, made it punishable with death. The resolution of the House of Representatives recommends negotiation, to obtain the consent of the civilized world to recognize it as piracy under the law of nations. One of the properties of that description of piracies is, that those who are guilty of it may be taken upon the high seas, and tried by the courts of every nation. But, by the prevailing *customary* law, they are tried only by the tribunals of the nation to which the vessel belongs, in which the piracy was committed. The crime itself has been, however, in modern times, of so rare occurrence, that there is no uniformity in the laws of the European nations with regard to this point, of which we have had remarkable and decisive proof within these five years, in the case of piracy and murder, committed on board the schooner *Plattsburg*, a merchant vessel of the United States. Nearly the whole of the crew were implicated in the crime, which was committed on the high seas. They carried the vessel into Christiansand, Norway, there abandoned her, and dispersed; three of them were taken up in Denmark, one in Sweden, one at Dantzic, in Prussia, and one in France. Those taken up in Denmark and in Sweden were delivered up to officers of the United States, brought to this country, tried, convicted, and executed. The man taken at Dantzic, was, by consent of the Prussian government, sent to Elsinour, and there confronted with those taken in Denmark. The evidence against him on the examination was decisive; but, as he persisted in the refusal to *confess* his guilt, the Prussian Government, bound by an established maxim of their municipal law, declined either to deliver him up, or to try him themselves, but sent him back to Dantzic, there to remain imprisoned for life. The French Government, upon advisement of the highest judicial authority of the kingdom, declined, also, either to try the man taken up there, or to deliver him up, unless upon proof of his guilt being produced against him, at the place where he was confined; with which condition, it not having been in our power to comply, the man remained there, also in prison, presumably for life. From these incidents it is apparent that there is no uniformity in the modes of trial, to which piracy, by the law of nations, is subjected in different European countries; but that the trial itself is considered as the right and the duty only of the nation to which the vessel belongs, on board of which the piracy was committed. This was, however, a piracy committed on board of a vessel by its own crew. External piracies, or piracies committed by and from one vessel against another, may be tried by the courts of any country, but are

more usually tried by those of the country whose vessels have been the sufferers of the piracy, as many of the Cuba pirates have been tried in the British West India Islands, and some of them in our courts.

“ This principle we should wish to introduce into the system, by which the slave trade should be recognised as piracy under the law of nations; namely, that, although seizable by the officers and authorities of every nation, they should be triable only by the tribunals of the country of the slave trading vessel. This provision is indispensable to guard the innocent navigator against vexatious detentions, and all the evils of arbitrary search. In committing to foreign officers the power, even in a case of conventional piracy, of arresting, confining, and delivering over for trial, a citizen of the United States, we feel the necessity of guarding his rights from all abuses, and from the application of any laws of a country other than his own.

“ The draught of a Convention is herewith enclosed, which, if the British Government should agree to treat upon this subject on the basis of a legislative prohibition of the slave trade by both parties, under the penalties of piracy, you are authorized to propose and to conclude. These articles, however, are not offered, to the exclusion of others which may be proposed on the part of the British Government, nor is any one of them, excepting the first, to be insisted on as indispensable, if others equally adapted to answer their purposes should be proposed. It is only from the consideration of the crime in the character of piracy that we can admit the visitation of our merchant vessels by foreign officers for any purpose whatever, and in that case only under the most effective responsibility of the officer for the act of visitation itself, and for every thing done under it.

“ If the sentiments of the British Government should be averse to the principle of declaring the trade itself, by a legislative act, piratical, you will not propose or communicate to them the enclosed project of convention. Its objects, you will distinctly understand, are two-fold: to carry into effect the resolution of the House of Representatives, and to meet, explicitly and fully, the call so earnestly urged by the British Government, that, in declining the proposals pressed by them upon us, of conceding a mutual and qualified right of search, we should offer a substitute for their consideration. The substitute, by declaring the crime piracy, carries with it the right of search for the pirates, existing in the very nature of the crime. But, to the concession of the right of search, distinct from the denomination of the crime, our objections remain in all their original force.

“ It has been intimated by Mr. S. Canning, that the suggestion itself, to the British Government, of the propriety of their passing a legislative act, might excite in them some repugnancy to it. We should regret the excitement of this feeling, which the very nature of the negotiation seems to foreclose. Besides the legislative enactments which have virtually been pressed upon us, by all the invitations to concede the right of search, and to subject our citizens to trial for violations of our own laws, by foreign tribunals, Great Britain, in almost all her slave trade treaties, has required and obtained express stipulations for the enactment of prohibitory laws by France, Spain, Portugal, and the Netherlands.

“ It was not expected that she would receive with reluctance, herself, a mere invitation to that which she had freely and expressly required from others. Still, if the sentiment should exist, we would forbear pressing it to the point of irritation, by importunity. You will, in the first instance, simply state, that, if the British Government is prepared to proclaim the

slave trade piracy, by statute, you are authorized to propose, and to conclude a convention, by which the mutual co-operation of the naval force of Great Britain and of the United States may be secured, for carrying into effect the law, which, on that contingency, will be common to both. Should the obstacle to the preliminary prove insuperable, you will refer the objections, on the part of the British cabinet, to this Government, for consideration.

“By the loose information hitherto communicated in the public journals, it would seem that the proposition for recognising the slave trade as piracy, by the law of nations, was discussed at the Congress of Verona. We are expecting the communication of the papers relating to this subject, promised by Lord Liverpool to be laid before Parliament. Heretofore, although the United States have been much solicited and urged to concur in the measures of Great Britain and her allies, for the suppression of the trade, they have been always communicated to us as purposes consummated, to which the accession of the United States was desired. From the general policy of avoiding to intermeddle in European affairs, we have acquiesced in this course of proceeding; but, to carry fully into effect the late resolution of the House of Representatives, and to pursue the discussions, hereafter, with Great Britain herself, whether upon her proposals or upon ours, it is obviously proper that communication should be made to us of the progress of European negotiation, for accomplishing the common purpose, while it is in deliberation. If we are to co-operate in the result, it is just that we should be consulted, at least, with regard to the means which we are invited to adopt.”

SUPPRESSION OF THE SLAVE TRADE.

A Convention for the suppression of Piracy, committed by the African Slave Trade.

ARTICLE 1.

The two high contracting Powers, having each separately, by its own laws, subjected their subjects and citizens, who may be convicted of carrying on the illicit traffic in slaves on the coast of Africa, to the penalties of piracy, do hereby agree to use their influence, respectively, with the other maritime and civilized nations of the world, to the end that the said African slave trade may be recognised and declared to be piracy, under the law of nations.

ARTICLE 2.

It is agreed by the two high contracting parties, that the commanders and commissioned officers of either nation, duly authorized, under the regulations and instructions of their respective Governments, to cruise on the coasts of Africa, of America, or of the West Indies, for the suppression of the slave trade, shall be authorized, under the conditions, limitations, and restrictions, hereinafter mentioned, to capture, and deliver over to the duly authorized and commissioned officers of the other, *any ship or vessel carrying on such illicit traffic in slaves, under the flag of the said other nation, or for the account of their subjects or citizens, to be sent in for trial and adjudication by the tribunals of the country to which such slave ship or vessel shall belong.* And the said commanders and commissioned officers shall be fur-

ther authorized to carry, or send in, any such slave-trading ship, so by them captured, into the ports of the country to which such slave-trading ship shall belong, for trial by the tribunals, and conformably to the laws, of the said country. But the slave ship, so captured, shall not be sent into the ports, or tried by the tribunals of the captor.

ARTICLE 3.

If any naval commander, or commissioned officer of the United States of America, shall, on the high seas, or any where without the territorial jurisdiction of the said States, board, or cause to be boarded, any merchant vessel of Great Britain, and visit the same as a slave trader, or on suspicion of her being engaged in carrying on the illicit traffic in slaves, in every case, whether the said visited vessel shall be captured and delivered over, or sent into the ports of her own country for trial and adjudication, or not, the boarding officer shall deliver to the master or commander of the visited vessel a certificate in writing, signed by the said boarding officer with his name, and the addition of his rank in the service of the United States, and the name of the public vessel of the United States, and of her commander, by whose order the said visit shall have been ordered; and the said certificate shall declare, that the only object of the said visit is to ascertain whether the said British merchant vessel is engaged in the slave trade, or not; and if found to be so engaged, to take, and deliver her over to the officers, or the tribunals of her own nation, for trial and adjudication. And the commander of the said public vessel of the United States shall, when he delivers her over to the officers or tribunals of Great Britain, deliver all the papers found on board of the captured vessel, indicating her national character, and the objects of her voyage, and with them a like certificate of visitation, in writing, signed by his name, with the addition of his rank in the Navy of the United States, and the name of the public vessel commanded by him, together with the name and rank of the boarding officer by whom the said visit was made. This certificate shall, also, specify all the papers received from the master of the vessel detained, or visited, or found on board the vessel, and shall contain an authentic declaration, exhibiting the state in which he found the vessel detained, and the changes, if any, which have taken place in it, and the number of slaves, if any, found on board at the moment of detention. And the same duties herein described shall devolve upon every commander, or commissioned officer, of the Royal Navy of Great Britain, by whom, or by whose order, any merchant vessel of the United States, or navigating under their flag, shall be visited for the said purposes, and upon the boarding officer by whom the visit shall be effected, on the high seas, or any where without the territorial jurisdiction of Great Britain.

ARTICLE 4.

No merchant vessel of either of the contracting parties, under the convoy of a public vessel of her own nation, shall, under any circumstances whatever, be captured, or visited by, or from, any public vessel of the other nation, as being engaged, or on suspicion of being engaged, in the slave trade.

ARTICLE 5.

No search shall be made by, or under the orders of, the commander or boarding officer of any public vessel of either party visiting any merchant vessel of the other, as being engaged, or under suspicion of being engaged,

in the slave trade, excepting such as may be necessary to ascertain if there be slaves on board for the purposes of the said traffic, or other proof that the said vessel is so engaged. No person shall be taken out of the said visited or captured merchant vessel of either nation, by the commanding officer of the visiting vessel, or under his order. Nor shall any part of the cargo of the said visited vessel be removed out of her, until delivered over to the officers or tribunals of her own nation.

ARTICLE 6.

When a merchant vessel of either nation shall be captured, as being engaged in the slave trade, by any commander or commissioned officer of the Navy of the other nation, it shall be the duty of the commander of any public ship of the Navy of the nation to which the captured vessel shall belong, upon the offer thereof being made to him by the commander of the capturing vessel, to receive into his custody the vessel so captured, and to carry, or send, the same into the ports of his own country, for trial and adjudication. And at the time of the delivery of the said vessel, an authentic declaration shall be drawn up, in triplicate, signed by both the commanders of the delivering and of the receiving vessels, one copy of which shall be kept by each of them, stating the circumstances of the delivery; the condition of the vessel captured, at the time of the delivery; the number of slaves, if any, on board of her; a list of all the papers received, or found on board of her at the time of capture, and delivered over with her, and the names of the master, or commander, of the captured vessel, and of every person on board of her, other than the slaves, at the said time of delivery; and the third copy of the said declaration shall be transmitted, with the said captured vessel, and the papers found on board of her, to one of the ports of the country to which the said captured vessel shall belong, to be produced before the tribunal appointed or authorized to decide upon the said capture; and the commander of the said capturing vessel shall be authorized to send the boarding officer, and one or two of his crew, with the said captured vessel, to appear as witnesses of the facts in relation to her capture and detention, before the said tribunal. The reasonable expenses of which witnesses, in proceeding to the place of trial, during their necessary detention there, and for their return to their own country, or to rejoin their station in its service, shall be allowed by the tribunal of trial; and in case of the condemnation of the captured vessel, be defrayed from the proceeds of the sale thereof, and in case of the acquittal of the said vessel, they shall be paid by the Government of the capturing officer.

ARTICLE 7.

The commander or commissioned officer of the Navy of either of the contracting parties, having captured a merchant vessel of the other, as being engaged in the slave trade, if there be no public vessel of the nation to which the said captured vessel belongs, cruising upon the same station, to the commander of whom the said captured vessel may be delivered over as stipulated in the preceding article, shall carry or send the said captured vessel to some convenient port of her own country, there to be delivered up to the competent tribunal, for trial and adjudication. And the said captured vessel shall there be libelled, in the name and behalf of the captors; and in case of the condemnation of the said vessel, the proceeds of the sale thereof and of her cargo, if any, condemned, shall be paid to the commander of the said

capturing vessel, for the benefit of the captors; to be distributed according to the established rules of the service of the nation to which such capturing vessel shall belong, for the distribution of prize money.

ARTICLE 8.

The captain or commander and crew of the said vessel so captured and sent in for trial and adjudication, shall be proceeded against conformably to the laws of the country whereinto they shall be so brought upon the charge of piracy, by being engaged in the African slave trade; and the captain or commander, the boarding officer, and other persons belonging to the capturing vessel, shall be competent witnesses to the facts relating to the said charge and to the capture of the said vessel, to which they shall be personally knowing: But every such witness, upon the criminal trial for piracy, shall be liable to be challenged by the person accused, and set aside as incompetent, unless he shall release and renounce all his individual claim to any part of the prize money, upon the condemnation of the vessel and cargo.

ARTICLE 9.

It is agreed between the high contracting parties, that the right of visiting, capturing, and delivering over for trial, the vessels engaged in the African slave trade, and assuming their respective flags, is mutually conceded to the officers of their respective Navies, on the consideration that they have, by their respective laws, declared their citizens and subjects, actively participating in the said traffic, guilty of the crime of piracy.

That no part of this Convention shall be so construed as to authorize the detention, search, or visitation, of the merchant vessels of either nation, by the public officers of the Navy of the other, except vessels engaged in the African slave trade, or for any other purpose whatever than that of seizing and delivering up the persons and vessels concerned in that traffic, for trial and adjudication, by the tribunals and laws of their own country.

ARTICLE 10.

It is further agreed, that this right of visiting, detaining, and delivering over for trial, vessels engaged in the slave trade, shall be exercised only by the commissioned officers of the Navy of the parties, respectively, furnished with instructions from their respective Governments, for the execution of their respective laws, for the suppression of the slave trade; that the boarding officer, and the captain or commander of the vessel exercising these rights, or either of them, shall be personally responsible in damages and costs to the master and owners of every merchant vessel so by them delivered over, detained, or visited, for every vexatious or abusive exercise of the right. In the case of every vessel delivered over, as herein stipulated, for trial, the tribunal shall be competent to receive the complaint of the master, owner, or owners, or of any person on board of such captured vessel, or interested in the property of her cargo, at the time of her detention, and, on suitable proof of such vexatious or abusive detention or visitation, to award reasonable damages and costs to the sufferers, to be paid by the said commanding or boarding officer, or either of them, so charged with vexatious or abusive detention, or visit. And the high contracting parties agree, that their respective Governments shall, in every such case, cause payment to be made of all such damages and costs so awarded, to the persons so entitled to

receive them, within twelve months from the date of such award; and if any case of such vexatious or abusive detention, or visit, should occur, in which the vessel detained or visited shall not be delivered over for trial and adjudication, as herein provided, the commander and boarding officer by whom such vexatious and abusive detention, or visit, shall have been made, shall also be responsible in costs and damages to the sufferers, upon complaint before the competent Admiralty Court of the country of the said commander and boarding officer; and the respective Governments shall, in like manner, cause payment to be made of any damages and costs awarded by said court, within twelve months from the date of the award.

ARTICLE 11.

A copy of this Convention, and of the laws of the two countries actually in force, for the prohibition and suppression of the African slave trade, shall be furnished to every commander of the public vessels, instructed to carry into effect such prohibition; and in case any such commanding officer of the Navy of the United States, or of Great Britain, shall deviate in any respect from the dispositions of this treaty, and from the instructions of his Government, conformable to it, the Government which shall conceive itself to be wronged by such conduct shall be entitled to demand reparation; and in such case, the Government of the nation, to the service of which he may belong, binds itself to cause inquiry to be made into the subject of the complaint, and to inflict upon him, if he be found to have deserved it, a punishment proportioned to the transgression which may have been committed.

ARTICLE 12.

The present treaty, consisting of ——— articles, shall be ratified, and the ratifications exchanged within one year from this date, or sooner, if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and thereunto affixed their seals.

Done at ———, the ——— day of ———, in the year of our Lord ———.

Mr. Adams to Mr. Middleton.

DEPARTMENT OF STATE,

WASHINGTON, 23th July, 1823.

SIR: At the close of the last session of Congress, a resolution was adopted by the House of Representatives, almost unanimously, requesting "the President of the United States to enter upon, and to prosecute from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient, for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world."

In pursuance of this resolution, instructions for carrying it into effect have been given to the Ministers of the United States destined to the Republics of Colombia and of Buenos Ayres, and to the Minister who has recently departed for Spain. But, as a negotiation for co-operation to effect the suppression of the African slave trade, had already been commenced with Great Britain, a special instruction upon the subject was forwarded to Mr. Rush,

together with a full power, and a draught of a Convention, to be proposed, in substance, to that Government, and which he has been authorized to conclude.

A copy of that instruction and draught are herewith enclosed; the general terms of which you will communicate, at such time, and in such manner, to the Imperial Russian Government, as you shall think proper.

You will, also, communicate to them the purport of the resolution of the House of Representatives, above cited, and copies of the laws of the United States prohibiting the slave trade. You will particularly invite their attention to the two sections of the act of the 15th May, 1820, by which this offence, when committed by citizens of the United States, is subjected to the penalties of piracy.

The proposal that this principle should be recognised by the general consent of civilized nations, recommended by the resolution of the House of Representatives, appears to be substantially the same with that made by Great Britain at the Congress of Verona. It was not acceded to by any one of the other Powers there assembled, and the conferences on this subject terminated there by a mere renewal of the joint declaration against the traffic, of the Congress at Vienna. So long as the trade shall not be recognised as piracy by the law of nations, we cannot, according to our Constitution, subject our citizens to trial for being engaged in it, by any tribunal other than those of the United States.

The admission of the crime as piracy by the law of nations would seem necessarily to subject the perpetrators of it to *capture* by the armed force of every nation. And this might endanger the lawful commerce of the maritime nations, by subjecting them to the abuses of vexatious searches, without some special provision to guard against them.

This is the object of the stipulations proposed in the draft herewith transmitted, requiring that all vessels of one nation which may be captured, as slave traders, by the cruisers of another, should be delivered over for trial to the tribunals of their *own* country.

You will see that Mr. Rush is instructed to correspond with you upon this subject. If the draught of the articles enclosed should lead to the conclusion of a Convention between the United States and Great Britain, a communication of it to the Russian Government will be made as soon as possible, and we shall propose that his Imperial Majesty's accession to it, if agreeable to him, shall be invited.

In the mean time you will informally suggest to his ministry that it will be the desire of the Government of the United States to proceed in this matter in perfect good understanding and harmony with them; and you will farther intimate that, as this has now become a general concern of the whole civilized world, and as Great Britain is negotiating, *jointly* and *severally*, with each and every of her allies in Europe, apart, and again with them altogether, while she is also separately treating with us, we wish it to be considered whether it would not be expedient on all sides that communication should be made to us of all the jointly concerted measures while they are mere proposals; and not that the knowledge of them should be withheld from us until they are matured into positive treaties.

I am, with great respect, Sir,

Your very humble and obedient servant,
JOHN QUINCY ADAMS.

HENRY MIDDLETON,
*Envoy Extraordinary and Minister
Plenipotentiary U. S. at St. Petersburg.*

Mr. Adams to Mr. Everett.

DEPARTMENT OF STATE,

WASHINGTON, *August 8th, 1823.*

SIR: At the close of the last session of Congress, a resolution was adopted, almost unanimously, by the House of Representatives, "That the President of the United States be requested to enter upon, and to prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world."

In pursuance of this resolution, instructions for carrying it into effect have been given to the Ministers of the United States destined to the Republics of Colombia and of Buenos Ayres, and to the several Ministers of the United States in Europe.

As a negotiation for co-operation to effect the suppression of the African slave trade had already been commenced with Great Britain, a special instruction upon the subject has been forwarded to Mr. Rush, together with a full power, and a draft of a Convention to be proposed, in substance, to the British Government, and which he is authorized to conclude.

A necessary preliminary to the conclusion of this proposed Convention, should it meet the assent of the British Government, will be the enactment of a statute declaring the crime of African slave trading piracy by the British law. In that event, it is proposed, by proper co-operation, that the influence of the two Powers should be exerted to obtain the consent of other nations to the general outlawry of this traffic as piracy. In the mean time, to give, at once, effect to the concert of both nations, it is proposed that the armed vessels of both, duly authorized and *instructed*, shall have power to *capture* the slave trading vessels which may assume the flag of *either*, and, if not of their own nation, to deliver over the captured slave trader to the officers or tribunals of his own country, for trial and adjudication.

This principle is essential, as connected with that of constituting the traffic piracy by the law of nations. So long as the offence was considered as of inferior magnitude, the Constitution of the United States forbade the submission of it, when charged upon their citizens, to any foreign tribunal: and when the crime and the punishment are aggravated, to involve the life of the accused, it affords but a more imperative inducement for securing to him the benefit of a trial by his countrymen and his peers.

It appears that, at the conferences of Verona, the proposition was made by the British Government, that the slave trade should be recognized and proclaimed as piracy by the law of nations. We have, therefore, reason to hope, that the proposal now made to them, on the part of the United States, will be favorably considered by them. In that case, further communications on the subject, with other Governments, will ensue.

In the mean time, to fulfil the intentions of the House of Representatives, in relation to the Netherlands, you will communicate to their Government a copy of the resolution, together with copies of the laws of the United States prohibiting the slave trade, with particular notice of the two sections of the act of 15th May, 1820, by which the crime of being concerned in the African slave trade, when committed by citizens of the United

States, is declared to be, and is made punishable as for, piracy. And you will announce the readiness of the American Government, should it suit the views of his Majesty the King of the Netherlands, to enter upon a negotiation, for the purpose of carrying into effect the object of the resolution of the House of Representatives; namely, the denunciation of the African slave trade as piracy by the law of nations.

I am, with great respect, Sir,

Your very humble and obedient servant,

JOHN QUINCY ADAMS

ALEXANDER H. EVERETT, Esq.

Chargé d' Affaires U. S. to the Netherlands.

Extracts of a letter from Mr. Adams to General Dearborn, Envoy, Extraordinary and Minister Plenipotentiary of the United States, at Lisbon, dated

“ DEPARTMENT OF STATE,

“ *Washington, August 14, 1823.*

“ At the close of the last session of Congress, a resolution was adopted, almost unanimously, by the House of Representatives—

“ That the President of the United States be requested to enter upon, and to prosecute, from time to time, such negotiations with the several maritime Powers of Europe and America as he may deem expedient, for the effectual abolition of the African slave trade, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world.’

“ A negotiation, for concerting measures of co-operation to effect the suppression of the African slave trade, had already for several years been pending with Great Britain; for which reason, a special instruction has been transmitted to Mr. Rush, together with a full power, and a draft of a convention to be proposed, in substance, to the British Government, and which he is authorized to conclude.

“ Should this proposal meet the assent of the British Government, a necessary preliminary to the conclusion of the convention will be the passage of an act of Parliament, declaring the crime of African slave trading, when committed by British subjects, piracy. An act of Congress to that effect, as relates to citizens of the United States, has been in force, as you are aware, these three years. When the crime shall have been constituted piracy by the statute law of both countries, each with reference to its own citizens or subjects, the principle offered by the projected convention is, that the armed vessels of each, specially empowered and instructed to that end, shall be authorized to *capture* slave trading vessels, assuming the flag of the other, and to deliver over the captured vessels to the public cruisers, or to the tribunals of their own country, for trial. This plan is offered as a substitute for that which was offered to us by Great Britain, which was predicated on the treaties already concluded between that Power and Spain, Portugal, and the Netherlands. The leading principle of these treaties was the mutual concession of the right of maritime search, in time of peace, to the armed vessels of both, cruising for slave traders, and a mixed court of commissioners and arbitrators, sitting in colonial possessions of the parties.

for the trial of the delinquents. To this system the United States have steadily declined to accede, for two reasons: one, because they had an invincible repugnance to subject their merchant vessels to the maritime search of foreign officers, in time of peace; and the other, because they could not subject their citizens to the jurisdiction of foreign tribunals, upon trials for offences against their laws.

“At the conferences of Verona, the British Government appears to have proposed that the African slave trade should be declared piracy by the law of nations. This is the same proposition recommended by the resolution of the House of Representatives of the United States. The ultimate object of the United States, and of Great Britain, therefore, is the same.”

“The negotiations suggested by the resolution of the House must depend materially, for their character and progress, with reference to other Powers, upon the event of that which is thus pending with Great Britain. The instructions to the Ministers of the United States in other countries have, therefore, been only of a general character.

“Portugal is the only maritime Power of Europe which has not yet declared the African slave trade, without exception, unlawful. Her own internal situation has, perhaps, recently tended to diminish the influence of those interests, which have heretofore prevailed to delay and postpone her acquiescence in the principle of total proscription upon that trade: It is hoped that she will not much longer resist the predominating spirit of the age, calling so loudly upon the rulers of mankind effectually to put down the crying sin of that abominable traffic.

“In communicating to the Portuguese Government copies of the resolution of the House of Representatives, and of the laws of the United States prohibiting the slave trade, you will state, that the Government of the United States will be ready to enter, at any time, when it may suit the views of that of Portugal, upon the negotiation contemplated by the resolution.”

Mr. Rush to Mr. Adams, giving him the substance of a conversation with Mr. Canning.

[EXTRACTS.]

“LONDON, October 9, 1823.

“This latter subject,” (the slave trade) “he said it was his wish to take in hand with me himself, and thus keep it detached from the general negotiation.”

“Whilst we were speaking of the mode of taking up the question of the slave trade, I did not scruple to intimate, even at this early stage, that, unless his Government was prepared to say, that it would cause a statute to be passed, declaring the trade by its own subjects to be piracy, and rendering it punishable as such in manner as had been done by the United States, that I was not authorized to make any proposals upon the subject; that this, in fact, was the only basis upon which it fell within the intentions of my Government to attempt any arrangement of the subject whatever. I was happy to hear Mr. Canning say, in reply, that he did not, speaking from his first impressions, see any insurmountable obstacle, upon this score, to our proceeding with the subject.”

Extract from No. 11 of Mr. Sheldon, Chargé d'Affaires of the United States at Paris, to the Secretary of State.

“PARIS, October 16, 1823.

“In the same conference, I also informed Mr. de Chateaubriand of the resolution of the House of Representatives respecting the slave trade, which made the subject of your despatch, No. 2, of the 14th of August. He repeated, in substance, what he had before stated to Mr. Gallatin in conversation, viz: that the French Government were sincerely desirous of putting an end to that trade, and were taking all the measures in their power to effect it, by pursuing offenders, and executing rigidly the laws now in existence; but that the public opinion, generally, in France, and more especially in the Chambers, was against it, owing not only to the prevalence of the colonial interest in the question, but particularly to the circumstances under which their stipulations with England upon this subject had been made: so tender were they upon this point, that the proposition of adding new rigors to their laws, would be taken as a new concession to that Power, and, instead of being adopted in the Chambers, would be more likely to provoke an attempt to repeal the prohibitory measures already established, in order to rid themselves, in that way, of one of the charges imposed upon them by the foreign occupation; that time was necessary to wear away these impressions; and until that should have arrived, no Minister in France could be strong enough, upon this point, to do more than to watch over the execution of the laws already in force, which they were now disposed to do fully and faithfully, and which, if not entirely efficient, at least made the prosecution of the trade under the French flag hazardous and difficult.

“At present, therefore, it is not probable that France will consent to the proposal of the President, to enter upon the negotiation contemplated by the resolution of the House of Representatives. I have, however, made the proposal, in obedience to your directions; and have the honor to enclose a copy of the letter to Viscount de Chateaubriand, in which I have communicated to him that resolution.”

Extracts from No. 14 of Mr. Sheldon, Chargé d'Affaires, to the Secretary of State, dated

“PARIS, November 5, 1823.

“I have received answers from Viscount de Chateaubriand, on the subject of the new and more effective measures proposed against the slave trade.”

“On the subject of the slave trade, the answer manifests a disposition to adopt such new provisions as may be found necessary for its more effectual suppression; and this disposition really exists; but, after what Mr. de Chateaubriand had stated in conversation, and which I have already communicated, these new and more rigorous legislative provisions can only be introduced gradually, and some time will be required for effecting that purpose.”

Mr. Sheldon to the Viscount de Chateaubriand.

PARIS, October 15, 1823.

SIR: The Minister of the United States to this Court had, some time before he left Paris, transmitted to your Excellency copies of the laws successively adopted by the United States for the suppression of the slave trade. This communication was intended for the special purpose of making the French Government acquainted with the fact, that, so far as the United States were concerned, their legislation upon this subject had been ineffectual; that their laws had been violated, and the trade had continued, until they had denounced against it the highest punishment that a human tribunal can inflict. Since it has been declared to be piracy, and punishable with death, the American flag has no longer been soiled with it.

At the last session of Congress, that body, desirous that the co-operation of the other maritime Powers might be obtained in measures which we had found to be so effectual, formally requested the President to enter upon and prosecute negotiations with those Powers, to that end. I have the honor to enclose a copy of the resolution adopted, with great unanimity, by the House of Representatives, upon that subject: and I am directed to declare that the President is ready to enter upon the negotiation contemplated by it with France, whenever it may be agreeable to her. Instructions to the same effect have been given to all the Ministers of the United States accredited to foreign Powers, and the favorable results which are hoped from them will be made known, at the earliest opportunities, to the French Government. It may be expected that a co-operation in measures equally effectual with those heretofore brought forward for the suppression of this trade, and not open to similar objections, will be generally and readily afforded. I beg to offer to your Excellency the renewed assurances, &c. &c.

B. SHELDON.

[TRANSLATION.]

Viscount de Chateaubriand to Mr. Sheldon.

PARIS, October 29, 1823.

SIR: You did me the honor of writing me, on the 15th of this month, that the Government of the United States had only attained the effectual suppression of the slave trade by making it piracy, and by rendering those guilty of it liable to the same punishment. You have, at the same time, informed me that that Government was disposed to co-operate with the other Powers, by negotiations, to attain, by the same means, the complete and general abolition of this traffic.

The communication which you did me the honor to address to me cannot but deserve great consideration. I have requested the Keeper of the Seals to review with great care the laws and ordinances which have been made in France, for obtaining the abolition of the trade; to certify, after this examination, in what points they may be insufficient, and to propose, for completing them, in case of need, all the new dispositions which might accord with the independence and rights of the flag, and which might appear most proper to assure, in France, in an efficacious manner, the absolute cessation of a traffic so contrary to the rights of humanity.

Accept, Sir, the assurances, &c.

CHATEAUBRIAND.

Extract of a letter from Mr. Everett, Chargé d'Affaires, to the Secretary of State, dated

“BRUSSELS, November 20, 1823.

“I have received from the Baron de Nagell a preliminary answer to my note of the 7th, upon the slave trade, of which I have the honor to enclose a copy.”

[TRANSLATION.]

Mr. Everett to Baron de Nagell.

BRUSSELS, November 7, 1823.

SIR: I have the honor to subjoin to your Excellency, by order of my Government, a printed copy of the laws of the United States, which forbid their citizens to pursue the slave trade; also, a copy of the resolution of the House of Representatives of the 8th of February, 1823, by which the President is requested to concert, with the maritime powers of Europe and of America, the measures which may be most proper to effect the abolition of that trade, and to make it, by the universal consent of the civilized world, equivalent to the crime of piracy.

Your Excellency will remark, that it is already viewed in this light by the laws of the United States. The act of 15th March, 1800, declares, (sect. 4 and 5) that the persons subject to the jurisdiction of the République, who shall be engaged in the slave trade, either by seizing these unfortunates by force or fraud, and carrying them on board their vessels, or by keeping them there, and making them an object of traffic, shall be deemed pirates, and punished with death.

In fact, this pretended commerce bears all the characteristics of piracy: that is, of felony committed on the sea. And, as it has been denounced as a crime by the greater part of civilized nations, it ought to fall into the particular class of crimes to which it naturally belongs, and undergo the penalties which the usage and the law of nations impose upon them. An unanimous declaration of the Christian Powers, to this effect, would inevitably produce the entire cessation of the trade. The public ships of each Power would then be authorized, by the law of nations, to cruise against the persons who might be engaged in it, without regard to the color of the flag with which they might pretend to be sheltered; whilst, if the trade is only regarded, in each country, as an offence against the municipal laws, it would be lawful for any one nation alone, by permitting it, to afford an asylum under its flag to the pirates of all the others.

The known character of the King, and the zeal which his Majesty has already displayed in his efforts to bring about the abolition of this infamous commerce, furnish a presumption to the Government of the United States, that that of the Low Countries will voluntarily co-operate with it to that effect. In communicating to your Excellency the subjoined papers, and in praying that you will be pleased to lay them before the King, I am charged to announce to him the desire of the President of the United States to obtain the co-operation of his Majesty in this work of justice, and to establish a concert between the two Powers, in the measures which they may pursue, in

common, to render the slave trade equivalent to the crime of piracy, by the universal consent of the Christian world.

I eagerly embrace this occasion to renew to your Excellency the homage of my most distinguished consideration.

A. H. EVERETT.

[TRANSLATION.]

Baron de Nagell to Mr. Everett.

BRUSSELS, November 13, 1823.

SIR: I have the honor to acknowledge the receipt of your note of the 7th of this month, containing some propositions in regard to the slave trade, and to inform you, that, without delay, I laid this paper, and its enclosures, before the King.

I shall hasten to impart to you the determination of his Majesty, as soon as I shall have been informed of it; and, in the mean time, I seize this opportunity to renew the assurance of my distinguished consideration.

A. W. C. DE NAGELL.

NOTE.—Sundry additional documents upon the subject of the negotiations with Great Britain were furnished to the House, on a call moved by Mr. Forsyth, the 19th December, 1825; which see in the succeeding pages of this appendix.

EIGHTEENTH CONGRESS—FIRST SESSION.

MARCH 17, 1824.

On motion of Mr. Mercer, it was

Resolved, That the Committee on the Suppression of the African Slave Trade be instructed to inquire into the expediency of amending the existing laws of the United States for the suppression of that traffic, so as to extend the penalties thereof to cases of expeditions fitted out in foreign ports or places for that traffic, by, or on account of, citizens or persons residing within the jurisdiction of the United States.

APRIL 16, 1824.

Mr. Govan, from the committee, consisting of Mr. Govan, Mr. Livermore, Mr. Herrick, Mr. Test, Mr. Wayne, Mr. Spaight, and Mr. Eaton, reported the following bill:

A bill respecting the Slave Trade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passing of this law, if any citizen of the United States, or any person re-

sident therein, shall, in any port or place whatsoever, build, or in any respect fit, equip, man, load, or otherwise prepare, or cause to be prepared, or in any respect fitted, equipped, manned, or otherwise prepared, or be in any respect concerned in equipping, manning, or preparing, any ship or vessel, for the purpose of being employed in the slave trade, or in the transportation of slaves from any foreign port or place to any other foreign port or place whatsoever, for the purpose aforesaid, every such citizen, or other person so offending, shall, on conviction, be punished by fine not exceeding five thousand dollars, and by imprisonment not exceeding seven years; and such ship or vessel, her tackle, apparel, furniture, provisions, and cargo, on board thereof, shall be forfeited. And any citizen, or other person, resident as aforesaid, who shall voluntarily serve on board of such ship or vessel, or shall sail on board thereof, knowing the same to be intended to be employed in the slave trade, or in the transportation of slaves as aforesaid, shall, on conviction, be liable to be punished by fine not exceeding three thousand dollars, and by imprisonment not exceeding five years.

SEC. 2. *And be it further enacted,* That nothing in this act contained shall be construed to affect, or in any wise repeal, any acts hitherto passed for the prohibition or suppression of the slave trade; but the same acts, and every clause thereof, shall remain in full force, in the same manner as if this act had not been made.

NOTE.—This bill was never acted upon by the House.

EIGHTEENTH CONGRESS—SECOND SESSION.

FEBRUARY 16, 1825.

Report of the committee consisting of Mr. Govan, Mr. Herrick, Mr. Test, Mr. Wayne, Mr. Spaight, Mr. Eaton, and Mr. Herkimer, to whom was referred so much of the President's Message of the 7th of December last, as relates to the suppression of the Slave Trade.

The Committee on the Suppression of the Slave Trade, to whom was referred so much of the President's message of the 7th December last, as relates to that subject, have, according to order, had the same under consideration, and respectfully report:

That, pursuant to the almost unanimous request of the House of Representatives, expressed by their resolution of the 28th February, 1823, the President of the United States concluded a convention with Great Britain, on the 13th of March, in the following year, by which the African slave trade was denounced to be piracy under the laws of both countries; the United States having so declared it by their antecedent act of the 15th May, 1820, and it being understood between the contracting parties, as a preliminary to the ratification of the convention by the United States, that Great Britain should, by an act of Parliament, concur in a similar declaration.

With great promptitude, and in accordance with this agreement, such an act was passed, declaring the African slave trade to be piracy, and annexing to it the penalty denounced against this crime by the common law of nations. A copy of this act was transmitted by the British Government to the Execu-

tive of the United States, and the convention submitted by the President to the Senate, for their advice and consent.

The convention was approved by the Senate, with certain qualifications, to all of which, except one, Great Britain, *sub modo*, acceded; her Government having instructed its minister in Washington to tender to the acceptance of the United States a treaty agreeing, in every particular, except one, with the terms approved by the Senate. This exception the message of the President to the House of Representatives presumes "not to be of sufficient magnitude to defeat an object so near to the heart of both nations" as the abolition of the African slave trade, "and so desirable to the friends of humanity throughout the world." But the President further adds, "that, as objections to the principle recommended by the House of Representatives, or, at least, to the consequences inseparable from it, and which are understood to apply to the law, have been raised, which may deserve a reconsideration of the whole subject, he has thought proper to suspend the conclusion of a new convention, until the definitive sentiments of Congress can be ascertained."

Your committee are therefore required to review the grounds of the law of 1820 and the resolution of 1823, to which the rejected, or, as they rather hope, the suspended convention, referred. The former was the joint act of both branches of Congress, approved by the President; the latter, although adopted with extraordinary unanimity, was the single act of the House of Representatives.

Upon the *principle* or *intention* of the act of Congress of 1820, making the slave trade punishable as piracy, the history of the act may reflect some light.

A bill from the Senate, entitled "An act to continue in force the act to protect the commerce of the United States, and punish the crime of piracy, and, also, to make further provision to punish the crime of piracy," came to the House of Representatives on the 27th of April, 1820, and was, on the same day, referred to a committee of the whole, to which had been referred a bill of similar purport and title, that had originated in the House of Representatives.

Upon the 8th of May following, the Committee on the Suppression of the Slave Trade reported an amendment of two additional sections to the Senate's bill; also, a bill to incorporate the American Society for colonizing the free people of color of the United States, and three joint resolutions, two of which related to the objects of that society; but the first of which, in behalf of both Houses of Congress, requested the President "to consult and negotiate with all the governments where ministers of the United States are or shall be accredited, on the means of effecting an entire and immediate abolition of the African slave trade." The amendatory sections denounced the guilt and penalty of piracy against any citizen of the United States, of the crew or company of any foreign vessel, and any person whatever of the crew or company of any American vessel, who should be engaged in this traffic.*

The amendments, bill, and resolutions, along with the explanatory report, which accompanied them, were referred to the committee of the whole abovementioned; and, on the 11th of the same month, the House proceeded to consider them. After a discussion in the committee, the piracy bill and

*See preceding part of this appendix for these amendments, bill, and resolutions.

its amendments, having been adopted, were reported, and both were concurred in by the House. The following day, the bill, as amended, being then on its passage, a motion was debated, and *negatived*, to recommit the bill to a select committee, with an instruction to strike out the last section of the amendment. The bill then passed, and was ordered to be returned, as amended, to the Senate.

On the same day, a motion prevailed to discharge the Committee of the Whole from the further consideration of the bill, and the resolutions which accompanied the report; and the particular resolution already recited being under consideration, to try the sense of the House on its merits, it was moved to lay it on the table. The yeas and nays having been ordered on this motion, it was rejected by a majority of 78 to 35 members. It having been again proposed to postpone the resolution till the ensuing or second session of the same Congress, and this proposal being also determined in the negative, the resolution was engrossed, read the third time, passed, and ordered to be transmitted to the Senate on the same day with the piracy bill.

The amendments of this bill underwent like scrutiny and debate in the Senate, and were finally concurred in, the day after they were received from the House of Representatives, without any division apparent on the journal of that House.

The resolution, which had been received by the Senate at a different hour of the same day, was read a second time on the 15th of May, was further taken up, and considered as in Committee of the Whole, reported to the House without amendment, and ordered, after debate, to pass to a third reading; but this being the last day of the session of Congress, and a single member objecting "that it was against one of the rules of the Senate to read it the third time on the same day without unanimous consent," it remained on the table of that body, on its final adjournment, after an ineffectual effort to suspend one of their rules, against which many of the friends of the resolution felt themselves compelled, by their invariable usage, to vote in union with its enemies.

One of the objections to the resolution, in the Senate, was founded upon the peculiar relation of that branch of the National Legislature to the Executive, in the ratification of treaties; which seemed, in the opinion of those who urged this argument, to interdict their concurrence in a request of the President to institute any negotiations whatever.

A cotemporary exposition of the object of the amendments of the piracy bill, and the resolution which the House of Representatives adopted by so large a majority, will be found in the report, which accompanied them, from the Committee on the Suppression of the Slave Trade.* Those objects, it will be seen, were in perfect accordance with each other. They were designed to introduce, by treaty, into the code of international law, a principle, deemed by the committee essential to the abolition of the African slave trade, that it should be denounced and treated as piracy by the civilized world.

The resolution being joint, and having failed in the Senate, for the reason already stated, the subject of it was revived in the House of Representatives, at a very early period of the succeeding session of Congress, by a call for information from the Executive; which, being received, was referred to a committee of the same title with the last. Their report, after reviewing all the antecedent measures of the United States for the suppression of the slave

*See Report made 8th May, 1820.

trade, urgently recommended the co-operation of the American and British navies against this traffic, under the guarded provisions of a common treaty, authorizing the practice of a qualified and reciprocal right of search.

This report closed with a resolution, requesting the President of the United States to enter into such arrangements as he may deem suitable and proper with one or more of the maritime powers of Europe, for the effectual abolition of the African slave trade.*

The United States had, by the treaty of Ghent, entered into a formal stipulation with Great Britain, "that both the contracting parties shall use their best endeavors to accomplish the entire abolition of this traffic."

The failure of the only joint attempt which had been made by England and America at the date of this report, to give effect to this provision, being ascribed, in part, to a jealousy of the views of the former, corroborated by the language and conduct of one of the principal maritime powers of Europe, in relation to the same topic, the committee referred to the decision of Sir William Scott, in the case of the French ship *Le Louis*, to demonstrate that Great Britain claimed no right of search, in peace, but such as the consent of other nations should accord to her by treaty; and sought it by a fair exchange, in this tranquil mode, only for the beneficent purpose of an enlarged humanity.

Certain facts, disclosed by the diplomatic correspondence of France and England, during the pendency of that case, in the British Court of Admiralty, were calculated to guard the sympathies of America from being misguided by the language of the former power.

The painful truth was elicited, that France had evaded the execution of her promise at Vienna to Europe and mankind. That she had, long after the date of that promise, tolerated, if she had not cherished, several branches of a traffic, which she had concurred in denouncing to be the opprobrium of Christendom, and which she had subsequently bound herself, by the higher obligations of a solemn treaty, to abolish, as inconsistent with the laws of God and nature.

Succeeding events in the councils of the French nation have not impaired the force of this testimony. What authority can be accorded to the moral influence of a government which insults the humanity of a generous and gallant people, by pleading, in apology for the breach of its pledged faith, that its subjects required the indulgence of this guilty traffic!

The Emperor Napoleon, who re-established this commerce on the ruins of the French Republic, also abolished it again when he sought to conciliate the people of France, during that transient reign which immediately preceded his final overthrow.

Congress adjourned without acting on this report.

By an instruction to the Committee on the Suppression of the Slave Trade, of the 15th of January, 1822, the same subject was a third time brought directly before the House of Representatives. The instruction called the attention of the committee to the present condition of the African slave trade; to the defects of any of the existing laws for its suppression, and to their appropriate remedies. In the report made in obedience to this instruction, on the 12th of April, 1822, the committee state, that, after having consulted all the evidence within their reach, they are brought to the mournful conclusion, that the traffic prevailed to a greater extent than ever, and with increased

*See Report made February 9th, 1821.

malignity; that its total suppression, or even sensible diminution, cannot be expected from the separate and disunited efforts of one or more States, so long as a single flag remains to cover it from detection and punishment. They renew, therefore, as the only practicable and efficient remedy, the concurrence of the United States with the maritime powers of Europe, in a modified and reciprocal exercise of the right of search.

In closing their report, the committee add, in effect, that they "cannot doubt that the people of America have the intelligence to distinguish between the right of searching a neutral on the high seas, in time of war, claimed by some belligerents, and that mutual, restricted, and peaceful concession, by treaty, suggested by your committee, and which is demanded in the name of suffering humanity." The committee had before intimated that the remedy which they recommended to the House of Representatives presupposed the exercise of the authority of another department of the government; and that objections to the exercise of this authority, in the mode which they had presumed to suggest, had hitherto existed in that department. Their report closed with a resolution differing in no other respect from that of the preceding session, than that it did not require the concurrence of the Senate, for the reason already suggested.*

The report and resolution were referred to a Committee of the Whole, and never farther considered.

After a delay till the 20th of the succeeding February, a resolution was submitted to the House, which was evidently a part of the system of measures for the suppression of the slave trade which had been begun by the act of the 3d of March, 1819, and followed up by the connected series of reports and resolutions which the committee have reviewed, and which breathe the same spirit.

This resolution, in proposing to make the slave trade piracy by the consent of mankind, sought to supplant, by a measure of greater rigor, the qualified international exchange of the right of search for the apprehension of the African slave dealer, and the British system of mixed tribunals created for his trial and punishment—a system of which experience and the recent extension of the traffic, what it sought to limit, had disclosed the entire inefficacy.

The United States had already established the true denomination and grade of this offence, by a municipal law. The resolution contemplated, as did the report which accompanied and expounded that law, the extension of its principle, by negotiation, to the code of all nations.

It denounced the authors of this stupendous iniquity as the enemies of the human race, and armed all men with authority to detect, pursue, arrest, and punish them.

Such a measure, to succeed to its fullest extent, must have a beginning somewhere. Commencing with the consent of any two States to regard it as binding on themselves only, it would, by the gradual accession of others, enlarge the sphere of its operation, until it embraced, as the resolution contemplated, all the maritime powers of the civilized world.

While it involved of necessity the visit and search of piratical vessels, as *belligerent rights* against the common enemies of man, it avoided all complexity, difficulty, and delay, in the seizure, condemnation, and punishment of the pirate himself. It made no distinction in favor of those pirates who

* See report made April 12th, 1822.

prey upon the property, against those who seize, torture, and kill, or consign to interminable and hereditary slavery the persons of their enemies.

Your committee are at a loss for the foundation of any such discrimination. It is believed that the most ancient piracies consisted in converting innocent captives into slaves; and those were not attended with the destruction of one third of their victims by loathsome confinement and mortal disease.

While the modern, therefore, accords with the ancient denomination of this crime, its punishment is not disproportionate to its guilt. It has robbery and murder for its mere accessories, and moistens one continent with blood and tears, in order to curse another by slow consuming ruin, physical and moral.

One high consolation attends upon the new remedy for this frightful and prolific evil. If once successful, it will forever remain so, until, being unexerted, its very application will be found in history alone.

Can it be doubted, that, if ever legitimate commerce shall supplant the source of this evil in Africa, and a reliance on other supplies of labor its use elsewhere, a revival of the slave trade will be as impracticable as a reversion to barbarism?—that, after the lapse of a century from its extinction, except where the consequences of the crime shall survive, the stories of the African slave trade will become as improbable among the unlearned as the expeditions of the heroes of Homer?

The principle of the law of 1820, making the slave trade a statutory piracy, and of the resolution of the House of Representatives of May, 1823, which sought to render this denunciation of that offence universal, cannot, therefore, be misunderstood.

It was not misconceived by the House of Representatives when ratified with almost unprecedented unanimity.

An unfounded suggestion has been heard, that the abortive attempt to amend the resolution indicated that it was not considered as involving the right of search. The opposite conclusion is the more rational, if not, indeed, irresistible—that, having, by the denomination of the crime, provided for the detection, trial, and punishment of the criminal, an amendment, designing to add what was already included in the main proposition, would be superfluous, if not absurd. But no such amendment *was* rejected. The House of Representatives, very near the constitutional close of the session of 1823, desirous of economising time, threatened to be consumed by a protracted debate, entertained *the previous question* while an amendment, the only one offered to the resolution, was depending. The effect of the previous question was to bring on an immediate decision upon the resolution itself, which was adopted by a vote of 131 members to 9.

It is alike untrue that the resolution was regarded with indifference. The House had been prepared to pass it without debate, by a series of measures, having their origin in 1819, and steadily advancing to maturity.

Before the resolution *did* pass, motions had been submitted, to lay it on the table, and to postpone it to a future day. The former was resisted by an ascertained majority of 104 to 25; the latter without a division.

Is the House now ready to retrace its steps? The committee believe not. Neither the people of America, nor their representatives, will sully the glory they have earned by their early labor, and steady perseverance, in sustaining, by their Federal and State governments, the cause of humanity at home and abroad.

The calamity inflicted upon them by the introduction of slavery, in a form and to an extent forbidding its hasty alleviation by intemperate zeal, is imputable to a foreign cause, for which the past is responsible to the present age. They will not deny to themselves, and to mankind, a generous co-operation in the only efficient measure of retributive justice, to an insulted and afflicted continent, and to an injured and degraded race.

In the independence of Spanish and Portuguese America, the committee behold a speedy termination of the few remaining obstacles to the extension of the policy of the resolution of May, 1823.

Brazil cannot intend to resist the voice of the residue of the continent of America; and Portugal, deprived of her great market for slaves, will no longer have a motive to resist the common feelings of Europe. And yet, while, from the Rio de la Plata to the Amazon, and through the American Archipelago, the importation of slaves covertly continues, if it be not openly countenanced, the impolicy is obvious, of denying to the American shore the protective vigilance of the only adequate check upon this traffic.

Your committee forbear to enter upon an investigation of the particular provisions of a depending negotiation, nor do they consider the message referred to them as inviting any such inquiry.

They will not regard a negotiation to be dissolved, which has approached so near consummation, nor a convention as absolutely void, which has been executed by one party, and which the United States, having first tendered, should be the last to reject.

EIGHTEENTH CONGRESS—SECOND SESSION.

FEBRUARY 28, 1825.

Mr. Mercer laid the following resolution on the table:

Resolved, That the President of the United States be requested to enter upon, and prosecute from time to time, such negotiations with the several maritime powers of Europe and America as he may deem expedient, for the effectual abolition of the slave trade, and its ultimate denunciation as piracy under the law of nations, by the consent of the civilized world.

The above resolution was not acted upon during the session.

MARCH 3, 1825.

Mr. Forsyth laid the following resolution on the table:

Resolved, That, while this House anxiously desires that the slave trade should be universally denounced as piracy, and, as such, should be detected and punished under the law of nations, it considers that it would be highly inexpedient to enter into engagements with any foreign power by which *all* the merchant vessels of the United States would be exposed to the inconvenience of any regulation of search, from which any merchant vessels of that foreign power would be exempted.

The above resolution was not acted upon.

MARCH 2, 1825.

Mr. Tucker, of Virginia, laid the following resolution on the table:

Resolved, That the Secretary of War be required to ascertain the probable expense of extinguishing the Indian title to a portion of the country lying West of the Rocky Mountains, that may be suitable for colonizing the free people of color; the best known routes across the said mountains, and the probable cost of a road and military posts necessary to a safe communication with such colony; and to report the same to this House at the next session of Congress.

On the 3d March, 1825, Mr. Tucker moved the House to consider this resolution. The motion failed.

NINETEENTH CONGRESS—FIRST SESSION.

FEBRUARY 18, 1825.

The following resolution was submitted *to the Senate of the United States*, by Mr. Rufus King, of New York:

Resolved, That, as soon as the portion of the existing funded debt of the United States, for the payment of which the public land of the United States is pledged, shall have been paid off, then, and thenceforth, the whole of the public land of the United States, with the nett proceeds of all future sales thereof, shall constitute or form a fund, which is hereby appropriated; and the faith of the United States is pledged that the said fund shall be inviolably applied to aid the emancipation of such slaves, within any of the United States, and aid the removal of such slaves, and the removal of such free people of color in any of the said States, *as, by the laws of the States* respectively, may be allowed to be emancipated, or removed to any territory or country without the limits of the United States of America.

NINETEENTH CONGRESS—FIRST SESSION.

DECEMBER 19, 1825.

Mr. Forsyth laid the following resolution on the table:

Resolved, That the President of the United States be requested to communicate to this House copies of such portions of the correspondence between the United States and Great Britain, on the subject of the convention for suppressing the slave trade, as have not heretofore been, and which can be communicated without detriment to the public interest.

DECEMBER 20, 1825.

The above resolution was adopted by the House.

On the 27th December, 1825, the President transmitted to the House the following message, with its accompanying documents:

To the House of Representatives of the United States:

WASHINGTON, December 27, 1825.

In compliance with a resolution of the House of Representatives of the 20th instant, I transmit, herewith, a report from the Secretary of State, with copies of such portions of the correspondence between the United States and Great Britain, on the subject of the convention for suppressing the slave trade, as have not heretofore been, and which can be communicated without detriment to the public interest.

JOHN QUINCY ADAMS.

DEPARTMENT OF STATE,

Washington, December 22, 1825.

The Secretary of State, in compliance with a resolution of the House of Representatives of the 20th instant, which has been referred to him, requesting the President of the United States to communicate to that House copies of such portions of the correspondence between the United States and Great Britain, on the subject of the convention for suppressing the slave trade, as have not heretofore been, and which can be communicated without detriment to the public interest, has the honor to submit, herewith, to the President, copies of all the correspondence upon that subject which is embraced by the call of the House.

Respectfully submitted,

H. CLAY.

PAPERS SENT.

Mr. Addington to Mr. Adams, March 2d, 1825, (Copy.)

Mr. Clay to Mr. Addington, April 6th, 1825, (Copy.)

Mr. Addington to Mr. Clay, April 9th, 1825, (Copy.)

Mr. Addington to Mr. Adams.

WASHINGTON, March 2, 1825.

SIR: On the 6th of November last, I had the honor to inform you that I had received full powers from His Majesty to conclude and sign, with this Government, a convention *verbatim* the same as that entered into on the 13th of March, last year, between Great Britain and the United States, with all the amendments subsequently effected in it by the Senate, the erasure of the words, "and America," in the first article, excepted.

In reply to that communication, you did me the honor to acquaint me that the President had decided upon referring the whole subject to Congress, whereby it became necessary for you to postpone giving a definite answer to my proposal.

This resolution of the President was, at the commencement of the session, carried into effect; and I understand that the subject has been under the consideration of Congress. You will, therefore, I trust, sir, allow me

now to request to be made acquainted with the definite intention of the President, with respect to the proposition submitted by me on behalf of His Majesty's Government.

I have the honor to be, with distinguished consideration, Sir, your most obedient servant.

H. U. ADDINGTON.

HON. JOHN QUINCY ADAMS.

Mr. Clay to Mr. Addington.

DEPARTMENT OF STATE,

Washington, April 6, 1825.

SIR: I have the honor to inform you that the delay in the transmission of a definite answer to your note of the 6th of November last, has proceeded from an anxious desire on the part of the late President of the United States to ascertain the practicability of reconciling, if possible, the views of the Government of the United States with those which are entertained by that of His Britannic Majesty, in respect to the convention for more effectually suppressing the slave trade. With that object, the correspondence with your Government, and the convention in which it terminated, together with what has since passed between the two Governments, both here and at London, were submitted to Congress during its late session. Of that reference you were apprized by the note of my predecessor, of the 4th December last. It has so happened, that neither the Senate nor the House of Representatives has expressed, directly, any opinion on the subject. But, on another convention, having the same object, concluded with the Republic of Colombia, on the 10th day of December, 1824, which was formed after the model of that which is pending between the Governments of the United States and Great Britain, the Senate has expressed a very decided opinion. In the Colombian convention, the coasts of America were excepted from its operation; and yet, notwithstanding this conciliating feature, the Senate, after full deliberation, in the exercise of its proper constitutional powers, has, by a large majority, deemed it inexpedient to consent to and advise the ratification of this convention.

The Government of His Britannic Majesty is well acquainted with the provision of the Constitution of the United States, by which the Senate is a component part of the treaty-making power; and that the consent and advice of that branch of Congress are indispensable in the formation of all treaties. According to the practice of this Government, the Senate is not ordinarily consulted in the initiatory state of a negotiation, but its consent and advice are only invoked after a treaty is concluded under the direction of the President, and submitted to its consideration. Each of the two branches of the treaty-making authority is independent of the other, whilst both are responsible to the States and to the People, the common sources of their respective powers. It results from this organization, that, in the progress of the Government, instances may sometimes occur of a difference of opinion between the Senate and the Executive, as to the expediency of a projected treaty, of which the rejection of the Colombian convention affords an example. The people of the United States have justly considered that, if there be any inconveniencies in this arrangement of their execu-

tive powers, those inconveniencies are more than counterbalanced by the greater security of their interests, which is effected by the mutual checks which are thus interposed. But it is not believed that there are any inconveniencies to foreign powers, of which they can, with propriety, complain. To give validity to any treaty, the consent of the contracting parties is necessary. As to the mode by which that consent shall be expressed, it must necessarily depend with each upon its own peculiar constitutional arrangement. All that can rightly be demanded in treating, is to know the contingencies, on the happening of which, that consent is to be regarded as sufficiently testified. This information the Government of the United States has always communicated to the foreign Powers with which it treats, and to none more fully than to the United Kingdom of Great Britain and Ireland. Nor can it be admitted that any just cause of complaint can arise out of the rejection, by one party, of a treaty which the other has previously ratified. When such a case occurs, it only proves that the consent of both, according to the constitutional precautions which have been provided for manifesting that consent, is wanting to make the treaty valid. One must necessarily precede the other in the act of ratification; and if, after a treaty is ratified by one party, a ratification of it be withheld by the other, it merely shows that one is, and the other is not willing to come under the obligations of the proposed treaty.

I am instructed by the President to accompany these frank and friendly explanations by the expression of his sincere regret that, from the views which are entertained by the Senate of the United States, it would seem to be unnecessary and inexpedient any longer to continue the negotiation respecting the slave convention, with any hope that it can be made to assume a form satisfactory to both parties. The Government of His Britannic Majesty insists, as an indispensable condition, that the regulated right of search, proposed in the convention, should be extended to the American coasts, as well as to those of Africa and the West Indies. The Senate, even with the omission of America, thinks it unadvisable to ratify the Colombian convention. And it is, therefore, clearly to be inferred, that a convention with His Britannic Majesty, with a similar omission, would not receive the approbation of the Senate. The decision of the Senate shows that it has made up its deliberate judgment, without any regard to the relative state of the military or commercial marine; for all the considerations belonging to a view of that subject would have urged the Senate to an acceptance of the Colombian convention. It is hoped, therefore, that His Britannic Majesty cannot fail to perceive that the Senate has been guided by no unfriendly feelings towards Great Britain.

Before closing this note, I must express my regret that I am unable to concur with you in the view which you have been pleased to present of the act of the British Parliament, by which it has denounced as piratical the slave trade, when exercised by British subjects. It is acknowledged that the Government of the United States considered such a denunciation as expedient, preliminary to the conclusion of the projected convention. But the British Parliament, doubtless, upon its own sense of the enormity of the offence, deemed it proper to affix to it the character and the penalties of piracy. However much it may be supposed to have been actuated by an accommodating spirit towards the United States, it can hardly be imagined that it would have given that denomination to the fact of trading in slaves, from motives of concession merely, contrary to its own estimate of the

moral character of that act. The Executive of the United States believed that it might conduce to the success of the negotiation, if the British Parliament would previously declare, as the United States had done, the slave trade to be piratical. But it did not follow, from the passage of that act, that any treaty, in which the negotiation might terminate, was to be taken out of the ordinary rule by which all treaties are finally submitted to the scrutiny and sanction of the respective Governments. No peculiar advantage has accrued to the United States from the enactment of that British law. Its continued existence, moreover, now depends upon the pleasure of the British Parliament.

But there is no disposition to dwell longer on this subject. The true character of the whole negotiation cannot be misconceived. Great Britain and the United States have had in view a common end of great humanity, entitled to their highest and best exertions. With respect to the desire of attaining that end, there is no difference of opinion between the Government of His Britannic Majesty and that of the United States, in any of its branches. But the Senate has thought that the proposed convention was an instrument not adapted to the accomplishment of that end, or that it was otherwise objectionable; and, without the concurrence of the Senate, the convention cannot receive the constitutional sanctions of the United States. Without indulging, therefore, unavailing regrets, it is the anxious hope of the President that the Government of His Britannic Majesty should see, in all that has occurred, nothing towards it unfriendly on the part of that of the United States, and nothing that ought to slacken their separate or united exertions in the employment of all other practical modes to effectuate the great object, so dear to both, of an entire extirpation of a traffic which is condemned by reason, religion, and humanity.

I pray you, sir, to accept the assurance of my distinguished consideration.

H. CLAY.

HENRY U. ADDINGTON, Esq.

Chargé d'Affaires from Great Britain.

Mr. Addington to Mr. Clay.

WASHINGTON, April 9, 1825.

SIR: I have the honor to acknowledge the receipt of your letter of the 6th instant, in which you announce to me the definite decision of the President with regard to the convention for the more effectual suppression of the slave trade, which I had the honor to submit for the acceptance of this Government, on the 6th November last.

In expressing my regret at the failure of the benevolent efforts which have been employed in a cause so dear to humanity, I may venture to assure you that, however deeply His Majesty's Government may deplore the present disappointment of their hopes, they will consider the unfortunate issue of this business as in no wise affecting the friendly feelings which exist between the two Governments, and will accept with pleasure the expression of the President's desire that every exertion should still be used for effecting the entire extirpation of that odious traffic, which the convention was designed to suppress.

I cannot dismiss this subject without a brief observation on that part of your letter in which you animadvert upon the argument employed in mine of the 6th of November last, relative to the act passed by the British Parliament, for denouncing the slave trade as piracy. The expressions used by you would lead to a belief that I had represented the passage of that act, on the part of Great Britain, as rendering it *imperative* on the American Government to accede to the convention, even at the expense of a sacrifice of their constitutional prerogatives.

A reference to the expressions of my letter will, I apprehend, at once demonstrate the erroneousness of this impression, by showing that I put the case as a point of conscience, not one of right, and that I urged the argument above alluded to in the form of an appeal, not of a demand.

The denunciation of the slave trade as piracy, by British statute, was made by this Government a *sine qua non* to the signature of the convention. As far as Great Britain was concerned, that proceeding, although perfectly conformable to the views of Parliament, quoad morality, was one of pure supererogation, and conferred no power towards the suppression of the slave trade not possessed before. Had the Government of the United States not expressly desired the enactment of that statute, it would never have been passed; but, being passed, its revocation, although certainly within the competence of Parliament, is now, by the interposition of subsequent events, rendered tantamount to morally impracticable.

These circumstances will, I apprehend, amply justify, both the form of the argument which I built upon them, and the warmth with which I urged it.

I offer the preceding remarks, not by any means with a view to invite to further discussion, but simply in order to obviate all misconstruction of the meaning of words already employed by me.

I have the honor, sir, to renew to you the assurance of my distinguished consideration.

H. U. ADDINGTON.

The Hon. HENRY CLAY,
Secretary of State.

FEBRUARY 14, 1826.

Mr. Forsyth laid the following resolutions on the table, viz:

1. *Resolved*, That it is expedient to repeal so much of the act of the 31 March, 1819, entitled "An act in addition to the acts prohibiting the slave trade," as provides for the appointment of agents on the coast of Africa.

2. *Resolved*, That it is expedient so to modify the said act of the 31 March, 1819, as to release the United States from all obligation to support the negroes already removed to the coast of Africa, and to provide for such a disposition of those taken in slave ships, who now are in, or who may be hereafter brought into the United States, as shall secure to them a fair opportunity of obtaining a comfortable subsistence, without any aid from the public Treasury.

These resolutions were not acted on by the House.

NINETEENTH CONGRESS—SECOND SESSION.

FRIDAY, MARCH 2, 1827.

Mr. Hamilton moved the following resolution; which was read, and laid on the table, viz:

Resolved, That the President of the United States be requested, on some fit and convenient occasion, in the course of any pending correspondence with the Governments of Great Britain and France, to ascertain and report to this House, at the next session of Congress, whether those Governments will furnish facilities to the landing, and safe passage through their respective possessions on the coast of Africa, to such Africans as may have come into the possession of the United States by virtue of captures and condemnations under the slave trade laws, whom this Government may desire to return to the respective countries, provinces, or dominions, of the countries to which such Africans belong.

March 3, 1827.—The above resolution was taken into consideration and adopted by the House.

MARCH 3, 1827.

Mr. MERCER, from the Select Committee, consisting of Mr. Mercer, Mr. Powell, Mr. Weems, Mr. Kellog, Mr. Kreps, Mr. Bryan, and Mr. M'Hatton, made the following report:

The committee to whom were referred sundry memorials of the American Colonization Society, of citizens of various portions of the United States, together with the resolutions of the Legislatures of the States of Delaware and Kentucky, inviting the aid of the Federal Government to colonize in Africa, with their own consent, the free people of color of the United States, report:

That the memorials and resolutions present to the consideration of Congress an object which must be regarded as of the highest importance to the future peace, prosperity, and happiness of the United States.

Surrounded with difficulties, in proportion to the magnitude of the interests that it involves, has been the circumspection with which the committee have approached it. Could they hope that the evil to which the memorials and resolutions point would find a remedy in silent neglect, or could be mitigated by concealment, they would ask to be discharged from its further investigation. The peculiar delicacy of another topic, almost inseparable, in imagination at least, however distinguishable in truth, from the purpose of the several memorials and resolutions referred to them, would induce the committee to avoid its consideration, if a sense of duty, prompted by the hope that their labor may not be in vain, did not urge them to proceed in the delicate task imposed upon them by the order of the House.

Its object, the committee are well aware, is not novel, nor even now for the first time presented to the notice of Congress.*

It involves an inquiry into the expediency of promoting, by the authority and resources of the General Government, the colonization of the free people of color beyond the territorial limits of the United States.

* See proceedings of Colonization Society, appended to this report.

The existence of a distinct race of people in the bosom of the United States, who, both by their moral and political condition and their natural complexion, are excluded from a social equality with the great body of the community, invited the serious attention and awakened the anxious solicitude of many American statesmen, as soon as the unhappy traffic which had annually multiplied them ceased to be regarded as innocent. A part of them, once held by the same tenure which originally introduced them all into America, were, in some of the United States, liberated before, and in others by the revolution. In many States, however, their total number was, as it still continues to be, so great, that universal or general emancipation could not be hazarded, without endangering a convulsion fatal to the peace of society. No truth has been more awfully demonstrated by the experience of the present age than that, to render freedom a blessing, man must be qualified for its enjoyment: that a total revolution in his character cannot be instantaneously wrought by the agency of ordinary moral and physical causes, or by the sudden force of unprepared revolution.

Still, in many States of the American Union, all the colored population are now free; and, in others, so circumstanced as still to render universal emancipation dangerous to the public happiness: large bodies of free colored people have arisen, from the influence of humanity in the master, under a system of laws which, if they did not promote, did not, till recently, prohibit voluntary enfranchisement. The enlargement of the rights of the colored race extend, however, to very various limits in the different States. In no two, perhaps, has it precisely the same extent. In none does it efface all civil and political distinctions between the colored man and the white inhabitant or citizen. Over moral influences mere laws have every where less power than manners. No where in America, therefore, has emancipation elevated the colored race to perfect equality with the white; and, in many States, the disparity is so great that it may be questioned whether the condition of the slave, while protected by his master, however degraded in itself, is not preferable to that of the free negro. Nor is this any where so questionable as in those States which have both the greatest number of slaves and of free people of color. It is, at the same time, worthy of remark, that, among these, the principle of voluntary emancipation has operated to a much greater extent than the laws themselves, or the principle of coercion upon the master has ever done, even among those States who had no danger whatever to apprehend from the speedy and universal extension of human liberty. So little ground is there, in fact, to be found among the different sections of the Union for those uncandid reproaches which, where not reprov'd as alike impolitic and unjust, are calculated to sow the seeds of lasting jealousies and animosities among societies of men whose best interests are indissolubly connected, and who have only to know each other intimately to be as cordially united by mutual esteem as they are by a common government.

All must concur, however, in regarding the present condition of the free colored race in America, as inconsistent with its future social and political advancement; and, where slavery exists at all, as calculated to aggravate its evils without any atoning good. Among those evils, the most obvious is, the restraint imposed upon emancipation by the laws of so many of the slave holding States—laws deriving their recent origin from the obvious manifestation, which the increase of the free colored population has furnished, of the inconvenience and danger of multiplying their number where slavery exists at all.

Their own consciousness of their degraded condition in the United States has appeared to the North as well as the South, in their repeated efforts to find a territory beyond the limits of the Union to which they may retire, and on which, secure from external danger, they may hope for the enjoyment of political as well as civil liberty. (*See memorial of free people of color to citizens of Baltimore.*)

The belief that such would and should be their desire, and a conviction that the voluntary removal of this part of the population of the United States would greatly conduce to the future happiness of the residue, have turned the anxious attention of many private citizens and the Legislatures of several States to the expediency of affording to them the means of colonizing a territory in Africa.

Anterior to the year 1806, three several attempts to procure a country suited to this subject had been secretly made by the General Assembly of Virginia, through a correspondence between the Executive of that State and the President of the United States. (*See letter from Mr. Jefferson to John Lynd.*)

The last, but, at the same time, the earliest *public effort* to attain this object was made by the Legislature of the same State, in December, 1816, some time before the formation, in the City of Washington, of the American Society for colonizing the free people of color. The design of this institution, the committee are apprized, *originated* in the disclosure of the secret resolutions of prior Legislatures of that State, to which may also be ascribed, it is understood, the renewal of their obvious purpose in the resolution subjoined to this report—a resolution which was first adopted by the House of Delegates of Virginia, on the 14th of December, 1816, with an unanimity which denoted the deep interest which it inspired, and which openly manifested to the world a steady adherence to the humane policy which had secretly animated the same councils at a much earlier period. This brief and correct history of the origin of the American Colonization Society evinces that it sprung from a deep solicitude for *Southern* interests, and among those most competent to discern and to promote them. (*See paper following Mr. Jefferson's letter.*)

Founded by the co-operation of several distinguished statesmen, co-operating with many patriotic and pious citizens, the American Colonization Society, for colonizing the free people of color, soon received the countenance of the Legislature of Maryland, and succeeding it, at shorter or longer intervals, the unequivocal approbation of the States of Georgia and Tennessee, as it has very recently done of Delaware and Kentucky. (*See acts of Maryland, Virginia, Georgia, Tennessee, Delaware, Kentucky, New Jersey, Ohio, Connecticut, Vermont, Indiana, Pennsylvania, in the preceding part of this appendix.*)

To these have been added, during the prosecution of its benevolent design, the favorable opinions and pious aspirations for its success of almost every religious society in the United States. (*See App. No. 6.*)

To these influences, and to the success of its measures, it may be ascribed, that private subscriptions to the extent of near sixty thousand dollars have co-operated with the collateral aid of the American Government in founding the present flourishing Colony of Liberia. On two several occasions, in the years 1825 and 1826, the General Assembly of Virginia have voted, at the request of the Society, a small pecuniary aid to its resources; and that of Maryland has, by a fixed annuity, very lately concurred in a similar benefaction. These acts may be regarded as an earnest of the continued adher-

ence of both States to the opinions which they have repeatedly expressed in behalf of the object of the American Colonization Society.

The success of the Society, however, so far as it has advanced, is attributable, under Heaven, mainly to the persevering zeal and prudence of its members, and to the countenance and aid which it has both merited and received from the Federal Government.

The last annual report of the Society, which is hereto annexed, (*see tenth annual report of the Society*.) and the various reports and resolutions of former committees of the House of Representatives, charged, from time to time, with an inquiry into the most effectual means of suppressing the African slave trade, (*see preceding part of this appendix*.) will show the present condition of the colony which the Society have planted on the coast of Africa, its present relation to the Federal Government, and the character and extent of the aid which it has derived from the national resources. The prosperity of the Colony, your committee are assured by the report and memorial of the Society, surpasses the most sanguine hopes of its early founders, and furnishes conclusive evidence of the capacity of such communities, spread along the coast of Africa, not only to abolish, effectually, that inhuman traffic which has hitherto baffled the combined efforts of the Christian world, but to afford, on this oppressed continent, the long-sought asylum to such of its free descendants in America as may choose to return to the land of their progenitors.

The aid hitherto derived by the Society from the co-operation of the Federal Government has been limited to the execution of the act of 1819, under "the just and liberal construction" given to it by the late President of the United States, in honor of whom the chief town of the Colony has received a name which it will hand down, it may be hoped, to remote posterity, as a perpetual memorial of the wisdom and benevolence of the nation over which he presided.

This construction harmonized the benevolent spirit of the act of Congress of 1807, which sought to abolish the American branch of the African slave trade, with the constitutional obligations of the General Government to the several States, and to the Union. (*See Message of President Monroe of Dec. 17, 1819.*)

The memorialists found, on views yet more enlarged, an application to the General Government for more extended aid: and, sustained as they are by their own weight of character, and the approving voices of so many States—by the wishes of so large a portion, indeed, of the American people—these views are entitled to the most respectful consideration.

They request the Congress of the United States to assume the government and protection of the Colony of Liberia, and to furnish to the free people of color in America the means of defraying the expense of their voluntary removal to the continent of their ancestors.

Objects of greater interest, though not now pressed for the first time on the consideration of Congress, have rarely been brought to the notice of this Government.

The first inquiry which they suggest, refers the Committee to the power of the Federal Government to grant the prayer of the memorialists: the next to the expediency of doing so.

The Committee entertain no doubt whatever but that the Government of the United States has the constitutional power to acquire territory; and that the people of every inhabited country, so acquired, must be regarded as

standing towards the Federal Government in the relation of colonial dependence, till admitted as co-ordinate States with the common Union.

The inhabitants of every portion of the former Northwestern Territory, deriving their birth from the thirteen original States, and possessing the right of emigration, were, strictly speaking, recognized colonies of their common mother country, as are at present the Territories of Arkansas, Michigan, and Florida. They had not the right of self-government, nor have these; but they were, or are, dependent, for their laws, upon the Congress of the United States. Such territories, with their inhabitants, can, in no sense, be regarded as the colonies of any particular State, being made up of emigrants from all the States to the common territory of all; and the power to govern them has been exercised, at all times, under the unquestioned and indisputable authority of the Union.

No State having the power to enter into any negotiation for the acquisition of foreign territory, the authority to make a treaty for that object must, in all cases, vest in the United States, or it exists no where. This reasoning is in accordance with the past history of the United States, and the tenor of the earliest report upon this subject from a Committee of this House. But, should this Committee recognize in the Federal Government the power to negotiate for the acquisition of territory, and to govern it and its inhabitants, when acquired, as a Colony, they are not prepared, at present, to admit the expediency of doing so in relation to the people and territory of Africa. Were the exercise of such a power deemed, by the Committee, indispensably necessary to the benevolent and useful purposes of the memorialists, a decision on the expediency of the measure proposed would be involved in greater difficulty, and inspire the deepest solicitude. But the Committee entertain a different opinion. The Colonial Agent of the American Society has experienced, especially of late, very little difficulty in procuring accessions of territory: no such difficulty need hereafter be apprehended, or none that mere pecuniary aid would not promptly obviate. Nor, for the protection of the Colony against a civilized enemy, does it appear to your Committee to be required that the United States should assume over it any jurisdiction or power of political and civil government. The fatality of the climate of tropical Africa to the constitution of the white man forms one source of the security of any Colony of persons capable of withstanding its influence. Against the predatory incursions of the feeble tribes in the neighborhood of the American Colony, its own strength manifestly suffices for its defence; and from the power of the maritime States of Europe and America, and the agitations and dangers of their frequent wars, the humanity of the world would afford a better protection than the flag of any single State, however powerful.

While the Colony of Sierra Leone was subject, as is that of Liberia at present, to the moral control of a society of private gentlemen, it was once, during the disorders of the French revolution, attacked by a French squadron; but, such was the indignation awakened by this act of wanton barbarity, that it was promptly disavowed by the revolutionary Government of France: and, in all the subsequent wars of Great Britain, such an act has never been repeated, or even apprehended.

To render this moral protection more authoritative, your Committee beg leave to recommend to the House, in conformity with the report of a former Committee acting in relation to the same subject, the adoption of a resolution, requesting the President of the United States to "enter upon such negotiations as he may deem expedient, with all the maritime Powers of the

Christian world, for the purpose of securing to the Colony of Liberia, and such other colonies as may be planted on the African coast, for like purposes, so long as they may merit it, "the advantages of a perpetual neutrality."

Against the hazard, which must, however, shortly cease, if it has not already done so, arising from the desperate enterprises of those piratical adventurers who frequent the African coast for the purpose of carrying on a trade now prohibited, North of the equator, by all nations, and continued to the South by Brazil and Portugal alone, the growing strength of the Colony, aided by the frequent presence of the American flag in its vicinity, will furnish adequate security. To provide for its internal tranquillity, an assumption of its government by the United States would seem at first to be of greater moment. To the future peace and prosperity of the Colony, it may appear to be an indispensable guarantee. Some of the memorialists have so regarded it.

But as a responsibility, involving political considerations of no small magnitude, would, of necessity, attach to the exercise, by the United States, of a sovereign jurisdiction over a remote territory and people, the committee have been led, in conformity with the principles which they have already laid down, to consider it more prudent to trust the internal government of the Colony to the administration by which it has been hitherto so successfully conducted.

A mixture of the control of other magistrates than those of the same color with the colonists, to be drawn, for that purpose, from the white population of the United States, might possibly arouse in other States, as well as in the colonists themselves, jealousies which do not at present exist; while no small sacrifice of human life would be the obvious consequence of attempting to sustain an authority over the Colony by the force of any other power than that moral control which repeated benefactions, a sense of gratitude, and the dictates of interest, may long preserve to its American founders, and their successors.

When its population and power shall entitle Liberia to rank, as it may, and in all human probability will, hereafter do, among the civilized States of the earth, negotiation will keep open and improve the avenue which, in its feeble, though yet flourishing condition, it now offers to the admission of the colored race from America. Thus it may continue to subserve all the benevolent and useful purposes which its early patrons and friends had in view, without subjecting it to entangling alliances with, or a degrading dependence upon, any other political community.

The power and the expediency of affording pecuniary aid to the voluntary removal of the free people of color from America to Africa, are questions presenting to the committee fewer difficulties. (*See extracts from third annual report of Colonization Society.*)

It is not easy to discern any object to which the pecuniary resources of the Union can be applied, of greater importance to the national security and welfare, than to provide for the removal, in a manner consistent with the rights and interests of the several States, of the free colored population within their limits. And your committee would not hesitate to accompany this report with a resolution recommending, with suitable conditions, such an appropriation, did not the public business remaining to be disposed of by the present Congress preclude the hope, if not the possibility, of obtaining for such a resolution the sanction of this House.

They close their report, therefore, with an earnest recommendation of the prayer of the memorialists, and the accompanying resolutions of the States of Kentucky and Delaware, to the early attention of the next Congress.

At a meeting of the Society, held on the first day of January, 1817, the following resolution was adopted:

“Resolved, That the President and Board of Managers be, and they are hereby, instructed and required to present a memorial to Congress, on the subject of colonizing, with their consent, the free people of color of the United States, in Africa or elsewhere.”

The following resolutions have been adopted by the Society, at its annual meetings in 1819, 1820, 1826, and 1827:

“Resolved, That a Committee of three be appointed to lay before the Congress of the United States, or any Committee or Committees which may be appointed by either branch thereof, the information which has been collected through the means of this Society, showing the practicability of the object of this institution; and respectfully but earnestly to solicit the countenance, aid, and support of Congress, in the accomplishment of that object.”

“Resolved, That a Committee be appointed to prepare and present to the Congress of the United States a memorial requesting that they will take such further steps as to their wisdom may seem proper to ensure the entire abolition of the African slave trade.”

“Resolved, That a Committee be appointed to prepare and present, as soon as possible, to the two Houses of Congress, memorials praying such aid and assistance to the Society as Congress shall think proper to afford.”

“Resolved, That the Board of Managers be empowered and directed, at such time or times as may seem to them expedient, to make respectful application to the Congress of the United States, and to the Legislatures of the different States, for such pecuniary aid, in furtherance of the object of this Society, as they may respectively be pleased to grant.”

Memorial of the free people of color to the Citizens of Baltimore.

At a meeting of a respectable number of colored persons, convened at Bethel Church, December 7th, 1826, for the purpose of considering the propriety of promoting an emigration to the African Colony at Liberia, the Rev. Wm. Cornish was called to the chair, and Robert Cowley appointed Secretary. The meeting being organized, after due deliberation, the following resolution and memorial were read and adopted.

The proceedings were then ordered to be signed by the Chairman and Secretary, and published.

December 11, 1826.

At a very numerous meeting of respectable free people of color, held at the African Church, Sharp street, on Monday, 11th December, 1826, on motion of the Rev. Lewis G. Wells, Mr. James Deaver was called to the chair, and Remus Harvey appointed Secretary.

A memorial to the white people of Baltimore was then presented to the meeting, being the same adopted at the Bethel Church on the 7th instant: and after the same had been read and discussed, it was adopted, and ordered to be part of the proceedings of the meeting, signed by the Chairman and Secretary, and published.

Memorial.

We have hitherto beheld in silence, but with the intensest interest, the efforts of the wise and philanthropic in our behalf. If it became us to be silent, it became us also to feel the liveliest anxiety and gratitude. The time has now arrived, as we believe, in which your good work and our happiness may be promoted by the expression of our opinions. We have therefore assembled for that purpose, from every quarter of the city, and every denomination, to offer you this respectful address, with all the weight and influence which our number, character, and cause, can lend it.

We reside among you, and yet are strangers; natives, and yet not citizens; surrounded by the freest people and most republican institutions in the world, and yet enjoying none of the immunities of freedom. This singularity in our condition has not failed to strike us, as well as you; but we know it is irremediable here. Our difference of color, the servitude of many and most of our brethren, and the prejudices which those circumstances have naturally occasioned, will not allow us to hope, even if we could desire, to mingle with you one day in the benefits of citizenship. As long as we remain among you, we must (and shall) be content to be a distinct race, exposed to the indignities and dangers, physical and moral, to which our situation makes us liable. All that we may expect, is to merit, by our peaceable and orderly behavior, your consideration and the protection of your laws.

It is not to be imputed to you that we are here. Your ancestors remonstrated against the introduction of the first of our race who were brought amongst you; and it was the mother country that insisted on their admission, that her colonies and she might profit, as she thought, by their compulsory labor. But the gift was a curse to them, without being an advantage to herself. The colonies, grown to womanhood, burst from her dominion; and if they have an angry recollection of their union and rupture, it must be at the sight of the baneful institution which she has entailed upon them.

How much you regret its existence among you, is shown by the severe laws you have enacted against the slave trade, and by your employment of a naval force for its suppression. You have gone still further. Not content with checking the increase of the already too growing evil, you have deliberated how you might best exterminate the evil itself. This delicate and important subject has produced a great variety of opinions; but we find, even in that diversity, a consolatory proof of the interest with which you regard the subject, and of your readiness to adopt that scheme which may appear to be the best.

Leaving out all considerations of generosity, humanity, and benevolence, you have the strongest reasons to favor and facilitate the withdrawal from among you of such as wish to remove. It ill consists, in the first place, with your republican principles, and with the health and moral sense of the body politic, that there should be in the midst of you an extraneous mass of men, united to you only by soil and climate, and irrevocably excluded from your institutions. Nor is it less for your advantage in another point of view. Our places might, in your opinion, be better occupied by men of your own color, who would increase the strength of your country. In the pursuit of livelihood and the exercise of industrious habits, we necessarily exclude from employment many of the whites, your fellow citizens, who would find it easier, in proportion as we depart, to provide for themselves and their families.

But if you have every reason to wish for our removal, how much greater are our inducements to remove! Though we are not slaves, we are not free. We do not, and never shall, participate in the enviable privileges which we continually witness. Beyond a mere subsistence and the impulse of religion, there is nothing to arouse us to the exercise of our faculties, or excite us to the attainment of eminence. Though, under the shield of your laws, we are partially protected, not totally oppressed; nevertheless, our situation will and must inevitably have the effect of crushing, not developing, the capacities that God has given us. We are, besides, of opinion that our absence will accelerate the liberation of such of our brethren as are in bondage, by the permission of Providence. When such of us as wish, and may be able, shall have gone before to open and lead the way, a channel will be left, through which may be poured such as hereafter receive their freedom from the kindness or interest of their masters, or by public opinion and legislative enactment, and are willing to join those who have preceded them. As a white population comes in to fill our void, the situation of our brethren will be nearer to liberty; for their value must decrease and disappear before the superior advantages of free labor, with which theirs can hold no competition.

Of the many schemes that have been proposed, we most approve of that of *African Colonization*. If we were able and at liberty to go whither-soever we would, the greater number, willing to leave this community, would prefer *Liberia*, on the coast of Africa. Others, no doubt, would turn them towards some other region: the world is wide. Already established there, in the settlement of the American Colonization Society, are many of our brethren, the pioneers of African restoration, who encourage us to join them. Several were formerly residents of this city, and highly considered by the people of their own class and color. They have been planted at Cape Mesurado, the most eligible, and one of the most elevated sites on the Western Coast of Africa, selected in 1821, and their number has augmented to 500. Able, as we are informed, to provide for their own defence and support, and capable of self increase, they are now enjoying all the necessaries and comforts, and many of the luxuries, of larger and older communities. In Africa we shall be free men indeed, and republicans after the model of this republic. We shall carry your language, your customs, your opinions, and Christianity, to that now desolate shore, and thence they will gradually spread, with our growth, far into the continent. The slave trade, both external and internal, can be abolished only by settlements on the coast. Africa, if destined to be ever civilized and converted, can be civilized and converted by that means only.

We foresee that difficulties and dangers await those who emigrate; such as every infant establishment must encounter and endure; such as your fathers suffered when first they landed on this now happy shore. They will have to contend, we know, with the want of many things which they enjoy here; and they leave a populous and polished society, for a land where they must long continue to experience the solitude and ruggedness of an early settlement. But "Ethiopia shall lift her hands unto God." Africa is the only country to which they can go, and enjoy those privileges for which they leave their firesides among you. The work has begun, and it is continuing. A foothold has been obtained, and the principal obstacles are overcome. The foundations of a nation have been laid, of which they are to be the fathers.

The portion of comforts which they may lose, they will cheerfully abandon. Human happiness does not consist in meat and drink, nor in costly raiment; nor in stately habitations. To contribute to it even, they must be joined with equal rights and respectability; and it often exists in a high degree without them. If the sufferings and privations to which the emigrants would be exposed were even greater than we imagine, still they would not hesitate to sacrifice their own personal and temporary ease for the permanent advantage of their race, and the future prosperity and dignified existence of their children.

That you may facilitate the withdrawal from among you of such as wish to remove, is what we now solicit. It can best be done, we think, by augmenting the means at the command of the American Colonization Society, that the colony of Liberia may be strengthened and improved for their gradual reception. The greater the number of persons sent thither, from any part of this nation whatsoever, so much more capable it becomes of receiving a still greater. Every encouragement to it, therefore, though it may not seem to have any particular portion of emigrants directly in view, will produce a favorable effect upon all. The emigrants may readily be enabled to remove, in considerable numbers, every Fall, by a concerted system of individual contributions; and still more efficiently by the enactment of laws to promote their emigration, under the patronage of the State. The expense would not be nearly so great as it might appear at first sight: for when once the current shall have set towards Liberia, and intercourse grown frequent, the cost will of course diminish rapidly, and many will be able to defray it for themselves. Thousands and tens of thousands, poorer than we, annually emigrate from Europe to your country, and soon have it in their power to hasten the arrival of those they left behind. Every intelligent and industrious colored man would continually look forward to the day when he or his children might go to their veritable home, and would accumulate all his little earnings for that purpose.

We have ventured these remarks, because we know that you take a kind concern in the subject to which they relate, and because we think they may assist you in the prosecution of your designs. If we were doubtful of your good will and benevolent intentions, we would remind you of the time when you were in a situation similar to ours, and when your forefathers were driven by religious persecution, to a distant and inhospitable shore. We are not so persecuted; but we, too, leave our homes, and seek a distant and inhospitable shore. An empire may be the result of our emigration, as of theirs. The protection, kindness, and assistance, which you would have desired for yourselves, under such circumstances, now extend to us: so may you be rewarded by the riddance of the stain and evil of slavery, the extension of civilization and the Gospel, and the blessing of our common Creator!

WM. CORNISH,

Chairman of the meeting in Bethel Church.

ROBERT COWLEY,

Secretary of the meeting in Bethel Church.

JAMES DEEVER,

Chairman of the meeting in the African Church, Sharp street.

REMUS HARVEY,

Secretary of the meeting in the African Church, Sharp street.

Copy of a letter from Thomas Jefferson, late President of the United States, to John Lynd.

MONTICELLO, Jan. 21, 1811.

Sir: You have asked my opinion on the proposition of Ann Mifflin, to take measures for procuring, on the coast of Africa, an establishment at which the people of color of these States might, from time to time, be colonized, under the auspices of different governments. Having long ago made up my mind on this subject, I have no hesitation in saying that I have ever thought that the most desirable measure which could be adopted for gradually drawing off this part of our population—most advantageous for themselves as well as for us. Going from a country possessing all the useful arts, they might be the means of transplanting them among the inhabitants of Africa; and would thus carry back to the country of their origin the seeds of civilization, which might render their sojournment here a blessing, in the end, to that country.

I received, in the *last* year of my entering into the administration of the General Government, a letter from the Governor of Virginia, consulting me, at the request of the Legislature of the State, on the means of procuring some such asylum, to which these people might be occasionally sent. I proposed to him the establishment of Sierra Leone, in which a private company in England had already colonized a number of negroes, and particularly the fugitives from these States during the Revolutionary war; and at the same time suggested, if that could not be obtained, some of the Portuguese possessions in South America, as most desirable.

The subsequent Legislature approving these ideas, I wrote, the ensuing year, (1802) to Mr. King, our Minister in London, to endeavor to negotiate with the Sierra Leone Company, and induce them to receive such of these people as might be colonized thither. He opened a correspondence with Mr. W— and Mr. Thornton, Secretary of the Company, on the subject; and, in 1803, I received, through Mr. King, the result, which was, that the colony was going on in but a languishing condition; that the funds of the company were likely to fail, as they received no return of profit to keep them up; that they were then in treaty with the Government to take the establishment off their hands; but that, in no event, should they be willing to receive more of these people from the United States, as it was that portion of settlers who had gone from the United States, who, by their idleness and turbulence, had kept the settlement in constant danger of dissolution, which could not have been prevented, but for the aid of the Maroon negroes, from the West Indies, who were more industrious and orderly than the others, and supported the authority of the government and its laws.

I think I learned afterwards that the British Government had taken the colony into their own hands, and I believe it still exists.

The effort which I made with Portugal, to obtain an establishment from them within their colonies in South America, proved also abortive.

You inquired further, whether I would use my endeavors to procure such an establishment, secure against violence from other Powers, and particularly the French. Certainly, I shall be willing to do any thing I can, to give it effect and safety. But I am but a private individual, and could only use endeavors with individuals: whereas, the National Government can address themselves at once to those of Europe, to obtain the desired security, and will unquestionably be ready to exert its influence with those nations, to effect an object

so benevolent in itself, and so important to a great portion of its constituent. Indeed, nothing is more to be wished than that the United States would themselves undertake to make such an establishment on the coast of Africa.

Exclusive of motives of humanity, the commercial advantages to be derived from it might defray all its expenses; but for this, the national mind is not prepared. It may, perhaps, be doubted whether many of these people would voluntarily consent to such an exchange of situation, and but few of those who are advanced to a certain age in habits of slavery would be capable of governing themselves; this should not, however, discourage the experiment, nor the early trial of it. And propositions should be made with all the prudent caution and attention requisite to reconcile it to the interest, the safety, and prejudice, of all parties.

Accept the assurance of my respect and esteem.

THOMAS JEFFERSON.

The resolution of the State of Virginia, to be seen in the succeeding pages of this note, had been, as the committee are assured, for several weeks before it was submitted by its mover to the House of Delegates of that State, shown to many members of that body. Its subject had also been made by him a topic of discussion in the city of Washington, in the preceding Spring, and in the cities of Baltimore, Philadelphia, and New York, as well as at Princeton, in New Jersey, during the following Summer and Autumn. And a concurrent movement in relation to its purpose, in both Maryland and Virginia, had been distinctly concerted in Georgetown, within the District of Columbia, with a gentleman now residing there, as early as March, 1816, without the participation or knowledge of any individual whatever residing North of Maryland.

An accidental disclosure in the city of Richmond, late in February, 1816, of the prior resolutions of the General Assembly of Virginia, was referred to, in the inception of this measure in Georgetown, and in every early stage of its subsequent prosecution. These statements of unquestionable truth, capable of being sustained by ample testimony, are designed to suppress the suggestion, that any influence exterior to the Southern States of the Union, or hostile to their interests, had the least participation in prompting the first organized public effort to colonize the free people of color of the United States. The subjoined pages, published at a press in the city of Washington, immediately after the formation of the American Colonization Society, and filed among its records, are also in accordance with this hitherto private history.

From the (Geo.) Missionary.

At a called session of the Jackson County Auxiliary Colonization Society, held on the 2d day of April, 1835, the following preamble and resolutions were offered, and unanimously adopted:

Whereas it is obvious that the present is an age of *great* and successful experiment and enterprise, all having the melioration of the condition of the human family in view; and whereas we do believe that the American Colonization Society may be justly ranked with the greatest means employed at this time with a view to the accomplishment of those events which

are indispensable as a prelude to that happy day (and which cannot be distant) when violence and oppression shall be driven from the world, and the "knowledge of God shall cover the earth as the waters cover the sea:"

Therefore, be it resolved. That this society, impelled by the foregoing considerations and convictions, and in anticipation of final success, renew to each other the solemn pledge of fidelity and perseverance in aiding, to the utmost of their means, the *great* and laudable enterprise of the parent society.

Resolved. That this society, in anticipating the approaching fourth of July next, see much to excite their love and gratitude to God, and they trust, in a just proportion, their love to their fellow creatures of every caste: it is therefore recommended that that day be set apart as the *day* that ushers in the first and great American Jubilee; and that, so far as the members of this society are concerned, or their influence extends, to loose the bands of labor on that day, and that a committee, consisting of Wm. Pentecost, Hugh Montgomery, David Boring, Hosea Camp, and Joseph Hampton, be, and they are hereby, appointed and requested to open a correspondence with such persons as they may deem most friendly to the institution, with a view to solicit donations in behalf and for the use of the parent society, and to call their attention to the expediency of forming auxiliaries; and that they also avail themselves of the advantages of that auspicious day, in soliciting donations for the use of what we do not scruple to call one of the greatest enterprises.

Resolved. That it is the opinion of this society that the cause in which the American Colonization Society is engaged is *National*, and therefore requires and merits *National* aid; they consequently look with anxious anticipation to the National and State Governments for their efficient co-operation, and to auxiliaries and individuals for more liberal contributions.

Resolved. That the Treasurer of this society transmit to Richard Smith, Esq. Treasurer of the American Colonization Society, all the money in his hands, except so much as may be necessarily retained for incidental expenses, and report to the society at the next meeting.

Resolved. That the proceedings of this day be transmitted to the editors of *The Missionary* for publication.

Resolved. That the Society now adjourn to the first Saturday in September next.

A true copy from the minutes:

W. PENTECOST, *Secretary pro tem.*

Address of Synod of Tennessee to the Society for the Colonization of the free People of Color in the United States.

To the Hon. BUSHROD WASHINGTON, Esq. *President, &c.*

RESPECTED SIR: Through you, the Synod of Tennessee embrace, with every pleasure, an early opportunity of congratulating the society formed at the capital of our nation, and consisting of so many of our distinguished statesmen and fellow citizens, for the colonization of the free people of color among us who may accede to their plan. We congratulate you on the noble and important object for which you are associated, on the providential signs of our times which signally favor your efforts, and on the wide

spread and growing impression upon the public mind, that your success is connected with the best interests, not only of the people of color, but of our country and mankind. If it is important that legal equality should accompany liberty, that Africa should receive the Gospel, and that the evils of the slave trade should be overruled for her final enjoyment of the blessings of civilization and knowledge, liberty and religion, then it is important that your design should be encouraged. We wish you, therefore, to know, that, within our bounds, the public sentiment appears clearly and decidedly in your favor, and that the more vigorously and perseveringly you combine and extend your exertions on the plan you have adopted, the more you are likely to be crowned with the approbation of the people, as well as with the higher rewards of doing good. As ministers and disciples of him who proclaims light to them that sit in darkness, peace to a jarring world, liberty to the captives, and the opening of the prison to them that are bound, we anticipate the glorious day when men shall know the Lord, from the least unto the greatest, in all lands; when every one shall sit under his own vine and under his own fig tree, having none to molest or to make him afraid; when the rod of the oppressor and the tears of the oppressed shall be known no more; but all men shall do unto others as they would be done unto in similar circumstances. This glorious change in the state of the world we expect will be brought about by the instrumentality of men under the blessing of God. While, then, the heralds of salvation go forth in the name and strength of their Divine Master to preach the Gospel to every creature, we ardently wish that your exertions and the best influence of all philanthropists may be united, to meliorate the condition of human society, and especially of its most degraded classes, till liberty, religion, and happiness, shall be the enjoyment of the whole family of man.

Nashville Church, Oct. 3, 1817.

A true copy from the records of the Synod of Tennessee.

CHARLES COFFIN, *Stated Clerk.*

Extract from the Journal of the Convention of the Protestant Episcopal Church of Virginia, holden in Petersburg, on the 13th May, 1819.

“Resolved, That this Convention highly approve of the objects of the American Colonization Society, and that a committee be appointed to transmit to the President of the Society a copy of this resolution, and to assure him of the good wishes and prayers of the committee in behalf of the benevolent exertions of the Society.

“Resolved, That the Rev. Wm. H. Wilmer, Robert Page, Esq. and Mr. Needham Washington, be the committee for that purpose.”

In Convention of the Protestant Episcopal Church in Maryland.

Resolved, That the institution of the Society for colonizing the free people of color of the United States on the coast of Africa, meets with the cordial approbation of this Convention; and that it be earnestly recommended to all the members of this church, to give to the said Society their countenance and support.

Resolved, That the thanks of this Convention be presented to the Hon. Bushrod Washington, the President, and to the members of the Board of Managers, for their zealous and persevering exertions in furtherance of the benevolent object of the Society.

Resolved, That the Secretary transmit a copy of these resolutions to the President and Secretary of the Society.

Test,

H. L. DAVIS, *Secretary*.

Resolution of the General Assembly of the Presbyterian Church.

The objects and plans of the American Society for colonizing the free people of color of the United States, having been stated to the General Assembly, and the same having been considered and discussed, the Assembly resolved, that, in their opinion, the plan of the Society is benevolent in its design, and, if properly supported, and judiciously and vigorously prosecuted, calculated to be extensively useful to this country and to Africa.

The situation of the people of color has frequently attracted the attention of this Assembly. In the distinctive and indelible marks of their color, and the prejudices of the people, an insuperable obstacle has been placed to the execution of any plan for elevating their character, and placing them on a footing with their brethren of the same common family. In restoring them to the land of their fathers, the Assembly hope the way may be opened, not only for the accomplishment of that object, but for introducing civilization and the gospel to the benighted nations of Africa. From the information and statements received, the Assembly believes that the proposed Colony in Africa may be made a powerful auxiliary in the efforts which are making to abolish the iniquitous traffic in slaves carried on in Africa, and happily calculated to lay the foundation for a gradual emancipation of slaves in our country, in a legal and constitutional manner, and without violating the rights, or injuring the feelings of our Southern brethren.

With these views, the Assembly feel it a duty earnestly to recommend the American Society for Colonizing the Free People of Color of the United States, to the patronage and attention of the churches under their care, and to benevolent individuals throughout the Union.

A true extract from the minutes of the General Assembly of the Presbyterian Church.

Attest,

I. E. LATTA, *Permanent Clerk*.

Session of the Assembly, May 31st, 1819.

The following Resolution was adopted by the same, in 1826.

The Assembly having witnessed with high gratification the progress of the American Colonization Society in a great work of humanity and religion, and believing that the temporal prosperity and moral interests of an extensive section of our country, of a numerous, degraded, and miserable class of men in the midst of us, and of the vast continent of Africa, now uncivilized, and unchristian, are intimately connected with the success of this institution, Therefore,

Resolved, That this Assembly recommend to the churches under their care to patronize the objects of the American Colonization Society; and particularly that they take up collections in aid of its funds on the 4th of July next, or on the Sabbath immediately preceding or succeeding that day; and.

whenever such course may be thought expedient, to give them assistance in such a manner as may be most conducive to the interests of the general cause.

Address from the Presbytery of North Carolina.

HILLSBOROUGH, *April 18, 1818.*

SIR: The Presbytery of Orange, in the State of North Carolina, learn with sincere and peculiar satisfaction that a plan for colonizing the free people of color of the United States has now ceased to be merely a subject of anxious wish to the hearts of the humane, and the charity of the Christian. We rejoice in the institution of a society, in which, permit us, Sir, to say, that your selection to the Presidency is calculated to excite a general confidence. To Him who has ruled in this auspicious event, we would render our thanks, that the society has already commenced its operations, and is now, with a well directed energy, advancing in their execution. It has long been the firm opinion of many in this part of our country, that nothing more was necessary to success, in colonizing vast numbers of free people of color, than a common understanding among its friends, with a well digested method, distinctly pointed out, and evidently practicable without injury to the community. When the feeling and patriotic bosom has breathed the ardent wish that our country might be redeemed from the complicated evils which have been incorporated with society, it was to such a plan only as it was the object of your institution to patronize and effect, that the intelligent mind could look for the consolation of hope. Colonization was necessary; but how were the wisdom and efficacy to be combined, which were essential to its accomplishment? It was necessary, not only that cautious prudence should be satisfied, but even reluctant selfishness must, if possible, be left without a plausible plea for opposition, from apprehensions of public danger, untoward circumstances, or untimely failure. We think that in the Constitution and proceedings of the Colonization Society, we see all that we could wish. We might indeed desire to witness and experience ourselves a speedy and complete termination to the moral disease which mingles and circulates its vitiating influence through the whole of our social state: but with prayerful resignation we would submit to the will of our Heavenly Father, and be fervently grateful to Him for the prospect with which he permits our longing eyes to be cheered. As a pledge of ardor which animates this Presbytery in the cause which engages the society, we are directed to inform you that to a resolution appointing a committee to give expression to their feelings, they have annexed another, "That it be earnestly recommended by this body to each of its members, to employ his influence and personal exertions for promoting the establishment of societies auxiliary to the principal Colonization Society."

Our prayers, Sir, are ever with you and with the society, that God, in whose hands the hearts of men are as the rivers of water, to turn them whithersoever he will, may plenteously infuse into your minds, and into the hearts of the people, a spirit of union and strength to accomplish the great object of your benevolent institution, for the sake of our great Redeemer.

Signed by the committee,

FREDERICK NASH,
WM. M'PHEETON,
JOSEPH CALDWELL.

Hon. BUSHROD WASHINGTON,

President of the American Colonization Society.

Extract from the minutes of the Presbytery of Fayetteville, N. C.

Thirteenth Session of the Presbytery of Fayetteville,
Tirza Church, Monday, 4th October, 1819.

Resolved, That this Presbytery do heartily approve of the object proposed by the American Society for Colonizing the Free People of Color of the United States; and that they do sincerely wish, and fervently pray, that the said Society may meet with the most abundant and speedy success.

Ordered, That an attested copy of the above resolution be transmitted to the President of the said Society.

Truly extracted from the 151st page of the minutes of the Presbytery.
COLIN McIVER, *Stated Clerk*.

Resolutions of the General Association of Massachusetts.

WESTHAMPTON, *Sept. 19th, 1810.*

ELIAS B. CALDWELL, Esq., *Secretary, &c.*

SIR: At a meeting of the General Association of Massachusetts Proper, at Pittsfield, June 22d, 1819.

"The Association *voted*, That this Association entertain sentiments of high respect for the Society organized for the colonization of free blacks; that they most earnestly wish success to its noble and interesting objects; that they assure the directors of their co-operation, and beg them to persevere in the good work so favorably commenced.

"*Voted*, That a copy of this vote be transmitted to the Secretary of the Society."

Certified and transmitted, with sentiments of respect, by, sir, yours, &c.

ENOCH HALE,

Secretary General Association Mass. Proper.

Resolution of the Synod of Virginia.

PRINCE EDWARD, *November 18th, 1819.*

DEAR SIR: At a meeting of the Synod of Virginia, in Winchester, on the 23d October, 1819, the following resolution was unanimously adopted, and an order passed that a copy should be transmitted to you, as President of the American Colonization Society.

"Whereas the Synod of Virginia are informed of the existence, in our country, of an association of intelligent and patriotic citizens, under the title of the American Colonization Society, the object of which is to send out to Africa such free persons of color as may be willing to go; and whereas there is reason to hope that this enterprise, if conducted with proper discretion, will produce the happiest effects, particularly in aiding to communicate the glad tidings of the gospel to an interesting quarter of the globe; and to meliorate the condition of a degraded portion of our population, while it promises the means of alleviating evils which our country has reason to deplore;

Resolved, unanimously, That the Synod of Virginia recommend, and they do hereby cordially recommend, to all the members of the churches and congregations under their care, to aid the design of the said Society, according to opportunity and ability, by their countenance, their contributions, and their prayers to Almighty God for its success "

BENJAMIN H. RICE, *Moderator.*

A true copy:

MATTHEW STILES, *Stated Clerk.*

Hon. BUSHROD WASHINGTON,

President of the American Colonization Society.

Resolution of the Methodist Conference of Virginia and North Carolina.

OXFORD, N. C. February 28th, 1825.

Resolved, That this Conference highly approve the object of the American Colonization Society, and recommend it to the patronage of the people of our charge.

JOHN EARLY, *Secretary.*

Resolution of the Methodist Baltimore Annual Conference.

At the Conference of the Methodist Church, lately held in Baltimore, the following resolution was passed, and communicated to the Board of Managers of the American Colonization Society by its Secretary:

Resolved by the Baltimore Annual Conference, in Conference assembled, That we highly approve the objects of the American Colonization Society, and that we will use all prudent means to promote its success, by taking up collections in aid of its funds, on the Sabbath preceding or succeeding the 4th of July, in all places where it is practicable.

In the year 1825, the Legislature of Virginia adopted a resolution appropriating five hundred dollars to the American Colonization Society; and in 1826, it appropriated eight hundred dollars to the same object.

Maryland Appropriation.

Maryland, sct:

At a session of the General Assembly of Maryland, begun and held at the City of Annapolis on the last Monday of December, being the twenty-fifth day of the said month, in the year of our Lord one thousand eight hundred and twenty-six, and ended the thirteenth day of March, one thousand eight hundred and twenty-seven—His Excellency JOSEPH KENT, Esq. Governor; amongst others, the following law was enacted, to wit:

An act making appropriation for the benefit of the American Colonization Society.

Whereas the people and government of this State have witnessed, with deep interest, the exertions of the American Colonization Society, to pro-

note and carry into effect the great and laudable objects of their association; and whereas this Legislature do most highly approve of the scheme of African Colonization set on foot by said Society, and believe it to be the only one which can promise practical benefit to the country, or to that class of the community which it is intended to relieve: Therefore,

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That the Treasurer of the Western Shore be, and he is hereby, authorized and directed to pay to the order of the Treasurer of the American Colonization Society, for the use of said Society, the sum of one thousand dollars, out of any unappropriated moneys which shall be in the Treasury at the time of the passage of this act: *Provided,* That the Treasurer of the said Shore shall be satisfied that the said sum will be expended for the benefit of free people of color, who have been actual residents of this State for twelve months previous to the time of their embarkation.

Sec. 2. *And be it enacted,* That the said Treasurer is hereby authorized to pay to the order of the Treasurer of the Society aforesaid, the sum of one thousand dollars, for the use of said Society, in the month of January, in the year eighteen hundred and twenty-eight, and the like sum, at the same time, in each successive year thereafter: *Provided,* That, after the present year, no payment shall be made under the authority of this act, unless the officers of said Society shall present satisfactory proof to the said Treasurer of the Western Shore, that the whole of the appropriation of the preceding year, or such parts thereof as may have been expended, has been applied towards the colonization, on the coast of Africa, of free people of color, who had been actual residents of this State for twelve months preceding the time of their embarkation: *And provided further,* That the appropriation shall be extended to the applicants for colonization from each of the counties, and the city of Baltimore, in the ratio of applications.

By the House of Delegates, March 13th, 1827.

This engrossed bill, the original of which passed this House on the 10th day of February, 1827, was this day read and assented to.

By order:

GIDEON PEARCE, *Clerk.*

By the Senate, March 13th, 1827.

This engrossed bill, the original of which passed the Senate on the 8th day of March, 1827, was this day read and assented to.

By order:

WILLIAM KILTY, *Clerk.*

JOSEPH KENT.

[THE GREAT SEAL OF MARYLAND.]

Maryland, sct:

I hereby certify, that the foregoing is a full and true copy, taken from the original engrossed bill deposited in and belonging to the office of the Court of Appeals for the Western Shore of said State.

In testimony whereof, I have hereunto subscribed my name, and affixed the seal of the said Court of Appeals, this eleventh day of April, in the year of our Lord one thousand eight hundred and twenty-seven.

[L. s.]

TH. HARRIS, *Clk. Ct. of Apps.*

While these testimonies of public favor have been supplied, in America to the cause of colonization, other nations have not been inattentive to the interests which it is calculated to promote, not only in Africa but elsewhere. Both policy and humanity prompted the annexed communication from the French Government to the American Society, through one of its members

LEGATION DE FRANCE AUX ETATS-UNIS,

Washington, 2 Mars, 1821.

MONSIEUR: Le Roi mon Maître a vu avec une bien douce satisfaction qu'il s'était formé aux Etats-Unis une société, dont le but était d'améliorer insensiblement, dès lors sans essais dangereux, le sort d'une classe d'hommes trop longtems étrangers aux soins, et à la pitié de leurs semblables.

Animée du désir de seconder autrement que par des vœux, un aussi noble dessein, Sa Majesté a daigné m'autoriser à jeter les bases d'une colonisation qui, si elle peut réussir, ne saurait, manquer d'être un jour un grand bienfait de plus pour la civilisation et l'humanité.

L'entreprise généreuse à laquelle vous n'avez cessé de prendre, monsieur, la part la plus active, ne me parait pas pouvoir être un obstacle à celle qui occupe mon Gouvernement, l'amour du bien ne fait jamais naître de collision, et les cœurs tels que le votre desirent qu'il s'opère par toutes les voies qu'il plaît à la Providence d'indiquer.

Quoique je ne sois point dans l'intention de donner, au moins quant à présent, de la publicité au projet dont j'ai l'honneur de vous entretenir, Je vais, monsieur, entrer dans tous les détails propres à vous faire juger non-seulement de l'œuvre, mais de l'intention.

On ne manquera pas de dire peut être, que l'entreprise de mon Gouvernement sera connue, que c'en est de sa part qu'une bonne action intéressée. La France pourra trouver par la suite un avantage réel à l'exécution de ce plan; mais l'humanité y gagnera plus que la France, et c'est elle qu'on a entendu principalement servir d'une part, quand on a proposé de l'autre quand ou a bien voulu agréer le projet.

Voici, monsieur, ce dont il s'agit:

La France est disposée à coloniser, dans l'une des parties de la Guyane qui lui appartient des cultivateurs libres de couleur, et elle désire principalement les recevoir des Etats-Unis si rien ne contrarie ce dessein.

Il m'est bien prouvé, monsieur, que la république ne demande pas mieux, que de favoriser l'éloignement de la population libre de couleur; c'est donc avec une extrême confiance que je viens solliciter, pour un projet qui concorde si bien avec l'intérêt et le désir de l'Union, votre assistance personnelle et celle de l'honorable Société qui a bien voulu agréer depuis plusieurs années mes offres de service et me considérer, pour ainsi dire, comme l'un de ses Membres-Société à laquelle je suis sûr, au moins, d'appartenir toujours par les sentimens qui m'animent et le besoin que j'ai de sympathiser avec elle. Plusieurs motifs me font désirer le concours de cette association bienfaisante: elle peut m'applaudir beaucoup de difficultés, elle peut surtout par son intervention officieuse concourir puissamment à dissiper les craintes que pourraient concevoir des hommes naturellement défiants et trop souvent autorisés à l'être. Ce ne sont point de nouveaux Esclaves que le Roi de France cherche à introduire dans l'une de ses plus importantes Colonies. Son âme généreuse sait trop bien compatir aux malheurs inévitable et que le tems seul peut graduellement adoucir, pour avoir pu concevoir la pensée

d'affermir un état de choses que la religion et l'humanité condamnent, et dont les *Enfants de St. Louis* chercheront à accélérer le terme par tous les moyens que l'équité et la prudence pourront leur suggérer.

Les colons qu'il s'agit d'établir à la Guyanne Française y seront libres et jouiront de toute la protection accordée aux sujets du Roi.

Voilà, monsieur, ce qui peut d'abord leur être garanti, et à cet égard j'aime à croire qu'on arrivera très-facilement à les convaincre quand ils auront appris, de leurs plus zélés protecteurs, sous quel Gouvernement paternel on leur offre de vivre.

Pour procéder sûrement, je voudrais pouvoir commencer le plutôt possible par l'importation à la Guyane de quelques familles valides aux quelles j'adjoinrais volontiers un ou deux hommes de couleur libres dont la mission serait devoir par eux-mêmes l'établissement et de revenir aux États-Unis pour déterminer des expéditions subséquentes.

On donnerait aux émigrans le passage aux frais du Roi, un terrain par famille, et sur ce terrain, une case provisoire. On y ajouterait des vivres pour six ou 9 mois et même un an. La propriété foncière serait acquise aux concessionnaires après la mise en valeur des deux tiers du terrain, et sous l'obligation d'y entretenir constamment, outre des cultures de coton, de café, de tabac, d'indigo, de cacao, de vanille ou d'arbres à épiceries, des plantations de vivres indigènes, dans une proportion déterminée. Chaque enfant mâle qui viendrait à se marier, obtiendrait aussi un lot de terre sous les mêmes clauses.

D'autres avantages pourront être accordés à ces familles de cultivateurs. Rien ne sera négligé, quant aux secours sanitaires, et surtout pour que'en tous tems, la religion, cette première source de bonheur et de prospérité, preside au développement de leur civilisation et de leur industrie.

Toutes les conditions seront libellées d'une manière précise, et je consentirai volontiers à faire revenir, dans la première année, aux frais de Gouvernement, ceux des premiers émigrans que se croiraient déçus dans leur attente.

Vous voyez, monsieur, par cet exposé, qu'il s'agit de former un établissement utile à l'humanité. Pose donc vous prier de vouloir bien me donner votre opinion et sur l'ensemble du projet et sur les moyens les plus sûrs de le faire réussir.

Il m'importerait aussi beaucoup d'être mis par vous en rapport avec vos amis de Philadelphie et autres villes de l'Union; mais il sera tems de nous occuper de ce soin quand vous aurez bien voulu me faire connaître ce que vous pensez de l'entreprise et jusqu'à quel point elle pourra être favorisée et par le Gouvernement fédéral et par les sociétés qui s'occupent avec constance, dans les divers États de l'Union, de l'amélioration du sort des hommes de couleur.

Veillez agréer, monsieur, l'assurance des sentimens de considération et d'attachement avec les quels j'ai l'honneur d'être.

Votre très-humble and très-obéissant serviteur,
HYDE DE NEUVILLE.

(Translation.)

LEGATION OF FRANCE IN THE UNITED STATES,

WASHINGTON, *March 2, 1821.*

Sir: The King, my master, has heard, with great satisfaction, that a society has been formed in the United States, whose object is, gradually,

and therefore without dangerous experiments, to improve the condition of a class of individuals who have been, for too long a time, strangers to the care and sympathy of mankind.

His Majesty, actuated by a desire to aid, by more effectual means than mere good wishes, a project so deserving of encouragement, has been pleased to authorize me to lay the foundation of a scheme of colonization, which, if successful, cannot fail to become, at a future day, a real blessing to civilization and humanity.

The generous undertaking, which you have unceasingly labored to promote, by the most active endeavors, does not appear to me to form an obstacle to that proposed by my Government. The true desire of doing good, can never breed collision; and hearts such as yours, are always desirous that it should be effected by all the means pointed out by Providence.

Although it is not my intention, at least at this time, to give publicity to the project which I have the honor to communicate to you, I will yet enter into such details as will enable you to appreciate, not only the deed itself, but the intention also.

As soon as the undertaking of my Government shall have become publicly known, there may, perhaps, not be wanting those who will say, that it is, on its part, but an interested act. It is true that France may, in future, derive some real benefit from the execution of the plan; but humanity will be still more benefitted than France; and when the project has been proposed on one hand, and accepted on the other, it will be seen that the object in view was the cause of humanity.

This, Sir, is the project in question:

France agrees to the colonization, in that part of Guyane which belongs to her, of free colored agriculturists; and wishes to receive them chiefly from the United States, in case nothing should exist to oppose this intention.

I have acquired the conviction, that the commonwealth has nothing more at heart than to promote the removal of her free colored population; it is, therefore, with full confidence, that I now solicit, in behalf of a project, according so well with the desire and interest of the Union, your personal assistance, and that of the honorable society which has been pleased, for several years past, to receive my offers of services, and, I may say, to consider me as one of its members. To this society I am sure I will always remain attached by the sentiments which now actuate me, and by the desire I feel of sympathizing with it. Various motives impel me to wish for the co-operation of this benevolent association. It has it in its power to remove many difficulties which stand in my way; and, above all, to quiet the fears which might be entertained by men naturally mistrustful, and too often justified in being so. The King of the *Franks* has no desire to introduce new slaves into one of his most valuable colonies. His generous soul knows too well how to feel for unavoidable miseries which time alone can gradually alleviate, to entertain for a moment the idea of maintaining a state of things which religion and humanity condemn, and to which the children of St. Louis will seek to put an end, by all the means suggested by prudence and justice.

The colonists proposed to be settled in French Guyane, will be free, and will enjoy all the protection guarantied to the subjects of the King.

This, Sir, is the first thing which will be guarantied to them; and of this they will, I hope, be easily convinced, when they shall have known, from their most zealous protectors, the character of the Government to whose care it is proposed to commit them.

In order to proceed with more safety, I would like to begin by introducing, as soon as possible, into Guyane, a few healthy families, to whom I would willingly add one or two colored men, whose duty would be to acquire a personal knowledge of the character of the settlement, and return to the United States to facilitate subsequent expeditions.

The emigrants would be transported at the expense of the King; a tract of land granted to each family, and on each tract a temporary dwelling would be erected. To these would be added provisions for six, nine, and even twelve months. The fee simple of the land would vest in the grantees as soon as two-thirds of the tract should have been cleared, under the condition of their raising thereon a stated proportion of indigenous provisions, independently of the cultivation of cotton, coffee, tobacco, indigo, cocoa, vanilla, and spices. Every male child would, on marrying, obtain also a tract of land upon the same conditions.

Other advantages will be granted to these families of agriculturists. Nothing will be neglected as respects medical assistance; and, above all, to cause religion, this primary source of prosperity and happiness, to preside over their progress in industry and civilization.

All the conditions will be stipulated in a precise manner; and I will willingly engage to bring back, during the first year, at the expense of the Government, such of the first emigrants as would think that their expectations had been deceived.

This statement will enable you, Sir, to discover that the object is to form an establishment useful to humanity. I therefore take the liberty to ask your opinion, as well on the general intent of the plan, as on the surest means to promote its execution.

It would also be gratifying to me, to be enabled by you to communicate with your friends in Philadelphia, and in the other cities of the Union; but it will be time to give our attention to this, when you shall have imparted to me your views of the project, and informed me how far it may be assisted by the Federal Government, and by those societies which are now engaged, throughout the Union, in devising the means of improving the condition of the people of color.

Be pleased to accept the assurance of the sentiments of consideration and attachment with which I have the honor to be

Your most obedient, humble servant,

HYDE DE NEUVILLE.

Tenth Annual Report of the American Society for Colonizing the Free People of Color of the United States.

Ten years have now elapsed, since a few individuals assembled in this city, and deliberately formed themselves into an Institution for the purpose of establishing a Colony of Free People of Color of the United States on the coast of Africa.

An enterprize of such a nature, so vast in conception, various in its relations, and remote in its consequences and its benefits, was seen to be involved in uncertainty, because relying for its full execution upon the aid of those whose approbation could not reasonably be expected, until created by other wide needs of its utility than those which the scheme, as merely theoretic, presented to the public mind. But should the means be contributed for demonstrating, experimentally, the utility of the plans of the Society.

so far as the actual establishment of a colony on the African coast could be regarded as such demonstration, still it was manifest that, on the delicate but momentous question of the probable effects of this colony upon the condition and interests of the great mass of our colored population, two opinions would be adopted, entirely contradictory, and both, therefore, widely varying from the real purposes and hopes of the institution.

The want of satisfactory information concerning the soil, climate, and natives of Africa, and the methods most expedient to be adopted for the acquisition of territory, and the very general aversion of the free people of color to a design which all of them could feel to be hazardous, but which few could comprehend; increasing, as it necessarily must, the indifference of those of our citizens who are governed rather by sympathy than reflection; constituted obstacles truly formidable, but which it was impossible to avoid.

It may not perhaps be irrelevant to the present occasion, to consider for a moment, by what motives and arguments the founders of this society were enabled to sustain themselves in their earliest efforts for a cause, embarrassed by difficulties so numerous and immense, and so destitute of attraction to the eye of an ordinary observer.

There was a moral grandeur in the design itself, which rendered the bare possibility of its accomplishment a motive sufficient to justify every possible exertion. It presented itself in relations infinitely important to those whom it would remove from our shores; was seen connected with the domestic happiness, social order, political strength, and all the higher interests of our country, and seemed to offer the only hope of rescuing Africa from the invaders of her rights, and the murderers of her children, and of imparting to her tribes, whose sable aspect is but the shadow of a darker mind, the pure and undying light of our religion.

In the operations of the society, it was obvious that the principal difficulties must be encountered at the outset. That a few enlightened citizens might be induced to furnish the means for exploring the coast of Africa, there was reason to hope; and a favorable report from those delegated for this purpose, could not fail to secure aid for the emigration of such intelligent and energetic adventurers, as have never been found wanting to enterprises of the most arduous and dangerous character. Every practical movement of the society would draw the public attention to its plans, and, if successful, exhibit evidence of their utility, which no development of a theory, however plausible, could produce. Accounts from Africa would be perused by all; by the fanciful and inquisitive for the novelty of their statements, by the thoughtful and pious to learn the character of its inhabitants, and the best methods of instructing them in the principles of our faith. Thus reflection would be excited, and the objects of the society become better understood: a knowledge of their nature would secure belief in their importance; the spirit of charity would advance with the progress of conviction; truth and time would soften down prejudice; and, through the agency of the press, unremitting efforts, and fervent prayer, the thoughts which dwelt at first in the breast of a few, might finally enlist the sympathies and command the powers of the nation.

Animated by such considerations, the original managers of this society resolved to proceed, and the history of their operations for the last ten years, as detailed in their annual reports, will show the sobriety of their purposes, and the reasonableness of their hopes.

The facts connected with the efforts of the society during the last year, and now to be presented to this meeting, will add, the managers trust, not a little weight to the accumulated evidence, heretofore adduced, of the practicableness and expediency of the scheme in which they are engaged.

It was stated by the managers in their last report, that the liberality of their friends had enabled them to despatch for the colony the brig *Vine*, with thirty-four emigrants, a missionary, and printer, accompanied by the Rev. Horace Sessions, an Agent of the society, who proposed to return in the same vessel; and that the Indian Chief was about to depart from Norfolk with a much larger number of passengers. The first of these vessels sailed from Boston on the fourth of January, and arrived at Liberia on the seventh February; the last left Norfolk on the 15th of February, and completed her passage on the 22d of March.

A printing press, with all its necessary appendages, many valuable books, and other articles of equal importance, were shipped on board the *Vine* by the citizens of Boston, who evinced still farther their liberality by assuming the whole expense of the printing establishment for the first year. Eighteen of the emigrants by this vessel were, just before their departure, at their own request, organized into a church; and the impressive exercises of the occasion, upon which thousands attended with heartfelt interest, deepened the concern for the prosperity of the expedition. But the councils of Heaven are too mysterious for human scrutiny, and the Almighty was pleased to visit this little company with a mortality unprecedented in the history of the colony. Scarcely had the managers been announced, in the first sheet ever issued from the colonial press, the arrival of the *Vine*, before they received the mournful tidings of the decease of the Rev. Horace Sessions, Mr. Charles L. Force, the printer, and twelve of the emigrants, with whom others must now be reckoned, including the missionary, the Rev. Calvin Holton, making in all nearly half the whole number of those who embarked from New England. But the attention of the meeting is not left to dwell on this melancholy statement.

The Indian Chief conveyed to Africa one hundred and fifty-four persons, of which one hundred and thirty-nine were from the State of North Carolina. Not an individual of the latter number suffered materially from sickness, while some who left Norfolk in bad health derived, ultimately, benefit from the change of climate. All felt more or less severely the symptoms of fever, ague, and prostration of strength, which the system must necessarily experience on a transition from a temperate to a tropical climate; but they soon recovered their vigor, and proceeded to the erection of buildings, and the clearing of their lands.

As both these expeditions sailed from the United States in the Winter, the striking contrast in their subsequent condition is doubtless owing, in great measure, to the wide difference in the change experienced by the two companies of emigrants; a difference which must be estimated by comparing the less constitutional liability to tropical disease, and the lesser influence of the season affecting those from the South, with the greater liability, and the more powerful influence of the season, to which those from the North were exposed. It has been very justly remarked by the Colonial Agent, that, as it would be rash for our friends in North Carolina to conclude that no emigrant from that State will hereafter suffer from the African climate, so it would be equally wide from sober calculation for the citizens of New Eng-

land to determine, from a single experiment, that every similar movement would be attended with a like calamity.

The health of the colonists (those who arrived in the *Vine* excepted) has been well nigh universal and uninterrupted, and no less animated and robust than that which they enjoyed in America. Among the passengers in the *Indian Chief*, the symptoms of disease were, in many instances, only sufficiently developed to show their specific character, and, in nearly every case, yielded readily to the power of medicine. Many of the children and youth exhibit as much activity and muscular strength as the natives themselves; and "the adults who have resided for some years in the colony seem to acquire for the climate a peculiar predilection." The natives of the coast are remarkable for their vigorous and well proportioned frames, which are seldom broken or debilitated by disease. Probably no race of men enjoy health more uniformly, or in greater perfection. It is a fact also well ascertained, and peculiarly encouraging, in reference to the African climate, that the country gradually rises from the seaboard into the interior; and that between these two regions, there exists a difference, both in temperature and elevation, nearly resembling what is found in our own Southern States.

The system of government established, with the full consent of the colonists, in the autumn of 1824, and which the Managers had the happiness to represent in their last report as having thus far fulfilled all the purposes of its institution, has continued its operations during the year without the least irregularity, and with undiminished success. The republican principle is introduced as far as is consistent with the youthful and unformed character of the settlement; and in the election of their officers, the colonists have evinced such integrity and judgment as afford promise of early preparation for all the duties of self-government. "The civil prerogatives and government of the colony, and the body of the laws by which they are sustained," says the Colonial Agent, "are the pride of all. I am happy in the persuasion I have, that I hold the balance of the laws in the midst of a people, with whom the first perceptible inclination of the sacred scale determines, authoritatively, their sentiments and their conduct. There are individual exceptions, but these remarks extend to the body of the settlers."

The moral and religious character of the colony exerts a powerful influence on its social and civil condition. That piety which had guided most of the early emigrants to Liberia, even before they left this country, to respectability and usefulness among their associates, prepared them, in laying the foundations of a colony, to act with a degree of wisdom and energy which no earthly motives could inspire. Humble, and for the most part unlettered men; born and bred in circumstances the most unfavorable to mental culture; unsustained by the hope of renown, and unfamiliar with the history of great achievements and heroic virtues, theirs was nevertheless a spirit unmoved by dangers or by sufferings, which misfortunes could not darken, nor death dismay. They left America, and felt that it was forever: they landed in Africa, possibly to find a home, but certainly a grave. Strange would it have been had the religion of every individual of these early settlers proved genuine; but immensely changed as have been their circumstances, and severely tried their faith, most have preserved untarnished the honors of their profession; and to the purity of their morals and the consistency of their conduct, is in a great measure to be attributed the social order and general prosperity of the colony of Liberia. Their example has proved most salutary; and while subsequent emigrants have

found themselves awed and restrained by their regularity, seriousness, and devotion, the poor natives have given their confidence, and acknowledged the excellence of practical Christianity. "It deserves record," says Mr. Ashman, "that religion has been the principal agent employed in laying and confirming the foundations of the settlement. To this sentiment, ruling, restraining, and actuating the minds of a large proportion of the colonists, must be referred the whole strength of our civil government." Examples of intemperance, profaneness, or licentiousness, are extremely rare; and vice, wherever it exists, is obliged to seek concealment from the public eye. The Sabbath is universally respected; Sunday schools, both for the children of the colony and for the natives, are established; all classes attend regularly upon the worship of God; some charitable associations have been formed for the benefit of the heathen; and though it must not be concealed that the deep concern on the subject of religion, which resulted, towards the conclusion of the year 1825, in the public profession of Christianity by about fifty colonists, has in a measure subsided, and some few cases of delinquency since occurred; and though there are faults, growing out of the early condition and habits of the settlers, which require amendment; yet the Managers have reason to believe that there is a vast and increasing preponderance on the side of correct principle and virtuous practice. One gratifying instance has occurred in which two Methodist societies, long separated, have been induced, by juster views, unanimously to unite in the same discipline and worship. On *this* subject the Managers will only add, that the moral interests of the colony have been most essentially promoted by the eminent piety and labors of its ministers.

The agriculture of the colony has received less attention than its importance demands. This is to be attributed to the fact, that the labor of the settlers has been applied to objects conducing more immediately to their subsistence and comfort. They have been too much occupied in the construction of houses and public buildings, and in conducting a profitable traffic with the natives, to leave much time to make permanent improvements on their plantations. The best methods of cultivation appear to be imperfectly understood, and the lands which were early cleared on the cape are inferior to those more recently surveyed and allotted to emigrants on the St. Paul's. Crops which exhibited the fairest promise until near the time of harvest, have been severely injured by the various and numerous animals and insects which inhabit the neighboring forests. "The cultivation of a larger number of contiguous farms will tend to preserve them all from depredations," and these destroyers can hardly retain their "accustomed haunts" another season.

It will not, the Board trust, be concluded that, because more might have been done for the agricultural interests of the colony, what has been effected is inconsiderable. Two hundred and twenty-four plantations, of from five to ten acres each, were, in June last, occupied by the settlers, and most of them are believed to be at present under cultivation. One hundred and fourteen of these are on Cape Montserado, thirty-three on Stockton creek, (denominated the Halfway Farms, because nearly equidistant from Monrovia and Caldwell, the St. Paul's settlement,) and seventy-seven at the confluence of Stockton creek with the St. Paul's.

The St. Paul's territory includes the Halfway Farms, and is represented as a beautiful tract of country, comparatively open, well watered and fertile, and still further recommended as having been, for ages, selected by the na-

tives, on account of its productiveness, for their rice and cassada plantations. The agricultural habits of the present occupants of this tract concur with the advantages of their situation in affording promise of success to their exertions. "Nothing," says the Colonial Agent, "but circumstances of the most extraordinary nature, can prevent them from making their way directly to respectability and abundance."

Oxen were trained to labor in the Colony in 1825, and it was then expected that the plough would be introduced in the course of another year. Although commerce has thus far taken the lead of agriculture, yet the excellence of the soil, the small amount of labor required for its cultivation, and the value and abundance of its products, cannot fail, finally, to render the latter the more cherished, as it is certainly the more important interest of the Colony.

The trade of Liberia has increased with a rapidity almost unexampled; and, while it has supplied the colonists not only with the necessaries, but with the conveniences and comforts of life, the good faith with which it has been conducted has conciliated the friendship of the natives, and acquired the confidence of foreigners.

The regulations of the Colony allowing no credits, except by written permission, and requiring the barter to be carried on through factories established for the purpose, has increased the profits of the traffic, and prevented numerous evils which must have attended upon a more unrestricted license.

Between the 1st of January and the 15th of July, 1826, no less than fifteen vessels touched at Monrovia, and purchased the produce of the country, to the amount, according to the best probable estimate, of \$43,980, African value. The exporters of this produce realize, on the sale of the goods given in barter for it, a profit of \$21,990, and, on the freight, of \$8,786, making a total profit of \$30,776.

A gentleman in Portland has commenced a regular trade with the Colony, and for his last cargo landed in Liberia, amounting to \$8,000, he received payment in the course of ten days. The advantages of this trade to the Colony are manifest from the high price of labor, (that of mechanics being two dollars per day, and that of common laborers from 75 cents to \$1 25,) and from the easy and comfortable circumstances of the settlers. "An interesting family, twelve months in Africa, destitute of the means of furnishing an abundant table, is not known; and an individual, of whatever age or sex, without an ample provision of decent apparel, cannot, it is believed, be found." "Every family," says Mr. Ashmun, "and nearly every single adult person in the Colony, has the means of employing from one to four native laborers, at an expense of from four to six dollars the month; and several of the settlers, when called upon in consequence of sudden emergencies of the public service, have made repeated advances of merchantable produce, to the amount of 300 to 600 dollars each."

The Managers are happy to state that the efforts of the Colonial Agent to enlarge the territory of Liberia, and particularly to bring under the government of the Colony a more extended line of coast, have been judicious and energetic, and in nearly every instance resulted in complete success. From Cape Mount to Tradetown, a distance of one hundred and fifty miles, the Colonial government has acquired partial jurisdiction. Four of the most important straits on this tract, including Montserado, belong to the Society, either by actual purchase, or by a deed of perpetual lease; and such negotiations have been entered upon with the chiefs of the country as amount to a preclusion of all

Europeans from any possessions within these limits. The fine territory of the St. Paul's, now occupied by settlers, was described in the last annual report of the Society.

The territory of Young Sesters, recently ceded to the Society, is ninety miles South of Montserado, in the midst of a very productive rice country, affording also large quantities of palm oil, camwood, and ivory. The tract granted to the Colony includes the bed of the Sesters river, and all the land on each side to the distance of half a league, and extending longitudinally from the river's mouth to its source. In compliance with the terms of the contract, the Chief of the country has constructed a commodious storehouse, and put a number of laborers sufficient for the cultivation of a rice plantation of forty acres under the direction of a respectable colonist, who takes charge of the establishment.

The right of use and occupancy has also been obtained to a region of country on the South branch of the St. John's river, North nine miles from Young Sesters; and the trading factory established there, under the superintendence of a family from Monrovia, has already proved a valuable source of income to the Colony. Rice is also here to be cultivated, and the Chief who cedes the territory agrees to furnish the labor.

The upright and exemplary conduct of the individual at the head of this establishment has powerfully impressed the natives with the superiority of civilized and Christian men, and with the importance of inviting them to settle in their country; and consequently, the offer made by the Colonial Agent, for the purchase of Factory island, has been accepted by its proprietor. This island is in the river St. John's, four miles from its mouth, from five to six miles in length, and one third of a mile in breadth, and is among the most beautiful and fertile spots in Africa. A few families are about to take up their residence upon it, and prepare for founding a settlement, "which cannot fail," says Mr. Ashmun, "in a few years, to be second to no other in the Colony, except Monrovia."

Negotiations are also in progress with the Chiefs of Cape Mount, which, if successful, will secure to the Colony the whole trade of that station, estimated at \$50,000 per annum, and may ultimately lead to its annexation to the territories of Liberia. "The whole country between Cape Mount and Tradetown," observes Mr. Ashmun, "is rich in soil and other natural advantages, and capable of sustaining a numerous and civilized population beyond almost any other country on earth. Leaving the seaboard, the traveler, every where, at the distance of a very few miles, enters upon an upland country, of moderate elevation, intersected by innumerable rivulets, abounding in springs of unfailling water, and covered with a verdure which knows no other changes except those which refresh and renew its beauties. The country directly on the sea, although verdant and fruitful to a high degree, is found every where to yield, in both respects, to the interior."

Much progress has been made the last year in the construction of public buildings and works of defence, though, with adequate supplies of lumber, more might doubtless have been accomplished. Two handsome churches, erected solely by the colonists, now adorn the village of Monrovia. Fort Stockton has been rebuilt in a style of strength and beauty. A receptacle, capable of accommodating one hundred and fifty emigrants, is completed. The new agency house, market house, Lancasterian school, and town house, in Monrovia, were, some months since, far advanced, and the finishing strokes were about to be given to the government house on the St. Paul's.

The wing of the old agency house has been "handsomely fitted up for the colonial library, which now consists of 1,200 volumes, systematically arranged in glazed cases, with appropriate hangings. All the books are substantially covered, and accurately labelled; and files of more than ten newspapers, more or less complete, are preserved. The library is fitted up so as to answer the purpose of a reading room, and it is intended to make it a museum of all the natural curiosities of Africa which can be procured."

No efforts have been spared to place the Colony in a state of adequate defence; and, while it is regarded as perfectly secure from the native forces, it is hoped and believed that it may sustain itself against any piratical assaults. "The establishment has fifteen large carriage guns and three small pivot guns, all fit for service." Fort Stockton overlooks the whole town of Monrovia, and a strong double battery is now building on the height of Thompson Town, near the extremity of the cape, which, it is thought, will afford protection to vessels anchoring in the roadstead. The militia of the Colony consists of two corps, appropriately uniformed; one of artillery, of about fifty men; the other of infantry, of forty men; and on various occasions have they proved themselves deficient neither in discipline nor courage.

It is impossible for the Managers to express the regret excited by the reflection that the system of education in the Colony, second as it is to no one of its interests, is extremely defective, and that the best endeavors to improve it have, for the present, been arrested by the ordinations of an all wise but mysterious Providence. Several primary schools continue in operation, but the ability of the teachers is only equal to the communication of the mere rudiments of knowledge. The plan of instruction commenced by the Rev. Mr. Holton promised inestimable benefits, but his sudden and lamented decease has shaded the prospect which seemed so fairly opening for the intellectual improvement of the Colony. It is hoped that men of color may be found, qualified to act in the capacity of teachers, and thus prevent the recurrence of so sad a disappointment. Regarding this subject as one of vital interest, the Managers will not fail to give to it the most sedulous and unremitting attention.

It is a fact, which cannot fail to awaken in this meeting the deepest concern, that the records of the Colony afford abundant and unequivocal evidence of the undiminished extent and atrocity of the African slave trade. From eight to ten, and even fifteen vessels have been engaged at the same time in this odious traffic, almost within reach of the guns of Liberia; and as late as July, 1825, there were "existing contracts for eight hundred slaves, to be furnished in the short space of four months," within eight miles of Monrovia. Four hundred of these were to be purchased for two American slavers. A boat belonging to a Frenchman, having on board twenty-six slaves, all in irons, was, in September, 1825, upset in the mouth of the St Paul's, and twenty of their number perished. This is one of the lesser scenes of tragedy, says the Colonial Agent, which are daily acting in this wretched country. But the crimes of these lawless invaders of human liberty are not confined to their acknowledged profession; they defy the laws of all civilized nations, and engage in every species of piracy.

The crew of a Spanish schooner recently boarded and robbed an English brig, lying at anchor off Cape Montserado, the captain of the latter being at the time in Monrovia. The aid of the Colonial Agent was invoked for the punishment of the offence, who felt himself obliged, from regard to his own safety, not to leave unnoticed so flagrant a violation of the law of nations. The

offer of a number of the colonial militia, to proceed immediately to take possession of the factory built by the master of the piratical vessel a few miles from Monrovia, was accepted, and the expedition resulted in the capture of fourteen slaves, and the entire destruction of the establishment. A few of the poor Africans thus relieved from their manacles, ignorant of the language of the settlement, and unable to appreciate the motives which led to their capture, and the benevolence which was still operating for their benefit, fled from the Colony, and were soon after taken by the natives, and sold to a Frenchman who was then employed in purchasing slaves on the St. Paul's. When their situation was made known, the Colonial Agent demanded that they should immediately be delivered to the authorities of the Colony. A peremptory refusal having been made to this demand, it was judged necessary to attempt their recovery by force, which was speedily effected, and possession at the same time obtained of the whole number of slaves at the factory, amounting in all to ninety nine.

About the same time, two or three others of these recaptured Africans, who had escaped from the Colony, were conveyed by the natives to a factory at Tradetown, a slave mart, one hundred miles South of Cape Montserado, and the most notorious one existing between Cape Palmas and Sierra Leone.

An effort to recover these individuals peaceably proved entirely unsuccessful. It was known, also, that one of the three vessels then waiting for their complement of slaves at Tradetown, had committed various piratical acts since her arrival on the coast. Justified, therefore, as was believed, by those principles of right which ought to govern all human actions, the Agent, attended with thirty-two volunteers from the Colony, assisted by the Colombian armed schooner Jacinta, Captain Chase, immediately embarked for Tradetown, detained the two vessels, (the third having been previously captured by a French brig of war,) effected a landing, seized fifty-three slaves, and reduced all the stores and buildings of the factory to ashes.

These bold and energetic measures have done much towards the exclusion of the slave trade from this part of Africa, and have indeed banished it entirely (at least for the present) from the whole district of country between Cape Mount and Tradetown. But the Managers cannot hope that a traffic so long established, so gainful, so extensive, and which enlists in its support so many of the deep and malignant vices of the heart, will be extirpated without more decided and combined measures than have ever yet been adopted by the Powers of the Christian world.

The influence of the Colony with the natives is great and increasing, and resulting, as it does, principally from the integrity and kindness manifested towards them by the colonial government in all its transactions, may be expected to be permanent. They begin to feel the superior advantages of civilized life, and to secure, through the settlement, by lawful trade, those articles which were formerly acquired only by the sale of their brethren. "No man of the least consideration in the country," says Mr. Ashmun, "will desist from his importunities until one, at least, of his sons is fixed in some settler's family. We have their confidence and friendship, and these built on the fullest conviction that we are incapable of betraying the one, or violating the other.

Here the managers pause, to pay a mournful and affectionate tribute of respect to the memory of the dead. The Rev. Horace Sessions, the Rev. Calvin Holton, and Mr. Charles L. Force, the two former agents of the Society, and the latter employed as printer for the African colony, have been called

from the field of toil on which they had but just commenced exertions most honorable to themselves and useful to the Society, to the invisible and eternal world. Mr. Sessions superintended the embarkation of the emigrants by the *Vine*, and accompanied them to Liberia, in the hope of acquiring information which might enable him more successfully to prosecute an Agency for the Society in the United States. Mr. Holton had devoted himself, with a martyr's spirit, to Africa, and his instructions and missionary labors in the colony, promised greatly to advance its literary, moral, and religious interests. But the will of Heaven has removed them, and to that will becomes us to bow, in humble confidence that He who prepared them for usefulness in life will not leave to perish the influence of their example.

The events which have occurred in the United States during the year, favorable to this institution, are too numerous to be given in detail, and too important to be left unnoticed. They have been such as must confirm the faith of the wavering, strengthen the confidence of the irresolute, and stimulate the decided friends of our cause to higher and nobler exertions.

The number of subscribers to the *African Repository and Colonial Journal* has very much increased, and it is circulated at present in nearly every State in the Union.

The managers have heard with pleasure that an institution, denominated the *Kosciusko school*, has been founded in New Jersey, and that one of its prominent objects is to qualify young men of color for usefulness in Liberia. The name of *Kosciusko* is associated with this school, in honor of that illustrious individual, who, on his final departure from America, intrusted to Mr. Jefferson a fund to be applied by him to the purchase and education of African slaves, which fund is, on certain conditions, to be appropriated to the benefit of this Seminary, which will long stand, we trust, a monument of the charity of that noble foreigner, whose valor and services in the cause of freedom and humanity are revered throughout our country and the civilized world.

The free people of color are becoming more generally and decidedly favorable to the views of the Society, and many of the best informed and most industrious have resolved upon an early removal to Liberia. In Baltimore they have recently, in a memorial to the whites, implored the means of emigration, and expressed their full conviction of the benevolence and wisdom of the plans of the Society.

The clergy of nearly all denominations have taken occasion, on the anniversary of our National Independence, or on the Sabbath immediately preceding or succeeding that day, to explain to their congregations our design, and solicit contributions in its behalf; the amount of which has, it is believed, exceeded any similar collections in former years.

The brig *Doris* is now preparing to sail to Liberia, with a considerable number of emigrants, most of whom are from North Carolina.

The reports of the Agents employed by the Society in different sections of the country are of the most encouraging character, and prove that a deep, rapid, and extensive change, favorable to the interests of this institution, is taking place in the public mind. More than twenty Auxiliary Societies have been formed in the course of the year. Among these is the *Colonization Society of the State of Pennsylvania*, which, from its situation, (Philadelphia,) the energy with which it has commenced operation, and the liberality which has thus early been evinced in its support, may be expected to act very effectively in aid of our cause.

The managers are peculiarly gratified to know that the citizens of the Western States begin highly to appreciate the objects of the Society, and that they are almost unanimously disposed to countenance and sustain them. They have this day received intelligence of the organization of a State Society in Ohio, under circumstances so cheering as to justify the prediction that it will prove among the most important auxiliaries of the Union.

In conclusion, may not the managers be permitted to express the hope that this work, so auspiciously commenced, but for the completion of which private charity must prove inadequate, appealing, as it does, equally to our duty and interest—to the Christian who recognizes in man, wherever he is found, an heir of immortality; to the statesman who would build up his country's glory on her justice and magnanimity, may be regarded as strictly national, worthy of the most earnest attention and liberal patronage of the Legislatures of the several States, and of the Federal Government.

Extract from the Second Annual Report of the Colonization Society.

“The memorial presented to the House of Representatives, in behalf of the American Colonization Society, at the 2d session of the 14th Congress, gave rise to a favorable report from the Select Committee to which it was referred. Having been submitted to the House at an advanced period of that session, which terminated, of necessity, on the fourth of March, the report remained unacted on amidst the mass of unfinished business. Upon its renewal, at the last session of the present Congress, the memorial was retained by the committee to which it was referred, in expectation of important intelligence from the missionaries of the Society, then on the African coast. The committee, however, concurred in a favorable report, which was presented to the House of Representatives towards the close of the session. In consequence of the adoption of a rule which gives to the unfinished business of that session a priority to any arising after the first week of the present, a decision upon the report may be confidently expected in the course of this month:

One of the grounds assumed by the select committee, in support of the object of the memorial, is derived from its tendency to facilitate the execution of the laws of the United States prohibiting the importation of slaves, in a manner consistent with the spirit of the laws themselves, the long established policy of the Southern States, and the genius of the Federal Constitution. It is well recollected, that, as soon as Congress acquired the constitutional power of prohibiting the importation of slaves, which was on the first of January, 1808, they followed the example of the several States, in imposing heavy penalties upon the authors of this inhuman traffic. The first section of the act of the 2d March 1807, declares that, “after the above period, it should not be lawful to import into the United States, or the territories thereof, from any foreign country, any negro, mulatto, or person of color, with intent to hold, sell, or dispose of such person as a slave, or to be held to service or labor.” The act subjects not only the American vessel employed in violating the law to *condemnation*, but “every person engaged in building, fitting out, equipping, loading, or otherwise preparing or sending out such vessel, knowing or intending it to be so employed,

to the forfeiture of *twenty thousand dollars.*" A subsequent section makes it "*a high misdemeanor* for any person to transport, from any foreign country, and sell, any person of color, within the jurisdiction of the United States." Upon conviction, it subjects the offender to "*an imprisonment of not less than five nor more than ten years, and to a fine not less than one nor exceeding ten thousand dollars.*" The *purchaser or seller* of any such person so imported, who shall knowingly purchase or sell the same, is subjected to *a forfeiture of eight hundred dollars* for every person of color "*so purchased or sold.*" To this section the following extraordinary proviso is annexed: "*that the aforesaid forfeiture shall not extend to any seller or purchaser of any negro, mulatto, or person of color, who may be sold or disposed of in virtue of any regulation which may be hereafter made by any of the Legislatures of the several States, in that respect, in pursuance of this act and the Constitution of the United States.*"

The authority of the State Legislatures, to which the proviso refers, is conveyed to them by a clause of the section of this act next preceding the last. It declares, that "*neither the importer, nor any person or persons claiming from or under him, shall hold any right or title whatsoever to any negro, mulatto, or person of color, nor to the service or labor thereof, who may be imported or brought within the United States or territories thereof, in violation of the law, but the same shall remain subject to any regulations, not contravening the provisions of this act, which the Legislatures of the several States or Territories, at any time hereafter, may make, for disposing of any such negro, mulatto, or person of color.*"

A recent act of the Legislature of Georgia will show what construction has been given to this authority.

The second section of the act empowers the Governor *to sell, for the benefit of the State, any negroes, mulattoes, or persons of color, brought into it in violation of the laws of the United States;* and sales to a considerable amount have accordingly been made, and their proceeds paid into the State Treasury!

The Managers would be unjust, however, as well as ungrateful, if they passed unnoticed the last section of this act, which provides, "*that if, previous to any sale of any such persons of color, the Society for colonizing free persons of color within the United States will undertake to transport them to Africa, or any other foreign place which they may procure as a colony for free persons of color, at the sole expense of the society, and shall likewise pay to his Excellency the Governor all expenses incurred by the State since they have been captured and condemned, he is authorized and requested to aid in promoting the benevolent views of the Society in such manner as he may deem expedient.*"

The Managers heard, with deep regret, of the execution of the second section of this act in the course of the past year, without having it in their power to avail themselves of the recognition of the existence and object of the American Society in the sequel of the act, and afford relief to the unfortunate beings whom violence and fraud had torn from the bosom of their native country, and a defect of the laws of the United States has consigned to hereditary slavery in the bosom of this. Surely, when the authority granted to the several States, by the act of Congress which had been recited, is thus exercised, it is without due regard to the limitations which accompany the concession. So far from such an exertion of power being "*in pursuance of the act of Congress,*" it is in direct contravention, not only of its

positive and express provisions, but of its very spirit and title. It is an act "to prohibit," not to admit "the importation of slaves." To contend that the consignment of innocent and injured foreigners to perpetual slavery is "in pursuance of the Constitution of the United States," is to cast a reproach on that instrument which it does not merit.

But if the Legislature of Georgia have overstepped the authority with which the act of Congress invested them, in a case to their judgment, it is presumed, of apparent necessity, a necessity which they sought to avoid, it becomes the Government of the United States, which created the evil, to provide for it an adequate remedy. None can be found, short of a restitution of these injured people to the country from which they have been iniquitously torn, nor can such restitution be so effectually accomplished in any other mode, as by their colonization upon the Western coast of Africa, in conjunction with the free people of color of the United States, who may voluntarily seek the same asylum. In the distribution of free colonies along the coast of Africa frequented by the slave ships, and the employment of a suitable naval force to guard its peace, the Managers believe that the most efficient, if not the only adequate remedy, will be provided for enforcing the existing laws of the United States against the African slave trade.

The act of Congress of 1807, to which the managers have already referred, expressly empowers the President of the United States, *shall he deem it expedient, to instruct and direct the commanders of the public armed vessels to seize and bring into any port of the United States all ships or vessels thereof, whenever contravening the provisions of the act; and subjects the vessels to condemnation, as prizes taken from an enemy in open war, and their commanders to exemplary punishment.* All that it remains in the power of Congress to superadd, is the labor of colonization.

The Managers, sensibly impressed with the inefficacy of the present laws against this abominable traffic, and firmly persuaded that its entire abolition is essential to the success of the leading objects of the Society, offer no apology for having dwelt so long upon this branch of their report, nor for having enlarged its appendix by the admission of several documents that manifest the extent to which this cruel and iniquitous trade is still pursued by citizens of the United States.

If so many of the best interests, not only of these United States, but of mankind in general, are to be promoted by the colonization of Africa, may not the hope be confidently indulged, that the wisdom and patriotism of the General Government will countenance the hitherto imperfect efforts of the American Society?"

The subjoined extract from the Third Annual Report of the Colonization Society explains the policy of that Institution at the period of its formation, and precludes the necessity of a more enlarged comment upon its views by the Committee.

"It ought not to be expected—it does not accord with the course of an inscrutable Providence, that a purpose of such enlarged benevolence as that which actuates the American Society, however prudently pursued, shall be accomplished without difficulty and labor.

The friends of humanity, in every age, have encountered opposition from those even whom they most intended to serve. The sneers of malignity, and the scoffs of insolence and pride, assailed the immaculate Author of

Christianity, at the awful and affecting moment in which he expiated, by a cruel and ignominious death, the sins of his enemies. Let not his remote and humble followers expect to find a path of duty without an obstacle to be surmounted, or a single impediment to be removed. Even the temporal rewards of virtue are not attainable without patience and self-denial. Those hopes which are elevated to a higher prize should be fortified against corresponding trials. To despair of ultimate success in a cause which patriotism, benevolence, and piety, recommend, is to distrust the justice or the omnipotence of Heaven.

The Managers are led to these reflections, by some of the obstructions which they have met in the past year. They have been encountered where they were least to have been expected, and have been maintained with a pertinacity worthy of a better cause.

That the accomplishment of all that they hope should be regarded as doubtful, or even impracticable, has excited neither indignation nor surprise. Of the success of any plan for the melioration of the condition of society, men will think as differently as they will feel in relation to its purpose. And the charge of enthusiasm may be expected, and should be meekly borne, by all who promise to themselves, or to the world, any great and substantial good, out of the ordinary course of human experience. But those who intend well, deserve, at least, to have their motives candidly appreciated; and they have, especially, a right to expect that their *acts* and *declarations*, if not charitably interpreted, will be truly reported.

Not only have authorities with respect to the climate, health, soil, and population, of Africa, the seat of the contemplated colony, been cited against the spirit and earnest recommendations of the very authors themselves, from whom they have been borrowed, but a single sentence from a speech of one of the members of the American Society has been quoted, in order to fix the charge of selfishness upon the institution, against the whole tenor of the speech of the member himself, of the accompanying address of the President, and report of the Managers, and the direct and obvious tendency of every act of the Society.

The Managers assert no claim for themselves, or their constituents, to superior humanity. They neither ask nor desire for the object of their institution, or the particular means which may be devised for its attainment, exemption from public criticism. They exult, with the nation at large, in that spirit of free and rational inquiry which constitutes the best security for the liberty and happiness of any people. In this spirit, they beg leave, before they close their report, to notice some of the objections which have been made to the colonization of Africa in the mode contemplated by the American Society.

It is believed that a comprehensive answer to most, if not all of them, would be furnished by simply repeating *what it is* that the Society propose to do.

They propose, then, in the language of the Virginia resolution, to procure a suitable territory on the coast of Africa, for such of the free people of color as may choose to avail themselves of this asylum and for such slaves as their proprietors may please to emancipate; and they purpose, moreover, to furnish the means of transporting the emigrants to Africa, or to enlarge the means which they may themselves provide.

They do *not*, therefore, *intend*, and *they have not the inclination*, if they possessed the power, to *constrain* the departure of any free man of color from America, or to *coerce any proprietor to emancipate his slaves*.

So far is this scheme from being impracticable, that one resembling it in all respects was accomplished by a private society in England, more than thirty years ago. In despite of every representation to the contrary, the colony of Sierra Leone boasts, at this moment, a greater degree of prosperity than distinguished any one of the British Colonies, now the United States of America, at the same period after its first plantation. The population of Sierra Leone; its commerce and navigation; its churches, schools, and charitable institutions; its towns and hamlets; its edifices, public and private; surpass those of any one of these States at any time within twenty-five years, from its first settlement. In a few months, most certainly within the present year, the practicability of founding a similar colony, with much better and more abundant materials, will be tested by actual experiment. The free persons of color of New York, Philadelphia, Baltimore, Richmond, Petersburg, and Charleston, who are preparing to remove to Africa, will yield in moral character, to no population of the same complexion, which they may leave behind. Had the Society competent funds, there are similar materials already offered to the Managers for a much larger colony.

In this early success of the object of the Society, there is an unanswerable reply to the argument founded on the supposed unwillingness of the free people of color to quit America.

Some of the authors of this objection have first *persuaded* them *not to emigrate*, and then pronounced that they *will not*. Their prediction and their argument have both failed. And how could it be otherwise? Does not America every day present the spectacle of Europeans who have forever abandoned the natal soil of themselves and their progenitors? Such are their numbers, that humanity has interposed to prevent their crowding to fatal excess the ships which transport them. And can it be believed that the descendants of Africa will not return to the home of their fathers, when it shall have been prepared for their reception, and they are assured of its enjoyment in peace, freedom, and happiness? Do not the most intelligent of their friends recommend to them colonization some where, as essential to their moral and intellectual improvement? and, if any where, what country so fit as Africa? Is there on the habitable globe, a soil more fertile, productions either richer or more varied, a climate better adapted to the constitution of the black man, than that which God hath given him? The fierce sun, which scorches the complexion and withers the strength of the white man, preserves to the children of Africa the inheritance of their fathers. That such is the current of their own opinions when their natural feelings have not been warped by misrepresentations of the climate, soil, and population, of that devoted country, let the following facts attest.

Of the whole number of free blacks in Nova Scotia amounting to very near twelve hundred, to whom the humane Clarkson addressed himself in 1792, but four or five individuals refused to embark with him for Sierra Leone. Almost all those in London yielded, about the same period, to this natural bias.

It is but a few years since Capt. Paul Cuffe carried thirty-eight from Boston to Sierra Leone, chiefly at his own expense; and in a letter, written after his voyage, he declares, that he could have obtained the consent of the greater part of the free people of color in that city and its vicinity to remove to Africa. And let it not be forgotten that, of those whom he actually carried, there was not one disposed to return with him to America. Nor could it cease to be remembered, that this generous and enlightened Afri-

can, in the last moments, as through the last years of his useful and meritorious life, recommended colonization in Africa to his degraded countrymen here. To this authority should be added many others, but especially that of Kizell, the guide and friend of the missionaries Mills and Burgess, who, like Capt. Cuffe, knew America as well as, and Africa much better than, any of the opponents of the plan of colonization.

Some of the free blacks in America who have been consulted on this subject, have, it is true, not consented to the choice of country made for them by the Society; but in the various cities on the coast, they have agitated for many years some scheme of emigration. A few have removed to St. Domingo; and such was the desire of a number of those in the town of Providence, in Rhode Island, some years since, to change their abode, that they subscribed a sum of money, and deputed one of their own body to visit the coast of Africa, in search of a territory suited to their purpose. Their wishes were defeated by the dishonesty of their agent.

The free people of color on the banks of the Wabash, who have already encountered the hardships of settling and clearing a wilderness, have repeatedly expressed a similar desire.

And if this disposition to exchange America for Africa, exists in those States wherein there are very few, if any slaves, what should it be where emancipation is often a curse rather than a blessing; where the more reflecting among the people of color themselves, and the white inhabitants in their neighborhood, however afflicted by the spectacle of hereditary slavery, acknowledge that they are every day more and more convinced that it is impossible to advance the happiness of the slave by emancipation? How unhappy is that condition, which, midway between servitude and freedom, knows neither the restraints of vice, nor the incentives of virtue! And can those who regard themselves as the peculiar friends of the free people of color in America wish them to remain in this degraded, this abject state? No! even they begin to look out for a country in which this unfortunate race may rise in the scale of existence to the level of the white man, and they think that they have found it in the late French colony of St. Domingo.

Very far, indeed, are the Managers of this Society from dissuading any of the free people of color to accept the asylum generously offered to them by the Emperor of Hayti. But, independent of any reference whatever to the future conversion and civilization of Africa, is not the impediment of a foreign language, which the colonists must acquire before they can understand their new laws, of a religion to which they are strangers; of a government which savors, at least, of military despotism, sufficient to turn the scale in favor of Africa, to which the colonists would, in time, impart their own manners, religion, laws, and language? However disposed to cherish good will and respect for all other nations, an American, whether bond or free, would probably prefer an American to a French foundation, for his civil and political institutions.

The general sentiment, then, of the free people of color in the United States, will probably settle down in favor of Africa, as the seat of their contemplated colony. The American Society have made this choice for them after much inquiry and reflection; and it is not probable that any objection will hereafter be made to this selection, if the colony about to be planted shall thrive in its infancy. On this subject, however, expectations too sanguine should not be indulged, nor temporary delays and disappointments produce despair. The beginnings of all nations not lost in fable have been

inconsiderable, and their first progress tardy and laborious. The success of that which the American Society hope to found will be secured from misfortune and accident as far as human precaution can provide. Its prosperity will rest, at last, on that overruling Providence which guides the destiny of man.

It has been urged that this objection seems to comprise the very pith and marrow of all the arguments against the colonization of Africa on the principles of the American Society, that the colony will not be able to *receive and sustain*, nor the Society to *transport thither, all the free people* of color of the United States.

The authors of this objection have not denied that a flourishing colony may be established on the African coast; and some of them have asserted that the present population of the United States have sprung from a comparatively very small number of emigrants. And if an empire resembling in extent and prosperity, these United States, can be founded on the Western coast of Africa, with means so inconsiderable, and therefore so attainable, who would have the inhumanity to refuse his co-operation in a work so glorious?

It must be perceived, therefore, that this objection applies to the *earnest hopes*, rather than to the *express purpose* of the American Society. But, as it is believed that the objection itself is susceptible of complete refutation, it is proper to examine the basis on which it rests.

It will be readily conceded that no colony, nor any number of colonies, can afford to receive, in any one year, a greater number of emigrants than the annual surplus product of their soil, aided by importation, will sustain; and, consequently, that, unless a number of *free people of color*, exceeding the amount the annual increase of that description of persons in America, can be annually provided for in Africa, the whole of that population cannot be there accommodated.

The same principle and deduction apply with the same force to any plan of colonizing *all the people of color*, bond and free. Their application shall be considered in both respects. For, although it is believed, and is indeed too obvious to require proof, that the colonization of the free people of color alone would not only tend to civilize Africa, to abolish the slave trade, and greatly to advance their own happiness, but to promote that, also, of the other classes of society, the proprietors and their slaves, yet the hope of the gradual and utter abolition of slavery, in a manner consistent with the rights, interests, and happiness of society, ought never to be abandoned.

The calculations upon this subject have proceeded on an estimate of the annual increase of the free people of color of the United States, at five thousand souls, and of the slaves at little more than thirty-five thousand; making a total of forty thousand.

Now, so far as this estimate relates to the *free people of color*, it must afford an ample refutation of the conclusion deduced from it, to refer to the fact that there has been scarcely a State admitted into the American Union, the population of which has not been annually augmented for several years prior to its admission, and has not subsequently continued to be augmented, annually, by a greater emigration than of five thousand persons.

The State of Ohio, which boasts, at present, a militia more numerous than that of the ancient and populous State of Massachusetts, and probably sustains, therefore, a population little, if at all, short of six hundred thousand souls, comprehended, in the year 1790, along with the whole North

and Southwestern Territories of the United States, less than 37,000; ten years afterwards, when its census was blended with that of Michigan and Illinois, little more than 45,000; and by the enumeration of 1810, 230,766. Allowing the Territories of Illinois and Michigan, which contained, in 1810, 17,000, to have doubled their population in the ten years next preceding, Ohio possessed, in 1800, 36,500 souls; and supposing that number to have been doubled, by their natural increase alone, in the last twenty years, and the population of that State to be now 600,000, as computed above, she has then been indebted, in twenty years, to emigration and its natural increase, for 527,000 of her present numbers; so that the annual augmentation of the population of Ohio for that period, exclusive of the natural increase of her original stock in 1800, has not fallen short of twenty-six thousand; all of whom have been sustained by the annual surplus produce of the labor of that State, assisted but little, if at all, by importation from the neighboring States and Territories, and reduced considerably of late years by exportation.*

Two such colonies, therefore, planted on a soil and beneath a climate resembling that of Ohio, would provide not only for the natural augmentation of their first stock, after it had reached twenty-three thousand souls, but for an annual addition of 53,000 to their number; thus exceeding in the aggregate more than twelve thousand persons the total annual increase of the colored population of the United States.

But on the soil and under the sun of Africa, which bring to maturity two crops of corn or rice in the same year, where no Winter devours the autumnal harvest, but genial warmth and perpetual verdure gladden the whole year, the same labor would yield a double product, and more than a triple surplus.

It is, too, for the first year only, that this surplus would be required by the new mouths. The new hands would, in every succeeding season, not only provide for themselves, but swell the annual surplus destined for other colonists, or for exportation.

And if, for the first year, there were no surplus, the mere food for five or for forty thousand people would be—what? Less than the surplus produce of a neighboring county of Maryland or Virginia.

Bread, it is true, although sufficient for human sustenance, does not comprise, in itself, a supply of all human wants. For the rest, however, for clothes and shelter, no comparison can be made between their necessary cost in a climate in which the thermometer ever ranges within twenty-five degrees *below* the greatest Summer heat of America, and one wherein, for many months of the year, it rarely rises so high *above* the freezing point, and for half that period it is generally sunk below it.

Tropical Africa is known, at present, chiefly from its Western coast, depopulated and wasted by the slave trade. The imperfect accounts of its interior promise to the civilization which shall hereafter explore it, a milder climate and increased fertility.

It remains to be determined whether the Colonization Society can provide for such a number, or they can provide for themselves, the means of transportation.

And here, as on that branch of this inquiry which has been just disposed of, it should ever be borne in mind, as an antidote to every effort to impair

* It is certain, also, that, for the last three years, Ohio has furnished many emigrants to Indiana, Illinois, Michigan, and Missouri.

the hopes of the philanthropist, that, short of complete success, there is much substantial good to be attained.

He cannot stand acquitted at the bar of his own conscience who pleads, as an excuse for total inaction, that he could have accomplished but a part of what he desired.

If the seeds of civilization shall be strewed along the coast of Africa, and protected from the blighting influence of the slave trade; if the chief impediment to gradual emancipation in America shall be removed; if, where slavery may continue to exist, the fidelity of the slave, and the affection of the master, shall be both augmented; if the free people of color shall be permitted to enter on the career of moral and intellectual improvement in the land of their fathers, under the guarantee of political independence; if all, or any considerable part of these blessings can be attained by opening the door of Africa to the return of her liberated children, it will be no reproach to the Colonization Society that they have not civilized an entire continent, or disenthralled a nation.

It is, indeed, most probable, that the American Society, unassisted by the resources of the individual States, or of the Union, may be incapable of rendering such aid to the emigration of the people of color as would provide for colonizing their annual increase. But that the resources of the United States would prove incompetent to that purpose, is utterly denied, and can be most easily disproved. For what would be the expense of transporting 5,000 persons, the supposed annual increase of the free people of color alone, or 40,000, the estimated increase of both BOUND and FREE? Computing the present population of the United States at ten millions, and allowing fifty dollars for the transportation of each colonist, there would be required for the latter a poll tax of but two and a half cents, and for both, one of twenty-five cents, on all the people of these States.

The amount of duties collected on foreign distilled spirits, during each of the first six years of Mr. Jefferson's administration, would defray the sum total of this expense, and furnish half a million of dollars, annually, to extinguish the principal, the entire stock of the heaviest calamity that oppresses this nation. A renewal of the internal taxes of 1815 would not only provide the means of exporting the annual increase of the whole colored population of the United States, but leave an equal sum to purchase that part of this number, to the exportation of which, the consent of the proprietor could not be obtained. And were the same duties charged in the United States as in Great Britain on the consumption of this fatal poison of human happiness, their nett proceeds would, in less than a century, purchase and colonize in Africa every person of color within the United States.

This period is, indeed, remote; but eternity admits not of distribution into time. In the existence of nations, a century is but a day.

The preceding calculations are founded on the improbable supposition, that no colonist would contribute any thing whatever to defray the expense of his own removal. Let those who indulge the most unfavorable anticipations of the expense of colonizing in Africa the free people of color of the United States, behold the condition and number of those emigrants who are daily poured upon the American continent from every part of Europe; whom poverty and wretchedness drive from the home of their fathers; and whom no friendly counsel cheers, no friendly hand assists, at their port of embarkation, in their uncomfortable voyage across the Atlantic, or their

toilsome journey to a remote settlement in a strange land: who heard, before they embarked, every possible misrepresentation of the country which they sought to reach; and encountered, in the Government which they were about to leave, every discouragement which oppression can oppose to the love of freedom and the desire of happiness; and yet, whose lot in Europe was preferable to that of the slave in America, and, in many respects, to that of the contemned, and therefore debased, free negro. Count the number of emigrants who entered the ports of North America in the past year only. Upwards of twelve thousand are said to have landed at the single port of Quebec; and the total number who have reached Canada, Nova Scotia, and the United States, cannot fall far short, if at all, of forty thousand. Many of them, in order to pay their passage, entered into obligations of service to be performed after their arrival in America; and thus sold their freedom for a few years, in order to perpetuate it to themselves and to their posterity.

They have come, it is true, in commercial ships, and some of them have paid less for their passage than the cost at which it is ascertained that any number of free people of color can be carried to Africa, in ships fitted for passage only.* But will not the time arrive when Africa will have her commerce too? Has not the single port of Sierra Leone exported, in one year since the abolition of the slave trade by England, a greater value than all Western Africa, a coast of several thousand miles, yielded, exclusive of its people, for a like period anterior to that event? When this abominable traffic shall have been utterly exterminated; when the African laborer can toil secure from the treachery of his neighbor and the violence of the man-stealer, that continent will freight, for legitimate trade, those ships which now carry thither chains, fetters, and scourges, to return home with the bones, the sinews, the blood, and the tears, of her children. Her gold, her ivory, her beautiful dyes, her fragrant and precious gums, her healing plants and drugs, the varied produce of her now forsaken fields and lonely forests, will be brought, by a joyous and grateful people, to the nations who, once their plunderers and persecutors, will at length become their protectors, friends, and allies.

New forms of government, modelled after those which constitute the pride and boast of America, will attest the extent of their obligations to their former masters; and myriads of freemen, while they course the margin of the Gambia, the Senegal, the Congo, and the Niger, will sing, in the language which records the Constitution, laws, and history of America, hymns of praise to the common Parent of man.

A revolution so beneficent, so extended, and so glorious, requires, to effect it, the concert and the resources of a nation. The people of America have the power to secure its success against the uncertainty of accident. They are summoned to the performance of this duty by the most urgent incentives of interest, the most awful appeals of justice, and the tenderest claims of humanity. Its final accomplishment will be a triumph over superstition, ignorance, and vice, worthy of a people destined, it may be fondly hoped, to surpass all other nations in the arts of civilized life.

The Colonization Society is about to lay the corner stone of this edifice. Whether it shall rise to strength and grandeur, it is for the Government and people of America, under the overruling Providence of Heaven, to decide."

* Two or three guineas have been frequently accepted for a passage from Great Britain to America, where the emigrant has found his own stores.

Extracts from the Nineteenth Report of the Directors of the British African Institution, published in 1825.

“Sierra Leone may be considered with reference both to its internal condition, and to its effects upon the neighbouring natives.

“Its internal prosperity will, of course, depend on its healthiness; on the progress made in the settlement of the liberated negroes, and in inducing them to adopt the restraints and habits of civilization; on the state of schools and religion; and on the successful prosecution of agriculture and commerce.

“The mortality of 1823 at Sierra Leone, though of a most distressing nature, has been much exaggerated. The fever which prevailed did not attack a black or colored person; but out of a white population of 110, the deaths were 25. The accounts, during the last year, represent the colony as being very healthy. Serious injury, however, arises to its interests from the occasional prevalence of severe sickness; and in no respect more than by the temporary interruption to which the advancement of education and religious instruction has been exposed in consequence of the death of their principal instructors, among whom the mortality was unusually great. The effect of these unexpected losses was, that, for a considerable period, both properly qualified schoolmasters and also chaplains had been wanting. But the Church Missionary Society, which has now taken off the hands of Government the burden of supplying to the colony the means of religious instruction, has been making great efforts to supply the requisite number of teachers; and their zeal, and that of their missionaries, has only been rendered more remarkable and praiseworthy by the difficulties with which they had to contend.

“The regular attendance on public worship consists of nearly the whole population of the colony, and the schools are attended by the whole of the young, and even by not a few of the adults; many of whom, however, think themselves too old to learn, or object, after the labor of the day, to spending an hour or two in school. The missionaries, who are engaged in the work of instruction occasionally, lament the slow progress by which the human character, when once degraded, can be raised up to take its proper place in society. Yet this rate is usually so very gradual, even under the most favorable circumstances, that it is important, with a view to prevent unreasonable expectations and consequent disappointment, that the fact should be thoroughly understood and acknowledged. The means, however, are in active operation, which alone are proper and competent for promoting the great work of civilization.

“Sierra Leone contains about 18,000 inhabitants; of whom, about 12,000 consist entirely of liberated Africans, who, for the most part, occupy the parishes in the mountains; and nothing can be more gratifying than to know that the almost impenetrable woods, which were the haunts but lately of wild beasts, have been replaced by villages with comfortable habitations, and surrounded by tracts of ground under cultivation, and containing school-houses for both sexes. In one of these, it is reported that, out of 103 children, 64 can read the Scriptures; in others, that, out of 1,079 scholars, there are 710 persons who can read; and so on in different proportions. The churches erected among them are said to have crowded congregations; one in Regent Town usually assembling a congregation of from 1,200 to 2,000 souls.”

“The missionaries have already more than they can adequately perform in their proper department. They have the superintendence of

those schools where the liberated slaves, coming from different countries, and speaking different languages, may, upon their release, make the first beginning towards becoming really members of the same community, by acquiring a knowledge of English as a common tongue. The Church Missionary Society has undertaken the further task of seeking to fix the African language, and prepare elementary books, (which has already been done for the Susoons and the Bulloms,) with the view of training native teachers, as the most efficient instruments for extending the Christian religion among the native tribes.

“In the Sherbro country, two private individuals, educated natives, have collected boys from various places on that part of the coast, and are giving them the rudiments of English education.”

“The timber trade, in which the natives in the river Sierra Leone have engaged, (with an alacrity and perseverance which show that their industry only wants an object and adequate security in order to develop itself,) in 1823, furnished 15,000 loads for the British market, and, in the last year, a considerably larger supply. The freight alone on the shipments of last year, would probably amount to £100,000. The invoice value of the cargoes imported into the colony in 1823, was £121,442 18s. 11d.; the duty paid on them was £8,483, 3s. 11d. The exports consisted of shipbuilding timber, camwood, palm oil, elephant’s teeth, gold dust, gum copal, beeswax, rice, and Malaguetta pepper. The gum trade has been increasing on the Gambia; and the value of the different articles independent of gum, as hides, beeswax, gold, ivory, and timber, exported from the Gambia during the year, is stated at £125,000.”

List of vessels engaged in the Slave Trade, (or strongly suspected to be so,) as published in the Nineteenth Report of the Directors of the British African Institution, in 1825.

N. B. Those marked (s) have been seized and sent in for adjudication, some of which have been condemned. Those marked (v) have been visited, and found to have slaves actually on board, or to be fitted up for their reception.

<i>Name and description of vessel.</i>	<i>Nation.</i>	<i>Name and description of vessel.</i>	<i>Nation.</i>
s Aviso, brig	Portuguese	Bella Dolores, schr.	Spanish
v Alberta, brig	Spanish	s Bom Caminho, brig	Portuguese
Anfirrite, schr.	do	s Bonn Fern, schr.	do
Atrevida, schr.	do	v Belizario, ship	
Aimable Claudine, schr.	Netherlands	v Bom Sucesso, smack	Brazil
s Arola, schr.	Portuguese	v Bella Astrea, schr.	
v Afra, smack	Brazil	v Boa Hora	Rio Janeiro
v Auguste, brig	French	v Bella Umiliana	do
Alcide	do	v Boa Uniao	do
v Avidor	Bahia	v Bom Jesus	do
v Amizade dos Santos	Rio Janeiro	v Bella Americano	do
v Amha	do	s Bscayna, schr.	Spanish
v Abyssmo	do	Barbarita, schr.	do
v Amazonia	do	s Creole	Brazil
v Andorinha, smack	Brazil	v Conques'ador, brig	Spanish
v Adolphe, schr.	French	Chatica, schr.	do
Aimable Henriette, brig	do	Clara, schr.	do
Aimable Socorro, sch.	Spanish	s Conchita, bark	do
Agile, brig	French	s Creola	Brazil
v Adamstor	Rio Janeiro	v Commerciante	
s Bella Eliza, schr.	Brazil	v Conceicao, schr.	

v Courreur			v Jupiter, brig	-	Brazil
v Corde de Villa Flor			v Josephine,	-	French
v Cerqueira, brig	-	Portuguese	Josefa, schr.	-	Spanish
v Caridade, schr.	-	do	La Henriette Aimee	-	French
v Cirrillus, ship	-	Dutch	v Les Deux Sœurs, cutter	-	do
v Capim de Macaio, smack	-	Brazil	v Le Louis, brig	-	do
v Conde dos Arcos	-	Portuguese	La Espanola, schr.	-	Spanish
v Caccador	-	do	v Les Deux Nantois, brig	-	French
v Cometa	-	do	v Liberale, schr.	-	
v Concozio à Passos	-	do	v La Louisa, schr.	-	French
Correio de Ba Honda, schr.	-	Spanish	v La Sabine, ship	-	do
Clarita, schr.	-	do	v L'Amable Henriette, brig	-	do
Constante, brig	-	do	v La Theonie, schr.	-	do
Chirgata, schr.	-	do	La Rose, schr.	-	
v Dana, brigantine	-	Portuguese	v Le Glanneur, brig	-	French
Decamida, schr.	-	Spanish	v Lys, brig	-	do
v De Janeiro	-	Rio Janeiro	v Lisbea	-	
v 6 De Fevereiro	-	do	v Leopoldina	-	Rio Janeiro
v 4 D'Abril	-	do	v Lucrecia	-	do
v Demasio	-	do	v Lisboa	-	do
v Dona Ann	-	do	v Ligeiro	-	do
v Desengano	-	do	v La Pauline	-	French
v Dignace, brig	-	French	v L'Hyppolite, schr.	-	do
Dorota, schr.	-	Spanish	v La Caroline, schr.	-	do
El Vincedor, brig	-	do	L'Atlante, schr.	-	do
El Romana, brig	-	Havana	Louise, schr.	-	do
El Espanola, or Maria Deca- mida, schr.	-	Spanish	La Rose, brig	-	do
El Alerta, brig	-	Havana	Liberal, schr.	-	Spanish
v Estrella, schr.	-		Louisa, schr.	-	do
v Esperanza, brig	-	Portuguese	v La Daphne, schr.	-	French
Especuladora, schr.	-	Spanish	Margiana, brig	-	Spanish
Escupefuego, brig	-	do	v Mineva, schr.	-	do
Esperanza, schr.	-	do	v Maria de la Gloria, brig	-	Portuguese
Flower of the Sea, schr.	-		v Magico, brig	-	Spanish
Peliciana, schr.	-	Spanish	v Maria La Luz, schr.	-	do
v Flor del Mar, schr.	-		v Minerva, ship	-	Portuguese
v Flor de Fe, smack	-	Brazils	v Maria, schr.	-	do
v Florida, schr.	-	do	v Martiniquien, schr.	-	French
v Feliz Ventura, ship	-		v Mercurio,	-	Rio Janeiro
v Pubiana, schr.	-	Spanish	v Mercantil	-	do
v Flora	-	Rio Janeiro	v Marquez do Pumbal	-	do
v Felicidade, brigantine	-	Portuguese	v Maria Josefa, schr.	-	Spanish
Gustava, brig	-	French	Marie, schr.	-	French
v Gertrudes, smack	-	Brazil	Marie, brig	-	do
Galathee, schr	-	French	Matilde, schr.	-	Spanish
General Winder, schr.	-	America	Medusa, schr.	-	do
Gaspar, brig	-	French	Nicanor, schr.	-	do
v General Bieigo	-	Rio Janeiro	v Ninfa Habanera, schr.	-	do
v Gam Penedo	-	do	v Nova Sorte	-	
v Galiana	-	do	v Noao Despique	-	Rio Janeiro
Harriettee	-	French	v Nymphe de Brazil	-	do
v Hirondele, schr.	-	do	v Neeves, schr.	-	Spanish
v Henriqueta	-	Rio Janeiro	Nova Francisca, schr.	-	do
Indiabile, schr.	-	Spanish	Noticioso, brig	-	do
India, schr.	-	do	Orestes, schr.	-	do
Industria	-	Rio Janeiro	v Osdens Amigos	-	Portuguese
v Ino de Brazil	-	do	v Orphee, ship	-	French
Isena, schr.	-	French	v Piccaninny Mena, schr. boat	-	
Isisam, schr.	-	Spanish	Paulita, schr	-	Spanish
Isabel, brig	-	do	v Paquete de Rio, schr.	-	
Jonquena, brig	-	do	v Paquete de Bahia, brig	-	
Josca, schr.	-	do	v Pastora de Lima	-	Rio Janeiro
Jonquina, schr.	-	do	v Poliphemo	-	do
Joseph, schr.	-	do	v Principe Real	-	do
			Paquete, schr.	-	Portuguese

Pilades - - - -	Spanish	s Two Brazilian Friends, } brigantine	Portuguese
Princoxtralla, schr. - -	Brazil	s Two Nations - - -	French
s Relampago, schr. - -	Spanish	Teresa, brig - - -	Spanish
s Rosalia, schr. - - -	do	Tranquilidad, schr. - -	do
r Regenerador - - - -	Rio Janeiro	v Tamaga, ship - - -	Portuguese
r Rompiensen, brig - -	Swedish	v Trintabum de Mayho, brig	
R. Lampago, brig - - -	Spanish	r Triunfo da Inveja, brig	
Segunda Gallega, schr. -	do	r Tippoo Said, brig - -	French
Socorro, schr. - - - -	do	v Tejo - - - -	Rio Janeiro
Serafina, schr. - - - -	do	r Trajano - - - -	do
San José, brig - - - -	do	Urraca, ship - - - -	Spanish
s San Man-al Brazileiro, smk.	Brazil	Victoria, brig - - - -	do
r S. Joze Diligente Volcano, brig		Vengador, brig - - - -	do
r Sol-til, brig - - - -	French	r Vencedor, brig - - - -	Portuguese
r Sabine - - - -	do	v Viajante - - - -	Rio Janeiro
Saus Soucie, sloop		v Victor, brig - - - -	French
r Santo Anto. Flor de Loanda		v Vecua, schr. - - - -	Spanish
r Santa Rosa - - - -	Rio Janeiro	Walter Farquhar	
r Santo Antonio - - - -	do	s Zee Bloem, schr. - -	Spanish
r Seno-a-Gua - - - -	do	r Z-firo - - - -	Portuguese
r San Jose Diligente - -	do	s Z-phira, brig	
r San Antonio Destimido -	do	r Zeiberio, brig - - -	Brazil
r San Rafael, schr. - -	Spanish		

TWENTIETH CONGRESS—FIRST SESSION.

FEBRUARY 25, 1828.

Mr. McDUFFIE, from the Committee of Means, to which the subject had been referred, reported the following bill:

A bill to abolish the Agency of the United States on the Coast of Africa, to provide other means of carrying into effect the laws prohibiting the slave trade, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, after the first day of January, one thousand eight hundred and twenty-nine, the Agency of the United States on the coast of Africa, established under the authority of an act of Congress of the 3d of March, one thousand eight hundred and ninety-two, entitled "An act in addition to the acts prohibiting the slave trade," shall be abolished.

SEC. 2. And be it further enacted, That the President of the United States be then authorized to convey to the Agents of the Colonization Society on the coast of Africa all the houses and other property belonging to the Agency of the United States on that coast: Provided, the said Society will agree to receive, on the terms hereinafter stated, the negroes who may be recaptured and sent to Africa, under the acts for the suppression of the slave trade.

SEC. 3. And be it further enacted, That the President of the United States be authorized to pay to the Colonization Society, or their Agents on

the coast of Africa, a sum not exceeding fifty dollars for the support of each recaptured African negro delivered to the Agents of the said Society: *Provided*, the said Society, or their Agents, will agree to receive them on the terms specified in this and the preceding section.

Sec. 4. *And be it further enacted*, That the sum of thirty thousand dollars be, and the same is hereby, appropriated, to be paid out of any unappropriated money in the Treasury, for carrying into effect the aforesaid provisions, and also for the purpose hereinafter stated.

Sec. 5. *And be it further enacted*, That the Secretary of the Navy be authorized to pay, out of the sum herein appropriated, the claim of the administrator of the state of Taliaferro Livingston, late United States' Marshal for the District of Alabama, for the maintenance of sundry Africans, captured in one thousand eight hundred and eighteen: *Provided*, the said administrator shall produce satisfactory evidence of the reasonableness of the charges for the said maintenance; and that the sums received by the said Livingston for the hire of the said Africans, be accounted for, and deducted.

NOTE.—In the course of the proceedings on this bill, the 1st, 2d, and 3d sections were stricken out, leaving the 4th and 5th sections only, which were passed into a law, and received the approbation and signature of the President of the United States on the 24th of May, 1828.

THURSDAY, MARCH 4, 1828.

Mr. MERCER moved the following resolution; which was read, and laid on the table, viz:

Resolved, That the Secretary of the Navy be directed to lay before this House such intelligence as his Department may supply, respecting the present condition and probable annual expense of the United States' Agency for recaptured Africans upon the coast of Africa; and to comprehend therein any information possessed by the said Department, illustrative of the present circumstances of the settlement of free colored people at Liberia, and of those liberated Africans who have been restored to that continent, in pursuance of the act of Congress of 1819.

This resolution was adopted by the House on the day after its introduction; and the Secretary of the Navy, in obedience to its requirements, communicated to the House the following:

NAVY DEPARTMENT,
11th March, 1828.

Sir: In answer to the resolution of the House of Representatives of the 5th instant, directing the Secretary of the Navy to lay before the House "such intelligence as his Department may supply, respecting the present condition and probable annual expense of the United States' Agency for recaptured Africans upon the coast of Africa; and to comprehend therein any information possessed by said Department, illustrative of the present circumstances of the settlement of free colored people at Liberia, and of those liberated Africans who have been restored to that continent in pursuance of the act of Congress of 1819," the Secretary of the Navy has the honor to

lay before the House a copy of two letters from J. Ashmun, who is temporarily the acting Agent at Cape Mesurado: one dated 28th August, and the other 2d December, 1827; a schedule of the public buildings and other property, with their estimated value; a statement of the disposition made of the Africans sent from Georgia by the ship Norfolk; and an extract of a letter from Master Commandant J. B. Nicholson, dated 20th February, 1828.

These papers contain all the information, recently received, of the present condition of the Agency, which is represented as prosperous and encouraging.

It will be perceived that all the liberated Africans have, by this time, ceased to be a charge to the United States.

Should no further captures be made, the only expense, under existing regulations, will be for the care of the public property and the salaries of the agents. It may be proper, however, to state that 121 Africans, landed from the wreck of a Spanish vessel, have lately been seized at Key West, and measures adopted by the Marshal of East Florida for their removal to St. Augustine, preparatory to a trial. The decision respecting them cannot be anticipated, but it is possible that the case may be considered as coming within the acts of Congress; in which event, the duty will devolve upon the Executive of removing them from the United States. Provision was made for such an emergency, in the estimate presented at the commencement of the session.

Accounts of the expenditures at and for the Agency have been furnished to the close of the last year; those subsequently received have not yet been settled.

Orders were given on the 10th December, not to expend any more money on the public buildings, and the Agent was directed to prepare a schedule of them and their cost; this was partly anticipated by one of the accompanying papers; but the current estimated value is substituted for the actual cost, which is probably not more than one-half the amount stated.

A map of the country having been engraved, a copy of it is herewith sent, showing the position of the several settlements.

The Department is not in possession of any other information, particularly "illustrative of the present circumstances of the settlement of free colored people at Liberia." Reports on that subject are addressed to the Colonization Society; nor has the Department any knowledge, further than what arises from the unavoidable connexion existing between the Agency and the settlement of free people, and which connexion has heretofore been explained in communications to Congress.

All which is respectfully submitted.

SAM'L L. SOUTHARD.

The SPEAKER of the House of Representatives.

UNITED STATES' AGENCY FOR RECAPTURED AFRICANS,

Cape Mesurado, August 28, 1827.

SIR: I have the honor to acknowledge the receipt, through Doctor Toddson, per the ship "Norfolk," arrived here on the 20th instant, forty-one days from Savannah, of your letter of the 11th of June, and copies of instructions therein referred to: those originally addressed to the late Doctor

Peace, dated April 2, and those given to Doctor Todson, dated the 11th June; all of the present year.

In obedience to those instructions, I have received 142 Africans at the Agency, (the number embarked at Savannah having been diminished by two, from the death of a child and an aged paralytic,) and proceeded to dispose of them in the way judged most conducive to their own welfare, and most conformable to the views and instructions of the Department. Under this disposition of these people, of which the particulars shall be forwarded by the return of the Norfolk, three-fourths of them will cease to be a charge to the United States at the end of *one month*, and *all* (except the sick) at the end of *six months*. All the adults are to receive lands, and will be admitted to the privileges of colonial settlers at the expiration of *twelve months*, provided their conduct within that term shall not prove them unworthy of the civil rights attaching to landed property in the colony.

Conformably with the same instructions, I have reorganized the service of the Agency, with a view to diminish and reduce, to the lowest estimated amount, its future expenses.

W. L. Weaver, the bookkeeper and assistant, appointed by the late Dr. Peace, is discharged after the 31st of the present month.

The storekeeper, E. Johnson, whose services in keeping, distributing, and exchanging the stores and other property belonging to the Norfolk's cargo, *cannot be dispensed with*, is retained at a compensation of \$333 per annum, for six months from the same date.

A. D. Williams, the former Superintendent, is also retained at a compensation of \$400, for the same term.

The reason for retaining Mr. Williams is, that his superintendency and other services are absolutely necessary to place the Africans in situations, and custom them to such employments, and form them to such habits, as shall enable them, some from the first, *all* at the end of six months, to support themselves.

On the supposition that no more Africans are to be sent to the Agency, I beg to submit an estimate of its future expenses in this country—anticipating its expiration on the first of September, 1828—exclusive of draughts on the Department previous to the present time, some of which appear not to have been received on the eleventh June last, and of the stores, &c. received per the Norfolk.

Estimate.

1. Compensation due to W. L. Weaver, in full for past services up to the time of his discharge, August 31, 1827	\$175 00
2. Do. due to E. Johnson, storekeeper, in full for services up to the 31st August, 1827	75 00
3. Do. due to E. Johnson, storekeeper, in full for services to be rendered the ensuing six months, when they are to terminate	166 50
4. Do. due to Griffin, Steward, and Clarke, associate carpenters, for carpenters' work accomplished and doing on the United States' buildings for recaptured Africans and Superintendent at Stockton town	200 00
5. Do. due to the same carpenters for work done and doing on Fort Norris Battery, Cape Mesurado	95 00

6. Compensation due to Nelson's services as carpenter, Stockton buildings - - - - -	250 00
7. Estimated amount of masons' and painters' bills for underpinning and painting the Stockton buildings - - - - -	275 00
8. Bills of William Draper, employed, in 1826, by Doctor Peaco, to build a very expensive double piazza, with Venetian work, quite around the large agency house, involving alterations in the house - - - - -	2,400 00
9. Do. of masons, carpenters, and painters, for work necessary to complete the new agency house - - - - -	300 00
10. Do. carpenters and smiths for completing the large schooner boat now on the stocks - - - - -	650 00
Materials for the same, and for repairing the Catharine - - - - -	400 00
11. Do. of painters, and for materials for painting the United States' ware, gun, and other remaining houses - - - - -	240 00
12. Expenses incurred about Fort Norris Battery, for the protection of the Roads, estimated at - - - - -	165 00
13. Do. for compensation to A. D. Williams, Superintendent recaptured Africans, February 28, 1828 - - - - -	400 00
14. Incidentals. Agent's personal expenses during the year to end August 31st, 1828, \$100, or (exclusive of pay) extra services and fixtures about the public stores, \$50; salutes to foreign national vessels, \$50; compensation for military and ordnance storekeeper, \$36 - - - - -	236 00
15. Amount of draught for purchases made of the schooner Eclipse, in favor of William De La Roche. <i>Note.</i> The amount of this draught, dated to day, is \$1,602 97½, comprehending—	
Of the 1st item of the preceding estimate, - - - - -	\$72 87½
Of the 4th do do do - - - - -	92 00
Of the 6th do do do - - - - -	120 00
Of the 8th do do do - - - - -	290 00
Of the 13th do do do - - - - -	30 00
	<hr/>
	\$604 87½
	<hr/> <hr/>

And leaving, after abating this general estimate, \$604 87½ for purchases properly belonging to item 15 - - - - - 998 10

Making, exclusive of my own or substitute's pay through the year beginning September 1, 1827, in full for all future expenses to that date, and supposing the expiration of the Agency at that date, six thousand nine hundred and eighty-five dollars and sixty cents - - - - - \$6,985 00

In the foregoing estimate I have most anxiously studied economy on the one hand; but I have, also, on the other, not been regardless of the mode of closing a concern of so interesting a nature, situated in a foreign country, which becomes the justice and dignity of the Government of the United States. The actual state of the United States' *dwelling, ware, and gun-houses, its fortifications and their armament, the buildings for recaptured Africans*

and the boats, &c. belonging to the Agency (worth, at a moderate estimate, \$14,000,) requires also a large part of the additional expense included in this estimate, in order to furnish and put them in a condition to fit them either for sale or preservation.

Doctor Todson will furnish himself with a properly authenticated schedule of all the permanent property belonging to the United States at this date, attaching to the Agency, which probably will not materially vary at the year's end.

Having formed the above estimate in the exercise of my best discretion, I beg, in conclusion, to observe, that, *until further instructions from the Department, to which I beg most respectfully to submit it for approval, I shall regulate my expenditures by it, and, without the most extraordinary necessity, shall not exceed any one of the items.*

Respectfully, sir,

Your obedient servant,

J. ASHMUN.

Hon. SAMUEL L. SOUTHWARD,

Sec'y United States' Navy, Washington City.

P. S. A general statement of my accounts since the departure of Doctor Peaco was forwarded by the United States' schooner Shark, which sailed from Mesurado for the West Indies, 12th February last; and a full statement of my accounts up to the 30th of April, 1827, went by the Doris, which sailed hence for Baltimore, on the 22d June last. If my health, which has been bad for two months past, proves sufficient, I shall forward by Dr. Todson a further statement of the accounts to the date of the Norfolk's arrival, August 20th (inst.)

J. ASHMUN.

Understanding a vessel, to be chartered by the American Colonization Society, is expected to sail from the United States for Cape Mesurado some time in Autumn, I have to request that twenty-five thousand of juniper, cypress, or yellow pine shingles may be forwarded by that conveyance, in order to cover the most valuable of the United States' houses, &c. in this country. The shingles of the country are dear, and too indifferent to last longer than two seasons. Some require to be annually renewed

J. ASHMUN.

U. S. AGENCY FOR RECAPTURED AFRICANS,

Cape Mesurado, December 22, 1827.

Sir: The United States' ship Ontario, having arrived in Mesurado Roads last evening, ten days from Sierra Leone, and forty-one from Gibraltar, so her return to the United States, will be the bearer of this communication.

I have the satisfaction of being able to state, that all the recaptured Africans at the Agency are, with nearly every individual of the American settlers, in perfect health, with the exception of nine cases (of which two are recaptured Africans) of ulcerated legs. The sufferers from this malady have, however, been convalescent since the termination of the rainy season, which the present year was unusually protracted, and scarcely terminated at the beginning of the present month.

The number of Africans from Georgia has been diminished by two deaths since the date of my letter per the Norfolk. The first was that of an adult, drowned, or, as there is reason to suppose, destroyed by an alligator, while bathing in the Mesurado river, on the 10th of October. The other case is of a child, three years old, carried off by a malignant fever of 30 hours' continuance. About forty of the whole company from Georgia have been slightly affected with intermittents. The worst case continued nearly two months, but, generally, the patient recovered in ten days.

These people have proved, far beyond expectation, orderly, peaceable, and industrious. Only a solitary offence deserving corporeal punishment has come to my knowledge, and this grew out of a sudden exasperation of passion. Five marriages have been solemnized; and the irregular connexions of the unmarried strictly prohibited, and, as far as is known, prevented entirely. Seven women, having one or more small children each, not obtaining situations in the families of the settlers, have been employed in the best manner I could place them in the public service. Three of them wash and cook for the public laborers, the rest have situations in the Colonial *Infirmary and Orphan House*, where they enjoy the strictest paternal superintendence of the manager of that establishment, and are fully employed, without any actual increase of the sum total of the public expense. It has proved a truly auspicious circumstance, when only the temporal lot of these people, and their restoration to Africa, are considered, that more than 40 of their number have brought with them that best of all personal endowments, a simple and imperfect, but serious and practical knowledge of Christianity. The true religion operating on such minds, exists and displays itself only in its influence on the life and character. And this is only salutary. I trust their good conduct during their probationary year will secure them the good wishes and patronage of all in the colony whose friendship can hereafter be most useful to them. A part of them is destined at the end of the year to the newly projected settlement at Grand Bassa; another division I hope to provide for on the Stockton, midway between Caldwell and Monroe. The lands of both districts are good, and *equally* good. The third or remaining part of the company, consisting of single women and minors, will remain attached to the families of the settlers, and accede, in time, to the privileges of the American emigrants.

The expenditures on account of the Agency have been regulated strictly according to the estimate forwarded by the schooner *Eclipse*, under date of August 28th, 1827—no event having occurred, or appearing likely to happen, requiring me to exceed it. The injury sustained by the schooner boat has been repaired, and she is again in active service. We still keep her armed, but have considerably reduced the expense of her ordinary armament and crew this season, which may be increased at pleasure. It is quite necessary she should occasionally show a gun, but more so that she should fetch good freights of rice and oil for the comfort of the people; and in this service we hope hereafter chiefly to employ her.

The other unfinished boat is under shelter, and will be completed at leisure, in the best style which our materials and workmen will permit. The great multiplication of decked coasting craft in the colony the present season, both delays the completion of the public boats, by engaging the mechanics, and renders that delay the less prejudicial to the common welfare of the establishment.

The accounts of the Agency for the four months ending on the 31st inst. may be expected by the schooner "Susan," of and for Baltimore, to sail early in January. The actual state of the slave trade on this coast will, perhaps, be best learnt by the Department from the report of Capt. Nicholson, of the "Ontario," who remained several days at the centre of intelligence on this subject, Sierra Leone. On this part of the coast it is certainly reviving. The vessels engaged in it carry, a few, the *French*, but most the *Spaniards*. Most of the adventurers are also Spaniards, many are French, and a few natives of the *United States*. In one instance, the United States' flag has been used to protect a slaving schooner, whose name, place of outfit, and master, I have not been able satisfactorily to ascertain.

Respectfully, Sir,

I have the honor to remain,

Your obedient servant,

J. ASHMUN.

To Hon. SAMUEL L. SOUTHARD,
Secretary of the Navy,
Washington City.

SCHEDULE of United States' property attached to the Agency for recaptured Africans, Cape Mesurado, and not of a convertible nature.

Denomination and description.	Estimated value, Sept. 1, 1827.
1. <i>Large Agency House</i> .—Frame, yellow pine. Brought to Africa in 1823. Surrounded with a double piazza 12 feet deep; of which the upper story is now finishing with Venetian work of excellent workmanship and materials. Kitchen attached. The principal dimensions are 64 feet long, 40 wide—stories 11 and 9 feet. Will be finished about the first of January, 1828; and, when complete, valued at - - -	7,500 00
2. <i>Granary and Storehouse</i> .—This is a small building, of which the uses to which it has hitherto been applied are described by its name: designed to become a storehouse to the new Agency house, near which it stands. It is two stories—the lower mason-work, roof hipped, panel doors, and the whole building painted. Value - - -	500 00
3. <i>Old Warehouse</i> .—Consists of one ground story, and a capacious loft; has a slight frame, secured in every part by a filling in of logs; clap-boarded, and covered with country shingles. Dimensions, 40 feet by 16 feet. Built in 1826. Estimated value - - -	500 00
4. <i>New Warehouse, Monrovia</i> .—This is a completely finished and secure warehouse and store, of two stories—the lower is strengthened with a filling in of timbers; the upper constructed of a frame brought from the United States. One side of the roof painted. Built in 1826 and 1827. Value - - -	1,800 00
5. <i>Magazine</i> .—Stone work, plastered on the outside. The roof, inside, vaulted with mason work, and covered above with a shingled roof. Its strength is what is technically called bomb-proof. Estimated value - - -	200 00

6. *Crown Hill Fortification*.—Commenced only. The foundation is laid for a hexagonal tower of two platforms, each to mount four guns. Its foundation walls are five feet thick; intended for the defence of the eastern extension of the settlement of Monrovia, where it stands. Value of foundation and materials collected - - - - - \$175 00
7. *Central Fort, formerly Fort Stockton*.—This work, building, in part, of the materials of Fort Stockton, which was demolished, in 1826, for the purpose, is in the form of a triangular battery; of which the angles consist of three pentagonal two-story towers, in each of which are ten port-holes; and these towers joined together by walls 10 feet high, two thick, and each 60 feet in length, pierced with 15 port-holes. The work may mount any number of guns, from 6 to 18: 6 heavy and 6 light pieces are its medial complement. The towers of this work, erected in 1826, '7, are the only part yet accomplished. It defends nearly the whole present settlement of Monrovia, and the mouth of the river. Present value 950 00
8. *Fort Norris Battery*.—Erected on the height of Thompson town for the protection of the outer roadstead. It stands near the summit of Cape Mesurado, on a shelf strengthened and levelled by means of an expensive and impenetrable bed and abutment of the heaviest stone-work. It has two faces, each of 40 feet, furnished with a platform of four inches thick sawed stuff; is housed and roofed, and provided with four long twelve pounders, iron. Built in 1827. Value, exclusive of the armament - - - - - 500 00
9. *Ordnance, 21 pieces*.—Five long twelves, of which one needs remounting; two eighteen pound gunnades, well mounted; three nines, one long, one medium, and one carronade, all mounted; six sixes, one carronade, the others mediums, and two need remounting; five smaller medium guns and swivel pieces: of these, one is a brass six pound field piece, mounted on a travelling carriage, and furnished, also, with a revolving carriage to suit either a tower or the deck of a small vessel. Rammers, &c. nearly complete. Value - - - - - 2,000 00
10. *Central receptacle for recaptured Africans, Stockton town*.—Of this building, the part approaching the river is two stories, and finished with Venetian blinds, and in the best style. Intended for the superintendent's residence. The whole consists of American lumber: the length 60 feet, and consists of eight apartments for recaptured Africans, exclusive of the front part described. Built in 1826 and 1827. Value - - - - - 850 00
11. *Range No. 1*.—Situated near the central receptacle, has the form of L, one and a half story, 14 feet wide, and 72 feet long, built of the best American materials; and contains a store room and five spacious apartments, each of which has a loft for recaptured Africans, 1827 - - - - - 1,000
12. *Range No. 2*.—Situated opposite to Range No. 1, Stockton town. Same dimensions, materials, and construction, except the division of the apartments. Value the same: built 1827 - - - - - 1,000

13. <i>Two log buildings at Thompson town</i> —Each 36 feet long, and one and a half story in height; built in 1824-5, of African materials, 8 rooms	\$750 00
14 <i>Two Schooners</i> .—One finished, but damaged; the other on the stocks. Estimated value of both: one rigged	2,200 00
	<u>\$20,225 00</u>

J. ASHMUN.

STATEMENT of the disposition made, and actual situation (September 14th) of the 132 recaptured Africans received at the Agency for recaptured Africans, Cape Mesurado, from Dr. G. P. Loudon, United States' Agent, by the ship "Norfolk;" in conformity with instructions communicated to J. Ashmun from the United States' Navy Department.

Description of recaptured Africans.	Where situated.	Terms.	Wages per annum.	Business.
One woman and two small children, -	In the family of E. Johnson,	1 year, -	No compensation,	General work.
Two women, - - - -	Same family, - - -	1 year, -	12 dollars each, -	do
Two men, - - - -	Same family, - - -	1 year, -	Each 30 dollars, -	do
Two boys nearly grown, - - -	In the family of Jos. Blake,	4 years, -	Instruction in -	Boat building.
One woman, - - - -	Same family, - - -	1 year, -	12 dollars, -	General work.
One man—one woman, - - - -	James C. Barbour's family, -	4 years, -	Shares in -	Farming.
One man, - - - -	H. S. Nelson's do -	1 year, -	96 dollars, -	Carpentering.
Two men, - - - -	Do do do -	1 year, -	Each 30 dollars, -	do
One young woman, - - - -	Do do do -	3 years, -	Instruction in -	Housewifery.
Two men, - - - -	J. J. Barbour's do -	1 year, -	Each 30 dollars, -	Farming.
One young female, - - - -	Do do do -	1 year, -	Instruction in -	Sewing, &c.
One man, - - - -	Geo. R. M'Gills' do -	1 year, -	30 dollars, -	Farming.
One female, - - - -	W. W. Steward's, do -	1 year, -	12 dollars, -	General work.
One boy, - - - -	F. S. Deveny's, do -	3 years, -	To be taught -	Business.
One woman, - - - -	Do do do -	1 year, -	12 dollars, -	General work.
Two men, and the wife of one, -	Do do do -	2 years, -	Shares of produce	of a farm.
One man and one woman, - - -	D. Hacokius, do -	1 year, -	30 dollars, -	General work.
One man, his wife and child, - -	Charles Butler's, do -	1 year, -	30 dollars, -	do
Two boys, - - - -	Do do do -	3 years, -	Apprenticed to -	carpentering & sawing.
One man and wife, - - - -	Geo Mason, - - -	1 year, -	42 dollars, -	General work.
Three men, - - - -	Do do - - -	1 year, -	30 dollars each, -	Sawing.

One boy,	-	-	-	Austin Curtis' family,	-	4 years,	-	Instruction in	-	Blacksmithing-
One female,	-	-	-	J. Stewart's do	-	1 year,	-	do	-	Housewifery.
One female,	-	-	-	Chs. Brander's do	-	1 year,	-	12 dollars,	-	General work.
Two men and two wives,	-	-	-	Lot Cary's do	-	1 year,	-	42 dollars each pair,	-	do
One man,	-	-	-	Do do	-	1 year,	-	30 dollars	-	do
One girl,	-	-	-	Do do	-	4 years,	-	Education	-	
One man and invalid wife,	-	-	-	Do do	-	1 year,	-	30 dollars the pair,	-	
One woman,	-	-	-	J. D Preston's do	-	1 year,	-	12 dollars	-	General work.
One girl,	-	-	-	Do do	-	11 years,	-	Education	-	
One man,	-	-	-	W. L. Weaver's do	-	1 year,	-	30 dollars	-	General work.
One boy,	-	-	-	John Griffin's do	-	2 years,	-	Instruction in the	-	Carpenter's
										trade.
One boy,	-	-	-	John Clark's do	-	2 years,	-	do do	-	do
One young man—one girl,	-	-	-	Lewis Crook's do	-	4 & 1 years,	-	do. to the man, 12	-	General work.
								dols. the woman	-	
Two females,	-	-	-	James Phillips' do	-	1 year,	-	12 dollars,	-	do
Two men,	-	-	-	Do do	-	1 year,	-	Each 30 dollars,	-	do
One man,	-	-	-	Burwell Barbarbon,	-	1 year,	-	30 dollars,	-	do
Two men,	-	-	-	John W. Barbour's family,	-	1 year,	-	30 dollars each	-	do
One young woman,	-	-	-	Jonas Cary's do	-	1 year,	-	Instruction in	-	Sewing, &c.
One do	-	-	-	David White's do	-	1 year,	-	do	-	do
One do	-	-	-	J. Shaw's do	-	1 year,	-	do	-	do
One girl,	-	-	-	Richard White's do	-	3 years,	-	do in sewing,	-	washing, &c.
Two men—one invalid,	-	-	-	A. Edmondson's do	-	1 year,	-	\$30 the able man	-	General work.
One boy and his young sister,	-	-	-	S. L. Jones' do	-	Till of age,	-	Instruction,	-	Education.
Two men,	-	-	-	D. Hilliard's do	-	1 year,	-	30 dollars each,	-	General work.
One boy,	-	-	-	R. Newport's do	-	1 year,	-	Instruction in	-	Boat building.
One man,	-	-	-	Mrs. Lawrenies' do	-	1 year,	-	30 dollars,	-	General work.
One woman,	-	-	-	- do	-	1 year,	-	30 dollars,	-	do
One man,	-	-	-	Allen James' do	-	1 year,	-	do	-	do
One woman and small child,	-	-	-	Do do	-	1 year,	-	Mother's wages go	-	for child's sup't.

STATEMENT—Continued.

Description of recaptured Africans.	Where situated.	Terms.	Wages per annum.	Business.
One man and wife, - - -	Wm. Holanger's family, -	1 year, -	30 dollars the pair,	General work.
One dumb man, - - -	Do do -	1 year, -	Support, - -	do
One diseased woman - - -	Do do -	1 year, -	do - - -	do
One man, - - -	Wm. Draper's do -	1 year, -	120 dollars, -	Carpenter's do.
Two men, - - -	Do do -	1 year, -	30 dollars each, -	General work.
One girl, - - -	Mrs. Langford's do -	1 year, -	Education, -	
One young woman, - - -	John W. Barbour's do -	1 year, -	do - - -	General work.
One man and wife, - - -	M. Brosier's do -	1 year, -	42 dollars the pair,	do
Two men, - - -	A. Harris' do -	1 year, -	30 dollars each, -	do
Man and woman - - -	M. Jordan's do -	1 year, -	30 and 12 dollars, -	do
One youth—M. - - -	J. James' do -	5 years, -	Education and in- struction in	Carpenter's work.
One man, - - -	L. Fernandes' do -	1 year, -	30 dollars, -	General work.
One man and young woman, - - -	John F. Harris' do -	1 year, -	30 and 12 dollars, -	do
One woman, - - -	M. Dongey's do -	1 year, -	12 dollars, -	Of seamstress.
One man and wife, - - -	J. Palm, - - -	1 year, -	30 dollars the pair,	Farming.
One invalid woman, - - -	Agnes Barbour's family, -	1 year, -	Nothing, -	General work.
One man, wife and child, - - -	Jordan Williams' do -	1 year, -	30 dollars the trio,	do
One woman and child, - - -	Ann Poulson's do -	1 year, -	Nothing, -	do
Ten men, and 3 wives, and 2 children, - - -	Government of the Colony, -	1 year, -	Each man \$ 50 -	do
One idiot, - - -	Do do			

Recapitulation.

30 men—placed in families, on wages, or, if invalids, to receive their support in part, or in whole; or as apprentice to some useful trade.

41 women,
6 children—similarly situated,

10 men,
3 women,
1 idiot,
2 children, } Employed at liberal wages, by the Government of the Colony.

19 women and children awaiting situations.

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J. ASHMUN.

MORROVIA, Sept. 14, 1827.

Extract of a letter from Master Commandant John B. Nicholson to the Secretary of the Navy, dated

“NEW YORK, Feb. 20, 1828.

“On the 11th, I left Sierra Leone, and arrived at Cape Mesurado on the 25th of December, where I remained until the evening of the 25th. The opinion I had heard expressed at Sierra Leone was confirmed, and I have no doubt that the Colony will become of great importance to the benighted natives; for they cannot but perceive the great advantages their American brethren have over them from civilization, and will, I cannot but hope, endeavor to place themselves and children upon the same footing; for they must perceive it is not color alone that gives preponderance, but civilization and the blessings of religion.

“I cannot express more strongly the growing prosperity of the Colony, than that eight of the crew, (colored tradesmen,) after visiting the shore, petitioned to be discharged, for the purpose of joining their brethren as permanent settlers. I granted their request, presuming it will meet the approbation of the Department, as they landed with money and clothes to the amount of nearly two thousand dollars, which will enable them to commence their several trades without expense to the Colony.”

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Upon the subject of the slave trade, the following extracts have been made from the messages of the President of the United States to Congress:

Extract from the message of President Monroe at the commencement of the 2d Session 18th Congress. December 7, 1824.

It is a cause of serious regret that no arrangement has yet been finally concluded between the two Governments, to secure, by joint co-operation, the suppression of the slave trade. It was the object of the British Government, in the early stages of the negotiation, to adopt a plan for the suppression

sion, which should include the concession of the mutual right of search, by the ships of war of each party, of the vessels of the other, for suspected offenders. This was objected to by this Government, on the principle that, as the right of search was a right of war of a belligerent towards a neutral power, it might have an ill effect to extend it, by treaty, to an offence which had been made comparatively mild, to a time of peace. Anxious, however, for the suppression of this trade, it was thought advisable, in compliance with a resolution of the House of Representatives, founded on an act of Congress, to propose to the British Government an expedient, which should be free from that objection, and more effectual for the object, by making it piratical. In that mode, the enormity of the crime would place the offenders out of the protection of their Government, and involve no question of search, or other question, between the parties, touching their respective rights. It was believed, also, that it would completely suppress the trade in the vessels of both parties, and, by their respective citizens and subjects, in those of other powers, with whom, it was hoped, that the odium which would thereby be attached to it would produce a corresponding arrangement, and, by means thereof, its entire extirpation forever.

A convention to this effect was concluded and signed in London, on the thirteenth day of March, one thousand eight hundred and twenty-four, by Plenipotentiaries duly authorized by both Governments, to the ratification of which certain obstacles have arisen, which are not yet entirely removed. The difference between the parties still remaining, has been reduced to a point, not of sufficient magnitude, as is presumed, to be permitted to defeat an object so near to the heart of both nations, and so desirable to the friends of humanity throughout the world. As objections, however, to the principle recommended by the House of Representatives, or at least to the consequences inseparable from it, and which are understood to apply to the law, have been raised, which may deserve a re-consideration of the whole subject, I have thought it proper to suspend the conclusion of a new convention, until the definite sentiments of Congress may be ascertained. The documents relating to the negotiation are, with that intent, submitted to your consideration.

Extract from the message of President Monroe at the commencement of the 2d Session 16th Congress. November 14, 1820.

In execution of the law of the last session for the suppression of the slave trade, some of our public ships have also been employed on the coast of Africa, where several captures have already been made of vessels engaged in that disgraceful traffic.

Extract from the message of President Monroe at the commencement of the 1st Session 17th Congress. December 3, 1821.

Like success has attended our efforts to suppress the slave trade. Under the flag of the United States and the sanction of their papers, the trade may be considered as entirely suppressed; and, if any of our citizens are engaged in it under the flag and papers of other Powers, it is only from a respect to the rights of those Powers that these offenders are not seized and brought home to receive the punishment which the laws inflict. If ever this Power should adopt the same policy and pursue the same vigorous means for carrying it into effect, the trade could no longer exist.

Extract from the message of President Monroe at the commencement of 2d Session 17th Congress. December 3, 1822.

A cruize has also been maintained on the coast of Africa, when the season would permit, for the suppression of the slave trade, and orders have been given to the commanders of all our public ships to seize our vessels, should they find any engaged in that trade, and to bring them in for adjudication.

Extract from the message of President Monroe at the commencement of the 1st Session 18th Congress. December 2, 1823.

In compliance with a resolution of the House of Representatives adopted at their last session, instructions have been given to all the ministers of the United States, accredited to the powers of Europe and America, to propose the proscription of the African slave trade, by classing it under the denomination, and inflicting on its perpetrators the punishment of piracy. Should this proposal be acceded to, it is not doubted that this odious and criminal practice will be promptly and entirely suppressed. It is earnestly hoped that it will be acceded to from a firm belief that it is the most effectual expedient that can be adopted for the purpose.

Extracts from the message of President J. Q. Adams at the commencement of the 1st Session 19th Congress. December 6, 1825.

An occasional cruizer has been sent to range along the African shores most polluted by the traffic of slaves.

The objects of the West India squadron have been to carry into execution the laws for the suppression of the African slave trade—the protection of our commerce against vessels of a piratical character, though bearing commissions from either of the belligerent parties—for its protection against open and unequivocal pirates. These objects, during the present year, have been accomplished more effectually than at any former period. The African slave trade has long been excluded from the use of our flag, and if some few citizens of our country have continued to set the laws of the Union, as well as those of nature and humanity, at defiance, by persevering in that abominable traffic, it has been only by sheltering themselves under the banners of other nations, less earnest for the total extinction of the trade than ours.

same may be said of rice, Indian corn, Guinea corn, millet, and too many species of fruits and vegetables to be enumerated. Add to all this, we have no dreary Winter here, for one half of the year, to consume the productions of the other half. Nature is constantly renewing herself, and constantly pouring her treasures, all the year round, into the laps of the industrious. We could say, on this subject, more; but we are afraid of exciting too highly the hopes of the imprudent. Such persons, we think, will do well to keep their rented cellars, and earn their twenty-five cents a day at the wheel-barrow, in the commercial towns of America, and stay where they are. It is only the industrious and virtuous that we can point to independence, and plenty, and happiness, in this country. Such people are nearly sure to attain, in a very few years, to a style of comfortable living, which they may in vain hope for in the United States; and, however short we come of this character ourselves, it is only a due acknowledgment of the bounty of Divine Providence to say, that we generally enjoy the good things of this life to our entire satisfaction.

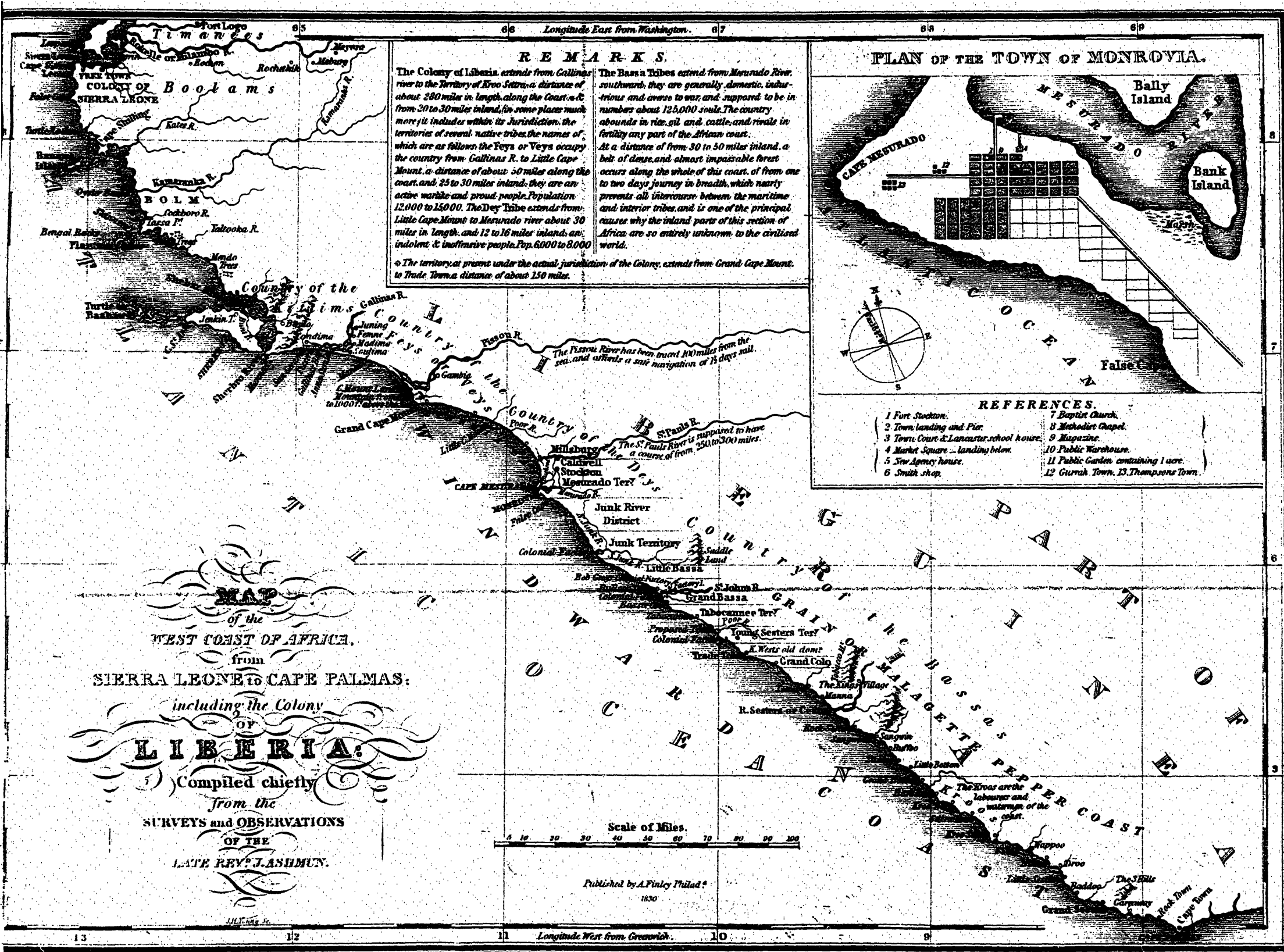
Our trade is chiefly confined to the coast, to the interior parts of the continent, and to foreign vessels. It is already valuable, and fast increasing. It is carried on in the productions of the country, consisting of rice, palm oil, ivory, tortoise shell, dye woods, gold, hides, wax, and a small amount of coffee: and it brings us, in return, the products and manufactures of the four quarters of the world. Seldom, indeed, is our harbor clear of European and American shipping; and the bustle and thronging of our streets show something, already, of the activity of the smaller seaports of the United States.

Mechanics, of nearly every trade, are carrying on their various occupations; their wages are high; and a large number would be sure of constant and profitable employment.

Not a child or a youth in the colony but is provided with an appropriate school. We have a numerous public library, and a court house, meeting houses, school houses, and fortifications sufficient, or nearly so, for the colony, in its present state.

Our houses are constructed of the same materials, and finished in the same style, as in the towns of America. We have abundance of good building stone, shells for lime, and clay of an excellent quality for bricks. Timber is plentiful, of various kinds, and fit for all the different purposes of building and fencing.

Truly, we have a goodly heritage: and if there is any thing lacking in the character or condition of the people of this colony, it never can be charged to the account of the country: it must be the fruit of our own mismanagement, or slothfulness, or vices. But from these evils we confide in Him, to whom we are indebted for all our blessings, to preserve us. It is the topic of our weekly and daily thanksgiving to Almighty God, both in public and in private, and He knows with what sincerity, that we were ever conducted, by his providence, to this shore. Such great favors, in so short a time, and mixed with so few trials, are to be ascribed to nothing but His special blessing. This we acknowledge. We only want the gratitude which such signal favors call for. Nor are we willing to close this paper, without adding a heartfelt testimonial of the deep obligations we owe to our American patrons and best earthly benefactors, whose wisdom pointed us to this home of our nation, and whose active and persevering benevolence enabled us to reach it. Judge, then, of the feelings with which we hear the



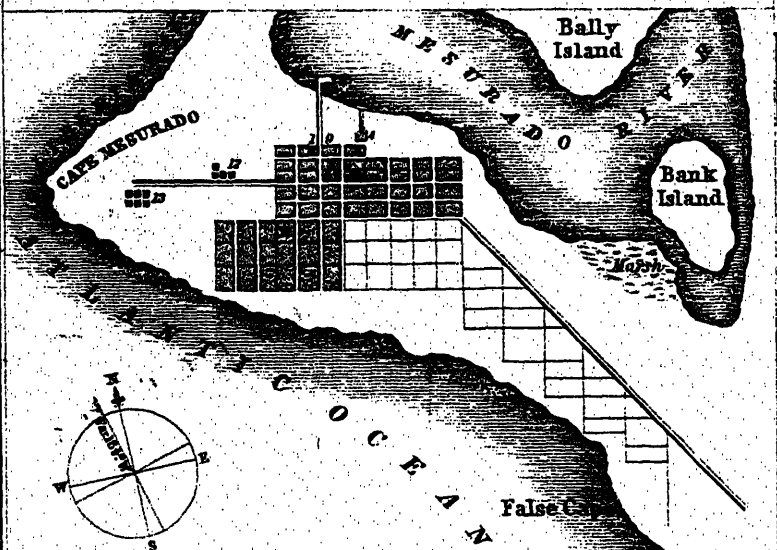
R E M A R K S.

The Colony of Liberia, extends from Gallinas river to the Territory of Kroo Setra, a distance of about 280 miles in length, along the Coast, &c. from 20 to 30 miles inland, in some places much more; it includes within its Jurisdiction, the territories of several native tribes, the names of which are as follows: the Veyas or Veyas occupy the country from Gallinas R. to Little Cape Mount, a distance of about 50 miles along the coast, and 25 to 30 miles inland; they are an active warlike and proud people. Population 12,000 to 15,000. The Dey Tribe extends from Little Cape Mount to Mesurado river about 30 miles in length, and 12 to 16 miles inland, an indolent & inefficient people. Pop. 6,000 to 8,000.

• The territory, at present under the actual jurisdiction of the Colony, extends from Grand Cape Mount, to Trade Town, a distance of about 150 miles.

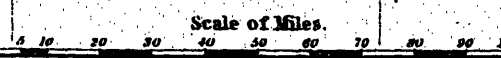
The Bassa Tribes extend from Mesurado River southward; they are generally domestic, industrious and averse to war, and supposed to be in numbers about 125,000 souls. The country abounds in rice, oil and cattle, and rivals in fertility any part of the African coast. At a distance of from 30 to 50 miles inland, a belt of dense, and almost impassable forest occurs along the whole of this coast, of from one to two days journey in breadth, which nearly prevents all intercourse between the maritime and interior tribes, and is one of the principal causes why the inland parts of this section of Africa, are so entirely unknown to the civilized world.

PLAN OF THE TOWN OF MONROVIA.



- REFERENCES.**
- 1 Fort Stockton.
 - 2 Town landing and Pier.
 - 3 Town Court & Lancaster school house.
 - 4 Market Square - landing below.
 - 5 Store Agency house.
 - 6 Smith shop.
 - 7 Baptist Church.
 - 8 Methodist Chapel.
 - 9 Magazine.
 - 10 Public Warehouse.
 - 11 Public Garden containing 1 acre.
 - 12 Gurrah Town. 13 Thompsons Town.

MAP
 of the
WEST COAST OF AFRICA,
 from
SIERRA LEONE to CAPE PALMAS:
 including the Colony
 OF
LIBERIA:
 Compiled chiefly
 from the
SURVEYS and OBSERVATIONS
 OF THE
LATE REV. J. ASHMUN.



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