

IN SENATE OF THE UNITED STATES.

JANUARY 22, 1850.

Submitted, and ordered to be printed.

Mr. BALDWIN made the following

REPORT:

[To accompany bill S. No. 4.]

The Committee of Claims, to whom was referred the petition of the American Colonization Society, praying remuneration for the support of certain Africans recaptured from the slaver Pons by the United States ship Yorktown, having had the same under consideration, report :

That this petition was referred to the Committee of Claims at the first session of the 30th Congress, and a favorable report, accompanied by a bill for the relief of the petitioners, was made thereon, which the committee adopt, and respectfully recommend the passage of the accompanying bill.

List of papers on file in the case of the American Colonization Society.

1. Petition.
2. Letter from Mr. Lugenbeel.
3. Letter from Mr. Fletcher, clerk of American Colonization Society.
4. Account stated.
5. Account of New York Colonization Society.
6. Note from William McLain.
7. Letter from D. A. Hall to Hon. J. R. Underwood.
8. Report of Committee of Claims, 1st session 30th Congress.

No. 1.

The petition of the Executive Committee of the American Colonization Society, praying for remuneration for the support of recaptives landed at Monrovia, Liberia, from the barque Pons, by the United States ship Yorktown, respectfully sheweth:

That on the 16th of December, 1845, the United States ship Yorktown, Commander Bell, landed at Monrovia, Liberia, from the slaver "Pons," seven hundred and fifty-six recaptured Africans, in charge of the United States agent for recaptured Africans, in a naked, starving, and almost dying condition, and *all excepting twenty-one under twenty years of age.*

The United States government makes no provision for the support of recaptives after they are landed. The act of March 3, 1819, on the subject, is in these words:

“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.”

President MONROE, as will be seen by his message of 17th December, 1819, interpreted this act so as to authorize the United States government to support the recaptives after being landed in Liberia. But since then, the Attorneys General have construed the law differently, and have decided that it simply provides for returning recaptives to Liberia, and leaves them entirely destitute. The same Attorneys General have admitted that the *intention* of those who made the law undoubtedly was, to provide for their support in Liberia, until they were able to take care of themselves, but that the *letter* of the law will not justify it.

Under these circumstances these seven hundred and fifty-six *children* must be left to perish, or we must provide for their comfort. We therefore received them, supplied their immediate wants, and provided for their future welfare. In this way thousands of dollars were diverted from the treasury of the society.

We only ask now a fair compensation for the support of these people, and it is not difficult to determine what that is.

It costs the society, on an average, \$30 each to support the emigrants sent from the United States to Liberia, six months after their arrival, or until they are able to take care of themselves. These emigrants are civilized, grown up, clothed, have many of the necessaries of life, and to some extent are able to manage their own affairs and aid much in their support.

But the recaptives of the Pons were *children*—naked, savage, and totally destitute of everything. Manifestly, therefore, it would cost much more to place *them* in a condition to take care of themselves, than it would emigrants from this country.

In 1828, a bill was introduced into the House of Representatives from the Committee of Ways and Means, proposing to pay the Colonization Society \$50 for the support of every captive delivered to its agents in Liberia. This, therefore, may be considered the lowest amount which could be reasonably paid for the purpose. We doubt whether any feeble community in America, or in Europe, would consent to receive and permanently to support such a company of naked, starving, savage children, at a lower rate than \$50 each. Fifty dollars each is not a high price for the food, clothing, house-room, and medical attendance and nursing which must be furnished immediately, and continued until they can earn their living, and for the house-lots and farms which must be given them when they need them or become of age; and we see not by what right the government of the United States can land them at Monrovia, with no provi-

sion for their support, and as a certain burden on the society, any more than at any small port in France or England.

A petition was presented to the House of Representatives on the 22d January, 1847, praying for compensation in this case, and referred to the Committee of Claims, but, through the pressure of business, it was not acted upon.

The society now urgently needs the funds which were, for the support of those people, taken from the legitimate use to which they had been appropriated by the benevolent donors. It is doubtful whether the constitution and charter of the society authorize the expenditure of its funds on recaptured Africans, as they can hardly be called "free people of color of the United States;" and it is certain that, in the beginning, no such application of its funds was contemplated, either by the society or by the government. It was the part of the society to furnish a civilized spot in Africa, such as did not then exist, where the rescued victims of the slave trade might be landed, and live, without danger of being seized and sold again. The expense of settling them there was to be borne by the United States government. Without the aid furnished by this society, the government would be unable to provide for those victims of the slave-trade whom its cruisers may rescue at sea.

We therefore pray your honorable body to meet this equitable claim; and in duty bound, will ever pray.

ELISHA WHITTLESEY,
J. S. BACON,
HARVEY LINDSLY,
JOS. H. BRADLEY,
A. O. DAYTON.

Executive Committee.

W. McLAIN,
Secretary American Colonization Society.

No. 2.

MONROVIA, WESTERN AFRICA,
December 29, 1845.

SIR: I have the honor to inform you that on the 16th instant I received from Lieutenant Cogdell seven hundred and fifty-six recaptured Africans, from on board the barque "Pons," a prize to the United States ship Yorktown.

Being desirous to make the most judicious disposition of these rescued victims of the slave trade, I determined to distribute as many of them as I could advantageously to responsible persons in the colony, especially as the large majority of them were boys from about ten to twenty years of age. I have already disposed of more than six hundred of them, including one hundred which I placed in the care of the superintendent of the Methodist Episcopal mission, to be educated for future usefulness in their native land. Twenty-five of them have died since they were landed. I shall probably dispose of nearly or quite all of those whom I now have on hand in a few days.

Whether the course which I have pursued with these recaptives will

be approved of or not, I cannot tell ; but I have taken the responsibility, and I feel perfectly satisfied that I have made the wisest and most judicious disposition of them which I possibly could make, under existing circumstances. All of those of whom I have disposed will be bound for a term of years to the different individuals who now have possession of them, by the proper authorities of the commonwealth of Liberia; and, as special provisions will no doubt be made by the legislature at its next session, to be held in January next, in relation to the care and culture of them by those persons with whom they have been placed, I am confident that they will be more speedily civilized by being thus distributed among different persons in the colony.

My great desire to do the best I could for these untutored natives of Africa, induced me to refuse to dispose of any of them to several persons who applied to me, and who I feared would not treat them well.

Agreeably to my instructions from the Navy Department, I shall transmit to the Fourth Auditor a correct statement of all my expenditures in the support of these recaptives at as early a period as circumstances will admit.

Permit me to state here, that as there were no facilities on board the "Pons" for the landing of the people, and as Lieutenant Cogdell was taken ill immediately on his arrival, and the situation of the recaptives on board rendered it necessary that they should be landed as soon as possible, I was compelled to incur the additional expense of landing them; a certificate of which, from Lieutenant Cogdell, I will transmit with my accounts.

Very respectfully, your obedient servant,

J. W. LUGENBEEL,

United States Agent for liberated Africans.

HON. GEORGE BANCROFT,

Secretary of the Navy, Washington city.

TREASURY DEPARTMENT, FOURTH AUDITOR'S OFFICE,
February 17, 1848.

I certify that the foregoing is a true copy of an original letter on file in this office.

A. O. DAYTON,
Fourth Auditor.

No. 3.

COLONIZATION ROOMS,
Washington City, February 15, 1848.

Extract of a letter from James W. Lugenbeel, M. D., United States agent for recaptured Africans, dated December 29th, 1845, Monrovia, to Rev. Wm. McLain, Secretary of the American Colonization Society, on file in this office, viz :

"You will doubtless be pleased to hear that Commander Bell, of the United States ship Yorktown, has succeeded in capturing a slave ship, with a large number of slaves on board—the barque 'Pons,' of Philadelphia.

"There were upwards of *nine hundred slaves* on board when the 'Pons'

was captured; and had it not been for the vigilance of one of her Majesty's cruisers, five hundred more would have been stowed in the hold, which information I derived from the Italian captain himself. She arrived at this place in the command of Lieutenant Cogdell, on the 15th instant; and, on the following day, I succeeded in landing all the recaptives who were on board, *seven hundred and fifty-six* in number; upwards of one hundred and fifty having died during the passage of fourteen days from Cabinda to this place. The large majority of those whom I received were boys, from ten to twenty years of age; only forty-seven girls in the company.'

A true copy:

NOAH FLETCHER,
Clerk American Colonization Society.

No. 4.

The United States,

To the American Colonization Society,

DR.

For expenses attending the location and maintenance of the recaptives by the "Pons" in Liberia, as per the following items:

1. For clothing before they were apprenticed to the citizens, 756, at \$8 50 each - - - - -	\$6,426 00
2. For officers' fees, papers, &c., for apprenticing them out, 735 of them, at \$2 25 each - - - - -	1,653 50
3. For provisions furnished to them, and to the persons who took them, at sundry times - - - - -	2,187 75
4. For services of the colonial physician attending them the first year, at \$2 each, 735 - - - - -	1,470 00
5. For services of the colonial physician for the second year, \$1 each, and for the third year \$1 each, 756 - - - - -	1,512 00
6. For their proportion of amount paid to school-teachers for three years - - - - -	850 00
7. For services of Governor Roberts while looking after them the first six months—say \$300—and for services of John N. Lewis for one year, \$125 - - - - -	425 00
8. For lands assigned them, according to the laws of Liberia, five acres each, at \$1 25 an acre average for 730 - - - - -	4,562 50
9. For increasing the expenses of supporting our newly arrived emigrants—they filled so many places in families which we had prepared in which to place our emigrants for acclimation and support six months; and this put us to an additional expense of at least \$15 each for the first six months, and the same for the second six months: which is, for 735 - - - - -	22,050 00
10. For provisions, &c., sent them expressly by the Chat-ham, from New York - - - - -	6,394 50
	47,531 25

COLONIZATION ROOMS,
Washington City, April 19, 1848.

It may be proper to accompany the foregoing account with some explanations.

These people were thrown unexpectedly upon the colony, and their wants had to be immediately supplied. It was not supposed that the United States government would be responsible for the expenditure. The colony had received others previously; the society had supported them, and received no remuneration for it. No minute account was, therefore, kept with them. The foregoing statement is a *general estimate*, rather than a *definite* and *positive assertion* of the actual expenditures; and it is believed to be rather below than above the real amount.

The first item in the statement is for clothing. We had in the colonial store, at the time of their landing, a large supply of ready-made clothing and of materials for the same. These were all used for the purpose, together with much purchased from merchants in Monrovia.

The second item embraces the usual fees for the duties of apprenticing.

The third item is for provisions furnished to them from the colonial store, and to the persons to whom they were apprenticed. Our emigrant ship—the Roanoke—had arrived but a short time before they did, with a large supply of provisions for sale. These were all dealt out with a liberal hand. An unprecedented drought had cut off the crop of rice, and there was great scarcity of provisions both among the natives and the colonists, and there would have been great suffering, but for this timely relief. Hence the necessity of despatching the vessel from New York, mentioned in the last item in the account. Indeed, from the first to the present time, both the society and the citizens of Liberia have dealt with these people in the most liberal and benevolent manner. But many of the citizens were poor, and could not have sustained their apprentices without aid from the society.

The fourth and fifth items are for the services of the colonial physician. We pay him \$2,000 a year. The first year of their residence in the colony, he had less than 300 emigrants to attend, while he attended 735 of them. He has continued to attend them to the present time, without receiving any compensation from them. It is but reasonable, therefore, that they should bear a part of the burden of his salary. They have had more than half his time, and the society has furnished all the medicines.

In the sixth item, they are charged only according to the number attending the schools, and for which no compensation is received.

The seventh item is for the services of the governor and the colonial secretary while looking after the welfare of these people. We pay the governor \$2,500, and the secretary \$1,100 a year. They both say that the recaptives the first year required more of their time, and gave them more trouble, than all their other duties.

The eighth item being pay for the land which by law we are obliged to give them, there cannot be a doubt of its propriety.

The ninth item—the largest one in the account—requires but a moment's consideration of the way in which we managed to support the newly arrived emigrants in Liberia. It is indispensable to their health and welfare that we provide them a house and provisions, &c., for six months. In order to do this economically, we place them in families who want domestics, and where by their labor they can greatly aid in their support. But these

recaptives filled almost every family in the colony; and this not merely for six months, but for many years. The consequence is, that we have been obliged to build houses in which to place our emigrants, and to support them at greatly increased expense. In the account, we have made a charge only for one year; while the fact is, that we yet feel the increased expense, and shall for several years to come.

For the tenth and last item in the account, I present the authority of the President of the New York society, under whose supervision the vessel was chartered and despatched. These provisions, &c., having been sent out and consigned to Governor Roberts for the express purpose of aiding us in the support of these people, there cannot be a doubt in regard to its accuracy. It must be considered, also, that these provisions, &c., are estimated at their cost in New York, while they were worth at least 100 per cent. more in Liberia.

All which is respectfully submitted.

W. McLAIN,
Secretary Am. Col. Society.

No. 5.

The recaptured Africans in the "Pons,"

To the "New York State Colonization Society,"

DR.

1846. For supplies sent per brig "Chatham," consisting of flour, Indian meal, rice, hard bread, beef and pork, codfish and mackerel, molasses and sundries, the whole amounting to -	-	-	-	-	\$4,394 50
Charter of brig "Chatham"	-	-	-	-	2,000 00
					<hr/>
					6,394 50
					<hr/>

The whole of the above was consigned to Governor Roberts, at Monrovia, who took the charge of distributing the same for the sole benefit of the recaptured Africans in the "Pons," and has since stated to me that the arrival of the "Chatham" with the above named supplies was most providential, as they were in the *greatest need*.

I am satisfied that these supplies might have been valued at a much higher rate, delivered in Africa.

ANSON G. PHELPS,
President N. Y. State Colonization Society.

No. 6.

COLONIZATION ROOMS, *February 18, 1848.*

MY DEAR SIR: At length I have obtained from the Navy Department a certificate of the number of recaptives from the slaver *Pons*. Mr. Dayton says that both the Treasury and Navy Departments were searched *twice* before it could be found.

You will find Mr. Wirt's opinion of the law of 3d March, 1819, in House Document No. 123, page 229, and Mr. Crawford's do. do., page 231.

Should the committee desire any other documents that are *in reach*, I shall be happy to furnish them.

I am, dear sir, yours, very truly,

W. M'LAIN.

HON. J. R. UNDERWOOD.

No. 7.

WASHINGTON, *April 24, 1848.*

DEAR SIR: In relation to the bill from the House of Representatives, now before the Committee of Claims of the Senate, for the relief of Thomas P. Jones and others, I beg to refer you to the act of the 3d of March, 1843, chapter 94, at page 626, of the 5th volume of Statutes at Large. By the 5th section of that act, it will be found that the "Secretary of the Navy was authorized to appoint a board of examiners, consisting of three persons, of thorough knowledge as to the structure and use of the steam engine, whose duty it shall be to make experimental trials of such inventions and plans designed to prevent the explosion of steam-boilers and collapsing of flues as they may deem worthy of examination, and report the result of their experiments, with an expression of their opinion as to the relative merits and efficacy of such inventions and plans; which report the Secretary shall cause to be laid before Congress at its next session."

There were sundry other matters which the board were to report upon. Their duties were, indeed, such as only educated and scientific men could perform.

The act is silent as to the compensation to be allowed; but the Secretary, in whom the discretion was reposed, thought it advisable to stipulate for each member of the board \$300 per month; and he offered that as their compensation. They performed their service, and made their report, which was accepted and laid before Congress. Is it law or justice that they shall now be put off with only \$100 a month?

I am, very respectfully, your obedient servant,

D. A. HALL.

HON. J. R. UNDERWOOD,
U. S. Senate, Washington.

No. 8.

IN SENATE—MAY 3, 1848.

The Committee of Claims, to whom was referred the petition of the executive committee of the American Colonization Society, respectfully report:

That the documents herewith filed, marked Nos. 1, 2, and 3, contain all the information in regard to the amount expended by the Colonization Society, in taking care of the recaptured Africans on board the Pons,

which the committee have been able to obtain. The petition sets out fully the grounds upon which the society asks the government to make them some remuneration. These documents, when printed with the petition, will fairly represent the case. The committee are of opinion that a liberal construction of the act of Congress of March 3, 1819, requires the government to support recaptured Africans for a reasonable time after they shall have been landed in Liberia. It would be unbecoming the dignity and resources of the government, to throw the expense exclusively upon a benevolent association, and thereby make the operations of the government onerous upon the benevolent exertions of private individuals. The committee, therefore, report a bill for the relief of the society.