Suppress and protect: the United States Navy, the African slave trade, and maritime commerce, 1794-1862

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HARMON, Judd Scott, 1939-
SUPPRESS AND PROTECT: THE UNITED STATES
NAVY, THE AFRICAN SLAVE TRADE, AND
MARITIME COMMERCE, 1794-1862.

The College of William and Mary in Virginia,
Ph.D., 1977
History, United States

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SUPPRESS AND PROTECT: THE UNITED STATES NAVY, THE AFRICAN SLAVE TRADE, AND MARITIME COMMERCE, 1794-1862

A Dissertation
Presented to
The Faculty of the Department of History
The College of William and Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree of Doctor of Philosophy

by
Judd Scott Harmon
1977
APPROVAL SHEET

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Doctor of Philosophy

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In 1816 Congress approved the construction of eight ships of the line. Three were never commissioned and one never touched water. The others were many years on the stocks being built and fitted out. Five got to sea. But of the eight only three made foreign cruises. Like one of these ships, this study has been a long time in the building, from laying of the keel to launching.

Many people have helped in framing the hull and setting up the rigging of this ship. I would like especially to thank William F. Lye and the late Milton R. Merrill of Utah State University who read the preliminary version as a master's thesis. Ludwell H. Johnson and Edward Crapol of the College of William and Mary have read and made many helpful comments on this version. Vice Admiral Edwin B. Hooper, Captain David A. Long (a former commanding officer of mine), and their staff at the Naval History Division, and David Nathanson, librarian at the Harpers Ferry Center of the National Park Service have greatly aided my research. I also wish to thank Philip C. F. Smith, editor of The American Neptune, for allowing me to use the chapter "Marriage of Convenience" which appeared in that journal in a slightly different form. And lastly, a special thanks to my wife, Katherine, who has constantly encouraged the
launching of this manuscript. But despite all the assistance in design and construction, the captain of the ship bears ultimate responsibility for the stowage of its cargo and its safe navigation. If this study meets the elements and reaches a safe haven credit is due to all who have helped along the way; if it founders, the fault is my own.
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ABSTRACT

Until after the Civil War the primary peacetime mission of the American Navy was the protection of the nation's maritime commerce. Piracy in the Mediterranean led Congress, in 1794, to authorize the construction of the first six frigates of the United States Navy. After the suppression of piracy in the West Indies, an expanding maritime commerce led merchants to demand naval protection of the seas against possible attacks. This mission was implemented by deploying ships and squadrons to foreign stations where they would be more readily available to aid American shipping. By 1843 six squadrons had been created.

Also in 1794 the United States passed the first in a series of laws designed to inhibit the African slave trade. The first merely prohibited the building or fitting out of slavers in the United States for the foreign slave trade. In 1800 the Navy was given a new mission: the actual suppression of the slave trade. At first this was limited to American waters, but the role expanded and in 1819 the Navy began patrolling African waters. In 1820 the slave trade was equated with piracy and conviction of engaging in it carried the death penalty.

Historians have seen a conflict in this duality of mission. Their argument has been that the United States Navy was small—about forty vessels were in active service. Dividing the available ships among six squadrons subtracted from the effectiveness of the squadrons involved in the suppression of the slave trade.

It is the contention of this study that deploying ships to foreign squadrons for the protection of commerce actually aided the Navy's war against slavers. Over a period of twenty-four years vessels were occasionally detached from the West India station to visit Africa. These hit-or-miss efforts, between 1819 and 1843, to suppress the slave trade, without deploying a permanent squadron, resulted in the capture of few slavers and the trade continued.

Although intended to protect America's maritime commerce, the more permanent arrangement of deployed squadrons in the West Indies, off Brazil, and off Africa after 1843, was better able to cope with the slave trade. Vessels more constantly in the vicinity of the slave trade routes provided the basis for more effectual suppression of the African slave trade.
SUPPRESS AND PROTECT: THE UNITED STATES NAVY, THE AFRICAN SLAVE TRADE, AND MARITIME COMMERCE, 1794-1862
INTRODUCTION

Charles Oscar Paullin has said that the chief "naval war" of the years between the end of the War of 1812 and the Mexican War was the one against pirates in the West Indies. The accuracy of this description depends upon the criteria used to define "chief." I believe that except for the years of active hostilities, as in the War of 1812 and the Mexican War, the Navy's war with slave traders is entitled more than the suppression of piracy to the claim of being the chief naval war of the period between 1800 and 1862.1

The original purpose of this study was to examine the involvement of the United States Navy in the suppression of the slave trade. That, indeed, has remained its basic aim. But the more I examined this role the more I came to believe that an understanding of the Navy's mission could not be fully comprehended without considering the primary duty of a peacetime navy: protecting the legitimate commerce and interests of the nation.

Several earlier authors have briefly addressed themselves to this relationship. W. E. B. DuBois and Warren S. Howard, one of the first and one of the latest students

1Charles Oscar Paullin, Paullin's History of Naval Administration, 1775-1911: A Collection of Articles from the U. S. Naval Institute Proceedings (Annapolis, 1968), 185.
of the slave trade, have viewed it thus: the Navy did not
do a satisfactory job in suppressing the slave trade because
the few ships in active service were deployed all over the
world to protect commerce and too few were deployed to
patrol adequately against slavers. Protection of commerce
is seen as subtracting from the Navy's efforts to suppress
the slave trade.²

It seems to me that this argument may be stood on its
head: the Navy was able to accomplish what it did because
its ships had been deployed to stations athwart the slaver
routes, not to suppress the slave trade, but to protect
American maritime commerce. To show this it is necessary
to explain the two roles. The first part of this study
will show that commerce protection was the Navy's most
important duty, why ships were deployed to foreign stations,
and what the Navy's obligations were to suppress the slave
trade. The second part will apply these considerations to
each of the three stations involved in the suppression of
the slave trade.

This leaves the question of whether or not the Navy
was successful in suppressing the traffic in slaves. But
what is the measure of success, what is satisfactory?
Certainly, a complete stoppage of the traffic would be

²W. E. Burghardt DuBois, The Suppression of the African
Slave-Trade to the United States of America, 1637-1870
(New York, 1896; reprint, 1969), 158-60; and Warren S.
Howard, American Slavers and the Federal Law, 1837-1862
(Berkeley, 1963), 41.
considered successful, but is anything less a failure? I believe that given the conditions governing the naval role and under which the Navy operated that it was quite successful in prosecuting its dual missions of commerce protection and slave trade suppression. This cannot be shown definitively, but a rough, rule of thumb assessment can be made of the Navy's contribution to the suppression of the traffic in slaves.
PART ONE
SAILING ORDERS

A naval officer assigned command of a ship was issued "Sailing Orders" by the Secretary of the Navy. These stated the purpose of the cruise, the force under his command, and any particular regulations of which he must be aware. Such is the purpose of the first part of this study, to examine the factors governing the employment of the Navy in the suppression of the slave trade.

Most important of these factors was the Navy's concern with the protection of the legitimate maritime commerce of the United States. The Navy was created and maintained in response to the needs of the nation's mercantile population and the first chapter will outline this long-term relationship. Chapter II will deal with the concept of a cruiser navy, the types of vessels employed in the United States Navy and their capabilities. Finally, the national laws against the slave trade, as they pertained to the Navy will be examined.
CHAPTER I
"MOST CERTAIN AND AMPLE PROTECTION"

The obligation of the Navy to protect American mercantile interests antedated even the creation of the Union. From antiquity, governments had an interest in maintaining tranquility in the sea lanes, preserving the trade routes to markets or to sources of raw materials. For the young United States, commerce was its life blood, bringing to its shores the goods and Manufactures of more industrialized countries, the luxuries of exotic lands, and exporting in trade the raw materials of its agricultural and extractive processes.

In order to maintain the requisite peacefulness, governments sent to sea cruisers that patrolled the coasts and sea lanes, offering protection to merchants and seamen engaged in the nation's commerce. The navies of ancient Greece and Rome provided such services. And during the long period of Anglo-French warfare in the seventeenth and eighteenth centuries, merchant shipping from England's American colonies plied the Atlantic, Caribbean, and Mediterranean protected by the Royal Navy from enemies--French and Spanish cruisers, privateers,

and pirates.²

But independence deprived the United States of that protection, and when, in 1785 Congress sold out of service the last Continental vessel, the frigate Alliance, the American merchant marine was deprived of the protection of its own Navy. Even so, American merchants were expanding the frontiers of their trade, forced to do so by their exclusion from former markets in the British West Indian colonies; markets that accounted for the bulk of their pre-Revolutionary War trade.³

Within five years of the Treaty of Paris in 1783, vessels bearing the ensign of the United States were exploring new markets and new routes. For example, vessels belonging to Elias Hasket Derby of Salem, Massachusetts, had been to Cronstadt, the port of St. Petersburg, Russia, visited the Cape of Good Hope, and were pushing eastward to the Île de France and Canton. Ships from New York, Boston, and Philadelphia were shaping their courses westward, around Cape Horn, to the northwest coast--now the states of Washington and Oregon. There the ships loaded


sea otter pelts received in trade with the Indians. In Canton the pelts were exchanged for tea and china ware.\textsuperscript{4}

The exotic trade with the Far East was small compared with the more mundane trade with the French and Spanish Caribbean islands, Europe, and the Mediterranean. Meanwhile, whale fisheries were expanding. Ships from New Bedford and Nantucket soon entered the Pacific in search of the prey that made their names synonymous with whaling.\textsuperscript{5}

But the lack of a Navy meant trouble for the fledgling American merchant Marine, especially in the Mediterranean where Barbary corsairs preyed upon the shipping passing through the Straits of Gibraltar. Many European nations paid a tribute—or bribe—to the Barbary states for free—or not so free—passage through the Middle Sea. The United States did not. In 1785 the merchant vessels Maria and Dauphine were seized and their crews enslaved.\textsuperscript{6}

Thomas Jefferson, the United States minister to France, referred to the situation in a letter to John Adams at the Court of St. James:

>If it is decided that we shall buy a peace, I know no reason for delaying the operation, but should rather think it ought to be hastened; but I should prefer the obtaining it by war. 1. Justice is in favor of this operation. 2. Honor favors it. 3. It will procure us respect in Europe; and respect

\textsuperscript{4}Morison, Maritime History, 52-63.

\textsuperscript{5}Ibid., 157; and Bryant, Sea and States, 226-28.

\textsuperscript{6}Robert Greenhalgh Albion, Makers of Naval Policy, 1798-1947 (Office of Naval History, 1950; on microfilm, Harvard University Library), 365.
Jefferson was advocating government protection of commerce, either by paying tribute to the Barbary states or by using the armed might of the nation to enforce the safety of its merchant marine. But in reality the United States could not do either. There was no navy and there were no funds for either building one or for purchasing peace. This lack was a result of the feelings of state sovereignty, on the one hand, and the economic relationship between the states and the Confederation government, on the other. At the conclusion of the War for Independence the general government was $50,000,000 in debt and only through the graciousness of the individual sovereign states could it raise money. As early as 1781 Superintendent of Finance Robert Morris realized the inability of the Confederation to pay its debts and urged that a duty be levied on imports for the national benefit. The states refused, saying that taxation by a central government in America was as much to be feared as taxation by Parliament in London. Morris again called for an impost in January 1783. The following year he resigned when the states still refused the central government a power of taxation. 8

In 1786 Congress proposed that it be allowed to impose customs duties. The proposition was accepted by all the

7Quoted in ibid., 366.
8John C. Miller, Toward a More Perfect Union: The American Republic, 1783-1815 (Glenview, Ill., 1970), 19-20.
states but New York, thus vetoing the measure. The country was near bankruptcy. The next spring Dutch bankers warned that the United States would get no more loans unless their previous loans were repaid. Without funds from Holland the American government could hardly continue to function, much less send warships to the Mediterranean.9

Such a situation, however, could not, and did not, last long. In 1786 the Virginia House of Delegates called for a convention to meet in Annapolis to formulate a uniform system of commercial regulations. Delegates of only six states met, too few to carry out the proposed business. Alexander Hamilton used the occasion to call for another convention to meet the following year in Philadelphia. Instead of limiting themselves to matters of commerce and changes to the Articles of Confederation, the delegates to the Constitutional Convention formed a new government, which, among other powers, had the right "to lay and collect Taxes, Duties, Imposts, and Excises." The financial difficulties of the nation were being met.

The Constitution also gave Congress the power "to regulate Commerce with foreign Nations," and that body was not long in putting its power to use for the benefit of American shippers. A month following the inauguration of George Washington a comprehensive tariff schedule was approved enabling the American merchant marine to compete

9Ibid., 45.
more favorably with foreign shipping. American vessels were
granted a ten percent discount on import duties on most
items, while teas entering United States ports in foreign
bottoms were required to pay twice the duty paid by
American ships. The following July Congress further
aided American shippers when it passed a merchant marine
bill establishing a duty on American vessels of six cents
per ton payable once a year, whereas foreign vessels had
to pay fifty cents per ton each time they entered an
American port. 10 Another act passed in 1789 was the
Registry Act. This limited American documentation to
American-built vessels. Therefore, ships registered in
foreign trade, or enrolled in the domestic trade, had to be
American built and American owned. 11

The effects of this legislation were two-fold. First
by granting tax breaks, it made American vessels in over­
seas trade more than competitive with foreign shipping to
the United States, fostering the growth of the American
merchant marine. With the exception of a few brief periods,
such as the Embargo of 1807 and the War of 1812, the
mercantile marine entered a period of great expansion lasting
until almost the Civil War. Given an initial impetus by the
Anglo-French wars of 1793 to 1815, in which the United

10 Ibid., 88-89; and Morison, Maritime History, 165.
11 John Greenwood Brown Hutchins, The American Maritime
Industries and Public Policy, 1789-1914: An Economic
States provided much of the neutral shipping required by the belligerents, it was maintained by the advent of the American packet lines sailing on a fixed schedule, immigration, and the development of the clipper ship. 12

In 1795 the United States had 748,000 tons of shipping, of which 529,000 was engaged in foreign trade. This shipping carried 48 million dollars worth of exports and 70 millions in imports. By 1860 American foreign tonnage had increased almost 500 percent, to 2,379,000 tons. The value of exports had increased about 650 percent to 334 million dollars and imports had increased proportionately. 13 By the Navigation Acts of 1789 the government followed in the wake of the older maritime nations and instituted a mercantile system of its own.

The second and most important effect of the legislation was to raise revenue. For 1789 to 1791, of the nearly 4.5 million dollars in federal revenue, almost all of it came from customs duties. 14 Congress thus laid the basis for a steady national income and fostered a merchant marine that would carry the commodities that provided the tax base for the national income.

12 Carl C. Cutler, Queens of the Western Ocean: The Story of America's Mail and Passenger Lines (Annapolis, 1961), 316; Bryant, Sea and States, 146, 216-21; and Morison, Maritime History, 189-70.


14 Ibid., 712.
The mercantile navy of the United States expanded, but it again met with difficulties and without a navy for protection, merchant captains had little recourse. In 1793 war broke out between revolutionary France and Great Britain. American merchants were not uninterested by-standers watching the conflict from afar. They seized the opportunity to carry goods to both combatants and got caught in the middle. In the West Indies, Europe, and the Far East, British warships began seizing American vessels carrying goods to France or from French possessions. In like measure, France seized American vessels enroute to or from English ports. In the Mediterranean the Barbary corsairs took advantage of the Anglo-French preoccupation and renewed their attacks on shipping. In the fall of 1793 eleven American vessels were captured and their crews enslaved. 15

Thomas Jefferson had earlier recommended war against the Barbary powers. Alexander Hamilton went a bit further and recommended the construction of a navy. "The want of a navy," he wrote in his Report on Manufactures:

"...to protect our external commerce, as long as it [the lack of a navy] shall continue, must render it [the merchant marine] a peculiarly precarious reliance for the supply of essential articles..." 16

In response to the attacks on American shipping and

15 Albion, Makers, 16, 367.
the urgings of Hamilton and others, Congress, on 27 March 1794, approved the construction of six frigates. These frigates, to be the best of their class in the world, were intended for operations against the Algerines, but construction was delayed when a treaty between Algiers and the United States was signed in 1796. 17

But another treaty would, indirectly, lead to their completion. In 1794 Chief Justice John Jay was sent to London to negotiate issues between the United States and England, among them impressment of American sailors by the Royal Navy and the seizure of American merchantmen carrying neutral cargoes. Jay's Treaty said nothing about impressment, but England agreed to compensate American merchants for the loss of their cargoes and ships seized in 1793 and 1794. In addition, the United States agreed to remain neutral in the conflict between England and France. To the French this was a repudiation of the Franco-American Treaty of Amity and Commerce signed during the Revolutionary War. The French Directory, in an attempt to compel the United States to renounce Jay's Treaty, turned French privateers loose on American shipping. Within a few months over three hundred American merchantmen were seized and condemned. 18

17 Albion, Makers, 369.
Although President John Adams kept the United States from a formal declaration of war, shooting broke out in the Caribbean and the American frigates were rushed to completion. In 1798 a Department of the Navy was created. Its first Secretary, Benjamin Stoddert, was a Georgetown merchant.  

The United States Navy was created out of a need to protect commerce on the seas. The merchant marine had been fostered by Congress; its paths had been cleared of competition from foreign shipping by Congress; and now it was being protected from harassment through action of Congress. 

The Navy was the child of the merchant interests in Congress, and its guardian was a merchant, as would be many subsequent Secretaries of the Navy. The similarity of problems of fitting out and manning merchant and naval vessels made this a reasonable situation. Robert G. Albion points out that "so closely were naval matters geared to that 'big business' of the young republic that such men would already be familiar with most of their duties."  

This need to protect American commerce became the one stable, long-lasting policy guiding the operations of the Navy. Soon after the turn of the century the procedure of

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20 Albion, Makers, unnumbered page, 19; and Paullin, Naval Administration, 160.
making extended deployments in foreign waters was initiated by President Jefferson. On 21 May 1801 he gave notice to the Bashaw of Tripoli that the United States was sending ships to patrol the Mediterranean. "We have found it expedient," he said, "to detach a squadron of observation into the Mediterranean sea to superintend the safety of our commerce there, . . . ."21

The use of squadrons to protect American commerce was easily expanded, and eventually squadrons were stationed in the West Indies, the Pacific, the East Indies, and off Brazil and Africa. Aside from this employment, the Navy's duties, except in wartime, were limited to responding to various crises generally affecting the safety of American commerce. 22

Thus by the first years of the nineteenth century the United States had a growing maritime commerce whose flags were seen in all parts of the globe, and a navy whose mission was to safeguard that overseas commerce. This mission was implemented by deploying cruisers to foreign stations, and easily expanded from time to time so that naval cruisers, by the 1840s were assigned to one of the six stations. 23 Unifying all this activity was the theme of "protection of American commerce and interests."

But what was meant by this phrase? It was used often,

21 Albion, Makers, 576.
22 Ibid., 571, 589.
23 Ibid., 584.
and without definition, in the nineteenth century. In a fundamental sense, it was the *raison d'être* of a naval force. In Alfred Thayer Mahan's philosophy, a "sea power" was a state able to use the sea in defiance of commercial competitors or military rivals.24 This was accomplished through the interrelationship of the mercantile marine and the military marine:

The [merchant] ships that thus sail to and fro must have secure ports to which to return, and must, as far as possible be followed by the protection of their country throughout the voyage. . . . The necessity of a navy, in the restricted sense of the word, springs, therefore, from the existence of a peaceful shipping, and disappears with it. . . .25

The more dependent a nation is upon the importation of food supplies and raw materials, the more concerned it is with the preservation of the uninterrupted flow of these goods upon the seas. Nations have thus depended upon an armed marine to police the sea lanes and preserve that flow. Clark Reynolds points out that such police operations are a primary mission of the naval forces of both major and minor powers.26

"Protection of Commerce" can therefore be defined as a primary mission of all maritime states, regardless of size or aspirations, entailing the maintenance of open

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lines of communications and commerce upon the seas between the sources of raw materials and markets for finished goods upon which a nation is dependent. "Interests" include the established policy of the nation as well as the safety and well-being of its citizens--often involved in mercantile affairs--upon the seas or in foreign countries. In the case of the United States, this mission was implemented by the stationing of naval cruisers in foreign waters where they would be available on relatively short notice to aid and safeguard American lives or property.

The years 1800 to 1860 saw the implementation and expansion of this policy, and they can be divided into two overlapping periods. The first, to 1843, was a period when the cruiser squadrons were established. The second period, commencing in the mid-1830s, was one in which the squadrons were expanded and innovations in naval architecture were introduced, not so much in response to attacks on commerce, but to the possibility that the rapidly increasing commerce of the United States was more susceptible to attack and that the navy should be prepared to respond in case of need.

Of the six squadrons that were established by 1843, all were created expressly to protect commerce. The African squadron, stationed in fulfillment of treaty obligations,

27There were actually seven squadrons established during this period, but since the Home squadron was essentially an expansion of the West India squadron, they will be considered as one.
was responsible for the suppression of the slave trade equally as much as for commerce protection. Of the six squadrons, two, in addition to the African, became concerned with the suppression of the slave trade because of their positions athwart the slaver routes: the Brazilian and the West India/Home squadrons.

During the War of 1812, when the United States Navy was fighting the Royal Navy, the Dey of Algiers took advantage of the unprotected state of American commerce again to seize American merchant shipping. Peace with England brought little respite for the American Navy. On 2 March 1815 the United States declared war on Algiers and in May a squadron, the forerunner of the present United States Sixth Fleet, sailed for the Mediterranean under Commodore Stephen Decatur. The capture of the Dey's flagship and the guns of the squadron aimed at the Dey's capital soon resulted in a peace treaty. In 1821, however, President James Monroe stated his concern that if the squadron were withdrawn the Barbary states would "recommence their hostilities and depredations upon our commerce." The Mediterranean squadron was not withdrawn.

In 1824 President John Quincy Adams' Navy Secretary,

28Paulin, Naval Administration, 185-86.

Samuel Southard, warned that deteriorating conditions between Algiers and some of the European powers might redound adversely upon America's commercial interests in the Mediterranean, hence it was necessary to augment the naval force there.\textsuperscript{30} In 1828 Southard requested two additional sloops-of-war to convoy merchant vessels between Malta and Smyrna because of the threat of attack from Greek pirates.\textsuperscript{31}

While the Navy was waging gunboat diplomacy in the Mediterranean, new problems arose closer to home. The Latin American wars of independence created the classical conditions for the rise of piracy, and the Caribbean became the scene of wide-spread attacks on commercial shipping. Between 1815 and 1823 over three thousand piratical attacks were made on American merchant vessels in the Caribbean.\textsuperscript{32} The Navy began patrolling the area in 1816 and in 1821 the West India squadron began what Charles Oscar Paullin has called "the chief 'naval war' of the period" between 1815 and 1842.\textsuperscript{33} Oliver Hazard Perry, the hero of the War of 1812,


\textsuperscript{32}Bryant, \textit{Sea and States}, 211-12.

\textsuperscript{33}Paullin, \textit{Naval Administration}, 186.
commanded American efforts to eradicate the pirates, and many of the Navy's future leaders participated: James Biddle, David G. Farragut, Matthew C. Perry, and David Porter.

By 1826 West Indian piracy was under control, but in November of the following year the commander of the Mexican naval forces offered privateer commissions to anyone willing to cruise against the enemies of Mexico. American merchants looked with alarm at the possibility that this might lead to another outbreak of piracy. Few commissions were issued and a Mexican-American treaty eased the situation. Nevertheless, the threat of renewed piracy helped keep the Navy patrolling West Indian waters.

In 1837 Secretary of the Navy James K. Paulding indicated in his annual message to Congress that there was a need to aid and protect commerce on the American coast, not so much from piratical attacks, but from the ravages of the sea. He recommended, and a few weeks later a bill was enacted authorizing, the employment of public vessels to cruise the Atlantic coasts in winter to provide aid to merchantmen in distress. In 1842 a Home squadron consisting of eight ships was organized to continue aid to merchant vessels, carry out the duties of the West India Squadron, and also provide training for naval ships and

Wars in South America led to the establishment of the Pacific and Brazilian squadrons in order to protect American commerce passing near the South American coasts or entering its ports. The Latin American wars of independence came rapidly to a head after 1815. By 1818 Argentina was virtually independent, but the leader of the rebels in southern South America, José de San Martín, realized that the Spanish hold on Peru had to be broken. Organizing his naval forces at Buenos Aires, attacks were launched around Cape Horn on Chile, which soon fell to the rebel forces. San Martín then made Lord Thomas Cochrane, an outstanding but flamboyant and temperamentl British naval officer turned sailor-of-fortune, commander of the Chilean Navy. In 1819 Cochrane declared a blockade of Peru and two years later the combined forces of Cochrane and San Martín invaded and expelled the Spanish from that country.

American merchants, fearful that the warfare and blockade of the southern continent's west coast might lead to attacks upon American whaling fisheries or the developing trade in the Pacific, urged the protection of the Navy. A


few naval vessels had earlier rounded Cape Horn, the frigate Essex being the first. However, the Pacific squadron was established the same year that Peru achieved its independence. Commodore Charles Stewart, in command of two vessels, was given the responsibility for safeguarding United States merchantmen from Cape Horn to Puget Sound westward to the Hawaiian Islands.³⁷

On the Atlantic side of the South American continent similar conditions led to the stationing of a Brazilian squadron. The Brazilian struggle for independence between 1821 and 1825, and then in 1826 war between Buenos Aires and Brazil, gave "rise to very great irregularities among the naval officers of the latter, by whom principles in relation to blockades and neutral navigation have been brought forward to which we cannot subscribe and which our commanders have found it necessary to resist." In February and March 1826 every representative from Massachusetts joined with Boston and Philadelphia merchants in petitions to the Secretary of the Navy for additional naval vessels to patrol the Brazilian coast.³⁸ However, the "very useful and friendly commercial intercourse" between the United States and Brazil made an amicable settlement possible. Although the sloop-of-war Cyane patrolled the coast as early

³⁷Paullin, Naval Administration, 187.

as 1821, to ensure the continued safety of American merchants
in the waters eastward of Brazil and Argentina, a more
substantial naval force was kept on the station beginning
in 1825. \textsuperscript{39}

The last squadron, except for the African, to be
established was one for the eastern Pacific and Indian
Oceans. In this region independence movements did not
cause the demand for a squadron, but rather an increasingly
valuable traffic with the Pacific Islands, East Indies,
China, and India, and the possibility of attacks by local
pirates or natives. \textit{Peacock} was in the East Indies in 1815,
followed by \textit{Congress} in 1819. Not until 1829 and 1830 was
another American ship-of-war in the Far East. The sloop-
of-war \textit{Vincennes}, Master Commandant William B. Finch, cruised
the Pacific and Far East, visiting the Society and Hawaiian
Islands, Macao, Manila, and the Straits of Sunda. In Macao
Finch was told by the American consul at Canton:

\begin{quote}
We feel no hesitation in assuring you that it is not
only our wish to have frequent visits by our national
ships, attended as we believe they would be by benefit
to the commerce of this port; ... special care
would be observed by all not to encroach on our rights,
knowing that the power was at hand to appeal to, and
that the appeal would not be made in vain. \textsuperscript{40}
\end{quote}

Early the next year the Salem ship \textit{Friendship}, Captain

\begin{flushleft}
\textsuperscript{39}John Quincy Adams, "Second Annual Message," 5 December
1826, Richardson, \textit{Messages and Papers}, II, 362-63; and
Paulin, \textit{Naval Administration}, 186.
\end{flushleft}

\begin{flushleft}
\textsuperscript{40}Ibid., 187; and E. Mowbray Tate, "American Merchant
and Naval Contacts with China, 1784-1850," \textit{The American
Neptune}, XXXI (1971), 179-82.
\end{flushleft}
Charles M. Endicott, was on the coast of Sumatra gathering
the pepper that had given Salem a monopoly in the East
Indian spice. On 9 February the natives attacked
Friendship, killing nine of the fourteen man crew. Cap-
tain Endicott and his four crewmen reached three American
ships the next morning and eventually the United States.
Endicott demanded that the government punish the pirates.
On 9 August the frigate Potomac, Captain John Downes, set
sail for Sumatra with orders to seek reparations and
punish the guilty parties. Downes exceeded his orders.
He made a landing at Quallah Battoo and destroyed the town
before receiving its surrender. American commerce and
interests in Sumatra were protected for the future.\(^41\)

In his Annual Report of December 1831 Secretary of the
Navy Levi Woodbury used the incident to urge the creation
of a Far East squadron. "The great value of our commerce
in India and China, exceeding five millions annually, and
its constant exposure, with many valuable lives, to
insult and rapine, furnish a strong appeal to the Govern­
ment for the protection of a naval force." In 1835 the
sloop-of-war Peacock and schooner Enterprise under
Commodore Edward P. Kennedy were the first vessels of the

\(^41\) This incident is related, among other places, in
Celia Woodworth, "The USS Potomac and the Pepper Pirates," in Clayton R. Barrow, Jr., ed., America Spreads Her Sails:
U.S. Seapower in the 19th Century (Annapolis, 1973), 56-
69; and "Annual Report of the Secretary of the Navy,
Showing the Condition of the Navy in the Year 1831," ASP:NA,
IV, 10.
East India squadron. 42

The African squadron, the last to be deployed, was established in 1843 in compliance with the Webster-Ashburton Treaty of the previous year. Naval vessels had visited the African coast since 1817 in an attempt to suppress the slave trade. A legitimate, and growing, exchange was developing with Africa, but Secretary Abel P. Upshur reported in 1842 that several vessels had been seized by the natives and their crews "barbarously murdered." Commander Ramsey of the sloop-of-war Vandalia was ordered to Beribee, about ninety miles south of Cape Palmas, to demand reparations for an attack upon the schooner Mary Carver. Similar orders were given to Commodore Matthew C. Perry the next year when he took command of the first American squadron off the African coast. 43

With the creation of the African squadron the first period, that of establishing stations in response to the necessity to maintain open lines of communications for the nation's maritime commerce, came to an end. The second period, that of expansion of the squadrons, had already begun. This growth was justified by a belief that the

42 Ibid.
rapid increase in the size of the merchant marine, and the possibility of interference with the free flow of goods, demanded a corresponding increase in the number of naval vessels on station. Not only were greater numbers desired, but also new innovations, particularly steam-powered vessels. Steam power could increase the usefulness of the squadrons. Independence from the wind would enable steam vessels to patrol closer to shores and penetrate more easily into rivers.

The change from first period to second was expressed by President Andrew Jackson and his Navy Secretary. In the early years of the administration they reported that the naval force of the United States on distant stations was ample for the protection of commerce. In his first Annual Message Jackson stated that "in time of peace we have need of no more ships of war than are requisite to the protection of our commerce." 44 Three years later he was able to point with some pride to the fact that increased protection had been given to commerce without any increase in the size of the naval force. This was effected, he said, by the collection of materials for ship building in the event of future emergency. 45

By the time of his seventh Annual Message in 1835

44 Andrew Jackson, "First Annual Message," 8 December 1829, Richardson, Messages and Papers, II, 456-60.
45 Jackson, "Fourth Annual Message," 4 December 1832, ibid., 604-05.
Jackson had reversed his original position. "It appears . . . that our naval force at present in commission, with all the activity which can be given it, is inadequate to the protection of our rapidly increasing commerce. This consideration . . . strongly urge[s] . . . a speedy increase of the force which has been heretofore employed abroad and at home."\(^4^6\)

There was little apparent justification for extension of the naval patrols. Piratical activities in the Mediterranean and West Indies had been quieted and the Latin American wars of independence had been concluded. Few annual messages of the Presidents or their Navy Secretaries report any disruption of American commerce. This freedom of the sea lanes was attributed to the activity of American naval cruisers.\(^4^7\)

Instead of the actual interference, a new justification was needed for the maintenance of the cruisers on station. Jackson hit upon this in his seventh message. The quantity of American commerce was increasing and this, of necessity, required a parallel increase in the number of cruisers. Secretary Abel Upshur made the most extensive enunciation of this role in 1841. Estimating that the


United States had close to a hundred and fifty million dollars worth of shipping each year upon the seas, he stated, "so large an interest is entitled to demand, and justly expects to receive the most certain and ample protection . . . . Trade is never secure, unless it can, at all times and in all places, appeal for support of the national flag; . . . ." But the United States was "far behind all the considerable nations of the world in this respect." England, whose maritime commerce was less than twice the American's, had eight times as many warships; and France, with an overseas commerce only a third that of the United States, had a navy five times the size of the United States Navy. 48

To meet the needs of this great and expanding trade there were repeated calls for additional vessels. President Martin Van Buren, in 1838, urged an increase in the number of small vessels in addition to his request for a Home squadron. 49 James K. Polk spoke of this need in several of his annual messages. In his first he pointed out that the United States had a maritime commerce second but to one other country and it needed greater protection than was currently given to it. Polk used this opportunity also to call for the building of several


steamers. The following year he recommended that a steamer be assigned to each of the squadrons.\textsuperscript{50}

Zachary Taylor's naval secretary, William B. Preston, stated that a steam navy was "necessary to maintain our rights and to afford the protection to our commerce . . . ."

By 1855 six steam frigates had been authorized and construction on them was proceeding.\textsuperscript{51} Despite this increase President Franklin Pierce called for six additional steam sloops-of-war, and his successor, James Buchanan, requested "ten small war steamers of light draft." The Navy, he said, had no vessels capable of navigating the rivers of China and few that could enter any of the ports south of Norfolk, "although many millions of foreign and domestic commerce annually pass in and out of these harbors."\textsuperscript{52}

In the post-1840 period the Navy maintained vessels on foreign stations although shipping was not as subject to attacks as it had been. New activities also kept the Navy busy, many of these also benefitted the merchant marine. Lieutenant Charles Wilkes, in command of a squadron of exploration, visited the Fiji Islands in 1841 and established


\textsuperscript{52}James Buchanan, "First Annual Message," 8 December 1857, \textit{ibid.}, 459.
"useful regulations of trade and intercourse with some of the principal chiefs."

In the same year Commander French Forrest interceded in behalf of American and British citizens in California who had been accused by Mexican authorities of conspiring to separate California from Mexico. Lieutenant A. Bigelow, in the schooner Shark, cruised off Peru during that country's civil war to protect "the property of American citizens, exposed to the rapacity and lawless violence of contending factions . . . ."

In 1847 Commander James Glynn, of the sloop-of-war Preble, rescued some sailors from a whaler that had been wrecked on a Japanese island and imprisoned in Nagasaki.

In each of these instances, the American Navy was on the scene to intercede in behalf of American commerce.

In the 1850s the Navy continued its aid to American mercantile interests. Lieutenant Issac G. Strain, in 1854, and Lieutenant T. A. M. Craven, in 1857 and 1858, explored the isthmus of Panama seeking an all-water route from the Atlantic to the Pacific. The former lost his life in the attempt.

More successful was the effort of Commodore Matthew C. Perry to open trade relations with Japan in

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54 Ibid., 346.
55 Albion, Makers, 600.
1854. Four years later the government responded to the request of an American merchant in Paraguay, and the attack upon an American naval steamer exploring the Paraguay River, and mounted a large naval expedition against the South American country. Gunboat diplomacy had the desired results and American commercial interests reaped great advantages from the intercession of American warships.57

From the establishment of the Federal government to the Civil War there were two constants in the history of the Navy. The first was that it should exist and grow. This growth was two-fold: in numbers of vessels and in areas of operation. The second constant was that the Navy existed for the benefit of the commercial maritime interests of the nation. The Navy was established to safeguard shipping from the attacks of Barbary corsairs, and expanded to fight Latin American pirates. It did not matter that, after the Latin American wars of independence and the eradication of piracy in the West Indies, there was little real threat to American commerce. It would be difficult to prove that the Navy provided any real protection against the few sporadic attacks on individual ships after 1830. Two vessels, charged with surveillance of the South Pacific, 

57 These incidents are well known. A good summary of the former appears in Bryant, Sea and States, 274-80; and of the latter in Barrow, America Spreads Her Sails, 70-79; and Clare V. McKanna, "The Water Witch Incident," The American Neptune, XXXI (1971), 7-18.
Japan, China, and the Indian Ocean could do little to inhibit random attacks on shipping. But protection of commerce was an argument for enlarging the Navy and for the introduction of steam power into ship propulsion. The Navy continued, despite the lack of such attacks, in readiness to respond when needed, anywhere a ship could sail. Ship commanders and squadron commodores had in their orders statements regarding their responsibility to the protection of commerce. In a five year period, 1838 to 1843, picked at random from the microfilm collection of the Secretary of the Navy's letters every set of "Sailing Orders" pointed out the need to protect commerce. In some cases this duty was the primary task of the ship or squadron. In other cases it was secondary. But in all the orders it was important.\textsuperscript{58}

To carry out this duty the Navy had an average of about 40 vessels in service. These had to be divided among the six patrol stations with enough to carry out miscellaneous duties such as exploring the Bering Straits, the Pacific, or the Amazon, survey the coastal waters of the United States, or to be in transit from the United States to an assigned station.

Such devotion, on the part of the government, to the protection of commerce was not a matter of disinterested

\textsuperscript{58}Letters Sent by the Secretary of the Navy to Officers, 1798-1868 (M-149), Rolls 25 to 34, Naval Records Collection of the Office of Naval Records and Library, Record Group 45, National Archives. See Appendix A for sample extracts.
philanthropy. Ninety percent of the Federal government's annual income came from customs duties on commercial shipping. In 1795, out of a total Federal revenue of $6,115,000 five and a half millions came from customs receipts, and in 1860 almost ninety-five percent of the $56,065,000 of government income came from duties on commerce.\textsuperscript{59} It is little wonder then that the major peacetime function of the Navy should be the protection of commerce, for this was merely protecting the source of the nation's income.

\textsuperscript{59} \textit{Historical Statistics}, 712.
CHAPTER II

A CRUISER NAVY

W. E. B. DuBois, in his pioneer work on the suppression of the slave trade, has stated that instead of a number of small light vessels, which by the reports of experts were reportedly to be the only efficient craft [for the anti-slaver patrols] the government, until 1859, persisted in sending out three or four great frigates.¹

More recently Hugh G. Soulsby echoed DuBois. The "American squadron [off Africa] seldom exceeded four or five cruisers, clumsy, heavy ships, . . . ." and "the vessels sent out were of the wrong type[, l]arge, heavily armed, slow sailing men-of-war, . . . ."²

Two authorities have made statements describing the naval vessels assigned to patrol against slavers. DuBois is wrong and Soulsby is misleading. The United States Navy did indeed send cruisers to the African coast. But they were not necessarily frigates and certainly not what Soulsby described.

The term "cruiser" dates to the mid-eighteenth century


when England's First Lord of the Admiralty, Lord Anson, divided the Royal Navy into two categories of ships. Those able to take a place in the line of battle because of their heavy construction and armament were called battleships or ships of the line. The remainder, those whose principal uses were scouting, relaying messages for the fleet, or commerce raiding were termed cruisers. It was this category, divided among several types of vessels, which constituted the great majority of ships in the American Navy.

Classifying sailing vessels is confusing at best and often impossible. Terms used in one period changed their meaning in another, one word could have more than one meaning, and classification was often a mere matter of degree. However, a few generalizations can be made. Vessels were early classified by rig, either square-rigged or fore-and-aft rigged. And they could be classified by hull form. Ship, brig, and schooner denote specific combinations or rig. A ship had three masts--fore, main, and mizzen--each divided into three sections--lower, top, and topgallant.


Each mast carried square sails suspended from yards (not yardarms) which crossed the midline of the hull roughly at right angles. A brig was similar to the ship but had only two masts, the fore and main. A ketch had the main and mizzen masts. In both cases the main mast was the largest.

Sloops and schooners carried their sails in line with the length of the hull, or fore and aft. Sloops had one mast; schooners two or more. In addition, schooners could carry square sails above their lower fore and aft sails, giving rise to terms such as "fore and main topsail schooner," describing a vessel that carried topsails and possibly topgallants. The ultimate schooner was Thomas W. Lawson, a seven-master, built in 1902.

By the 1840s the development of brigs and schooners had made the two types quite similar. A brig could carry fore and aft sails on each mast and the schooner could cross a square lower sail on the yard used to spread the tacks, or lower corners, of the topsails. The difference between the two types became only a matter of the length of the lower mast. A different variation was a cross between a brig and a schooner called a brigantine, or hermaphrodite brig, that had a square-rigged foremast and a fore-and-aft rigged main, each mast susceptible to the mutations of its parent's types.

To confuse matters even more, vessels were sometimes described by hull form. Originally "frigate" and "galley"
denoted certain characteristics of hull. Frigates began as small, swift, oared vessels used in the Mediterranean. By the late eighteenth century the term referred to a vessel, not necessarily a ship, that had a detached forecastle and quarter deck above a complete main deck. By the mid-nineteenth century frigate was a large ship-of-war mounting its main battery on a complete covered main deck and on the exposed quarter deck and forecastle.

"Sloop" had two meanings. Used alone the word denoted a single-masted fore-and-aft rigged vessel. In the Royal Navy during the Napoleonic wars a sloop was a vessel commanded by an officer who had not been "posted" captain, or put in line for automatic promotion. But in the United States sailing navy it referred to a small ship-rigged vessel mounting guns on one deck. In this case the term was usually modified into sloop-of-war or ship-sloop.

Sailing combatants in the United States Navy can be divided into six broad types based primarily on size and rig: ships of the line, frigates, sloops-of-war, brigs, brigantines, and schooners. The first three classes were ships, their main difference being their size and armament. The ship of the line was the battleship of the era. The typical ship of this class displaced two to three thousand tons, mounted its guns in broadsides on two or three complete decks, and carried 500 to 1000 men. The battleship fleet was typical of a nation with a far-flung empire

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5See Appendix B for plans of representative vessels.
that needed protection and which would use its navy to contend for mastery of the sea. A neutral or poor nation or one that wanted to remain aloof from major naval wars, had little need for ships of the line. The United States commissioned only nine between 1775 and 1860, and these were little used. Ranging from America of 1,982 tons, built during the Revolutionary War, to Pennsylvania, the largest sailing ship built for the United States Navy at 3,105 tons and 120 guns, these huge ships were seldom used at sea. They spent much of their careers laid up—"in ordinary"—or as receiving ships at the various naval stations. Except for Pennsylvania all were rated at 74 guns.

For the Navy's primary mission of protecting commerce, ships of the line were virtually useless, and except for a few deployments to "show the flag" or impress smaller powers like Algeria and the South American nations, they seldom went to sea. The cost of building, arming, and manning a battleship was too great for the nation considering the benefit derived from their deployment.

The frigate was the largest of the cruisers. Displacing 800 to 1500 tons, and armed with 28 to 50 guns, the frigate combined fire power, endurance, and speed. This was a class in which the United States excelled. The first frigates authorized for the United States Navy, as opposed to the Continental Navy, the Constitution and Constellation classes, epitomized American ideas in warship construction. They were intended to be the largest,
strongest, and most heavily armed frigates in the world, and they met their expectations. The success of the large frigates against the Barbary pirates, the French and the British in single ship combat ensured their popularity—and their growth. By the 1840s "double-banked" frigates were being built. These had in addition to the fully armed main deck a fully armed upper deck created by joining the quarter deck and forecastle with broad gangways.

These were large ships, and when it came to hunting pirates or chasing slavers using a frigate was like using a sledge hammer to kill a fly. They had many of the same problems as ships of the line; lack of maneuverability and too deep a draft. These problems became especially apparent in 1803 when the Navy found itself with a fleet of frigates and but one small vessel, a schooner, to fight Barbary pirates. This situation led to the building of a very versatile class of ship, the sloop-of-war. About half the tonnage of a frigate, the ship-sloops carried 16 to 24 guns on a single deck. The first built for the United States Navy were Hornet and Wasp. Originally designed as brigs it was found that their rig was too lofty and they were converted to ships. In 1813 Peacock was built by Adam and Noah Brown of New York. So successful was this ship that her design was the basis of ship-sloop construction for the next quarter century. Peacock's performance was also responsible for increasing the interest of naval officers in this class. After the War of 1812 the
ship-sloop was the dominate class of American war vessel. The sloop-of-war was a good, all around cruiser; moderate size, armament, and crew, but with great endurance at sea. In the 1840s the sloop-of-war was so popular that many of the older frigates were rearmed as ship-sloops. The American trend of bigger and bigger in ship construction led to the building of "first class sloops," which like frigates had their armament on a covered main deck, but differing from frigates in that the upper deck was not armed. The Constellation that is now in Baltimore was built as a first-class sloop. In contrast to the frigates of the 1840s and 1850s, this sloop has been built up to a frigate. These large sloops and frigate-sloops suffered from many of the same problems as frigates, but the smaller sloops were almost ideal peacetime cruisers.

The smallest classes of cruisers, the brig, brigantine, and schooners, were best employed where it was necessary to operate in shoal waters, penetrate rivers, or stay near the coasts. Their small size made them less suitable on extended employments, but they were found at one time or other on all the stations.

As in frigate and sloop-of-war design, American builders developed outstanding models of schooners. During the War of 1812 American schooners based on the Baltimore clipper model had a distinct speed advantage over foreign-built schooners. By 1821 these war-built vessels were getting old, and the Navy needed many small vessels to
fight pirates in the Caribbean. Four schooners were built to plans drawn by Samuel Humphreys, son of Joshua Humphreys, builder of the Revolutionary War frigate Randolph and later President. A fifth schooner, Grampus, was designed by Henry Eckford.

Aside from Wasp and Hornet, which were converted to ships, not many brigs were built until the 1840s. In 1842 Somers, Bainbridge, and Truxton were launched with Perry coming down the ways the following year. They were all fast vessels and Perry had a reputation as one of the fastest vessels in the Navy. In hull form these vessels differed little from the schooners of the period. The armament of these small cruisers varied greatly, from one or two guns on some of the small schooners purchased to suppress West Indian piracy, to sixteen or eighteen guns on the larger brigs and schooners.

The United States Navy, in the years between 1815 and 1860 had about 100 sailing men-of-war, excluding certain vessels purchased for exploring expeditions, surveying, or operating only on inland waters. Except for the eight ships of the line commissioned in this period they were all considered cruisers. This group can be broken down as twenty frigates, thirty-five sloops-of-war, eleven brigs, two brigantines, and twenty-seven schooners. The vast majority are thus seen to be the smaller classes of cruisers.

What then were these "clumsy, heavy ships," these
"large, heavily armed, slow sailing men-of-war" that Soulsby and DuBois complain about. The simple fact of the matter is that they were wrong, just as many other writers on the subject have been. Daniel P. Mannix called the third class sloop-of-war Yorktown a frigate. Even such an eminent naval historian as Samuel Eliot Morison incorrectly identifies Macedonian, a ship in Perry's squadron off Africa, as being "the prize ship of 1812, which had been razeed to a 36-gun sloop, . . . ."6 The original Macedonian had been broken up at the Norfolk Navy Yard in 1835 and 1836 and a new 36-gun frigate built of the same name. Between 1849 and 1852 she was razeed to a 24-gun ship-sloop.7

The sloop-of-war was the class of vessel that dominated the slave trade patrols. During the years in which the squadron was stationed on the coast of Africa only four frigates made cruises to Africa to suppress the trade: Macedonian, Constitution, United States, and Cumberland.8

The last of these was part of the squadron on two occasions,


7Chapelle, Sailing Navy, 463-64; and "Macedonian," Dictionary of Fighting Ships, IV, 179-80.

the first time, in 1845, as a 44-gun frigate. Before her second deployment she had been razed. Almost one-half of the vessels that participated in the African patrols were sloops-of-war, the remainder consisted of brigs, brigantines, schooners, and a few frigates. Never was there more than one frigate on the African station at a time.\(^9\)

The desirability of employing these small ships for the suppression of the slave trade and protection of commerce is obvious: large ships cost more money to build, equip, supply, and they absorbed more men. On station small vessels were more maneuverable and could go places the large ones could not. With a merchant marine trading with every area of the world and requiring protection of a naval force, the most practical and effective force which the United States could afford was one made up of small ships-of-war. The fact that pirates and slavers generally employed small, lightly armed vessels made the employment of naval vessels of the small ocean-going classes practical.

The conditions experienced by men-of-war on stations as varied as those in the Mediterranean, East India, and off Brazil had to be considered before deploying brigs and schooners. Could they safely double Cape Horn, or keep the sea in a storm? Could they support a large number of men for long periods without reprovisioning? Such con-

\(^9\)See Appendix D. This table lists by name and class the vessels assigned to Africa with a numerical comparison of the vessels assigned to other squadrons or duties.
erations led to the construction of all purpose ships such as the sloop-of-war.

These then were the cruisers Soulsby complained of as being too large for the job of pursuing slavers. Indeed, almost every vessel in the United States Navy was a cruiser, and they were of all types and sizes, but they were predominantly sloops-of-war.

Soulsby also condemned these ships as slow and clumsy, a phrase that tends to give the impression that large ships--his idea of a cruiser being a large vessel--were innately slow and clumsy. It is interesting to note that almost all of the speed records held by sailing vessels are held by large ships, the clipper ship records being the best examples. The schooner Grampus and brig Perry, both small vessels, were noted as being fast sailers, but the frigate Constitution also had the reputation of being a fast ship as did a number of the ship-sloops.

To state that small vessels, such as slavers, were faster than large ships neglects a great many factors, and what Howard I. Chapelle states "is an axiom in naval architecture that 'other things being equal, the largest (or longest) ship is the fastest.'" Wind and sea conditions and the trim of a vessel--how it sits in the water--determine, to a great extent, whether a ship will be particularly fast or slow on a given day. In mild weather the smaller ship would usually have an advantage for the simple reason that it takes less wind to move a small vessel, but with any kind
of sea rising or with more than a moderate breeze the large ship may well have the advantage in speed. 10

Winds have another effect. In conjunction with the ocean currents they create sea lanes, paths that vessels traversing great distances almost had to follow. In terms of miles, however, the path might be far longer than a direct, straight line route. An example was the route from South America to the west coast of Africa. In 1842 Lieutenants Charles H. Bell and John S. Paine pointed this out to Daniel Webster, then Secretary of State:

Vessels bound from the coast of Brazil or the West Indies to the coast of Africa are obliged, in consequence of the trade winds, to run north as far as the latitude of thirty or thirty-five, to get into the variable winds; thence to the eastward, until they reach the longitude of Cape Verde islands; then steer to the southward to their port of destination; and, if bound as far to the eastward as the Gulf of Guinea, usually make the land near Cape Mount or Cape Palmas.11

Bell and Paine had made two cruises to the African coast in 1839 and 1841 and their observations are worth noting, for until about 1850 the west coast of Africa supplied a considerable portion of the slaves. Howard points out that Porto Praia, the American base in the Cape Verde Islands, was not even close to the remaining slave

10 Chapelle, American Sailing Ships, 49. See also his The Search for Speed Under Sail, 1700-1855 (New York, 1967) for an in depth discussion of the factors which comprise a fast sailing vessel.

coast north of the Equator and that cruisers spent too much time merely sailing between the coast and the depot. 12

Plotting the route outlined by Bell and Paine on a chart makes it quite clear that slavers had to pass through or near the Cape Verde Islands and make their landfall on the Liberian coast. This track describes the same route travelled by American cruisers. Porto Praia seen in this light becomes a strategic location, covering the routes used by all sailing vessels, naval cruisers as well as slavers, and indeed several slavers were captured by American naval vessels near that port. 13

Wind conditions in the Gulf of Guinea did favor the smaller vessels. The wind there is often light or non-existent. 14 In the former case a small vessel would have a definite advantage, in the latter neither large nor small vessels would have any advantage—unless their motive power were independent of the wind. If there was a means by which the government might have improved the capabilities of all the squadrons it was the utilization of this new form of propulsion. The advantages of steam appeared obvious:
giving a ship the ability to sail to any point of the compass


13 See Appendix E for a list of slavers captured by American men-of-war.

at a speed not dependent on the wind. But steam-powered vessels, whether paddle wheel or propellor, were not used to any great extent until the 1850s, despite the urgings of naval officers.

In their letter to Secretary of State Webster, Bell and Paine recommended that the force on the west African coast consist of:

One first class sloop-of-war.
One steamer of 200 to 300 tons burden.
Two (eight or ten-gun) brigs or schooners.
Ten Schooners of about one hundred tons, each with four guns.
One Store-ship of 250 to 300 tons.\(^{15}\)

Many naval and diplomatic officers made similar requests in the following years, but with the brief exception of Alleghany on the Brazil station these urgings went unheeded until 1858 when steamers acquired for the Paraguan expedition were deployed to Africa and Cuba.

The absence of American steamers as part of the African squadron was emphasized by the inclusion of steamers in the British contingent. Perry wrote to the Secretary of the Navy in March 1844 that Royal Navy officers had informed him that Great Britain had "ordered to be equipped for the African station thirty fast-sailing vessels, eleven of which are to be steamers, . . . ."\(^{16}\) As early as 1846 Her Majestys'  

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\(^{15}\)H. Rept. 283. 770.

\(^{16}\)U.S., Congress, Senate, Message from the President of the United States . . . relative to the . . . squadron on the west Coast of Africa, S. Ex. Doc. 150, 28th Cong., 2nd sess., 83; and Michael R. Bouquet, "Capture of the 'Sunny South' Slaver," History Today, X (1960), 575.
steamer Penelope was capturing slavers off Africa.

The desirability of steam men-of-war was readily apparent and the question arises as to why they were not employed in American squadrons, especially the African, prior to 1858. One reason must certainly be the conservatism of the Navy Department. In January 1839 the Secretary of the Navy, James K. Paulding, wrote:

However powerful and various in its application, steam can never become the universal agent, nor supersede the operations of the elements of nature, and all the powers of human life. There are, and must be, limits to its agency; and it seems to me it would neither be wise nor politic to abandon entirely a system of naval architecture, under which the United States have acquired so much honor, and so many advantages, in order to adopt in its stead a different one, which, . . . has not yet stood the test of time and experience.17

The Navy began experimenting with steam vessels about the time this was written. In the early 1840s Matthew C. Perry, as commanding officer of Fulton, gained a great deal of experience with steam. Lieutenant William W. Hunter, the former commander of Alleghany, proposed a vessel driven by submerged horizontal wheels. A vessel was built to Hunter's specifications but it proved to be slow and inefficient. It was generally acknowledged in the 1840s that "no invention as yet rivals the paddlewheel in speed, . . . ."18 Some of these paddle-wheel steamers could achieve a fair

turn of speed for short periods. For instance, the steamer Powhatan, one of the finest vessels in the Navy at the time, could achieve a speed of about 11.5 knots under steam alone and about 12.5 knots with both steam and sails. To sustain this speed required 4,450 to 4,500 pounds of coal per hour. Her best speed, however, was reached with a moderate breeze and her bunkers half-full of coal. 19 Even so, in a moderate breeze a fast sailing vessel stood a good chance of escaping.

There was also the problem of reliability. The primitive engines employed in these vessels were prone to break down. Frequent repairs were required. Powhatan, which by June 1853 had only been in commission ten months, had by that time been repaired once at a cost of seven thousand dollars. The other extreme was reached by Mississippi, in 1853 an old ship having over seven years commissioned service. She had been repaired nineteen times at a cost of nearly half a million dollars. 20 Even after the Civil War problems plagued the steam navy, and this form propulsion was little used. 21

Frequent breakdowns required constant attention, and often the assistance of a repair facility. But facilities with the requisite industrial and technical knowledge to

19 Ibid.
20 Ibid., 4.
repair these engines were not common, and mechanical failure could leave the ship without its engine. Therefore many of the steam ships remained in the Home squadron. But Mississippi, Powhatan, and Susquehanna did make cruises to the East Indies, Water Witch explored rivers in South America, and Hancock surveyed the Bering Straits.\(^{22}\) All these places were far removed from adequate repair facilities.

Low endurance, short cruising range, and slow speed under sail alone are not sufficient reasons for the absence of steamers in the African squadron. While these are not the most desirable qualities in a man-of-war, these disadvantages would have been more than overcome by the advantage of being independent of the wind. There is a fairly high proportion of days throughout the year which have little or no wind, bad conditions for a vessel under only sails, but conditions that would make the employment of steamers on the African coast highly practical.

The most important reason why steam ships were not employed prior to 1858 is that, while a navy costs a great deal of money to build and maintain, a steam navy costs even more. Mahan says, "in a representative government any military expenditure must have a strongly represented interest behind it, convinced of its necessity."\(^{23}\)

The maintenance of a peace time navy is a good

\(^{22}\) H. Rept. 681, 16-17.

\(^{23}\) Alfred Thayer Mahan, The Influence of Sea Power Upon History, 1660-1783 (New York, 1890; reprint 1957), 88.
illustration of Mahan's statement. In 1859 the United States had some six thousand merchant vessels trading with almost every port in the world. To protect American interests there were about forty commissioned vessels in the American fleet. The section of the country that most benefited and was most interested in maintaining and expanding the Navy was that area in which the maritime commerce was centered, the Atlantic seaboard, particularly the Northeast. The majority of the states had no direct interest in the protection of commerce. This is the crux of the problem. Since there was little interest in the expansion of the naval service, and no enemies threatened the nation, there was little money available for funding additional ships. As a House Report put it, "the support of a large navy in time of peace would impose burdens upon the people unnecessary to be borne, . . . ." 24 Except for the Civil War the United States Navy would remain small--a cruiser navy--until the nation had an overseas empire to protect.

24 H. Rept. 681, 3.
CHAPTER III
SETTING THE COURSE

From almost the beginning of the English colonies in North America there were two concurrent but divergent trends affecting slavery. The first was the entrenchment of slavery in the life and economy of the Southern States. On the other hand, there were many who opposed slavery and the slave trade. W. E. B. DuBois analyzes the latter trend and divides the colonial and pre-Federal period of the United States into three general periods, each characterized by a differing attitude toward the slave trade.¹ The first period, from 1638 to 1664, was characterized by a tendency to take a moral position opposing the trade. The second period, 1664 to 1760, was marked by no specific tendencies other than the imposition of duties on the importation of slaves. The purpose of these duties varied from encouragement to prohibition of the trade, but on the whole the morality of the traffic was not questioned.²

It is the last period, 1760 to 1787, which is most


²For a brief summary of the measures intended to impede the slave trade prior to the Revolution, see: William Renwick Riddell, "Encouragement of the Slave Trade," Journal of Negro History, XII (1927), 22-32.
important to this study, for during these years there was begun an effort to limit or prohibit the trade through joint action of the colonies. In part, these prohibitions were taken as a means of economic retaliation against England. As such they were specific in purpose and temporary in duration. Nevertheless, they were precedents for the national laws which followed and which, at a later date, did outlaw the slave trade to the United States.

In the 1760s the British Parliament passed a number of measures—the Sugar, the Currency, and the Stamp Acts—designed to strengthen English mercantilist policies with regard to the colonies. Responding to the last measure, delegates of the colonies met in New York on 7 October 1765 in what has become known as the Stamp Act Congress. One of the first actions by the colonial delegates was to agree on a policy of non-importation of English goods. The result of this policy was that in the summer of 1766 American commissions for English goods were £600,000 lower than had been known for some thirty years. Part of this loss of revenue was due to the reduced number of African slaves shipped from the British West Indies to the mainland colonies. Parliament reacted to the non-importation policy and the outcries of English merchants by repealing the act. The English slave trade, which had been seriously curtailed by

the American action, soon recovered and by the eve of the Revolution, English slave traders were sending out 167 ships a year to Africa. ⁴

While these measures were economic in nature there was a growing concern over the morality of the traffic. The Pennsylvania Abolition Society was the first organization to concern itself with helping the Negro and with the legitimacy of the "peculiar institution." Benjamin Franklin was a member throughout the latter part of his life and was at one time president of the society. ⁵

The Revolution, however, gave the greatest moral impetus toward the abolition of slavery and the slave trade. The ideals for which many of the patriots fought were obviously incompatible with the institution of slavery, and this encouraged a change in attitude. No longer was abolition of slavery and the trade based only on economic reasons. ⁶

As the state of affairs worsened between England and her American colonies, the colonials, following the precedent of the Stamp Act Congress, met in Philadelphia on 5 September 1774. One of the first orders of business of this, the first Continental Congress, was the establishment

⁴DuBois, Suppression of the Slave-Trade, 40-41.


of a new non-importation policy toward Great Britain and Ireland. On 20 October 1774, "The Association," a policy statement that has been called the most significant action of the first Continental Congress, was adopted. The Association reviewed the actions of the British Crown toward the colonies and the colonists' grievances. But while it reaffirmed the allegiance of the colonies to the Crown, the Association also agreed to a stringent non-importation of British goods, not only from Great Britain and Ireland, but the British West Indies as well. The inclusion of an article dealing with the slave trade indicates that abolition of the traffic was an economic measure designed to obtain redress of grievances. Article Two states:

We will neither import nor purchase, any slave imported after the first day of December next; after which time, we will wholly discontinue the slave trade, and will neither be concerned in it ourselves, nor will we hire our vessels, nor sell our commodities or manufactures to those who are concerned in it.

This article prohibited other countries from importing slaves into the United States as well as the participation in the trade by Americans. Colonial participation in the slave trade was not extensive, and was generally considered part of the British trade. Philip D. Curtin estimates that ships


8 Jour. Cont. Cong., I, 77. This non-importation resulted in a loss to British merchants of over £2,000,000. Schlesinger, Colonial Merchants, 535-36.
from the mainland colonies carried 6.1 percent of the slaves from Africa to the Americas in 1768 while Great Britain carried 51.0 percent of the traffic. Over the fifty year period from 1761 to 1810 vessels of colonial/United States ownership carried an average of 3.3 percent of the traffic, this figure being reduced during the years of the Revolutionary War when the traffic was negligible. Since British shipping carried the bulk of the slaves to the colonies, Article Two was obviously intended to hurt British interests more than American.9 On 6 April 1776 the colonies reaffirmed the principle of non-importation of slaves by resolving: "That no slaves be imported into any of the thirteen United Colonies."10

There were many reasons why these resolutions were accepted and the abolition of the slave trade was successful at this time.11 The decline of slavery in the Eastern and Middle States was seen as a portent of the future. The Revolutionary philosophy of the freedom and rights of man also had a considerable influence and many of the founders of the nation were disturbed by the inconsistency of keeping slaves and fighting for those rights for themselves. George Washington, Thomas Jefferson, and James Madison, all slave

11DuBois, Suppression of the Slave-Trade, 41-42.
holders, were aware of the inconsistency between their battle for human freedom and the owning of slaves, and tried to find solutions to the problem.\(^{12}\)

Hostilities with England gave rise to fears of British sponsored slave insurrections or the possibility that the slaves would be set free by the British, fears that lessened the objections of slave dealers regarding abolition of the trade. Additionally, in 1774 and 1775 the slave markets were overstocked; and this, in conjunction with the wartime decline of tobacco, rice, and indigo production and exportation, reduced not only the value of slaves but also resistance to their emancipation.\(^{13}\) Finally, opposition to the slave trade became part of the economic retaliation against England as symbolized by the non-importation article of the Association.

There was, however, no national legislation passed prior to the Constitutional Convention regarding the slave trade. Such action was undertaken by the states on an individual basis. Connecticut, Vermont, Pennsylvania, Delaware, and Virginia had, by 1778, prohibited the further importation of slaves. In the rest of New England, and in the Middle States--including Maryland--importation had practically ceased of itself. And although there was an


\(^{13}\)Benjamin Quarles, *The Negro in the American Revolution* (Chapel Hill, 1961), ix.
increased need for slaves in the South after the war, North Carolina, in 1786, imposed a duty prohibitive of the further importation of slaves. A year later South Carolina passed a series of acts which, until 1803, forbade the entry of slaves into that state. 14

Many of those who met to frame a new system of government in 1787 believed that slavery was a dying institution. They felt that within the foreseeable future, the nation which they had established on the principle of the equality of man would no longer be blighted by an obvious contradiction of principles. While this opinion was widely held, some members, particularly from South Carolina and Georgia, viewed the institution as a necessary evil. They made no attempt to justify slavery, but considered it necessary in order to preserve their society and way of life. Without slave labor South Carolina and Georgia could not survive economically, and their delegates were willing to fight or withdraw from the Union in order to preserve their right to permit slavery and the slave trade. 15

The debates concluded in a compromise in which the federal government agreed to do nothing to prohibit the importation of "such persons as the states think proper"

14 DuBois, Suppression of the Slave-Trade, 51-52.

15 James Madison, Journal of the Federal Convention, ed. by E. H. Scott (Chicago, 1898), 377. John Rutledge of South Carolina stated during the debates in the Convention that the "true question at present is whether the Southern States shall or shall not be parties to the Union."
until at least 1808. But while the states could still admit slaves, there were intermediate measures which the federal government could enact to reduce American participation in the slave trade. In 1794 two events came together which resulted in the first national act limiting the traffic. First was the debate in 1789 and 1790 over the powers of Congress to enact any legislation curtailing the slave trade. The outcome was that on 23 March 1790 a House Committee of the Whole adopted, by a narrow margin, a report detailing congressional powers with regard to the traffic in human beings. The four sections reiterated the Constitutional ban against interfering with the slave trade; that Congress could not interfere in the emancipation of slaves; but Congress could prohibit American citizens from engaging in the slave trade to other countries; and could prohibit foreigners from using American ports for fitting out for the trade. The immediate result of this report was a flurry of petitions from abolition societies denouncing the slave trade.17

The second event was the slave rebellion in Haiti in 1794, led by Toussaint L'Ouverture who succeeded in establishing a black nation in the Caribbean. In the process whites were killed and the climate of fear generated in

16U.S. Constitution, art. I, sec. 9.

17DuBois, Suppression of the Slave Trade, 74-80; and Thomas E. Drake, Quakers and Slavery in America (New Haven, 1950; reprint, 1965), 107.
the United States created an atmosphere favorable to early action against the introduction of Africans into the United States. Responding to a Quaker petition, Congress approved, without debate, and the President signed into law on 22 March 1794 "An Act to prohibit the carrying on of the slave trade from the United States to any foreign place or country."

Under the Constitution this act could not forbid the importation of slaves into the country, but it did make it illegal for persons residing in the United States, citizen or alien, to "build, fit, equip, load, or otherwise prepare, any ship or vessel, within any port or place of the said 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; . . . ." upon penalty of $2,000. Policing of this "supportive participation" was, as a rule, the responsibility of law enforcement personnel ashore.

The law of 1794 merely prohibited Americans from participating in the trade and laid a fine on violators, but in 1800 a law was passed that provided for stronger enforcement. This act recognized "personal participation," making it illegal "for any citizen of the United States, or other persons residing therein, to serve on board any vessel

\[18\text{Annals of Congress, 3rd Cong., 1794, 72, 483, app. 1425. See Appendix F for the portions of these acts pertaining to the Navy.}\]

\[19\text{Ibid., 6th Cong., 1800, X, app. 1513.}\]
of the United States employed or made use of in the trans­portation or carrying of slaves, from one foreign country or place to another; . . . . " The slave trade act of 1800 continued the edicts against supportive participation, but it expanded the injunctions to prohibit individual activity on board slave vessels. And it added two years imprisonment to the $2,000 penalty for violations of the law.

Section Four made it possible for the President to order vessels of the Navy and Revenue Marine to apprehend vessels engaged in the slave trade contrary to the pro­visions of the act. If the courts found the ship and its crew guilty or engaging in the trade, the proceeds from condemnation would be divided amongst officers and crew of the government vessel in "proportion directed in the case of prize . . . ."

The bill passed the House on 3 May 1800 with but five dissenting votes. John Brown, one of the five, of Rhode Island was concerned with the effect that abolition of the slave trade would have on the rum industry in his home state. With the passage of this act the United States Navy began to seize vessels engaged in the slave trade.

In his Annual Message of December 1806, President

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20 Ibid.
21 There is a possible case where the Revenue Marine may have taken a slaver before this date, however, the circum­stances and evidence are not clear. The first active role of the U. S. Navy, other than relaying information, did not begin until after the passage of the act of 1800.
Thomas Jefferson reminded the members of Congress that the time at which they could constitutionally prohibit the slave trade to the United States was near. In the debates that ensued there was a near consensus that the slave trade would be abolished and the only problem was how best to effect the abolition. This difficulty was overcome and on 2 March 1807 President Jefferson signed into law "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."

The Act of 1807, the most important of the United States laws against the slave trade, was intended to end completely the introduction of slaves into the United States and its territories. It maintained the provisions against supportive and personal participation, but extended the concept of violation to include a sense of locality. Section Five stated that "if any citizen or citizens of the United States, or any other person resident within the jurisdiction of the same, shall . . . take on board any ship or vessel from any of the coasts or kingdoms of Africa, . . . any negro, mulatto, or person of color, with intent to sell him, her, or the, for a slave or slaves, . . . and shall transport the same to any port or place within the

jurisdiction of the United States, . . . every such offender shall be deemed guilty of a high misdemeanor; . . . ."

Section Seven authorized the President to employ public vessels of the United States to patrol the coastal waters and seize vessels violating the provisions of the act. The key to this act was the location of the vessel. Whereas in the 1800 law persons were guilty by service in an American slaver, the act of 1807 made the individual guilty even if he were in a foreign ship operating in American territorial waters with the intent of landing the slaves in the United States.

Section Seven also stated that prize money from the sale of condemned slavers should be divided between the crew of the ship that made the capture and the United States and that in order to be entitled to the money the "officers and men, . . . shall safe keep every negro, mulatto, or person of color, . . . and shall deliver every such negro, mulatto, or person of color, to such person or persons as shall be appointed by the respective States to receive the same."23

But the trade was not so easily suppressed. Within three years of its passage it was known that the Act of 1807 had not succeeded. In his second Annual Message, James Madison stated: "Among the commercial abuses still committed under the American flag, . . . it appears that American

citizens are instrumental in carrying on a traffic in enslaved Africans, . . . .

Responding to the President's admonition, the House of Representatives committed that part of the President's message "as related to the violation of the laws interdicting the slave trade" to the Committee on Commerce and Manufactures. Soon, however, the United States could take no effective or forcible action against the slave trade. Europe was at war and when the United States became involved in the war against Great Britain in 1812 slaving was definitely an unprofitable business. No flag could protect a slaver. Most Atlantic nations had become allied with either Britain or France and a slaver, like any other ship under any flag, was susceptible to capture by the cruisers of either nation. Immediately upon the end of hostilities, however, there was a rapid increase in the traffic in slaves in order to make up the deficit caused by the lack of imports during the war years.

In his last Annual Message to Congress, James Madison took note of this growth and recommended to Congress that the applicable laws against the slave trade be strengthened. The Senate appointed a committee "with leave to report by bill or otherwise" a solution to the problem of the re-invigorated trade, but apparently the committee did "otherwise"

for nothing further came from this group.\footnote{James Madison, "Eighth Annual Message," Israel, \textit{State of the Union Messages, I}, 143; and \textit{Ann. Cong.}, 14th Cong., 2nd sess., 1816, XXX, 33.}

In the summer of 1817 there occurred an event which made visible the infractions of laws prohibiting the introduction of slaves into the United States then taking place at Amelia Island in Spanish Florida. The American government had been negotiating with Spain for a number of years in an attempt to obtain East Florida. But while the Spanish were reluctant to part with the territory, they had little effective control over it. When several Spanish colonies sought their independence, conditions were further aggravated. The problems thus created for the United States were reported to Congress by 1817 by President James Monroe:

An expedition was set on foot against East Florida by persons claiming to act under the authority of some of the [Spanish] colonies who took possession of Amelia Island, at the mouth of the St. Marys River, near the boundary of the State of Georgia. . . . it has assumed a more marked character of unfriendliness to us, the island being made a channel for the illicit introduction of slaves from Africa into the United States.\footnote{James Monroe, "First Annual Message," \textit{ibid.}, I, 150.}

With such an obvious violation of United States law right on the national door step, Congress finally began to take some action to strengthen the slave trade laws. The House of Representatives appointed a select committee of seven members from southern states and one northerner, with \textit{"leave to report by bill or otherwise."}\footnote{\textit{Ann. Cong.}, 15th Cong., 1st sess., 1818, XXXI, 402-05.}
Three weeks after the appointment of the committee the President ordered Army, Navy, and Marine units to invade Amelia Island and eliminate it as a base for the introduction of slaves. The select committee's report to the House on 10 January 1818 supported the President. Representative Henry Middleton, a South Carolinian on the committee, reported an additional bill intended to prohibit the introduction of slaves. The bill went through two readings.30

The Senate did not appoint a committee on the subject of the slave trade until 17 March 1818. Within a month, however, the Senate bill passed both houses of Congress with but two amendments. This act, signed into law 20 April 1818, made no direct reference to the Navy, but the next year a bill was enacted extending the Navy's patrols in the suppression of the slave trade to the African coast.31

The bill approved in 1819 originated in a message from the President. On 18 November 1818 a House committee was appointed on the slave trade. Mr. Middleton, of the committee, reported a bill on 13 January 1819 which was read twice and submitted to the Committee of the Whole.32 On 1 March the bill was presented to the House for debate. George F. Strother of Virginia opposed a section which provided bounties for the officers and crews of ships that captured slavers.

30Ibid., 646-50.
31Ibid., 267; and XXXII, 1740.
32Ibid., 15th Cong., 2nd sess., 1819, XXXIII, 293, 540.
He emphasized, however, that his opposition was for "various reasons of expediency, and not from unwillingness to destroy the traffic." Hugh Nelson, also of Virginia, opposed the bill because the penalties were not strong enough, stating that he felt slaving ought to be punishable by death. Another Virginian, James Pindall, remedied that fault with an amendment making conviction of slaving punishable by death. This would have been a very strong act against the slave trade except that when the bill was sent to the Senate it was approved without the death penalty. The House agreed to the change and the bill was signed into law by the President on 3 March.

The most important provision of this bill authorized the President to employ armed vessels of the United States to cruise the coasts of Africa to suppress the slave trade. It also provided for a bounty of twenty-five dollars to be paid to the officers and crew of a government vessel for each slave recaptured from a slave ship. And the vessel had to be returned to a port in its home state or territory for adjudication. Finally, one hundred thousand dollars was authorized to carry the law into effect. 33

In December 1819 the President again directed the attention of Congress toward the continuing violations of the slave trade laws. The House committee formed to inquire into the problem had met with little success when, in April

33 Ibid., XXXIV, 1430-31; XXXIII, 280; and app. 2544-46.
1820, a bill to provide for the continuance of an act against piracy, a crime punishable by death, was introduced and passed in the Senate. In the House a select committee on the slave trade proposed to amend the Senate bill so as to equate the slave trade with piracy. Their report maintained:

Your committee cannot perceive wherein the offense of kidnapping an unoffending inhabitant of a foreign country; of chaining him down for a series of days, weeks, and months, amidst the dying and the dead, to the pestilential hold of a slave ship; of consigning him, if he chance to live out the voyage, to perpetual slavery, in a remote and unknown land, differs in malignity from piracy, or why a milder punishment should follow the one, than the other crime.34

On 11 May 1820 the House Committee of the Whole concurred with the recommendations of the select committee and the following day the bill was approved by the House. It was then returned to the Senate which agreed to the change. On 15 May the act was signed into law.35

Sections Four and Five reinforced the injunctions against American personal participation. "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 ... [engaged in the slave trade] shall ..."

34 Ibid., 16th Cong., 1st sess., 1820, XXXVI, 2209-10.
35 Ibid., 2231; and XXXV, 693-94.
be adjudged a pirate, . . . ."

Closely related to personal participation was "carrier participation." The law of 1820 clearly forbade American citizens from operating in foreign vessels and it forbade foreign citizens from operating in American vessels engaged in the slave trade. The employment of the vessel thus became a determinant in assessing guilt. This form of participation led to problems. What was an American vessel? The act defined this as "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." And by the Registry Act of 1789 any vessel registered as American had to be built in the United States. But ships could easily change hands, and many did in Cuba and Brazil. Through a number of legal procedures an American-built vessel could end up with a foreign registry, hence safe from the United States Navy. But she could also carry an American flag and false papers, giving her a certain immunity from seizure by foreign naval vessels. This wearing of an American flag by slavers was considered to bring disgrace upon the nation and was referred to as "prostituting" the flag. In fact, most of the "American" slavers were fraudulently wearing the flag of the United States. Warren S. Howard estimates that some ninety-nine percent of the vessels in the slave trade identified as American were actually foreign owned and were falsely flying the American ensign.36 In the slave

36Warren S. Howard, American Slavers and the Federal
trade the definition of "American" was a continuing problem.

In looking at the incidences of seizure of slave vessels by the American Navy it is well to realize that the types of participation cannot, in reality, be so easily categorized as the descriptions may indicate. The slave trade was an illegal occupation and every possible means was used to conceal participation and give a vessel and crew an aura of legitimacy. Very often a vessel had to be released by the inspecting officers because, within the confines of court interpretation, the vessel, regardless of circumstantial evidence, was not breaking the law unless there was absolute proof that it was engaged in the slave trade. Such evidence was usually considered to be the presence on board of African slaves. The investigations of Howard for the period 1837 to 1862 show that fully half of the individuals arrested by naval officers were released by the courts. But by 1820 the United States had at least enacted a set of very stringent laws against the slave trade. It was illegal to build and fit a vessel for a slaving voyage. It was illegal for Americans to participate in a slaving voyage. It was illegal for anyone to introduce slaves into any part of the United States or its territories. And participation was punishable by death.

By 1820 the prostitution of the American flag had become so common that the House of Representatives passed, on 12

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Law, 1837-1862 (Berkeley, 1963), 20.

Ibid., 224-35.
May, a resolution requesting the Chief Executive 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." Although the resolution failed passage in the Senate three days later, it did mark the entry of the United States into a new phase of anti-slave trade efforts; an attempt to cooperate on an international level for the suppression of the traffic. Three years later, on 23 February 1823, Representative Charles F. Mercer urged the President to discuss with the other maritime nations on how best to suppress the international slave trade. Mercer, to support his claim that something must be done, stated that not less than thirteen thousand slaves had been smuggled into the United States in 1818. The House resolution passed overwhelmingly. The support this measure received helped convince President James Monroe's cabinet that something must be done to effect a complete suppression of the trade. Nine months later, in January 1824, Anglo-American talks were begun, and on 13 March a Convention was agreed upon by the American minister Richard Rush and British Foreign Secretary, George Canning.


39Ibid., 17th Cong., 2nd sess., 1823, XL, 1148, 1155.

40Register of Debates, 18th Cong., 2nd sess., 1825, I, app. 8.
The Convention appeared promising. England agreed to denounce the slave trade as piracy, slave traders would be tried in their own country, and vessels under convoy of a warship would be excluded from search. The United States agreed to the "right of search" and the tenet that a citizen of either country operating under the flag of a third country would be sent home for trial. The provisions of this convention were to be effective on the coasts of Africa, America, and the West Indies.

It is remarkable that this convention contained a right of search provision. Of the rallying cries of the War of 1812 defense of the freedom of the seas, neutral rights, and the demand for a British renunciation of impressment were some of the most popular. Therefore, to grant British naval officers a right to stop and search American merchant vessels on the high seas in peace time, a practice reminiscent of pre-1812 procedures, especially without a British renunciation of impressment, was to many Americans a denial of the very reasons for which they had gone to war with England. John Quincy Adams, as Secretary of State, expressed this sentiment when he was asked by Canning if there was anything more evil than the slave trade. "Yes," answered Adams, "admitting the right of search by foreign officers of our vessels upon the seas in time of peace; for that would be making slaves of ourselves."

The most Adams would concede at that time was a system of joint cruising whereby English and American naval vessels
would sail in pairs. This system, which enabled two ships to be as effective as one, was supposed to make it difficult for a slaver to escape. If it hoisted an American flag, the American cruiser would be able to capture the slaver. If the slave ship hoisted a British flag, or that of a nation with which England had a mutual search treaty, the British man-of-war would have the distinction of making the capture. This was not the most efficient way for a patrol to be conducted and the United States never had a sufficient number of cruisers to make joint cruising a reality, but it was the most that the American government would concede for many years.

The resolution for adoption of the Convention was passed by the Senate on 22 May 1824. But in accepting the Convention, the Senate amended it, excluding the coast of the United States as an area where the Royal Navy could exercise a right of search. Also removed was the provision allowing the capture of citizens of either nations sailing in a vessel of a third country. Elimination of the latter provided a very large loophole, and made the Convention objectionable to Canning. As a result the British refused to ratify.

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Charles F. Mercer still retained hope that cooperation with the other nations could be facilitated. On 28 February 1825, he offered a resolution requesting the President to enter into "such negotiations with the maritime Powers of Europe and America as he may deem expedient for the effectual abolition of the slave trade, . . . ." But on the second of March, when he called the resolution up for consideration by the House, that body refused. 43

Six years later, to the day, Mercer had the satisfaction of seeing the House pass a resolution almost identical in wording as the one of 1825. Mercer's success was limited, for the resolution got no further than the House. It was another ten years before the United States was again to participate in any international effort to abolish the slave trade. 44

When the United States did again enter the international arena to end the slave trade it came as part of the solution to many difficulties confronting Anglo-American relations. In 1837 a rebellion broke out in eastern Canada. When the rebels used American bases for their operations, Canadian officials retaliated by attacking across the Niagara River and burning the American steamer Caroline, which had been used to carry supplies to the rebels. In Maine, the indefinite boundary between Canada and the United States led

43 Reg. Debates, 18th Cong., 2nd sess., 1825, I, 697, 736.
44 Ibid., 21st Cong., 2nd sess., 1831, VII, 850.
to conflict between lumberjacks of the two countries who desired the rich timber lands along the Aroostock River. In 1841 the American brig Creole was carrying slaves from Virginia to New Orleans in accordance to laws governing the domestic slave trade. The slaves rebelled and took the brig to Nassau where they were set free by British officials.

The African slave trade also became one of the issues between the United States and Great Britain. The years from about 1837 and 1840 marked a period of increased activity by illegal slavers, spurring renewed efforts of the British Navy. When British officers searched some American ships off Africa the American government responded by dispatching the brigantine Dolphin, Commander Charles H. Bell, and the schooner Grampus, Lieutenant John S. Paine, to the African coast. However, the Royal Navy in searching suspected slavers, caused what Hugh Soulsby called "a numerous crop of unfortunate incidents."45 The detention of the American-flag vessels Douglas, Hero, and Iago caused a flurry of diplomatic correspondence, and a hardening of position on the part of both nations. John Forsyth, the Secretary of State, and the minister to Great Britain, Andrew Stevenson, were both unsympathetic to the anti-slave trade cause.46 The situation was not helped by Lord

45Soulsby, Right of Search, 51.
46DuBois, Suppression of the Slave-Trade, 145, 155n.
Palmerston, the British Foreign Minister, who was not in the least conciliatory. While Palmerston admitted to Stevenson that British cruisers did not have a right of search in peace time, he added insultingly that "her Majesty's Government do not mean thereby to say that a merchantman can exempt hemself from search by merely hoisting a piece of bunting with the United States emblems and colors upon it, . . . ."47 In other words, while the British government did not recognize a peace time "right of search" the Royal Navy would not accept an American flag as prima facie evidence the vessel was American. And it was nearly impossible to check the validity of the ensign without boarding the vessel in which it was flown.

John Tyler's State of the Union Message in December 1841 maintained an equally hard line:

However desirous the United States may be for the suppression of the slave trade, they cannot consent to interpolations into the maritime code, at the mere will and pleasure of other Governments. We deny the right of any such interpolation to anyone, or all the nations of the earth without our consent.48

However, in the new administration which had taken office the previous March, and which Tyler inherited from William Henry Harrison, there were some new personalities introduced to the international scene. Daniel Webster, the new Secretary of State, was more conciliatory toward Great

47 Congressional Globe, 27th Cong., 2nd sess., 1842, XI, app. 7.
48 Ibid., app. 2.
Britain over the right of search, and he was more aware of the importance of America's growth as a maritime nation. In a letter to Edward Everett, the United States minister to Great Britain, dated 26 April 1842, Webster wrote:

Our position in respect to these maritime questions is peculiar. Hitherto, we have been on the side of the neutral, and the minor naval powers, always most forward in contending for the freedom of the seas, in the utmost latitude of that freedom. But we are in the process of change. We are no longer a minor commercial power, . . . .49

Lord Ashburton, who had been sent to the United States to try and settle the problems that had arisen between the two countries, met with Webster. Their treaty, signed 9 August 1842, was a compromise. It did not specifically mention the Caroline and Creole affairs, but it did establish the Canadian-United States boundary as far west as the Oregon Territory.

Article Eight, which concerned the slave trade, was also a compromise. The United States did not yield on its position that American ship could not be searched by foreign naval officers, but neither did England back down on its five hundred year old right to impress Englishmen into the naval service. The Article stipulated that each nation would maintain a naval squadron consisting of at least eighty guns on the west coast of Africa.50 One of the foundations of this article was a report written, at the

49Soulsby, Right of Search, 80.
request of Webster, by Commander Bell and Lieutenant Paine, a paragraph of which recommended joint cruising as the best method by which units of the two navies could cooperate.\textsuperscript{51} Only eleven days after the treaty was signed, it was approved by the Senate.

The Webster-Ashburton Treaty established, on a regular basis, an American naval presence on the coast of Africa. Prior to this time warships had been sent to Africa on an irregular schedule or detached from the West India squadron to sail to Africa and back along the normal shipping routes. For the next twenty years, as a result of this treaty, there was an American naval force assigned to the African coast.

For the next two decades there was little legislative activity concerning the slave trade, and that which did occur was generally aimed at refining provisions of earlier laws. In July 1854, Senator John M. Clayton of Delaware introduced a bill for the suppression of the slave trade in American-built vessels.\textsuperscript{52} It was the purpose of Clayton's

\textsuperscript{51}Soulsby, \textit{Right of Search}, 80.

\textsuperscript{52}It is difficult to ascertain where many of the slave vessels were built. British documents often refer to a "Virginia pilot boat" or "New York Pilot boat," but these terms refer to a style or type of vessel rather than to the place or origin. However, naval architect Howard I. Chapelle states that "Baltimore and the Chesapeake Bay counties seem to have been the most active building localities for slaving vessels. These craft were lightly built and in most instances especially designed for the trade. Consular and British government reports repeatedly claim that the Chesapeake builders turned out most of the slave vessels, after about 1835-36." \textit{The Search for Speed Under Sail, 1700-}
bill to strengthen and enforce previous laws against the practice of supplying American vessels for use in the foreign slave trade. The proposed bill was debated in the Senate and passed on 5 July 1854. But the House postponed consideration until the next session and no further action was taken upon it.53

Two years later Senator John Slidell of Louisiana proposed to abrogate the Eighth Article of the Webster-Ashburton Treaty. Slidell quoted Sir Charles Hotham, one of the British commanders on the African coast, who claimed that the Royal Navy had done little to suppress the slave trade. The purpose of his resolution, Slidell said, was not necessarily to remove the Navy from the coast of Africa, but rather to enable the President to make better use of the ships assigned to that squadron.54

Within a few years the Civil War did force the recall of much of the American Navy to home waters. But even before the recall of the squadrons those wishing Great Britain to abandon its claim to a right of search had their way. In 1858 the Royal Navy began vigorously to inspect suspected slavers in the West Indies. Numerous American merchantmen were stopped and searched in the Gulf of Mexico and along the United States coasts by English men-of-war.

1855 (New York, 1967), 301.


54 Ibid., 34th Cong., 1st sess., 1856, XXV, 1477
President James Buchanan responded to these British transgressions by increasing the American naval presence around Cuba and off Africa. The United States Navy began it most successful campaign in the war against the slave trade.

This campaign led to the last significant slave trade legislation that involved the Navy. In the first months of 1860 the United States steamers Mohawk and Wyandotte captured off Cuba two vessels with a total of eleven hundred slaves on board. In accordance with the law of 1819, the freed slaves were taken to Key West and delivered to the district marshal, who, however, did not have the means to take care of them. To aid the Africans, a bill was introduced in the Senate on 23 May 1860. Its purpose was three-fold. First, it authorized the President to transport the freed Africans to some place in Africa, understood to be Liberia, and for the United States to support them for one year. Secondly, it authorized naval commanders to leave freed slaves in Africa in the care of an agent without first bringing them to the United States, and then to take the vessel and crew to the United States for adjudication. Finally, it provided specifically for the relief and transportation of those Africans freed by Wyandotte and Mohawk.55

The bill aroused considerable debate and opposition in the Senate, particularly from Jefferson Davis, who proposed to amend the bill:

55Ibid., 36th Cong., 1st sess., 1860, XXIX, 2303, 2308, 2267, 2956,
by striking out all after the enacting clause, down to the last section, in order that the last section being adopted, the Africans now held by the United States may be sent back, though I do not see why on earth we should send them back.

Davis was not specific as to what he felt should be done with the slaves. In earlier remarks he seemed to favor the British system of apprenticing recaptured slaves as laborers. He did state, however, that he saw no reason for not returning them from whence they came, i. e., the barracoons in Africa. His argument was that the United States only promised to stop the slave trade on the coast of Africa; that should slaves make it to America, it should be no concern of the United States government. However, if the government were to take the slaves back to Africa, there was no obligation to land them at any specific point. Therefore, their place of origin was as good as any other place, an argument which ignored the probability that they would again be sold into slavery. The amendment was defeated.56

An amendment was also proposed to make it mandatory for naval officers capturing slavers to take the Africans directly to Africa. Earlier acts specified that Africans from captured slavers first had to be delivered to an agent of the United States, regardless of where the ship was captured. This was not a hardship on the Africans because district marshals were appointed this duty in the United States and its territories, and an agent was appointed in

56_Ibid., 2308._
Liberia for the same purpose. The avowed object of this amendment, to minimize the suffering of the Africans, however, would not have been achieved. Slaves recaptured off Cuba and sent directly to Liberia without a chance to obtain fresh provisions or an opportunity to regain their health would have suffered greatly in a second trans-Atlantic voyage. It was this sentiment that caused the rejection of the amendment.57

On 24 May the bill passed the Senate and the following day it was introduced in the House where it was read twice and referred to the Committee on the Judiciary. Representative Lawrence O'B. Branch of North Carolina requested that the commitment of the bill to the committee be amended so as to enable the committee to report the bill at any time. This proposal initiated a number of counter proposals, many of which were ridiculous. One such proposition, that the Africans be liberated in Massachusetts to be taken care of, or sold in Florida, brought a round of laughter. Amid much jeering, confusing, and calls for "order" and "police," Branch's amendment was accepted.58

The House Judiciary Committee reported the bill on 5 June after having modified the Senate version by increasing the amount of money allotted for the support of each individual from $100.00 to $150.00, and the total approp-

57 Ibid., 2305, 2308.
58 Ibid., 2362.
riation from $200,000 to $250,000. In this form the bill passed the House. The Senate took up the House version on 14 June, and while the Senate agreed to increase the total appropriation, it did not accept the sum allotted each person. The next day the House receded from its first amendment, bringing the two versions into accord.59 On the eighteenth the President signed the act into law.

The most significant changes to the American effort to eradicate the slave trade in the post-1820 period came upon the inauguration of Abraham Lincoln as president. He furthered the anti-slave trade cause by reorganizing and centralizing all American anti-slave trade activities under the Secretary of the Interior, Caleb Blood Smith. In addition, nine hundred thousand dollars were appropriated to enforce the laws, up to this time the most substantial single appropriation made for this purpose.60

But at the same time that organization and money made possible more strict enforcement of the laws, it became more difficult to enforce those laws. At the outbreak of the Civil War most of United States cruisers on the African and Brazilian coasts were recalled and it became almost impossible to safeguard the use of the American flag, and it again became a refuge for slavers.

In order to counter the effects of the American Navy's

59Ibid., 2913, 2940.
60Whitridge, "American Slave Trade," 472.
absence off Africa, in the South Atlantic, and the Caribbean, Secretary of State William H. Seward informed Lord Lyons, the British minister to Washington, on 10 May 1861, that the United States was willing to make some new arrangements with Her Majesty's government to prevent the illegal use of the American flag by slavers. After consulting with his government, Lyons reported that the best means to effect this was for the United States to grant to English men-of-war the power to search and arrest slavers bearing the American ensign. Seward was hesitant in accepting Lyons' proposal, for he felt that the war would soon be over and the United States squadrons could then be re-established on their stations. But, said Seward, the Lincoln administration would display "none of the squeamishness about allowing American vessels to be boarded and searched which had characterized their predecessors." 61

It was soon evident that the war was going to last longer than expected. This, combined with British reluctance to accept an informal agreement, encouraged Her Majesty's government to propose again a treaty between the two countries which would grant the Royal Navy the requisite power to enforce abolition of the trade under the American flag. This time Seward was more receptive to the suggestion, but he stipulated that any such agreement must have the appearance of having been initiated by the United States.

A formal correspondence was thus begun that made it appear that Seward had opened the negotiations on 22 March 1862. The proposal which the Secretary of State gave to Lyons was identical to that initially suggested by the British. Seward's purpose in this subterfuge was to enhance the treaty's chances of passing the Senate and being accepted by the public. He realized that if it appeared the British were again seeking a right of search, the treaty's chances of ratification would be reduced. On 11 April 1862 the treaty was submitted to the Senate and on the twenty-fifth it was unanimously approved.62

The results of this cooperation were impressive. The number of slaves illegally imported into Cuba, the only place still importing slaves in great numbers, decreased from 30,473 in the twelve months following 30 September 1859 to 143 between the same dates of 1864 to 1865.63 Although the numbers may be open to question, the British were at least satisfied that the slave trade to Cuba was virtually extinct.

By 1820 Congress had laid the foundations of the Navy's role in the suppression of the slave trade, although some modification of this role continued until the 1860s. This role was detailed in legislative enactments, in congressional


63Milne, "Lyons-Seward Treaty," 516.
resolutions to further international cooperation, and in the Senate's consent to treaties. As a result of these efforts United States men-of-war patrolled American, Caribbean, and African waters for slavers, and could arrest and send for trial in the United States persons engaged in the traffic under the American colors.

These duties were not incompatible with the Navy's paramount duty of protecting the commerce and interests of the United States. To fulfill that primary function ships had to be deployed to foreign stations. These vessels, cruising in the Caribbean, and off Brazil and Africa, could enforce American laws against the slave trade as well as protect American interests. Indeed, ending the disgrace of having the slave trade conducted under the protection of the American flag could well be encompassed within the concept of "protection of American interests."
PART TWO
ON STATION

The routes of slavers from Africa to the New world can be visualized as a large "V" spanning the equatorial Atlantic Ocean, the vertex on the African coast and a leg each ending at Cuba or Brazil. Between 1816 and 1843 the United States Navy stationed squadrons to patrol each of the three points. This section will show the activities of the Navy in each of the areas, and that these squadrons were established first to protect the legitimate commerce of the United States, and then participated in the suppression of the slave trade.
CHAPTER IV
MARRIAGE OF CONVENIENCE: AFRICA, 1819-1843

In 1819 the United States Navy and the American Colonization Society entered into a marriage that combined their talents for the purpose of suppressing the slave trade on the coast of Africa. It was hoped by the backers of the Society that a de facto as well as a de jure end of American participation in the slave trade could be facilitated by this marriage of convenience.

Since 1800 the first partner in this union, the United States Navy, had served as a sea-going police force to ensure observance of American laws prohibiting the participation of American citizens in the slave trade. This duty had been confined to the American coast, but in 1819 Congress authorized commissioned vessels of the United States to patrol the coast of Africa for the same purpose.

The second partner, the American Colonization Society, joined the union through the efforts of Representative Charles F. Mercer, one of the sponsors of the Slave Trade Act of 1819, and one of the leaders of the newly organized Society. Although the act did not mention the Colonization Society, several provisions of the act were clearly beneficial to it. The act stipulated that the "officers and men [of the vessel capturing a slaver] . . . shall
deliver every such negro, mulatto, or person of color, to the marshal of the district in 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. . . . ." The act also appropriated one hundred thousand dollars "to carry this law into effect."  

It was hoped by the members of the Society that not only would what they considered a racial problem be solved by colonizing American blacks in Africa, but that the colony would also serve to inhibit the slave trade on the African coast. A naval force, if deployed to Africa, could serve many functions: it would help protect the colony, give it aid, and help enforce American laws against the slave trade. A colony on the African coast would also indirectly benefit the United States government by providing a depository for blacks recaptured by American cruisers from slave ships.

To carry out these plans, the Colonization Society made overtures to President James Monroe's administration to gain some or all of the appropriation. In December 1819 the President called his cabinet together to determine what policy should be followed by the government in interpreting the act. Secretary of the Treasury William H.

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2 Ibid., 46-47.
Crawford, who was also vice-president of the Society, urged that the entire appropriation should be transferred to the Society. Crawford was able to convince Smith Thompson, the Secretary of the Navy, of the advisability of this procedure. However, Secretary of State John Quincy Adams objected on the grounds that there was no authority to spend money to support blacks in Africa, and that if the United States began doing so, it would "plunge us deep enough into the plan to bind the honor of the nation to further appropriations." He also believed that the American people were unaware of the consequences of establishing colonies, and he felt that the people transported to Africa would suffer more than if they remained in bondage.\(^3\)

The President disregarded the opinions of Adams and agreed that fifteen hundred dollars should be paid for half the freight of a vessel then being readied to take colonists to Africa.\(^4\) An in a memorandum dated 7 January 1820, President Monroe informed his Secretary of the Navy:

> As the execution of the law, for the suppression of the slave trade, is so intimately connected with our naval operations, I have, on full consideration, thought it most advisable, to commit the supervision of that portion of the duty which is to be performed on the coast of Africa, likewise to your care.\(^5\)


\(^4\)Ibid., 477; VIII, 309.

\(^5\)President James Monroe to Samuel L. Southard, 7 Jan. 1820, Correspondence of the Secretary of the Navy Relating to African Colonization, 1819-1844 (M-205), Roll 2:3, Naval
This message authorized the Secretary to appoint the agent on the African coast responsible for receiving recaptured Africans and also to supervise the expenditure of the one hundred thousand dollars appropriated for enforcement of the act. During the 1820s the initial appropriation was used in the most general manner and was often supplemented. Much of the initial and supplemental appropriations were used to transport colonists and to build the colony, functions not directly concerned with the suppression of the slave trade. After 1834 the sum was used only to pay the salary of the government agent, an individual who was also the colony's governor. 6

To implement the Slave Trade Act of 1819 it was necessary to establish facilities for the reception of recaptured Africans. Several sites were established within the territory of the United States, but for two years none was created in Africa. In 1821 Lieutenant Robert F. Stockton, a friend of the Colonization Society, persuaded the administration to assign him command of the schooner Alligator.


6Staudenraus, African Colonization, 150, 186; "Secretary of the Navy Annual Reports," American State Papers: Naval Affairs, passim, hereafter cited ASP:NA; and African Letters, passim. An example of the use of these appropriations is the following:

You will be pleased to purchase and ship immediately to the Navy Agent in Norfolk 25 Barrels Pork and 25 Barrels of Beef, and make a requisition upon the Department for the amount under the head of "Prohibition of the Slave Trade."-- Southard to James Beatty, Baltimore Navy Agent, 8 Jan. 1825, African Letters, Roll 1:48.
Stockton was given orders to proceed to the African coast in company with the agent, Dr. Eli Ayres, and establish a facility at which recaptured Africans could be maintained. The Colonization Society also gave Stockton a free hand to act in its behalf to acquire territory for a colony.\(^7\)

Lieutenant Stockton and Dr. Ayres were successful in their mission. Dr. Ayres reported their results to the Secretary of the Navy:

> I proceeded in company with Lieut. Stockton, down the Coast; and on the 15th day of Decem, 1821, succeeded in accomplishing the long desired object, of procuring, ... an establishment for captured Africans.\(^8\)

Earlier investigators had recommended the island of Sherbro as a site for locating the colony, but after consultation with the British at Freetown, Sierra Leone, Stockton and Ayres were convinced that the territory around Cape Mesurado would be more fertile and more healthful for the colonists. The native chief, King Peter, in whose territory the Cape was located, initially refused to sell the land or even to discuss terms, but refusing to be deterred from their objective, Stockton and Ayres landed at Mesurado on 12 December 1821. For two days King Peter refused to meet with the Americans, finally sending word that he would neither sell the Cape nor hold a palaver.\(^9\)

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\(^7\)Staudenraus, *African Colonization*, 63.


Map 1
WINDWARD COAST
On the fourteenth Ayres and Stockton obtained guides and proceeded to the king's village. King Peter and his people were offended by this intrusion and threatened the party, accusing them of kidnapping Africans and of destroying the slave trade. Stockton, his temper rising, and possibly thinking he and Ayres were in danger, drew a pistol, cocked it and handed it to Ayres, and then provided himself with one which he pointed at the king's head. As Stockton informed the Africans that he had come as their benefactor and wished only to help them, he raised his free hand toward the sky and at that moment the sun broke through the clouds. King Peter could not withstand the combination of "divine" intervention and a pistol aimed at him. He agreed that the next day he would cede the land around Cape Mesurado to the Colonization Society.¹⁰

The acquisition of land in Africa and the establishment of an agency for recaptured Africans were the final steps necessary to facilitate an active effort by the Navy to suppress the slave trade. It only remained for the government to make use of the tools available.

Historical writing has been consistent in ignoring the use of these tools by the Navy on the coast of Africa between 1822 and 1839. W. E. B. DuBois states that from 1826 "until 1839 this country probably had no slave-trade police upon the seas, except in the Gulf of Mexico." John R. Spears

¹⁰Ibid., 63-65.
relates the well-known activities of the Navy between 1820 and 1822, then concludes with the statement that, "thereafter the work of the navy in suppressing the slave-trade was confined to 'occasional visits' to Liberia until 1839, . . . . " But he does not go into any detail concerning those visits. Daniel P. Mannix says that on the African coast the American government did little by way of suppressing the slave trade. 11

Dr. Eli Ayres claimed that having naval vessels occasionally visit the coast was next to useless. In a letter of 1823 to the Secretary of the Navy Ayres said, "Altho [sic] for some years the Coast had been occasionally visited by our Cruisers, their short stay and seldom appearance, had made but slight impression on those traders, . . . . " 12 Ayres' letter, however, is replete with contradictions. In the same letter he wrote:

I was informed by an American officer who had been on the Coast in 1820, that he had boarded twenty American vessels, in one morning, lying in the port of Galinas [sic], and fitted for the reception of slaves.— It is a lamentable fact that most of the harbours between the Senegal and the line were visited by an equal number of American vessels and for the


sole purpose of carrying away slaves.\textsuperscript{13}

He then added that during the previous two years there had been only one slaver under American colors on the coast. In another letter written a year subsequent to this, Ayres stated that he had heard of only two American slavers on the coast for several years previous. Lieutenant Commandant Matthew C. Perry confirmed Ayres' estimate of the scarcity of American slavers by stating that while he was on the coast in 1822 he "could not even hear of an American slaving vessel; . . . ."\textsuperscript{14}

One wonders, on the basis of these letters, what had happened to the slave trade in the few years from 1820 to 1823. The conclusion is that the trade was sharply curtailed by the activities of American cruisers in the years 1820 to 1822, and that they made more than a "slight impression on these traders."\textsuperscript{15}

The extent of the American slave trade in Africa is central to the consideration of whether a sufficiently large police force was available to prevent American slaving. One fact that should be considered, however, is that the American force was not permitted to capture all

\textsuperscript{13}Ibid.; also quoted in DuBois, \textit{Suppression of the Slave-Trade}, 125-26.

\textsuperscript{14}Ayres to Thompson, 24 Feb. 1823, African Letters, Roll 2:101; Ayres to Thompson, 16 Feb. 1824, \textit{ibid.}, Roll 3:17; and "Extract of letters from Lieutenant Commandant M. C. Perry to the Secretary of the Navy," ASP:NA, I, 1099. Italics in the original. See Appendix G on naval ranks.

\textsuperscript{15}DuBois, \textit{Suppression of the Slave-Trade}, 123.
slavers, but only those who were American citizens or in
American-owned vessels. By American law and international
agreement, American men-of-war were not legally permitted
to stop and search vessels carrying foreign flags. A
slaver could escape capture by using various flags and
carrying false papers, and this may account for the reason
few American slavers were seen by American cruisers on the
African coast. Even so, if there had been American slavers
operating on the coast, American officials would almost
certainly have heard of them through British authorities.
The years 1825 through 1835 represent a low point of activity
on the coast, at least in the vicinity of Liberia. DuBois
acknowledges this decline, with considerable caution, and
the agents' reports and naval officers' letters support him.16

Jehudi Ashmun, the government agent from 1825 to 1828,
reported in February 1825 that the slave trade was reviving
on that part of the coast and that the United States flag
was occasionally used to protect a slaver. In April 1825
he wrote that at Gallinas there were three schooners loading
slaves which were manned mainly by Americans. And in
December 1827 he wrote that there were many slavers on the
coast, most under the Spanish flag, but one flying the
American colors.17

16 W. E. Burghardt DuBois, "Enforcement of the Slave-
Association (Washington, D.C., 1892), 169.

17 Jehudi Ashmun to Samuel Southard, 11 Feb. 1825, African
Letters, Roll 3:188-89, 211; and Ashmun to Southard, 22 Dec.
By the end of 1832 the trade had so nearly ceased that Joseph Michlin, the current agent, could write:

It gives me great satisfaction to be enabled to state that [the] slave trade on this section of the coast has nearly ceased, between Sierra Leone and Cape Palmas there are at present but two [slavers] (both under French colours) engaged in the illicit traffic. 18

Captain E. P. Kennedy of the United States frigate Java indirectly confirmed Michlin's optimistic report by stating that if the colony were provided with one ninety or one-hundred ton schooner armed with three guns it would be "sufficient to guard the coast against the piratical slave vessels." 19

After 1835 the illicit trade began to revive rapidly. The American Colonization Society in 1837 still felt confident enough to quote in its organ, the African Repository, an article from the Liberian Herald to the effect that almost four hundred miles of coast line from Bissau to Cape Palmas had been cleared of all slave factories, with the exception of one on the River Gallinas. 20

The African Repository seems only to have printed the

1827, ibid., Roll 4:123.

18 Joseph Michlin to Levi Woodbury, 11 Feb. 1833, ibid., Roll 6:6. The portions in brackets were obscured on the microfilm.


more optimistic reports from Africa, for by 1837 slaving activity was definitely on the increase. In November 1836 the Secretary of the Navy received a letter from A. D. Williams, agent of the American Colonization Society in Monrovia, who asserted that within five to twenty miles of the city there were four active slave factories. Elliott Cresson, also of the Society, stated that the slave trade was on the increase and was carried on in American-built vessels and used the American flag to escape capture. Both Williams and Cresson requested that an armed vessel be made available to the colonists to be used to check the traffic. 21

By 1838 such illegal activities had increased to serious proportions, and in December of that year an interesting correspondence was begun between Thomas Buchanan and the Secretary of the Navy, James Kirke Paulding. Buchanan, who was soon to become governor of the colony and the American agent, was in 1838 a member of the Pennsylvania Colonization Society. In a letter dated 15 December 1838 he pointed out that the trade was increasing despite the efforts of British cruisers, and suggested that the United States dispatch a man-of-war to the Liberian coast. 22

By May 1839 Buchanan had assumed his duties in Africa, and reported to the Navy Department: "Indeed there are

21 Elliott Cresson to Mahlon Dickerson, 16 Sept. 1836, African Letters, Roll 5:46; and A. D. Williams to Dickerson, 24 Nov. 1836, ibid., Roll 5:47.

very few, of the great number of vessels engaged in the slave trade on this Coast but what sail under American Colors] and shew Am. Papers.--" The Secretary of the Navy reminded Buchanan that the United States did not recognize Liberia as a colony and was not bound to protect it. Furthermore, Buchanan was to confine his remarks to the Department to matters which related to his duties as agent for recaptured Africans and not to his duties as governor of the colony.

In two subsequent letters Buchanan ignored Paulding's reprimand, and he listed eighteen slavers known to be using the American flag on the coast of Africa and urged the Navy to send a patrol to the coast to arrest the traffic. The Navy Secretary replied that it was not Buchanan's duty to inform the government that Americans were violating American laws prohibiting the slave trade. Buchanan evidently learned that he was to receive no cooperation from the Secretary of the Navy and responded with apparent irony:

I beg to assure you that in future I shall carefully avoid including in my letters any matter not

23 Buchanan to Paulding, 21 May 1839, ibid., Roll 5:104, the portions in Brackets were obscured in the microfilm.

24 Paulding to Buchanan, 22 July 1839, ibid., Roll 1:205.

25 Buchanan to Paulding, 21 May 1839, ibid., Roll 5:106; Buchanan to Paulding, 12 Nov. 1839, ibid., Roll 5:118-19; Paulding to Buchanan, 31 Jan. 1840, ibid., Roll 1:209; and Paulding to Buchanan, 6 Apr. 1840, ibid., Roll 1:211. The slavers listed by Buchanan were: Mary Ann Cassard, Iago Euphrates, Venus, Traveller, Eagle, Victoria, Geo. Cook, Charleston, Mary Cushing, Rebecca, My Boy, Butterfly, Hyperion, Sarah and Priscilla, Mary, and an unnamed brig.
immediately connected with the duties of my office as pointed out by you, unless otherwise instructed.-- Allow me to offer an apology for having devoted so much of my correspondence to the subject of the slave trade; it arose from the idea, derived from one of your letters to me while at Philadelphia, that the Government was desirous of procuring information on that subject as connected with the abuse of the National flag--and I believed such facts as I could collect here would be acceptable.26

One must recognize that there is a built-in bias in viewing the trends in the slave trade from the Secretary of the Navy's correspondence. These letters deal only with Liberia and they ignore other regions known to be centers of the slave trade, especially the Bight of Benin and the Bight of Biafra. These portions of the coast due east of Cape Palmas had long supplied slaves, but the letter received by the Navy Department give no indication of the extent of American involvement or the use of the American flag in the slave trade along those parts of the coast.

It would seem safe to assume, however, that the extent of slaving in the Bights would parallel the extent of slaving north of Cape Palmas. The British navy patrolled both areas, but that would not have deterred American slavers or those provided with American papers. Also the capability of Liberia to police its own coast line was minimal, for the colonies never had a vessel suitable for that purpose.

To meet the needs of the colonists and to suppress the slave trade the Navy provided a police force that visited the Liberian coast. This force was not permanent, nor did

26 Buchanan to Paulding, 5 Sept. 1840, ibid., Roll 5:140.
it remain, with few exceptions, longer than a few weeks. The naval force was most effective between 1820 and 1822 when several vessels maintained an almost constant patrol of the coast, and its strength reflected the current requirements as manifested by the presence of slavers.

In 1820 three ships cruised the coast, each of which captured slavers. The most enterprising of these captures was undertaken by the United States sloop-of-war John Adams in company with His Britannic Majesty's brig Snapper. The logbook of John Adams provides only an outline of the events. While anchored of the Rio Pongas on 22 October 1820, the log entry reads:

From 4 to 8 light and variable airs and pleasant at 4h 10m hoisted out the barge and 1st cutter at 5AM lieut Ramsay & Page, Midshipmen Jones, Weaver, Little and Gardner & Surgeons mate Balfour left the ship in boats for the Rio Pongas, in company with Capt Nash in the boat of H. B. M. brig Snapper . . . 3h 10m PM the American schooner Exchange anchored near us a prize to out boats . . . .

The following year, 1821, the schooner Alligator, under Lieutenant Commandant Robert F. Stockton, captured four slavers near Sherbro Island. By the time Perry arrived in Shark the following year the slave trade had been sharply


curtailed and Perry could say that he had heard of no American slavers on that part of the coast.29

In the spring of 1823 the sloop-of-war *Cyane* returned to Liberia. While there it gave the colony many supplies and helped build its defenses. However, a fever that killed forty men of the crew forced the ship to get underway before the fortifications were completed.30 Except for the deaths, the visit of *Cyane* was typical of many other visits of American cruisers.

With the slave trade at a low level during those years the need for constant surveillance of the coast was minimized. The government did not abandon completely its presence on the coast; rather it detailed vessels to visit the coast for short periods. In his Annual Report for 1824 the Secretary of the Navy outlined the procedure which was followed, with numerous variations, until 1843. The commodore of the West India squadron was directed to dispatch "one of the vessels of his squadron to the coast of Africa, to touch at Cape Mesurado, minister to the wants of the agency there, and return by the usual track of the slave ships."31 A year later Secretary of the Navy Samuel L. Southard wrote to Dr. John W. Peaco, the agent for liberated Africans, that it was the intention of the government to send a ship-of-war


to Liberia at intervals of three or four months. Almost every year before the establishment of the permanent squadron in 1843 saw commissioned vessels at Liberia, but never at the numbers anticipated by Southard.

The activities of the schooner *Shark*, Lieutenant Otho Norris, are typical of those visits and is exceptional only in that he detained a French slaver and turned her over to a French brig-of-war. The logbook of *Shark* reveals that she visited several towns on the Liberian coast and boarded several vessels in the vicinity. The logs of *Porpoise* indicate that in 1824 and 1833 her boarding parties visited not only American but also English and French vessels in the area. On one occasion *Porpoise* had to fire a shot across the bows of a British vessel in order to force her to stop and on another occasion the boarding party returned with a "black boy" taken from a schooner.

Most of these ships were not detached from the West Indian squadron as the Secretary of the Navy had proposed, but were often either going to or returning from another station. Many of the visits lasted several weeks, but that of *Porpoise* in 1833 appears to have been the shortest of

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the visits to Liberia. She had been sent from the Caribbean in pursuit of a pirate and touched at Monrovia only incidentally. However, while there she boarded a number of vessels, apparently seeking to determine whether they were equipped for the slave trade. Not all ships were so active in such a brief period. If the log of the sloop-of-war Vandalia relates all events of importance, it appears that she spent most of the time between July and October 1842 riding at anchor in the harbors of Sierra Leone, Monrovia, and Cape Palmas. Her log mentions but one vessel boarded in that time, the schooner Gazelle from Boston bound to China.34

Vandalia was the last of the cruisers to be sent to Africa before the establishment to the African squadron. But even before her deployment, the government's policy had begun to change. It was obvious that the slave trade was reviving as early as 1836 and that some other system was necessary to provide ships to patrol against the slavers.

The infrequent visits of American naval vessels to Africa had early led to the taking of measures by the colonial government which could not but embarrass the American government, even though the latter did disavow any responsibility for the settlement. In February 1822 the only American naval officer in Africa was Midshipman H. D.

34"Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in the Year 1827," ASP:NA, IV, 6; Logbook Porpoise, 23 Oct. 1832-29 Nov. 1833; and Logbook Vandalia, 3 Feb. 1842-19 Apr. 1843.
Hunter who commanded the colonial *guarda costa* schooner *Augusta*. A British cruiser had discovered the American slaver *Dolphin* in the Rio Pongas, and, prevented by Anglo-American disagreements from seizing her, persuaded Hunter to lead a party of English on board *Dolphin* and take her for violating American law. The slaver was taken to Sierra Leone and then sent to New York for adjudication. In April 1826 Dr. Peace made use of two Columbian privateers to raid the "Piratical Establishment" at Trade Town. The town was razed and the Columbians took three vessels as prizes. On other occasions British cruisers delivered suspected American slavers to Monrovia, but since the Governor had no power and the agency no authority, they were forced to release them.35

Cases such as these and the renewed activity in the slave trade caused the Colonization Society and Congress to bring pressure on the Navy Department. In 1839 the Navy Secretary responded in his Annual Message to these pressures:

> The frequent and increasing violations of the laws for suppressing the slave trade on the Coast of Africa, by vessels owned by foreigners, but prostituting the flag of the United States to their nefarious purposes, induced you [Congress] to direct that two fast sailing vessels, of the smaller class should be fitted out, for the purpose of correcting

these violations of our laws. . . . 36

The brig Dolphin and the schooner Grampus were deployed to Africa and spent several months, returned to the United States briefly, then made a second cruise to Africa. With the deployment of these vessels and Vandalia, the government recognized the fact that the system which had previously been used was not preventing Americans from taking slaves out of Africa, regardless of the Secretary's denial that Americans were active in the trade. The Webster-Ashburton Treaty of 1842 formalized what had already been recognized, that a permanent American squadron was required on the coast of Africa to suppress the slave trade. In 1843 the first such squadron was deployed.

The United States responded to the problem of extinguishing the slave trade in a way that attempted to reflect the actual need of a force on the African coast. When slavers were active, as in the early 1820s and late 1830s a substantial force was employed, and in the interim only a single vessel was occasionally sent to the coast. The force was never sufficient, however, to provide a constant surveillance of even the Liberian coast. During the twenty-three years, there were visits by public vessels on about thirty occasions. These visits often were little more than perfunctory stops undertaken to satisfy the demands of

36U.S. Congress, Senate, Report of the Secretary of the Navy [1839], S. Ex. Doc. 1, 26th Cong., 1st sess.
the Colonization Society and to fulfill the promises of the Navy Secretaries that an American man-of-war would occasionally visit the African coast.

If, however, a cruiser station had been established off the Liberian coast at an earlier date, much could have been accomplished. A single vessel, with a supply depot at Cape Mesurado or Cape Palmas, could have met the needs of the colony and of the Navy. And the slave trade could have been largely suppressed during the greater part of the period. These measures would have gone a long way toward ensuring a more fruitful marriage.
CHAPTER V

PIRATICAL SLAVERS: THE WEST INDIES, 1800-1862

In no area was the connection between the Navy's obligations to protect commerce and suppress the slave trade more apparent than in the waters close to home. French depredations and Latin American piracies in the Caribbean gave rise to patrols of the area. These patrols led not only to the capture of pirates, but also to the seizure of vessels carrying slaves. Indeed, so intimately related were slave trading and piracy in the 1820s and 1830s that the two terms were used almost interchangeably. In many instances naval patrols protecting the nation's maritime commerce recaptured Africans taken by pirates as part of their booty.

The earliest instance of the Navy's involvement with African slaves occurred during the Quasi-War with France, when a United States naval force was dispatched to the Caribbean. Several French vessels captured early in the conflict were taken to Philadelphia. Benjamin Stoddert, Secretary of the Navy, wrote to Captain Stephen Decatur in June 1798:

The Vessels under Quarantine, near Fort Mifflin, have a number of Passengers on board, French Men and Negroes. The Negroes it seems are impatient to land and have discovered a disposition to outrage. . . . it is expedient they should be
prevented from landing, . . . . 1

The first noted action, therefore, of the United States Navy in relation to the slave trade was to enforce federal and state laws forbidding blacks from entering the United States.

In September 1799 the Secretary of the Navy addressed a circular to naval captains. Referring to an act of 1794 that forbade the entry of blacks into the United States, Stoddert reminded them that it was the "duty of all Public Officers, to lend aid in supporting the just authority of the Laws . . . . " Since the Navy had not been given a direct responsibility in the suppression of the slave trade, Stoddert limited the duty of the naval officers merely to the collection of names and descriptions of vessels which might be engaged in the foreign slave trade.2 Such information appears to have been turned over to the Secretary of the Treasury, for on 13 November 1799 Stoddert notified Oliver Wolcott of the employment in the trade of the snow Adventure of Boston. The following year similar communications mentioned five American vessels suspected of participating in the foreign slave trade.3

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1 Benjamin Stoddert to Capt. Stephen Decatur, 28 June 1798, Letters Sent by the Secretary of the Navy to Officers, 1798-1868 (M-149), Roll 1:62, Naval Records Collection of the Office of Naval Records and Library, Record Group 45, National Archives, hereafter cited Officers, Ships of War.

2 Circular from the Secretary of the Navy to Captains, in the Navy, 5 Sept. 1799, Officers, Ships of War, Roll 2: 338-39

3 Stoddert to Oliver Wolcott, 13 Nov. 1799, U.S., Office
Unfortunately there was little the Treasury Secretary could do except notify the collectors of the ports, as was done in June 1799, when Wolcott informed Benjamin Lincoln, collector at Boston, that the brig *Dolphin* of Boston was known to have transported one hundred forty to one hundred fifty slaves to Cuba.\(^4\) During the war most, if not all the vessels of the Revenue Cutter Service, the forerunner of the Coast Guard, had been transferred from the control of the Treasury to the Navy Department, depriving the Treasury of the means to stop slavers off shore.

One of the cutters transferred to the Navy appears to have made a capture, but the evidence is not conclusive. On 19 July 1798 the United States Revenue Cutter *Governor Jay*, Captain John W. Leonard, was transferred to the Navy Department.\(^5\) In June 1799 a judicial decision stated that: "Captain Leonard only says that he boarded this vessel at sea, that she had on board ten slaves, and was going from Martinique to the Havana."\(^6\) The apparent slaver,\(^4\) \(^5\) \(^6\)


Le Marsouin, was a French schooner captured by the U. S. ship Delaware on 4 March 1799. Governor Jay had been ordered to cruise with Delaware about this time and Le Marsouin and Governor Jay may have been sent to the United States in company. Several crewmen from the Revenue Cutter appear to have been part of the prize crew onboard the French vessel.7

In 1800 the Navy was to get a more active role in the suppression of the trade. The Sixth Congress passed the addition to the act of 1794 which provided that commissioned vessels of the United States could seize American vessels involved in the foreign slave trade. Among the documents sent to the commanding officers of ships about to sail was a copy of the Slave Trade Act of 1800. The object of the Act was, as Stoddert said to Captain Samuel Barron of the frigate Chesapeake, "to annihilate that Trade."8

Results were soon forthcoming. The act was passed in May 1800 and in June Lieutenant William Maley of the U. S. schooner Experiment seized the sloop Betsy of Charleston with eighty-five slaves on board bound from Africa to Havana. Perhaps Captain Batemen Munro of Betsy was unaware of the Act of 1800 and believed there would be no hindrance to his journey. He departed Charleston on 13 February,

7 Stoddert to Leonard, 30 May 1799, Naval Docs., Quasi-War, III, 281.
8 Stoddert to Lt. John H. Jones, 6 Aug. 1800, ibid., IV, 226; and Stoddert to Capt. Samuel Barron, 8 Aug. 1800, ibid., VI, 232.
several months before the act had been passed, but he was in violation of the law passed in 1794, only now the act had some teeth to it.9

The following month Lieutenant John Mullowny, commanding the United States ship Ganges, captured two American vessels taking slaves to Cuba. On the nineteenth Ganges chased and captured the schooner Prudent, Pardon Bennet, master, and two days later the schooner Phoebe, Captain Mills, was seized. Both vessels were sent to Philadelphia.10

The last American slaver taken by a United States Navy vessel during the Quasi-War period was a New England slaver deized by the frigate Chesapeake early in 1801. Chesapeake and her prize sailed for Hampton Roads and moored at Craney Island.

These seizures presented a considerable difficulty because the laws for the suppression of the slave trade made no provision as to the disposition of the blacks. The situation is apparent in a letter from Thomas Newton to Virginia governor James Monroe:

Capt. Baron [sic] of the Chesapeake Frigate has sent in here a vessel belonging to one of the N England Governments which had a cargo of Slaves on board bound to Havannah from Guinea. . . . none will be permitted to land, I shall be obliged to Yr ExcY for instructions how

I am to act on this subject, as it is a new case; Mr. Pennock [navy agent] has wrote to the Sect of the Navy on the Subject, but as our laws [Virginia's] prohibit the importation & the Law of Congress directs the Capture of vessels trading to Guinea I am at a loss how to act.--11

Governor Monroe passed the question to the state Attorney General who maintained that the national and state laws did not conflict, the federal law made no provision for the disposition of the slaves, while Virginia's law of 10 December 1793 stated that no slave could be introduced into the state from Africa or the West Indies, and if present, had to be removed from the state.12 Although it is not known what happened to the blacks, they may have been sent to Philadelphia. It was the opinion of the Secretary of the Navy that Congress intended slaves taken by naval vessels to be sold in those West Indian islands where slaves were treated most humanely. However, the Secretary did not issue any orders to that effect. Instead, he recommended to Lieutenant John Smith of Chesapeake that the slaves under his care should be well kept until better weather, then taken to Philadelphia where some slaves captured under similar conditions had been sent. "The abolition society [in Philadelphia], much to their honor,


took the care of them, & I believe provided them with masters for a term of years."13

The end of hostilities with France brought a temporary end to the Navy's capture of slavers. The squadron had not yet been established in the Caribbean and the cruisers were called home. Not until after the War of 1812 is there any indication that the Navy patrolled for the suppression of the slave trade. Events in the interval would have made this difficult indeed. During Thomas Jefferson's administration the ships of the Navy were put in ordinary, or laid up. To maintain the ships at sea was an expense the country could ill afford. Instead the national defense was left to static coastal fortifications and gun boats. American merchant vessels trading in Europe during the Anglo-French wars would have to depend upon the self interest of the belligerants--France and England--for their protection. Since both powers needed American shipping they would respect the neutrality of the vessels. When the United States did enter the conflict the ships were either too busy with British men-of-war or enjoying the enforced idleness of the blockade.14

During this period, however, two laws were passed which would affect the Navy when it did resume its anti-slave

trade role. In 1807 Congress passed the law which forbade the introduction of slaves into the United States and authorized the Navy to cruise the waters of the United States and its territories to enforce the law. By this act American men-of-war were to capture vessels of any nation carrying slaves within the territorial waters of the country and to seize American vessels engaged in the traffic wherever found.

The second law, passed 15 January 1811, had little to do with the slave trade, but had its origins in the fears of President James Madison that the Floridas might be occupied by some power stronger than the current holder, Spain. Madison said in a secret message to Congress on 3 January 1811:

I recommend to the consideration of Congress, the seasonableness of a declaration that the United States could not see, without serious inquietude, any part of neighboring territory, in which they have, in different respects, so deep and so just a concern, pass from the hands of Spain into those of any other foreign Power.

A little less than two weeks later, Madison signed a secret bill which authorized the President to use the army and navy to occupy East Florida in the case of its occupation by any power other than Spain. This second act was important in the justification of some of the Navy's activities after the War of 1812.

Already the stage was being set. The St. Mary's River

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formed the border between Georgia and Spanish East Florida, and it was used as a base for smuggling into the United States. In January 1811 Paul Hamilton, Secretary of the Navy, wrote to H. C. Campbell, the commanding naval officer at Charleston, South Carolina, stating that since the gunboats had been withdrawn from the vicinity of the St. Mary's River slaves were being introduced into the United States in that region. Campbell was given specific instructions to seize all vessels carrying slaves within the territorial waters of the United States.¹⁶

At the end of the Napoleonic Wars several of the Latin American countries sought their independence and the continued strife between colonies and mother country was the occasion for an outbreak of privateering, which often became outright piracy. On Amelia Island in the St. Mary's River and at Galveston, Texas, groups of pirates established enclaves from which they could prey on shipping and introduce captured goods, quite often including slaves, into the United States in violation of American law.

In the summer of 1817 Fernandina on Amelia Island was occupied by a Scot, Gregor McGregor, who used the island as his base. In July orders were issued by Secretary of the Navy Benjamin W. Crowninshield to Captain John H. Elton, commanding the United States brig Saranac, to cruise off the

Map 2
AMELIA ISLAND
St. Mary's and search all vessels entering the river and seize those carrying slaves. "The traffic in slaves," the Secretary said, "is intended to be restrained, . . . ." 17

Although Elton's orders told him to "exercise your sound judgment" concerning vessels examined, they were not specific as to the status of the island itself. Elton wrote to Crowninshield asking clarification of the matter since one small Spanish vessel had entered Fernandina before Elton could inspect her. He would have gone into the harbor and taken her out, but he believed the island to be neutral territory and to do so would have been contrary to the wishes of the government. 18

On 9 November a boat from Saranac attempted to board a vessel entering the St. Mary's and was fired upon. Elton was still in a quandary as how to treat the people of Fernandina and did not consider it proper to attempt to destroy the establishment. Instead he sent Lieutenant Commandant E. R. M'Call "to bring back the privateer Jupiter, to remain as a pledge, . . . ." A Slave vessel, Tentativa, was instead delivered to Elton by Luis Aury, then in command of the privateer's base, "in order to obviate difficulties, for the present, . . . ." Elton had maintained a blockade


of Fernandina to intercept slavers and Aury was apparently trying to make his situation more comfortable by appeasing his opposition. Tentativa, with one hundred twenty slaves on board, was sent to Savannah where it arrived on the nineteenth of November. 19

The government was not satisfied with the token surrender of one slave vessel. In November a larger naval force was ordered to St. Mary's under the command of Commodore John D. Henley. His orders were to remove the pirate/slave traders from Amelia Island. It was hoped this could be done peaceably, but "should the force ... now in command of the island ... resist and refuse absolutely to give up and abandon the same, you are in co-operation with the military force of the United States, to proceed and take possession of the island, in the name and by the authority of the United States." Henley was also required to seize all vessels with slaves on board "as the presumption is strong that they are intended to be smuggled into the United States." 20 Captain Henley and Major James Bankhead, of the first Battalion of Artillery, demanded the surrender of Fernandina. The next day, 23 December, Aury surrendered. 21


20 Crowninshield to John D. Henley, 14 Nov. 1817, H. Rept. 47, 17; and Crowninshield to Henley, 14 Nov. 1817, H. Rept. 283, 232.

21 H. Rept. 47, passim.
A House committee supported President Monroe's action, stating the belief that the smuggling of slaves into Georgia would have continued at an increasing rate.²² It was not until after the settlement of the Amelia problem that the law of 15 January 1811 was used as justification for the administration's actions. Early in January 1818 the act was first made public by Henry Clay who was trying to obtain recognition of the newly independent Latin American states. The enterprise at Amelia Island was seen by him as a repudiation of the revolutionary forces, although there was little doubt that both McGregor and Aury had little, if any, support from any of the rebellious colonies. They were merely pirates smuggling slaves and other items into the United States.

Monroe justified the occupation of Amelia Island on the grounds that Spain had no control over her colony in Florida and that it had been occupied by a foreign power. Under the provisions of the law of 1811 it was the President's responsibility to ensure that there was no transfer of power in East Florida. The United States would merely hold the territory in safe keeping for Spain.²³

One of the fears of some Americans was expressed by Captain Henley the same month, when he captured the English

²³ H. Rept. 47, 4; and Logan, No Transfer, 133-35.
brig Neptune. Unaware that Aury's band was no longer in possession, Neptune attempted to land at Amelia Island eight convict slaves from Jamaica who had been sentenced to deportation. Henly reported to the Secretary of the Navy that "it is evident that their object was to smuggle them into the State of Georgia, thus making a Botany Bay of the United States." This was not the only case where slaves from Jamaica were meant to be smuggled into the country. In 1810 Lieutenant Commandant B. F. Read seized the British brig Alexandrine attempting to take 127 slaves into Louisiana.

At Galveston another establishment of pirates and smugglers had been created to facilitate the introduction of illicit goods into Louisiana. The Galveston base had been organized by Aury in 1817, but by November he had left and his place taken by Jean Lafitte. Galveston, like Fernandina, operated under the flag of one of the revolutionary Spanish colonies. The flag was a cover for the activities of the pirates who used it to give some legitimacy to their privateering, and thus legal, operations. When, however, they preyed upon American merchantmen rather than Spanish vessels, their operations were no longer privateering, but were piracy, and the United States

25 David Porter to Paul Hamilton, 1 Jan. 1810, Letters Received by the Secretary of the Navy From Commanders, 1804-1886 (M-147), Roll 4:1, Naval Record Collection of the Office of Naval Records and Library, Record Group 45, National Archives, hereafter cited Commander's Letters.
responded by sending men-of-war to the Gulf of Mexico to put an end to their depredations. 26

In January 1817 Lieutenant Commandant B. V. Hoffman searched the privately armed Mexican schooner Eugene. As Eugene had slaves on board and was in American waters she was seized and sent to New Orleans for condemnation. 27

Conditions were not favorable for the suppression of slave smuggling on the Gulf coast. Although Captain Charles Morris was pessimistic, he promised to make every exertion in an attempt to do so. Lieutenant Commandant John Porter, commanding the U. S. brig Boxer, reported on the difficulties faced by the Navy to Secretary Crowninshield:

The natural assumption is, they [the smugglers] will attempt the Sabine or Atchafalya rivers; the depth of the water off those rivers are very inaccurately represented on the charts, and it will not be in my power to approach nearer the shore than within ten miles off the Sabine, and not nearer than thirty off the Atchafalya. 28

Boxer was a relatively shallow draft vessel, but the smugglers could use small boats and easily convey the slaves from Galveston into Louisiana. From a distance of ten to thirty miles they would have been impossible to


28 Ibid., 377; Morris to Crowninshield, 10 June 1817, H. Rept. 283, 257; and Lt. Comdt. John Porter to Crowninshield, 28 June 1817, H. Rept. 283, 377.
detect. The only hope was to catch larger vessels carrying slaves within American waters. *Boxer* did seize two small schooners in August and send them into New Orleans.29

Shortly after this, in June 1818, Isaac McKeever in command of the ketch *Surprise*, surprised the slavers *Merino* and *Louisa* off Pensacola, and after a five year litigation they were condemned. McKeever received $419.45 as his share of the prize money, but during the five years the case was in litigation he spent three thousand dollars of his own money participating in the trials. In 1826 Congress voted to reimburse McKeever.30

By 1819 and 1820 the slave trade and piracy were intimately related. As Isaac Mayo wrote in 1830, "we know that most piracies, recently committed, have been by vessels engaged in the [slave] traffic."31 And piracy was on the increase. McGregor, Aury, and Lafitte were not the only pirates operating in the Gulf of Mexico. On the coast of Cuba, particularly around Matanzas, guarding the approach to Havana, and Cape San Antonio at the western end of Cuba, there were enclaves of pirates who preyed on unarmed merchant vessels. These pirates used small craft and open


31 "Circumstances leading to and attending the seizure of Fenix," ASP:NA, III, 866.
boats for their activities.

The relationship between piracy and the slave trade was recognized in law in 1820 when Congress enacted legislation continuing measures to protect commerce and punish piracy. The fourth and fifth sections of this act stipulated that for Americans, participation in the slave trade in any way, was the same as being a pirate and provision was made for the death penalty.

At the end of 1820 only three vessels were assigned to the West Indies for the suppression of the slave trade and piracy. One of those, the sloop-of-war Hornet, had cruised off the coast of Africa.\(^{32}\) By 1822 the West India squadron had been increased to eight vessels ranging from the frigate Congress to a gunboat, and two more vessels were readying for deployment.\(^{33}\) The Navy was beginning a campaign to suppress the West Indian pirates and along with them the trade in slaves to the United States. American men-of-war had to be wary in this enterprise. While pirates were enemies against humanity and could be punished by any nation, American law did not view the slave trade in the same light. American law did not condemn the slave trade as such, only the participation in it by citizens of the United States and the introduction of blacks into the country. This was the nature of the warning

\(^{32}\)"Increase of the Navy," \textit{ibid.}, I, 676.

\(^{33}\)"Condition of the Navy and Its Operations," \textit{ibid.}, 804.
received by Jesse Wilkinson, commanding the brig Spark, in August 1822:

You will not consider your general instructions, under the laws of the United States, for the suppression of the slave trade, as authorizing you, at any place out of the waters of the United States, to search, capture, or, in any manner whatever, to interrupt vessels under any other than the American flag. 34

Thus, in March 1822 when the American man-of-war Porpoise seized the American schooner Mary with seventeen slaves on board, the seizure could be considered legal under the laws of the United States although the blacks were not loaded or destined for the United States, and they were claimed to be the property of a Spanish subject. The schooner was sent to the United States for adjudication, apparently after going to Havana to discharge the slaves. The captain of Mary was violating American law by merely transporting the blacks. 35

In most cases, when a vessel was seized in the West Indies with slaves on board, it is difficult to determine exactly why the vessel was taken. From the circumstances


35 Messrs. J. T. Kilbee and R. F. Jameson to the Marquess of Londonderry, 6 May 1822, British Sessional Papers, Class B, 1823, XIX, 414, Edgar L. Erickson, ed. (New York: Readex Microprint, 1943-1967), hereafter cited BSP. By treaty between England and Spain, several joint arbitration commissions were established to adjudicate cases arising from the seizure of slave vessels under the mutual right of search agreements. Kilbee and Jameson were the British commissioners at the court in Havana.
it must be presumed that the vessel was, in some way, involved in a piratical activity, either as the aggressor or having been captured and then recaptured by an American man-of-war. In July 1822 Master Commandant Robert Henley, in the sloop Hornet, recaptured the French brig Theodore after she had been taken by a Columbian privateer, General Paez. Theodore had one hundred sixty slaves on board when Hornet recaptured her, and she was sent into Charleston. There is no mention of the brig intending to take the slaves to the United States--she was taken by Hornet near Matanzas--nor any mention of the vessel being American or with any American citizens on board. Theodore was probably considered a "military salvage" and returned to her owners with her cargo intact.\footnote{Ibid., 416-17; and Frederic L. Paxson, \textit{The Independence of the South American Republics: A Study in Recognition and Foreign Policy}, 2nd ed., (Philadelphia, 1916), 119-20. For a discussion of military or prize salvage see: C. John Colombos, \textit{The International Law of the Sea}, 6th rev. ed. (New York, 1967), 783-85; and Madeline Russell Robinton, \textit{An Introduction to the Papers of the New York Prize Court, 1861-1865} (New York, 1945), 132-34.} A similar incident took place in 1827 when Robert Henley, again in command of Hornet, recaptured two hundred twenty slaves taken from \textit{La Pensée} by the Columbian privateer Centinella.\footnote{"Secretary of the Navy Annual Report," ASP:NA, III, 79.}

On 5 June 1830 Lieutenant Commandant Isaac Mayo in the United States schooner Grampus prevented a piratical attack upon the American merchant brig Kremlin. Off Cape Haiti, Santo Domingo, Grampus sighted Kremlin and upon
closing discovered another sail on the far side of the brig. The commander of Kremlin reported that he had been followed for some time by the other vessel, which had once attempted to board the American brig. Mayo gave chase to the unknown vessel, soon overhauled and boarded her. Fenix was seized for being a pirate and taken into New Orleans. The pirate vessel was known to have sailed for Africa the previous year, presumably for slaves. 38

These three cases illustrate the connection between the slave trade and piracy. Vessels operating as privateers under the Columbian flag could be called little more than pirates when they attacked French or American vessels. No doubt there were many more cases where slave cargoes exchanged hands in acts of piracy. Slaves were a very valuable cargo and for some it was unnecessary to sail all the way to Africa, spend several months in a hazardous climate to collect a cargo and return to the Caribbean to sell it. A vessel with slaves on board was as easy to seize as any other vessel. Although the United States Navy was primarily interested in ending piracy and protecting legitimate commerce in the Caribbean in the years between 1820 and 1835, the intimate connection between piracy and the slave trade explains the inclusion of warnings about the traffic in the letters from the Secretary of the Navy to his

38 "Circumstances leading to and attending the Seizure of Fenix," ibid., 866-70; and W. S. Macleay to the Earl of Aberdeen, 20 Aug., 1830, BSP, Class A, 1831, XIX, 449.
commanding officers.

The year 1835 not only marked the effective suppression of the Latin American piracy in the Caribbean, but also the beginning of significant American participation in the slave trade to Cuba. The causes are readily apparent: the high price sugar was attaining and an Anglo-Spanish treaty.

An American naval officer who was in Cuba in 1836 reported that the high price of colonial produce, especially sugar, created a correspondingly high demand for slaves to work the new sugar plantations. It was the "plain principle of political economy, that the demand regulates the supply." 

Equally important was the Anglo-Spanish treaty of 1835. By this treaty, ratified 24 August, the Spanish agreed to a mutual right of search, and, in Articles Ten, Eleven, and Twelve, agreed that the presence of slave equipment, such as a slave deck (or timber for constructing one), excessive food and water, shackles, or cooking coppers in excess of crew needs, was sufficient evidence for seizure of the vessel as a slaver. As it would be in the case of the Brazilian slave trade a few years later, it was the actions of the British government, working with a humane object in

39[Horatio Bridge], Journal of an African Cruiser ... by an Officer of the U. S. Navy, ed. Nathaniel Hawthorne (New York, 1845), 132-34.

40Arthur F. Corwin, Spain and the Abolition of Slavery in Cuba, 1817-1886, Institute of Latin American Studies (Austin, Tex., 1967), 51.
view, which brought about the use of the American flag in a foreign slave trade.

As late as September 1836 the British commissioners in Havana wrote that the Portuguese flag was predominant in the Cuban trade. But the next month the commissioners wrote to Lord Palmerston in alarm:

During the months of August and September there arrived here, for sale, from the United States, several new schooners, some of which were already expressly fitted for the Slave Trade. Amongst them we have been able to ascertain the names of four, viz. "Emanuel," "Dolores," "Anaconda," and "Viper." They vary in size from 50 to 150 tons; their construction is of the slightest possible description; their rig that of the New York pilot-boats, and such as is very much in use by the coasting traders of this Island.41

Five of the fourteen vessels leaving Havana in October 1836 did so under the American flag, and according to the British commissioners there was no secret as to the purpose of the American vessels. "Some American citizens impune violate every law, by embarking openly for the Coast of Africa under their national flag, with the avowed purpose of bringing slaves to this market."42

This trend was significantly different from that of the mid-1820s, and presaged continued growth of the trade

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42Schenly and Madden to Palmerston, 2 Jan. 1837, BSP, Class A, 1837, LIV, 230.
to Cuba under the American flag. In January 1823 J. T. Kilbee and R. F. Jameson, the British commissioners to Havana, had written to Foreign Secretary Canning that within the last few months the traffic had declined, but "that this diminution is to be attributed solely to the general distress, as well agricultural as commercial, which has existed here for some time, and by no means to any increased exertions on the part of the Authorities for the suppression of the traffick."43

This condition was not expected to last long and the British officials in Havana were suspicious of every one. In February 1824 Kilbee wrote to Secretary Canning concerning a communication the former had with the governor of Cuba respecting some French vessels which had recently entered Havana harbor. If the vessels were not thoroughly searched, Kilbee maintained, the French might again renew the illicit trade to the island.44

In the same year the United States government sent a Mr. Randall to Cuba to enquire into the possibility that American citizens were engaged in the Cuban slave trade.

43 Kilbee and Jameson to George Canning, 23 Jan 1823, *ibid.*, Class B, 1823, XIX, 423. By treaty between England and Spain, several joint arbitration commissions were established to adjudicate cases arising from the seizure of slave vessels under the mutual right of search agreements. Kilbee and Jameson were the British commissioners at the court in Havana.

44 Kilbee to Canning, 29 Feb. 1824, *ibid.*, Class A, 1825, XXVII, 397-98.
Kilbee informed Randall that he believed that the American flag was not used in the Cuban trade, but that he had heard there were some Americans living at Havana and Matanzas who were engaged in the traffic, however, using the flags of Spain or France. 45

By 1827 Kilbee's and Jameson's fears seemed to be realized, and the traffic was on the increase. In July four Spanish vessels left Havana for Africa and in September seven vessels left for the same destination, all presumably to acquire cargoes of slaves. 46

It was not until December 1829 that the British commissioners reported the first American vessel involved in the Cuban traffic. On the first of December the schooner William Gardner, W. F. Hill, master, sailed for Gallinas to assist some Spanish slavers blockaded by the Royal Navy in that river. 47

For the next few years the trade in slaves between Africa and Cuba continued to rise and was carried on in French, Brazilian, and increasingly in Portuguese bottoms. In November 1834 W. S. Macleay wrote to Lord Palmerston that he had "never known this infamous traffic to be more vigorous in Cuba than at present." The trade was so common,

45 Kilbee to Canning, 29 May 1824, ibid., 400.

46 Kilbee and Jameson to Canning, 31 July 1827, ibid., 1828, XXVI, 431; and Kilbee and Jameson to the Earl of Dudley, 30 Sept, 1827, ibid., 438.

that slave vessels were insured by a company in Havana at twenty-two percent, thus offering financial protection to an illegal business.\textsuperscript{48}

Throughout the last half of the 1830s the use of the American flag continued to increase. In 1837 eleven American vessels were involved in the Cuban slave trade; in 1838, nineteen; 1839 twenty-three; and between February and March 1840 eight of the twenty-one vessels departing Havana for Africa were American. Five of these were cleared out by Mr. Charles Tying, an American merchant in Havana.\textsuperscript{49}

In 1842 the reports of the British commissioners indicate that the slave trade was declining. J. Kennedy and Campbell J. Dalrymple stated that in 1841 only thirty-one vessels cleared Havana for Africa, "a decrease of full one-half of the average number of former years. . . ."\textsuperscript{50}

In reality it appears that, Cuban slavers were becoming more secretive in consequence of the Treaty of 1835. Along with assuming the American flag as a cover, Spanish and Cuban slave traders no longer openly advertised the nature of their business. The British commissioners could no longer depend upon the newspapers to report the arrival and

\textsuperscript{48}Macleay to Palmerston, 12 Dec. 1831, \textit{ibid.}, 1833, XLIII, 46; 2 Jan. 1832, \textit{ibid.}, 48; and 1 Nov. 1834, \textit{ibid.}, 1836, L, 111.

\textsuperscript{49}J. Kennedy and C. J. Dalrymple to Palmerston, 13 June 1840, \textit{ibid.}, 1841, XXX, 280-83.

\textsuperscript{50}Kennedy and Dalrymple to Aberdeen, 2 Jan. 1834, \textit{ibid.}, 1844, XLVIII, 97.
departure of slavers.51

Although there were American men-of-war in the West Indies, the efforts of the American government and the Navy to suppress the slave trade were negligible between 1835 and 1857. Several reasons are apparent for this absence of activity. First, with the end of the threats of piracy upon merchant vessels, there was a reduced need to patrol the area. Consequently, fewer cruisers were assigned to the West Indies. Then in 1842 a Home squadron was established, incorporating the area of responsibility of the West India squadron. The emphasis in naval aid to commerce shifted from the Caribbean to the North Atlantic.

In 1843 an African squadron was stationed off the west coast of Africa and the responsibility for ending the traffic in slaves was shifted to those vessels. When the squadron in the Caribbean was again enlarged, between 1846 and 1848, it was in response to the Mexican War. United States Navy vessels were then too preoccupied with the war to concern themselves with the trade in Africans to Cuba. Finally, Cubans were generally not inclined to end the traffic that provided such a necessary tool for their plantations.

In the late 1850s, however, the American naval presence in the West Indies was increased in order to protect American shipping from the cruisers of a friendly power.

51 Corwin, Slavery in Cuba, 62.
In January 1857 Her Majesty's commissioners at Havana complained to Lord Clarendon that it had been many years since a slaver had been seized by the Royal Navy and taken into Havana. They recognized the fact that there were few British cruisers in the West Indies, but even those were of the wrong class.\(^5^2\) Coincidently, the British were preparing for a reinvigorated campaign against the slave trade.

It was common practice on the African coast for naval vessels to visit merchantmen of all nations, and the naval officers of both the United States and Great Britian were instructed, as Matthew C. Perry phrased it, to act with the utmost "suavity" toward the merchant captains. As long as these visits occurred far from home and proper tact was used, there was little objection to what was a technical violation of the agreement between the two nations.\(^5^3\) But in the spring of 1858 the British carried this practice to the West Indies.

With the end of the Brazilian slave trade the Royal Navy began to concentrate its efforts around Cuba. The British had at least two small steamers in the West Indies that were instructed to stop and search all vessels they met. A number of American merchantmen were visited. On


most occasions the boarding caused little problem and the American masters often offered the boarding officer a glass of gin or wine—which does not seem to have been refused.\textsuperscript{54} But the visit of Mobile by Her Majesty's steamer Styx was not so friendly. In closing Mobile the British steamer fired not the blank cartridge usually employed to signal a vessel to heave to, but a shotted gun. Mobile hove to but Styx fired several more rounds into her. When the boarding officer was asked if he took Mobile to be a slaver he said no, but that he had orders to examine all vessels in the Gulf.\textsuperscript{55}

The right of search or visit had never been admitted by the United States. The exercise of this right by the British so close to home, accompanied by the firing upon of merchant vessels by the cruisers of the Royal Navy, caused the American government to send a large naval force to the West Indies to protect the American merchant marine from interference by the Royal Navy. The force consisted of the steam frigates Wabash and Colorado, the sloops Macedonian, Constellation, Jamestown, Saratoga, and Plymouth, \hfill

\textsuperscript{54}Howard Hazen Wilson, "Some Principal Aspects of British Efforts to Crush the African Slave Trade, 1807-1929," \textit{American Journal of International Law}, XLIV (1950), 519; and U.S., Congress, Senate, \textit{Message of the President of the United States, . . . in Regard to the Seizure of the American Barque Panchita on the Coast of Africa}, S. Ex. Doc. 61, 35th Cong., 1st sess., 1-36.

\textsuperscript{55}U.S., Congress, Senate, \textit{Message of the President of the United States, . . . concerning the Recent Search or Seizure of American Vessels by Foreign Armed Cruisers in the Gulf of Mexico}, S. Doc. 59, 35th Cong., 1st sess., 8.
the steamers Water Witch, Arctic, Fulton, and Despatch, and the brig Dolphin. This force was considered "effective" by the Secretary of the Navy, "because in the execution of their mission, no one of them would have hesitated to resist a ship of the largest class." 56

As was the case during the Quasi-War with France and the piracy patrols of the 1820 and 1830s, the presence of a large number of warships to protect American commerce in the West Indies resulted also in the capture of slavers. On 21 August 1858 the United States brig Dolphin, Lieutenant John N. Maffitt, was cruising the north coast of Cuba when a brig under American colors was sighted standing in toward Key Verde. Upon investigation by the Americans, the brig proved to be Echo with 318 Africans on board. The vessel was seized and a prize crew placed on board under Lieutenant J. M. Bradford and taken to Charleston. The Africans were soon returned to Africa in the man-of-war steamer Niagara. The captain of Echo was placed in Dolphin and taken to Boston for trial. 57

Maffitt learned that more slavers were expected, possibly to attempt a landing along the Gulf coast of the United States and the Navy Department sent the steamer Despatch, Lieutenant Enoch Parrott, to intercept them, 56


Map 3
THE WEST INDIES
but nothing came of the attempt.

In 1854 and 1855 an American adventurer, Edward Augustus Hopkins established himself in Paraguay and began to manufacture bricks, lumber, textiles, and cigars. In 1854 a break occurred between Hopkins and Paraguayan President Carlos Antonio Lopez, and Lopez attempted to drive Hopkins out of business. At the same time the United States had an exploring expedition on the Paraguay River under Lieutenant Thomas J. Page in the steamer *Water Witch*. Page attempted to mediate the dispute but earned only the enmity of Lopez. In February 1855 after *Water Witch* had run aground it was fired upon, and one man killed.

An insult to the national honor, and a threat to American mercantile interests in South America had been made and Congress voted ten thousand dollars for an expedition against Paraguay. To obtain the necessary number of vessels for the expedition the Navy leased several small steamers from private individuals. After securing redress for the insult to the United States and receiving compensation for the death of the seaman, the expedition returned to the United States, and the steamers were purchased into the Navy. Eight small steamers were assigned to duties suppressing the slave trade. Four went to the coast of Africa and four were sent to cruise about Cuba;

two, **Crusader** and **Mohawk**, on the north side of the island and two, **Wyandotte** and **Water Witch** on the south.\(^{59}\)

The four vessels accounted for eight of the nine slavers taken in Cuban waters between 1858 and 1861. On 18 November 1859 Lieutenant T. Augustus Craven in **Mohawk** discovered and captured the brig **Cygnet** of Baltimore as she had just finished off loading her slaves. **Cygnet** was towed to Key West and turned over to the United States marshal.\(^{60}\)

**Mohawk** seized another American slaver on 26 April 1860. The bark **Wildfire** was towed to Key West with five hundred slaves on board, arriving there on the thirtieth. About two weeks later **Wyandotte**, Lieutenant Fabius Stanly, arrived in Key West with the slaver **William** having on board some five hundred fifty slaves. Maffitt, now commanding **Crusader**, had the best luck. Between May and August 1860 he succeeded in seizing three slavers, the bark **Bogota** on 23 May, the brig **William R. Kibby** on 23 July, and the brig **Joven Antonio** on 14 August.\(^{61}\)


\(^{60}\)Ibid., 1144; and Crawford to Russell, 31 Dec. 1859, BSP, Class A, 1860, LXX, 21.

\(^{61}\)F. J. Moreno to J. Thompson, 13 May 1860, U.S., Congress, House, Message from the President of the United States, ... relative to the Capture of the Slaver "William" near the Isle of Pines, with Five Hundred and Fifty African Negroes on board, H. Ex. Doc. 83, 36th Cong., 1st sess., 2; and Moreno to Thompson, 10 May 1860, ibid., Senate, Message from the President of the United States, relative to the Capture of the Slaver "Wildfire," on the
The Civil War removed the United States Navy from cruising in the suppression of the slave trade, but several factors combined to end the traffic to Cuba. The Lyons-Seward Treaty granted the Royal Navy a limited right of search over American vessels. But the most important was the fact that Spanish cruisers became very active in Cuban waters, recapturing some 1900 contraband slaves in 1861 alone. By the end of the Civil War the Cuban slave trade was effectively ended.

There were three periods when the United States Navy captured slavers in the waters of the West Indies. The first was during the Quasi-War with France, then in the campaign to eradicate piracy around Cuba, and finally on the eve of the Civil War when transgressions upon American merchantmen led to an increased United States naval presence in the Caribbean. In all three cases the capture of slavers was a by-product of American naval efforts to protect the mercantile commerce of the United States.

Coast of Cuba, by Lieutenant Craven, of the United States Steamer Mohawk, S. Ex. Doc. 44, 36th Cong., 1st sess., 4.

62 Crawford to Russell, 30 Sept. 1861, BSP, Class A, 1862, LXI, 16.
CHAPTER VI

"LEGITIMATE INTERPOSITION:" BRAZIL, 1825-1852

Brazil achieved its independence from Portugal in 1825, and for most of the next twenty years there was almost continual strife on the Atlantic coast of South America. Difficulties over the possession of the Banda Oriental del Uruguay, present day Uruguay, resulted in a blockade of Buenos Aires by the Brazilian navy in the 1820s. The port was again blockaded by the French in the late 1830s. Additionally, numerous separatist movements within Brazil soon after its independence caused more unrest. In 1827 the Secretary of the Navy stated that "some of our merchant vessels on that coast have been captured, and otherwise interrupted, for real or pretended violations of blockades and of the laws of the country. A part of them have been released upon application and remonstrances of our naval officers. . . ."¹ American merchant vessels caught in the blockade could usually depend upon an American naval officer to use his good offices to the advantage of the merchant and sometimes obtain his release.

As was the case in the Caribbean, unsettled conditions

¹"Annual Report of the Secretary of the Navy, Showing the Condition of the Navy in the Year 1827," American State Papers: Naval Affairs, III, 50; and for 1828, ibid., III, 214, hereafter cited ASP:NA.
also led to piracy. In 1832 Francis Baylies, a special minister of the United States sent to Argentina to negotiate a dispute over fishing rights at the Falkland Islands, described an incident to his brother-in-law Colonel John E. Wool. Baylies had stopped in Rio de Janeiro and wrote that "since we have been here a ship was entered in the harbor, robb'd and the throat of the mate cut." Such conditions on the coast of South America made the maintenance of a naval force on the coast for the protection of commerce a necessity.

The first United States ship sent to the Brazilian coast was the sloop-of-war Cyane, commanded by Jesse D. Elliott, in late 1825. His sailing orders were fairly standard for ships assigned to the coast of South America, and reflected the interchangeable nature of the slave trade and piracy. "I enclose for your information and direction, Copies of the Acts of Congress relating to Piracy and the Slave Trade, together with the general Instructions on these points given to the Commanders of our Cruising Vessels." The purpose of this cruise was not the suppression of the slave trade, but it was rather, as Samuel Southard

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3Sailing Orders to J. D. Elliott, 23 Nov. 1825, Letters Sent by the Secretary of the Navy to Officers, 1798-1868 (M-149), Roll 16:264, Naval Records Collection of the Office of Naval Records and Library, Record Group 45, National Archives, hereafter cited Officers, Ships of War.
said, "the general interests of our commerce, and a communication with the public agents of the government in that quarter." Few, if any, Americans were engaged in the Brazilian slave trade at this time. Because of an 1815 treaty between Portugal and England that gave the Portuguese a free hand in the slave trade south of the Equator and of an Anglo-Brazilian treaty in 1826 that declared the slave trade to be piracy and allowed the Royal Navy to seize Brazilians engaged in the traffic to Brazil. This was to be the case until about 1840 when a significant change in Anglo-Portuguese relations was made that affected the Brazilian slave trade.

Throughout the remainder of the 1820s it appears that the orders issued to Elliott were generally given to other commanding officers and commodores of the Brazil station. But by the early 1830s even the brief mention given to the slave trade in Elliott's orders had been dropped. It is

4 "Annual Report of the Secretary of the Navy, ... Showing the Operations of that Department in 1825," ASP:NA, II, 100.


6 Sailing Orders to B. V. Hoffman, 7 Apr. 1826, Officers, Ships of War, Roll 16:362; Sailing Orders to J. Biddle, 1 June 1826, ibid., Roll 17:121; Sailing Orders to J. O. Greighton, 21 July 1828, ibid., Roll 18:78; and Sailing orders to J. Gallagher, 15 Nov. 1828, ibid., Roll 18:156.

possible that instructions concerning the slave trade were passed from commodore to commodore as part of their standing orders on the station, but the lack of even a single mention in the orders from the Secretary of the Navy reflected either a lack of concern or a lack of American involvement in the trade to Brazil.

During this first decade the form of the squadron was established. Cyane had made but a brief cruise along the coast, but the vessels sent there afterwards made cruises of about three years duration, which, except for the African squadron, was standard. The Brazil station encompassed the area from the Amazon River south to Cape Horn and eastward to the coast of Africa. The United States Navy assigned an average of four vessels to cover this area. 8

In addition to their duties on the South American coast, naval vessels assigned to that station often had extra duties. In 1832 the brig Boxer, Benjamin Page, Jr., was assigned to the Brazil station, but enroute it was to touch at Liberia and "cause inquiries to be made there particularly respecting the Piracies lately committed near that settlement. . . . Without any unnecessary delay, on the Coast of Africa, you will proceed thence to the Northern Coast of Brazil, . . . ." 9 In 1836 W. E. McKenney, commanding the

8 U.S., Congress, Senate, Report of the Secretary of the Navy [1852], S. Doc. 1, 32nd Cong., 2nd sess., 291. See also Appendix D.

9 Sailing Orders to B. Page, Jr., 9 Jan. 1832, Officers, Ships of War, Roll 20:215.
Map 4
BRAZIL STATION
brig *Dolphin*, also stopped at various settlements on the African coast: Gambia, Bissau, Nunez, Cape Mesurado, Bassa Cove, and Cape Palmas before going to Brazil.\(^{10}\) A year later the razee frigate *Independence* carried the United States minister to Russia, Mr. George M. Dallas, to Cronstadt before sailing to the Brazil station.\(^{11}\)

By the late 1830s a dispute between Argentina and France had resulted in the latter's blockade of Argentina. The United States Navy had an even greater responsibility to avoid any confrontation with either of those nations. However, Secretary of the Navy James Kirke Paulding stated, in 1838, that no additional force was required. The next year he changed his mind and reported that "the novel system of a war of blockade, so vexatious to neutral commerce" increased the necessity of a naval force in the area.\(^{12}\)

It was not long before the demands for an increased naval presence on the South American coast were voiced. A significant change in the nature of the Brazilian slave trade was about to take place. As late as 1837 Secretary of the Navy Mahlon Dickerson's orders to Commodore J. B. 


\(^{12}\)Ibid., [1838], S. Ex. Doc. 1, 25th Cong., 3rd sess., 594; and [1839], S. Ex. Doc. 1, 26th Cong., 1st sess., 532.
Nicolson would make no mention of the slave trade. Warren S. Howard and Leslie M. Bethell point out that as late as 1838 there had been but an occasional use of the American flag in the trade to Brazil. But after 1839 the use of the American flag in the Brazilian slave trade increased rapidly. Portuguese and Brazilian slave traders began illegally to assume United States nationality simply by hoisting American colors. Under this guise, these slavers could reduce the chances of being searched by British warships off the African and Brazilian coasts.

The reason for this sudden and dramatic increase in the use of the American flag to cover the slave trade is obvious. By treaty Portuguese vessels had been free to engage in the slave trade openly south of the Equator; north of that line British men-of-war could seize Portuguese vessels only if slaves were actually on board. While a Portuguese law of 1836 declared the slave trade illegal, violations were not punished and the law was effectively null.

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13 Sailing Orders to J. B. Nicolson, Officers, Ships of War, Roll 24:55-57.
15 Ibid., 190.
The British government attempted to negotiate a treaty with Portugal to end the slave trade--eventually issuing an ultimatum--but the Portuguese refused, at the last moment, to have anything to do with the treaty.\(^\text{17}\) Finally, on 24 August 1839 the British Parliament passed the Palmerston Bill which unilaterally authorized the Royal Navy to seize slave ships registered in and sailing under the flag of Portugal and to try them in British courts.\(^\text{18}\) In the House of Commons the Act was approved without dissent, but in the House of Lords, Wellington, and a few others, opposed the measure. Wellington pointed out that "the greatest judge who ever presided in an Admiralty Court" (Lord Stowell) had stated in the *Le Louis* case of 1817 that in peace time, unless otherwise conceded by treaty, the searching of foreign vessels was illegal.\(^\text{19}\) The Brazilian government objected to the Palmerston Act, pointing out that even the United States "a Republic founded on the principles of equality and liberty" objected to the searching of her merchant vessels on the seas merely because of suspicion that they might be involved in the slave trade.\(^\text{20}\)

About this time, 1842, the British had on the coast of Brazil two 50-gun and two 44-gun frigates, three 26-gun and one 20-gun sloops-of-war, seven 16-gun and six 10-gun

\(^{17}\)Ibid., 775.


\(^{19}\)Bethell, "Palmerston Act," 779.

\(^{20}\)Conrad, "Contraband Slave Trade," 633
brigs, two steamers and thirteen smaller vessels. It is little wonder then that with this squadron to enforce the wishes of Parliament the Portuguese flag began to be replaced by the American. Table 1 shows this increased use of the American flag. Until the middle of 1840 few slavers used the flag of the United States in the Brazilian slave trade; thereafter it is in almost constant use, comprising about sixty-four percent of the departures from Rio de Janeiro and thirty-six percent of the arrivals in that port from Africa.

A notorious American slaver captain, Joshua M. Clapp, expressed the reason why the American flag was used:

Question: Why are the American vessels preferred for the coast trade [African slave trade] more than those of any other foreign nations?
Answer: Because our flag is more respected by cruisers on the coast than any other, except the French.

Throughout 1840 and 1841, when the use of the American flag was rapidly increasing as a cover for the slave trade, the United States government took little or no heed of it. Secretary of the Navy Able P. Upshur's orders to Commodore Charles Morris in 1841 make no mention of the slave trade.

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21 Charles Morris to Able P. Upshur, 20 May 1842, Letters Received by the Secretary of the Navy From Commanding Officers of Squadrons (M-89), Roll 14:50, Naval Records Collection of the Office of Naval Records and Library, Record Group 45, National Archives, hereafter cited Squadron Letters.

22 U.S., Congress, House, Correspondence Between the Consuls of the United States at Rio de Janeiro, &c, with the Secretary of State, on the Subject of the African Slave Trade, H. Ex. Doc. 61, 30th Cong., 2nd sess., 25, hereafter cited H. Ex. Doc. 61.
### TABLE 1
TRAFFIC BETWEEN THE HARBOR OF RIO DE JANEIRO AND THE COAST OF AFRICA, 1837-1849

<table>
<thead>
<tr>
<th>YEAR</th>
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<th>ARRIVALS IN RIO DE JANEIRO</th>
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Notes: British Sessional Papers, Class A, 1837-38, L, 151, 154, 155-56, 158, 161, 163, 171, 179, 269, 273, 278; 1839, XLVIII, 207 [This data was for the months July through October. I have reduced it by 2% to reflect the quarterly basis of the other returns.] Class B, 1840, XLVI, 810-11, 815; XLVII, 133-34; 1841, XXX, 580, 582; 1842, XLIII, 752, 755, 758, 760, 762; 1843, LVIII, 777, 780, 784; 1844, XLVIII, 310, 314, 317, 320; 1845, L, 357, 359, 361, 365; 1846, LI, 411, 413, 415, 417; 1847, LXVII, 259, 263; 1848-49, LXIV, 748-49, 751-52, 763, 765, 767, 769; 1849, LV, 476, 479, 481, 484; 1850, LV, 606, 608, 610, 612-13. Pagination as in British Parliamentary Papers, 1731-1900, Edgar L. Erickson, ed.
James K. Paulding's orders to Commodore G. C. Ridgley in February 1840 are rather lengthy and explain the necessity of cautious dealings with the French blockade of the Rio de la Plata and the view of the American government on effective blockades, but there is nothing on the slave trade to Brazil. And the Secretary's Annual Reports for 1840 through 1842 reflect an equal lack of concern. The report for 1840 suggests augmenting the Brazil squadron because of the continuing conflict between Argentina and France. The following year the Secretary states that "nothing of particular interest has occurred in the operations of this squadron." In 1842 there is not even that illuminating statement.23

By 1843 the American flag was used in a significant portion of the carrying trade between Brazil and Africa. Since Africa produced few exportable commodities, and since many of the vessels entered Brazilian ports in ballast, i.e. with no goods on board, it may be fairly assumed that most of these vessels were engaged in the slave trade. In 1843 six of thirty vessels departing Rio did so under the colors of the United States, while six of the fifteen returning

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vessels used the flag of the United States. Indeed the
British commissioners at Rio complained in 1844 that most of
the successful slaving voyages that year had been made using
the American flag. And British naval officers complained
that their efforts to stop the slave trade were being
nullified by the widespread use of the American flag.24

But in 1845 the British were to give an even greater
impetus to the illegal use of the American flag. In the
middle of that year Parliament passed the Aberdeen Act,
another unilateral act on the part of the British, which
declared Brazilian slavers to be pirates and that the Royal
Navy could seize them as such. Brazil had previously
recognized that to be the case; however, there was now a
significant difference. In March 1845 Brazil had notified
the British minister to Rio that as of the thirteenth of
that month the 1815 treaty that granted a mutual right of
search between the two parties was to be terminated. The
treaty, originating in the Anglo-Portuguese agreement of
1815, had been carried over into Anglo-Brazilian relations
after the latter's independence. But the treaty expired in
1845 and Brazil had no wish to revive it. The British
reasoned that Brazil should have no objection of the Royal
Navy continued seizing slavers under the Brazilian flag,

24 Reports of the British Commissioners at Rio de Janeiro,
British Sessional Papers, Class A, 1844, XLVIII, 314, 317,
320; 1845, L, 357, Edgar L. Erickson, ed., hereafter cited
BSP; Conrad, "Contraband Slave Trade," 636-37; and Bethell,
Slave Trade Question, 192.
even though there was no treaty. In 1849 Palmerston carried the implications of British reasoning even further and sent orders for the squadron under Admiral Barrington Reynolds to enter Brazilian territorial waters in order to seize slavers attempting to take refuge there, much to the dismay of the Brazilian government.25

The presence of the American flag in the Brazilian trade again made a significant increase, and American officials finally began to take notice. In addition, American-built vessels and documents were easily acquired by taking advantage of an early law designed to benefit the infant American merchant marine. Sea-letters—temporary papers issued by an American consul that denoted a change in ownership of a vessel—were issued with no restriction as to the destination of the vessel. Ships built in the United States could be sold in Brazil to another American who then obtained a sea-letter, or proof that the vessel was American. The vessel could then be sold or "chartered" to a third party with the transaction being completed on the African coast. The sea-letter and American flag provided a certain degree of immunity from search by the Royal Navy. Apparently, in the majority of cases, the American vessel was not used to carry slaves, but was more often an auxiliary or tender

to a slaver.

One of the chief facilities sought by the owners of slavers is the means of sending over their "equipment" to the African coast; this equipment [i.e. cooking coppers, shackles, extra food and slave deck] is generally sent over in foreign bottoms, and United States' ones are preferred not only for their superior shape for sailing, but from the circumstance of the United States flag protecting them from our cruisers. . . . The United States' vessel intended for the Slave Trade keeps the United States flag flying until the very last moment, . . . and it is not until the vessel is actually under weigh, on its return to Brazil, that the flag is changed . . . .

The American vessel could then be used to decoy cruisers of either Great Britain or the United States and so allow the slaver a clear escape route. 26

To end the improper use of sea-letters and the American flag, the United States minister to Brazil offered several drastic measures. First, Robert C. Schenck proposed that all trade in American vessels between Africa and Brazil ought to be prohibited. This would end the abuse of sea-letters. If this were not possible, he then proposed to prohibit the export from the United States to Brazil

26 Lord Howden to Viscount Palmerston, 12 Nov. 1847, BSP, Class B, 1847-48, LXIV, 731.

27 C. Hotham to the Secretary of the Admiralty, 7 Apr. 1847, ibid., 444; U.S., Congress, House, Message from the President of the United States transmitting copies of despatches from the American minister at the court of Brazil, relative to the slave trade, &c, H. Ex. Doc. 148, 28th Cong., 2nd sess., 1; Schenck to Webster, 26 Apr. 1852, ibid., Senate, Message from the President of the United States communicating, . . . correspondence between Mr. Schenck, United States Minister to Brazil, and the Secretary of State, in relation to the African Slave Trade, S. Ex. Doc. 47, 33rd Cong., 1st sess., 3, hereafter cited S. Ex. Doc. 47.
or Africa of articles used specifically for procuring slaves. Next he attacked the issuance of consular sea-
letters to vessels sold either in Brazil or Africa, except for the specific purpose of returning to the United States. Finally, if none of these could be accomplished, he advised using force and increasing the American naval presence on both coasts.28

During the last decade of the Brazilian slave trade, about 1842 to 1852, a change took place in the American awareness of what was happening on the coasts of Brazil. One student of the Brazil squadron maintains that this change in policy came about in 1842. But while the slave trade was then mentioned, there was certainly little enthusiasm for a vigorous attack upon it. The American chargé d'affaires at Rio, William Hunter, notified Commodore Charles Morris in February 1843 that he had received information from William S. Ousley, the British minister to Argentina, that four or five suspected slavers flying the American flag would probably soon arrive from the coast of Africa. Morris replied:

If the information received and communicated by the British Legation with respect to vessels under the flag of the United States, had specified more particularly upon what part of this coast their arrival was expected, it could have been much more useful. Any effort to interrupt particular vessels with the Small force under my orders, upon a Coast of two thousand miles in extent without any intimation of their ports of destination, would evidently have very small chances of Success.

28 Ibid., 5-6.
Morris did go on to say that he would have John Adams keep an eye open while she made a cruise to the Rio de la Plata. 29

Morris must have been unbelievably uninformed of conditions in his station if he was not aware of the area of Brazil in which slavery thrived, and in which slaves would have been landed. The majority of slavers landed their cargoes within a reasonably close proximity of Rio de Janeiro, about one hundred fifty miles north or south of that city. As João Panidá Calogeras in his history of Brazil states:

The favorite section was the strip of coast between Cabo Frio and Santos: north and south of this area disembarkments were exceptional. The choice of landing place was dictated by the proximity and absorptive capacity of the markets of central Brazil and the facilities afforded by local accomplices. 30

More recent research by Curtin has confirmed Calogeras' statement. Cape Frio and Santos are almost equidistant north and south of Rio. As Curtin puts it, "imports into Brazil were highly concentrated." Figure 18 and Table 69 in Curtin show that about seventy-three percent of the slaves imported into Brazil entered that country in the vicinity of Rio de Janeiro, or between Cape Frio and Santos.


These were used to supply the coffee and sugar plantations of the area.31 Secondly, Morris' squadron, compared with many American naval squadrons and other Brazil squadrons, was of fairly good size and therefore better able to patrol the coast. Finally, dispatching John Adams was a token gesture; there was apparently no provision for the ship to make a surveillance of the coast other than while in transit to la Plata.

In 1845 the American minister to Rio de Janeiro, Henry A. Wise, wrote to Secretary of State John C. Calhoun that "the African slave trade 'thickens around us.'"32 The United States, however, was finally about to begin an effort to eliminate the use of the American flag in the Brazilian slave trade.

The first significant statement reflecting this concern over the slave trade is found in the "Sailing Orders" sent by the Secretary of the Navy, George Bancroft, to the commodore-designate of the Brazil squadron, Louis Rousseau. Bancroft warned the commodore not to seize slavers within Brazilian waters without the express consent of that government, an obvious reference to the Aberdeen Act. But, he goes on, "your particular attention is called

31Ibid.; and Philip D. Curtin, The Atlantic Slave Trade: A Census (Madison, 1969), Figure 18, Table 69, and 241.

to this subject, and you are instructed and expected to use all your rightful and legal powers for the suppression of the detestable and unlawful traffic in African slaves. ³³

These orders mark a take-off point in the Navy's activities on the Brazilian station. A comparison of the letters and documents sent by the commanders of the Brazil squadron to the Secretary of the Navy before and after 1845 reveals that prior to that year there were few mentions of the slave trade. In the years after 1845 a majority of the letters did. ³⁴ It is true that not many slavers were taken and sent for adjudication in the United States in these years, but there had been none prior to 1845. Warren S. Howard maintains that American naval officers were reluctant to interfere with American ships. But this is not borne out by the evidence. ³⁵

In December-January 1844-1845 Commodore Daniel Turner and Minister Wise cooperated in seizing the American brig Porpoise which was known to be acting as an auxiliary in the Brazilian Slave trade. The difficulty in this case was, that at the time of capture, Porpoise was inside the harbor of Rio. The seizure was a violation of Brazilian sovereignty. Brazilian vessels protested by surrounding Porpoise and demanding that the brig and its crew be released.

³⁴Squadron Letters, passim.
³⁵Howard, American Slavers, 44.
According to Howard, in the end "the Brazilians won out." However, Howard did not pursue the story to the end. A letter received by the Secretary of the Navy reveals that in May 1845 Porpoise departed Rio with the slaver's crew on board destined for Boston where the brig and her crew were to be turned over to the district attorney.  

Minister Wise had written to Secretary of State Calhoun at the beginning of the affair over Porpoise:

I would have placed the criminals or persons charged on board the Raritan [flagship of the Brazil squadron] and I would have held them and the vessel until the demand for their extradition was refused or granted; and, if refused, I would have left the vessel in the harbor, . . . and I would have sent the persons accused and the witnesses in the Bainbridge, at all hazards, home to the United States.  

Cooler heads prevailed and through diplomatic procedures Porpoise and her crew were released by the Brazilian government. England had justly earned the animosity of Brazilians because of the Palmerston and Aberdeen Acts. The United States was determined not to follow that example and forcibly remove vessels, even American vessels, from Brazilian territorial waters.

In 1847 Commodore Rousseau was involved in a curious case which mixed piracy and the slave trade. Although the Navy was not successful in capturing the slaver, the affair illustrates the cooperation between civil and

36 Howard, American Slavers, 44; and D. Turner to G. Bancroft, 13 May 1845, Squadron Letters, Roll 18:1.
military officials in Brazil. In that year the American
whaling bark Fame entered Brazil in distress, apparently
due to some storm damage. The bark was surveyed and,
found not fit for sea, was condemned. The cargo was sold
and part of the crew released. But then the captain spent
a large amount of money having her refitted and loaded for
what was supposed to be another whaling voyage. Information
was later received at Rio that Fame had been seen on the
African coast and also that the owner had not received any
communications from Fame's captain. The owner suspected
"foul Play." The Fame's captain had changed his plans
while in Rio and had absconded with the bark for his own
purposes.

Several weeks later Rousseau learned that Fame was
lying in a small harbor near Cape Frio, having landed about
six hundred slaves. In the absence of small vessels to
search for Fame in the shoal waters off the coast, Rousseau
sent Lieutenant Isaac Strain in a boat. As minister Parks
reported to Secretary of State James Buchanan, "great credit
is due to Mr. Strain for the manner in which he executed his
commission, cruising over two hundred miles in an open boat.
But the bird had flown."38

Several weeks later Fame was discovered at Santos and
Rousseau dispatched Bainbridge there. Her captain had
instructions to ask the Brazilian authorities to turn the

38G. Parks to J. Buchanan, 20 Aug. 1847, ibid., 6.
vessel over to the United States, not because she was a slaver, but because "she was an American vessel which had been run away with by her Capt'n." This was agreed to and an American guard was placed on board the bark. The guard was later removed when Brazilian authorities took possession of the vessel while awaiting negotiations between the American and Brazilian governments over the final disposition.  

The year 1848 was particularly active for the Brazil squadron. The year began with the capture of the American slaver Laurens, this seizure being at sea, by the schooner On-ka-hy-e. At this time the commodore of the Brazil squadron was Captain George W. Storer, an individual who was particularly diligent in using his squadron to the maximum extent in order to end the slave trade. The seizure of Laurens illustrates the measures taken by Storer. He issued to Lieutenant Commanding Otway Berryman of On-ka-hy-e a copy of the orders issued to Commodore Matthew C. Perry in 1843 when he was given command of the first African squadron. These orders went into much detail concerning characteristics of slavers and the means used by them to prevent seizure. Storer learned that Laurens was a suspected slaver, and he ordered Berryman to follow her to sea. When Laurens was outside Brazilian waters On-ka-hy-e was to stop and

search her. If the evidence showed that she was a slaver she was to be sent to New York or Boston for adjudication. Following Storer's orders Berryman put to sea and seized Laurens on 23 January. 40

On-ka-hy-o is of interest herself in that she was constructed on very radical lines. She had been privately built and had proved her speed in races with some of the fastest vessels then afloat. Purchased into the Navy, she was used as a dispatch and patrol vessel, and in this case, a capturer of slavers. On-ka-hy-o, along with the brig Perry and the steamer Alleghany, vessels that were particularly successful in capturing slavers, demonstrated the necessity of having fast vessels on the slave patrol. It was these fast vessels which were able to catch and stop slavers once the illegal traders were at sea. 41

Alleghany was the first United States steamer to capture a slave vessel. Commodore Storer had received information that the bark Louisa was a suspected slaver. Although Alleghany was undergoing repairs to her foremast and rigging, she was ordered to investigate the bark. Lieutenant Commanding William W. Hunter was in such a hurry that he left the steamer's foremast and yards in Rio. About noon on 28 May 1848, Alleghany overhauled Louisa

40 G. W. Storer to Mason, 28 Jan. 1848, ibid., Roll 20:86.

some seven miles off shore. A boarding party with three officers was sent to examine the suspected slaver. The boarding party mustered the crew, checked their wages—slavers often paid very high wages because of the risks involved—examined the ship's papers, the hold, and cargo. Although there was some reason to believe the bark was engaged in the slave trade, there was not sufficient evidence to justify her seizure. There were several passengers on board and in the hold were farina and water casks. The farina might be used to feed the slaves, but might also be legitimate trade goods, and casks of water might indeed be used for ballast. Large cooking coppers, shackles and materials for a slave deck were not found. Hunter had no other course but allow Louisa to proceed on her way. Later that year Storer learned that Louisa had been supplied with these articles by a steamer some days later.42

While the efforts of Storer and Hunter had not succeeded in capturing the slaver, they had at least caused the captain of the bark some embarrassment. When the bark had been boarded by Hunter's crew, the slaver captain had thrown overboard letters and instructions from the charterer to his connections on the African coast. This made trade much more difficult for the slaver. While

42 Storer to Mason, 10 June 1848, Squadron Letters, Roll 20:211; W. W. Hunter to Storer, 3 June 1848, ibid., 217; and Storer to Mason, 20 Dec. 1848, ibid., Roll 21:139.
Alleghany was unsuccessful she did at least impede the traffic to some extent. It was not the last occasion this vessel was used in the slave patrol. Hunter and Alleghany were used on at least two more occasions, investigating the suspected slavers Venus and Marion. Within a decade steamers were to be widely used by the United States Navy, and some were specifically detailed to patrol in search of slavers.

December 1848 was a busy month for the United States brig Perry, Lieutenant Commanding John A. Davis. Storer sent Davis to investigate three suspected slavers, Democrat, Ann D. Richardson, and Independence. The latter two were seized and sent to the United States. "The first was not seized owing to the inexperience of the officers of the Perry who had not before been employed in this kind of service." He added that "the slave trade if not on the increase is decidedly not on the decline, . . . ."

An interesting game of cat-and-mouse was played out by the brig Perry and the suspected American slaver Flora in the harbor of Rio de Janeiro late December and early January 1848-1849. Storer had reason to suspect the brig Flora of being loaded with slave goods and bound for a voyage to the coast of Africa. He sent instructions to

43 For Hunter's activities in Alleghany see ibid., Roll 21: passim; and Howard, American Slavers, 85-91.
Davis to keep a close watch on Flora. Between Christmas Day 1848 and 5 January Perry shifted anchorage several times as Flora tried to get out of the harbor. Joshua M. Clapp, Flora's captain, and the captain of Panther, a slaver captured off Cabinda in December 1845, realized that once outside Brazilian waters he would be liable to seizure. Finally, the game ended--temporarily--and lighters were seen alongside Flora. Later in the day the brig was noticeably higher in the water. Her incriminating cargo had been removed.

Ironically, Clapp applied to Storer for assistance in getting to sea. Clapp maintained that the charter party, for whom he was taking a cargo to Montevideo, decided that it did not want Flora to sail, but instead wanted their cargo unloaded. Clapp asked Storer to intercede so that he could get underway. The charter party obviously did not want Clapp to sail with a cargo that would be seized as soon as the brig was outside Brazilian waters, and Clapp could not sail because he was being so closely watched. Storer refused to interfere in the matter between Clapp and the charterers. After off loading, Flora did sail and was reloaded at sea. In June 1849 she was captured near Ihla Grande by Brazilian customs officers and the British Navy.

When Storer left Rio for Montevideo he ordered Davis

to maintain a constant lookout for slavers. If any were suspected Perry was to follow them until they were outside Brazilian waters. Then he could board and inspect them, and if evidence of illegal activity was found, send them to the United States. Storer must have felt fairly confident that Davis could carry out this assignment, for the Perry had more experience in this line than any other American man-of-war. 47

Commodore Storer does not seem to have been one of those naval officers who continually requested an augmentation in the size of his force. There had been many requests, both before and after Storer's tour of duty off Brazil for an increase in the number of vessels, especially of the smaller classes, and for steamers. Commodore Rousseau in 1845, Gorham Parks, minister to Brazil in 1847, and Commodore Issac McKeever in 1850 all requested additional vessels to help suppress the slave trade. 48 But Storer used what was at hand. Although he certainly could not have expected much from her, Storer ordered the store-ship Supply, Lieutenant A. Sinclair, to keep a watch on the American brig Imogene. There could have been little realistic hope that a storeship, a vessel built for carrying capacity, could possible overtake a slaver, a

47 Storer to Davis, 19 Jan. 1849, ibid., 18.

vessel built for speed. But Storer used whatever means were available. *Imogene* eluded *Supply* and obtained slaves in Africa. In September 1849 it was learned that *Imogene* was returning to Campos with about five hundred slaves on board. Storer detailed the sloop-of-war *John Adams* to keep watch on the coast near that area. In October *Imogene* was discovered by a British steamer and the Portuguese captain of *Imogene* ran his brig ashore with all sail set and managed to escape with about one hundred slaves. The remainder were taken by the British.49

Storer made every effort to see that the United States lived up to its commitments with regard to the slave trade. His squadron had been quite active in suppressing the slave trade. Besides the many investigations, four vessels had been sent to the United States for adjudication. Each of the vessels required a prize crew which came from the vessels of the squadron. By December 1848 Storer had lost so many officers that he had to request the Secretary of the Navy to detail to the squadron three lieutenants, one passed assistant surgeon, four midshipmen and one sailmaker.50

During the years 1848 and 1849 the Brazilian squadron under Commodore Storer had been quite industrious, using all the facilities it had available, and cooperating with


the American ministers in South America, in an effort to end the slave trade. In 1849 and especially in 1850 the Secretary of the Navy's Reports reflected this activity.

The cruise of this squadron extending from the mouth of the river Amazon to Cape Horn, and occasionally eastward to the coast of Africa, its attention has been especially directed to the suppression, by legitimate interposition, of the African slave trade, still carried on to a considerable extent between Brazil and the coast of Africa.¹¹

Around 1850 a change took place in the attitude of Brazilians toward the slave trade. They realized, in part at least, that Brazil's need for slaves was being used by Portuguese speculators to enrich themselves. Nineteen of thirty-nine prominent slave dealers in Brazil were Portuguese and these dealers were using the reluctance of Brazilians to abolish the traffic for their own purposes. Along with a wave of anti-Portuguese sentiment was the very real fact of intense British pressure to end the trade in slaves.⁵² But the most important cause in this change was not outside Brazil, but inside, and the government began to seize Africans illegally imported into the country, arrest slave traders, and confiscate their merchandise. By 1851 the slave trade to Brazil had been dealt a blow from which it would never recover.


⁵²Calogeras, History of Brazil, 157, 158.
Although the trade died out rapidly after 1850 the Navy was still on watch. As Commodore McKeever explained to the Secretary of the Navy, "the enhanced price of slaves, ... proves at once ... the necessity of continuous watchfulness lest the prospect of additional gains become a new stimulus to the slave-traders' efforts." \(^53\) In late 1851 correspondence between the United States minister at Rio, R. C. Schenck, and Commodore McKeever revealed that there was still cooperation between the two arms of the government for the suppression of the slave trade. \(^54\) But by the fall of 1851 there was little in the way of the slave trade for the American Navy to suppress. The Brazilians had taken the matter into their own hands and made participation in the slave trade a difficult endeavor.

Although there was some piracy off Brazil, its role in the establishment of an American naval squadron on that station was much less than in the case of the West Indies. Conditions of warfare and blockade necessitated an American presence off Brazil. But in both instances permanent squadrons were deployed to protect commerce. In the Caribbean the seizure of pirates had coincidently led to the seizure of slave traders. But off Brazil it was not

\(^53\) McKeever to W. A. Graham, 13 July 1851, Squadron Letters, Roll 24:37.

\(^54\) Schenck to McKeever, 4 Sept. 1851, S. Ex. Doc. 47, 7; McKeever to Schenck, Oct. 1851, ibid., 8; and Schenck to Webster, 26 Apr. 1852, ibid., 4.
until the British forced slave traders to seek the cover of the American flag that the United States mounted an effort to end the traffic under its flag. Initially, naval officers had received only general instructions "relating to Piracy and the Slave trade," and since there was little piracy and less slave trade under the American flag there were no slavers seized.

But in the mid and late 1840s these conditions changed. The American government issued explicit orders to its naval officers to eliminate the traffic. The close cooperation between the civilian and military officers led to the seizure of a number of slavers. A similar situation occurred in the West Indies in the late 1850s when naval steamers were deployed and given specific orders to apprehend slavers. In both cases naval officers under definite orders with regard to the slave trade were able to make captures. But in the case of the Brazil squadron, the naval vessels would not have been on station if it had not been for an earlier need to protect American commerce.
CHAPTER VII
"PRUDENCE AND DISCRETION:" AFRICA, 1843-1862

As Americans saw it, the British abolition of colonial slavery was a declaration of economic warfare upon the United States. British diplomacy and the Royal Navy's activities in furthering the abolition of slavery and the slave trade were not directed toward humanitarian goals, but rather had the objective of interfering with the commerce of maritime nations. And the United States was a leading rival of England's merchant marine. British planters and merchants benefitted when Brazil and Cuba were deprived of their cheap labor supply. Treaties giving the Royal Navy the right to seize slavers, under other than the British ensign, not only deprived foreign planters of the benefit of slave labor, but those same blacks added to the labor supply in Britain's colonies. Recaptured slaves were freed in British islands where they had the choice of starving or working for planters under conditions little better than slavery. And slave traders did not face death or even imprisonment if captured by British authorities. They were released so they could carry more Africans to the New World and swell, in the same manner, the labor supply in British colonies.¹

¹Warren S. Howard, American Slavers and the Federal Law, 1837-1862 (Berkeley, 1963), 4-5.
Reinforcing this sceptical view of British motives were the activities of the Royal Navy off Africa in the mid-1830s. The stopping and searching of American merchant-men by eager naval officers of Great Britain—the "numerous crop of unfortunate incidents" described by Hugh Soulsby—merely proved that the Royal Navy was aiding British merchants by interfering with American trade. And it brought with it the memory of impressment as practiced before the War of 1812.²

The desire to secure American merchants from British harassment—protection of commerce—was one of the areas of concern that brought together Lord Ashburton of Great Britain and Daniel Webster of the United States. Their negotiations resulted in Article Eight of the Webster-Ashburton Treaty of 1842 that stipulated that the United States would maintain a squadron of at least eighty guns off the African coast.

The United States African squadron was born in the Treaty of 1842 and it was deployed as much to protect the legitimate commerce of the United States as to inhibit the slave trade. The orders issued to Commodore Matthew C. Perry, first commander of the squadron, clearly portray the quandary in which the government found itself when it

tried to undertake both jobs and still maintain American policy with regard to the sea. 3

The United States claimed that an American vessel at sea had the same freedom from trespass as did the soil of the nation. But what was an American vessel? Perry's orders maintained that the ensign of the United States was prima facie "although not conclusive, proof of her nationality." 4 Slavers were pirates and therefore not entitled to wear the American flag. But this did not give other powers a right to visit such a vessel. Slave trading was piracy only under the laws of the United States and not by international agreement. Therefore, since the United States "do not claim that the mere hoisting of their flag shall give immunity to those who have no right to wear it," foreign naval officers might, in accordance with the custom of the sea and if there were reasonable grounds of suspicion, board a vessel under the American flag to ascertain its true character. But they must bear the responsibility for their actions. 5

Such backing and filling on the part of the American government and Secretary of the Navy was undoubtedly confusing to the officers whose duty it was to carry out

3U.S., Congress, House, Instructions to African Squadron, H. Ex. Doc. 104, 35th Cong., 2nd sess., 3-7. These orders are given in their entirety in Appendix I.

4Ibid., 4.

5Ibid.
the orders. It was hardly necessary for the Secretary to add that this service required "the greatest prudence and the soundest discretion."

It appears that President John Tyler's expectation that the Treaty would remove "all possible pretext, on the ground of mere necessity, to visit and detain our ships on the African coast because of alleged abuse of our flag by slave traders of other nations" was substantially fulfilled. In order to obviate British visitations Perry was urged to cooperate with his British counterpart in suppressing the traffic. In a letter to Captain John Foote, the senior British officer on the coast, Perry stated his willingness to cooperate with the Royal Navy, but he admitted that the small size of the American squadron rendered joint cruising impractical. He would, however, arrange the movements of his vessels so as to cooperate best with the British. Carrying out this promise Perry ordered Porpoise, Lieutenant Thomas T. Craven, to sail to the river Gallinas and inquire how he might best help British forces in the vicinity. Perry's instructions to the commanders of vessels in his squadron warned that

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7 Perry to J. Foote, 20 May 1844, Letters Received by the Secretary of the Navy From Commanding Officers of Squadrons (M-89), Roll 101:253, Naval Record Collection of the Office of Naval Records and Library, Record Group 45, National Archives, hereafter cited Squadron Letters; and Perry to T. T. Craven, 11 June 1844, ibid., 262.
they were not to allow foreign men-of-war to search and
detain American merchantmen. However, once a vessel flying
an American ensign was inspected by an American officer and
found to be fraudulently carrying that flag, the vessel might
be turned over to a warship of any other nation. Perry's
willingness to meet the British half way, and the presence
of American men-of-war upon the African coast paid off in
the cessation of offensive searches of American vessels by
the Royal Navy. Few, if any, complaints were made there­
after concerning British interruption of commerce upon the
coast.

While the United States squadron under Perry was
successful in securing freedom of navigation for America's
legitimate commerce, its success in curtailing the slave
traffic is less positive. In the report for 1844, Secretary
J. Y. Mason reported that it was believed the squadron had
"exercised a favorable influence in preventing the slave
trade." But only the year before the British commissioners
at Sierra Leone reported that "unhappily for the cause of
Humanity, the Slave Trade has greatly increased during the
year 1843. . . ."9 It is possible that the United States
Navy had made traders on the west coast reluctant to pursue

8 U.S., Congress, House, Report of the Secretary of
the Navy [1843], H. Ex. Doc. 2, 28th Cong., 1st sess., 485.

9 Ibid., House, Report of the Secretary of the Navy
[1844], H. Doc. 2, 28th Cong., 2nd sess., 514; and G.
MacDonald to J. Hook, 31 Dec. 1843, British Sessional
Papers, Class A, 1845, XLIX, 2, hereafter cited BSP.
their business. This does not seem likely. Ships of the line visited vessels of many nations and this may have tended to reduce the illicit use of the American flag on the western coast. But in the time Perry was commodore, 1843-1845, the squadron seized only one vessel, and this because its mate had been murdered. Lieutenant Craven searched Uncas, and was certain that the vessel was intended for the slave trade. But he had no proof. Craven sent Uncas to New Orleans with a prize crew so that the murder and the circumstances of its being on the African coast could be investigated. Uncas was not formally arrested and no disposition was made in her trial. 10

In the mid 1840s the Brazilian trade entered a boom period. This, and the unilateral policies of Britain, caused the American flag to become extensively used in the slave trade. In January 1845 Charles W. Skinner relieved Perry as commodore of the squadron. In the eighteen months that Skinner was in command, his ships succeeded in capturing six slavers. One of these, the ship Pons of Philadelphia, was taken by Commander Charles H. Bell in the sloop Yorktown off Cabinda with 913 slaves on

10 J. Tattnell to Perry, 11 Mar. 1844, Squadron Letters, Roll 101:240; "Monthly Reports from Porpoise," ibid., 309-15. Perry requested his commanding officers to submit monthly reports regarding "names, national character, employment, cargoes and all other particulars of vessels fallen in with" whether at sea or at anchor. Although the United States did not recognize a right of search or visitation, American officers could board a vessel if permission was first received from the master. General Order No. 10, 26 Nov. 1844, ibid., 224.
board. These were taken to Monrovia and the survivors were set free. *Pons* was taken to Philadelphia and confiscated.  

Another slaver, *Spitfire*, was taken in a joint endeavor by boats of the United States brig *Truxton* and the Royal Navy steamer *Ardent*. Her Majesty's commissioners at Sierra Leone were delighted with the success of the American squadron and with the cooperation between the two navies. "The American squadron has of late extended some vigilance, having captured the schooners "*Merchant*" and "*Spitfire*"; and the disposition to cooperate with our cruizers, . . . cannot but tend, if generally acted upon, to break up that systematic assistance rendered to the Slave Trade by American citizens, . . . ."  

What is perhaps remarkable is the fact that Skinner's squadron was considerably under strength for a good deal of the time. Skinner wrote to the Navy Department complaining of the situation. The sloops-of-war *Marion* and *Dale* had been ordered to his squadron, but by October 1845 they had not yet arrived. His force at that time was down to two ships and a storeship, the last Skinner planned to use to provide a show of force.  

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13Skinner to Bancroft, 20 Oct. 1845, Squadron Letters,
In 1846 fear caused the squadron to lapse into a period of inactivity. In April Lieutenant John E. Bispham of the brig Boxer captured the brig Malaga loaded with merchandise for a slaving voyage, but with no slaves on board. The brig was sent to Massachusetts for trial. Then in August Commander Lewis E. Simonds of the sloop-of-war Marion seized the brig Casket under similar circumstances and sent her also to Massachusetts for trial. In both cases the vessels and crews were released and the arresting officers were not issued a certificate of probable cause.

These certificates stated, in effect, that there was sufficient evidence to justify suspicion of guilt and to warrant an arrest, although the parties were not guilty. Without such certificates the arresting officers were held liable for their actions. The owners of Malaga and Casket were not long in bringing suits for damages against the two officers. For more than two years, until the suits finally failed in the courts, American naval officers were less than enthusiastic in their patrols of the African coast. Carrying out their orders could lead to their financial ruin.14

Thus for several years after 1846 the squadron made no captures and American naval units made no cruises south of the Equator. In February 1848 the British commissioners at Loanda reported that they had not seen an American man-of-war

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14 Howard, American Slavers, 102-07.
for almost a year, when Boxer had last made an appearance in that port. 15

These were also the years of the Mexican War, and most American naval vessels were recalled home. While the African squadron was not abolished, few vessels remained on the coast, and a good portion of the squadron was assigned other duties. The Mexican War reached to the Mediterranean in 1847 when an American vessel, Carmelita, was seized and taken into Barcelona by Unico, a vessel under Mexican colors. At the end of 1846 there were no American men-of-war assigned to the Mediterranean and the capture of Carmelita necessitated the deployment of a vessel to that area to protect American interests. The frigate United States and sloop-of-war Marion were detached from the African squadron to cruise in the Mediterranean. The removal of these ships, and the departure of the brig Dolphin for home put the squadron far below its treaty strength, but the Secretary of the Navy reported that measures were being taken to return the squadron to its required level. 16

Despite these difficulties, the Secretary optimistically reported that the squadron was carrying out its "humane duty" and that "it is not known that a vessel, with American papers, has escaped seizure, where there was just


reason to suspect she was engaged or intended for employment in the violation of our laws or the dishonor of our flag."  

The Secretary was not informed on the status of the slave trade. The British reported that the American flag was extensively used between Benguela and Mayumba, well south of the Equator. As late as January 1849 the commissioners at Loanda reported that they still had not seen or heard of an American man-of-war to the south of the line since 1847.  

In December 1849 this situation changed. At Porto Praia the British commodore, Arthur Fanshawe, wrote to his American counterpart, Francis H. Gregory, that he had good reason to believe that Americans were actively engaged in the slave trade on the southern coast from the Congo to Benguela, and hoped that Gregory would be able to employ some of his cruisers in that vicinity. The following day Gregory responded in a cordial note that "my Government . . . command[s] me in every lawful way, to use my utmost exertions for the suppression of the Slave Trade, so far as citizens of the United States may be found engaged in it; and it will also afford me great pleasure to act in concert with you . . . ."  

17 Ibid., 946.  
18 Jackson and Gabriel to Palmerston, 29 Jan. 1849, BSP, Class A, 1850, LV, 224.  
19 A. Fanshawe to F. H. Gregory, 26 Dec. 1849, ibid., 421-22; Gregory to Fanshawe, 27 Dec. 1849, ibid., 422; and Fanshawe to the Secretary of the Admiralty, 30 Aug. 1850.
In mid-March the United States brig Perry, Lieutenant Commanding Andrew H. Foote, arrived in Loanda. The following month John Adams joined Perry on the south coast. John Adams did not stay long in Loanda, but returned shortly with the polacca brigantine Excellent as a prize. John Adams had seized Excellent in cooperation with Her Majesty's steamer Cyclops. The British steamer had been observing Excellent, which was under American colors, for several days before John Adams arrived. A boarding party from the American warship, accompanied by an English officer, inspected, and seized the brigantine as a slaver. Despite her name, Excellent was a "very small and old vessel, so that the traffickers will have lost little by her capture, . . . ." 20

United States cruisers were soon to make much more impressive captures. On 6 June Perry was cruising off Ambriz when she fell in with Martha, a large ship that had formerly been a Liverpool packet. Upon boarding it was discovered that Martha had a slave deck laid and was ready to receive a cargo. No papers were found on board, but a writing desk was seen thrown overboard. It was found floating near the ship. The desk was recovered and papers were found which showed that the ship was American. A three-fifths owner of Martha was Joshua M. Clapp. Foote

ibid., 1851, LVI pt. 1, 542.

20 Jackson and Gabriel to Palmerston, 10 Mar. 1850, ibid., 243; G. F. Hastings to L. M. Powell, 23 Apr. 1850, ibid., 463-64; and Jackson to Palmerston, 17 June 1850, ibid., 252-53.
sent Martha to New York with a prize crew and his only two lieutenants. \(^{21}\)

Two months later Foote was again successful in capturing a slaver, this time under more difficult circumstances. On 25 August Perry entered Loanda with the brigantine Chatsworth. Foote had been notified of the presence of the brigantine at Ambriz by Commander Harvey of Her Majesty's sloop Kingfisher. Upon inspecting Chatsworth Foote felt that the brigantine was a slaver, but her papers appeared in order. Instead of releasing her, Foote took her to Loanda to let the commodore make the final decision. Gregory decided that there were no grounds for seizing the vessel, whatever his suspicions may have been, and Chatsworth was released.

Foote, not convinced that Chatsworth was the innocent trader that she appeared, departed Loando, and by a circuitous route, was soon off Ambrizette, a few miles north of Ambriz. There he found Chatsworth and Louisa Beaton. The captain of the latter vessel stated he had seen Chatsworth in Rio de Janeiro and that the owner of the brigantine had admitted to him that the vessel had carried a cargo of slaves to Brazil on her previous voyage and was about to make another cruise to Africa for the same purpose. Foote boarded Chatsworth again and took her into

\(^{21}\) Ibid., 253; A. H. Foote to Gregory, 9 June 1850, Squadron Letters, Roll 105:216; and Andrew Hull Foote, Africa and the American Flag (New York, 1854), 285-90.
custody. She was sent to Baltimore and condemned. 22

In short order three American slavers had been seized by American men-of-war on the south coast. By the early 1850s the squadron was doing all that it had been assigned. The slave trade on the west coast, north of Cape Palmas, had been curtailed and existed only on the south coast, and even in that area there was reported to be a "lull" in the traffic due to the active cooperation between American and British forces, and the suppression of the Brazilian trade. 23

With the success of the Anglo-American efforts came a reconsideration of the African squadron. The Secretary of the Navy, in his reports for the years 1851 and 1852, proposed that the squadron be recalled. To insure against a resurgence of the trade he proposed that the Brazil squadron be strengthened and that vessels from this squadron make occasional visits to Africa. This was a plan reminiscent of that used, with little success, in the 1820s and 1830s. The Home squadron would be adequate to ensure that the American flag was not abused in the waters around Cuba. In 1853 a new Secretary was appointed who advised that the squadron off Africa be retained to provide


protection to the rapidly increasing trade with Africa as well as to inhibit the slave trade. Whether the decision was based upon the necessity of continuing the anti-slaver efforts, the need to protect American commerce, or inertia, the squadron was not removed from the coast.\textsuperscript{24}

From the statements of British officers, and the commissioners at Loanda, it appears that the "lull" in the traffic continued into 1856. In September 1855 the British commodore, John Adams, advised the Admiralty that what little traffic in slaves that still existed was carried on in American vessels. The next year George Jackson and Edmund Gabriel reported that "the Traffic has been a state nearly of abeyance," although if constant vigilance was not maintained it could again return with its former vigour.\textsuperscript{25}

United States naval vessels continued making visits to the southern coast, and on occasion captured slavers under American colors. American cruisers sometimes used the British ensign, a common ruse, to deceive slavers, as in the cases of H. N. Gambriel and Glamorgan. On 3 November 1853 the frigate Constitution, cruising about sixty miles

\textsuperscript{24}U.S. Congress, House, Report of the Secretary of the Navy [1851], H. Ex. Doc. 2, 32nd Cong., 1st sess., 4-5; \textit{ibid.}, Senate, Report of the Secretary of the Navy [1852], S. Ex. Doc. 1, 32nd Cong., 2nd sess., 293; and \textit{ibid.}, 33rd Cong., 1st sess., 298-99.

\textsuperscript{25}J. Adams to the Secretary of the Admiralty, 24 Sept. 1855, BSP, Class A, 1856, LXII, 130; and Jackson and Gabriel to the Earl of Clarendon, 16 Feb. 1856, \textit{ibid.}, 1857, XLIV, 55.
south of the Congo River, fell in with H. N. Gambriel, a Baltimore-built schooner of about one hundred seventy ton. The schooner was at anchor and found fully equipped for the slave trade. In all probability she could easily have escaped Constitution, but the frigate hoisted the British flag. The schooner, feeling quite secure under the American flag, made no effort to escape. Once the two vessels closed there was no chance for the small schooner under the great guns of the frigate.26

Glamorgan was taken by Perry on 10 March 1854 after a long chase by the brig and her boats. About noon on the ninth, while cruising off the Congo, Perry discovered a vessel well out to sea. Perry hoisted British colors and the chase American, but Lieutenant Richard L. Page, commanding Perry, gave no indication of making to intercept Glamorgan. However, in the light winds Page maneuvered the brig to keep Glamorgan in sight. By the next morning the two vessels were only three miles apart. Perry put her largest quarter boat in the water to give chase, but after an hour it had gained but little. This boat was hoisted in and replaced with the lighter cutter. After four hours of pulling, the cutter came up with Glamorgan, whose captain said that only Americans would be allowed to board. Upon

26 Jackson and Gabriel to the Earl of Malmsbury, 25 Jan. 1853, ibid., 1854, LXXIII, 88; I. Mayo to J. C. Dobbin, 10 Nov. 1853, Squadron Letters, Roll 107:36; and Jackson and Gabriel to Clarendon, 19 Nov. 1853, BSP, Class A, 1854, LXXIII, 128-29.
discovering that the boat was indeed American, Glamorgan's captain burned the American ensign to get rid of the evidence. But the damage was done. The vessel was found fitted for the slave trade and had been inspected by British officers before. Since her papers had been in order she could not be detained by the British. Glamorgan was sent to Boston with a prize crew for trial, and was eventually condemned.27

These two seizures, coming about the same time, are interesting in that in both cases, American men-of-war disguised themselves by wearing the British flag. But there is an important difference. Perry was reported to be a very fast vessel. She was relatively small, could use the light winds, and with skillful handling close with an equally fast vessel. The British flag was used as a tactical weapon to gain an advantage. If the conditions had been reversed, however, and Constitution had met Glamorgan on the open sea with light winds rather than H. N. Gambriel at anchor, it is very unlikely that Constitution could have closed with the slaver, with or without the use of a disguise. What were needed on the coast were small, fast vessels or steamers rather than frigates.

Commodore Isaac Mayo realized this and on several

occasions requested that Constitution be replaced. In July 1853 Mayo requested a small steamer to augment his command, and in November he was more forceful:

Nothing could be more gratifying to my professional pride, than to serve with the Constitution for my Flag Ship. Possessing every admirable quality that can commend a vessel to her Officers and Crew: Swift, Staunch, Strong and Very commodious, her past history had endeared her to every American heart, especially the heart of every American seaman. Were I to listen to the promptings of my own interest, I would be False to those of my government, and I therefore feel compelled to state that, she is entirely unfit for the duty on which she is at present employed.28

It was not until 1859 that a steamer was employed on the station.

Between March 1854 when Glamorgan was seized, and September 1858, only one slaver was seized by the American squadron on the coast of Africa. United States warships still made occasional visits to the southern coast, and these, in the opinion of the British commissioners at Loanda, were made to further American commercial interests rather than to suppress the slave trade.29 Whatever the reason for the presence of the United States Navy, or the lack thereof, the slave trade on the African coast had reached a low level. While Americans did not make a capture for four and a half years, the years 1852 to 1856 represent

28 Mayo to Dobbin, 21 July 1853, Squadron Letters, Roll 107:19; and Mayo to Dobbin, 10 Nov. 1853, ibid., 36.

29 Jackson and Gabriel to Clarendon, 23 Feb. 1855, BSP, Class A, 1856, LXII, 100.
a low period in British efforts also. This diminution can be accounted for by conditions in Cuba, the only remaining market for slaves. In the mid-1850s Cuba suffered an economic crisis. The world demand for sugar increased and the Cuban production expanded to meet the demand, but so did the production of European sugar beets. This resulted in a depression lasting from 1856 to 1859. During these same years the Governor of Cuba, José Gutierrez de la Concha, made it known that he was determined to eradicate the slave trade to the island. There was still a demand for labor, but moves were made to supply the demand with free white or Chinese coolie laborers.

In the fall of 1857 American warships began to make more frequent visits to the south African coast. Dale arrived at Loanda in early October and immediately left for the River Congo when she learned that there might be slavers in the vicinity. A few days later Cumberland arrived bearing the flag of Commodore Thomas A. Conover. Upon the arrival of these two vessels, three slavers left the Congo to avoid being inspected by the Americans. Dale, acting upon information from the British, succeeded in capturing W. G. Lewis and sent her to Norfolk, where the libel was dismissed.

30Christopher Lloyd, The Navy and the Slave Trade (London, 1949), 276; also see Table 2.
31Arthur F. Corwin, Spain and the Abolition of Slavery in Cuba, 1817-1886 (Austin, 1967), 134-38.
32Gabriel to Clarendon, 15 Oct. 1857, BSP, Class A, 1857-58, LXI, 97; Gabriel to T. Conover, 13 Oct. 1857,
After 1858, as activity on the coast began to increase, the Navy made several changes. In 1859 William Inman succeeded Conover as commodore of the squadron, the supply depot was removed from Porto Praia to Loanda, and four steamers were added to the squadron. Inman seems to have been a tough, and successful, commander. His general orders required that all vessels of the squadron, whenever they met the flagship, hold themselves ready for an inspection of the ship and its exercises. The captain would, in port, report to the commodore on the vessel's performance of duty and conditions on board. And the commodore also expected the sharp execution of maneuvers. Although only two slavers with slaves on board had been taken by American warships between 1853 and 1859, Inman gave instructions as to the care of the Africans. He also detailed the documentation to accompany the release of the freed slaves at Monrovia and the surrender of the slave vessel to government authorities in the United States. In 1860 these provisions were used to a considerable extent. Seven laden slavers were taken by Inman's squadron that year.33

Some of these seizures resulted only in the frustration

and disappointment of the naval officers. A case in point is the history of the bark Orion. On 10 April 1859, when Orion was in the Congo, she was boarded by Lieutenant Commander Burton of Her Majesty's steamer Triton. Burton was suspicious of Orion because of what he considered incorrect papers. He believed that Orion was fraudulently wearing the American flag. Burton decided to hold the bark until he met an American warship to whom he could give custody of the vessel. On the nineteenth Orion was turned over to the United States sloop-of-war Marion, Commander Thomas W. Brent, who seized the bark and dispatched her to New York. On board were found two sets of slave coppers, planks, provisions, and water casks. In December 1859 Orion was once again seized by a British cruiser, the steamer Pluto, this time with over eight hundred slaves in her hold. Orion had been released by the American court and had returned to Africa with the identical cargo and with the former mate in command. Orion was taken to St. Helena. Commodore Inman sent the steamer Mystic there to request that the bark be turned over to the United States for trial.34

American officers faced a very serious problem which

amounted to conflicting orders. The instructions given to the squadron since its formation, had provided general guidelines for determining whether a vessel was engaged in the slave trade or was a legitimate merchant vessel. These instructions amounted to what was an "equipment clause."
But the Secretary's instructions did not constitute law, and Congress never enacted legislation as to what constituted a slaver. Although by the law of 1794 it was illegal to "build, fit, equip, load, or otherwise prepare" any vessel for the traffic in slaves, these terms had never been defined. It was easy to evade the law by describing the cargo accurately and giving a legitimate reason, such as whaling, for the voyage.

H. V. Hunt reported in 1860 that three vessels seized by Commander John Colhoun of the U.S.S. Portsmouth and two by Lieutenant Le Roy of the steamer Mystic had been released by the court in New York. Colhoun told Huntly that he and other officers, in contrast to orders encouraging arrests based on equipment, "would not again molest any vessel unless he actually found slaves on board." "Presumptive proof," said Jackson and Gabriel, "such as the existence of planks or mats or an excess of water or any article of food on board, [is] insufficient for the detention of any vessel bearing the United States' flag, provided her papers [are] regular.35

35Jackson and Gabriel to Clarendon, 21 Feb. 1854, ibid., 1854-55, LVI, 80; H. V. Huntly to Russell, 18 Nov. 1860.
In spite of the difficulties and frustrations, American officers were lauded for their zeal, and the Americans and British generally worked closely to eradicate the traffic. American officers were not blamed for the restrictions placed upon them by the narrow interpretation of the courts. There was but one noticeable exception to this general rule.

In 1859 Benjamin J. Totten commanded the United States sloop-of-war Vincennes. It was usual for an American commander, upon arrival in Loanda, to obtain information on the slave trade in the area. On 22 August the British commodore, Charles Wise, notified Totten that there were several slavers cruising between Ambriz and the Congo waiting for cargoes. Wise requested that Totten investigate the matter. Similar information was provided Totten by Edmund Gabriel. Whether Gabriel merely relayed the information provided by Wise or initiated it on his own is unclear. But Totten's reply to Gabriel was not.

As I am about to leave this port, and have not the requisite time to reply to your letter as fully as I would wish, I must content myself by simply reminding you that the Government of the United States claims to be quite competent to correct any deplorable and flagrant abuses of their flag on this or any other coast, and also that the Commander of the United States' vessels on this coast need no other advise of inducements than are contained in the instructions received from their own Government for the performance of their duties.36

Totten's letter must have caused Gabriel to raise his

eyebrows. More than likely he knew the substance of the squadron's orders, especially that part concerning cooperation between English and American forces. Certainly he had communicated similar information to American officers many times before. Gabriel's letter to Lord John Russell reflected his dismay over Totten's lack of cooperation.37

The matter did not end with Totten's letter, for his subsequent actions made the situation worse. Commodore Wise requested the use of Vincennes' boats and offered to have the steamer Triton tow them to Fanda Bay where both British and American officers could investigate any slavers there. Totten agreed and apparently followed his boats in Vincennes. On the twenty-sixth of August Triton came upon Memphis, and Lieutenant Burton asked Totten if he desired Triton to get up steam and tow Vincennes' boats to the suspected slaver so that they could search it together. Totten declined the offer, stating he would close the vessel in his own ship. But Totten did nothing except sail off to Porto Praia. Commodore Wise maintained that "an examination of her, . . . must have resulted in the capture of that noted slaver."38

Totten was the only American officer whom the British accused of negligence of duty. Six months earlier, however,

37 Gabriel to Russell, 20 Sept. 1859, ibid., 73.
38 Wise to the Secretary of the Admiralty, 23 Sept. 1859, ibid., 139; Wise to F. Grey, 20 Sept. 1859, ibid., 140.
Totten in Vincennes had taken the American bark Julia Dean for participating in the trade. His conduct seems erratic, and there is a very unusual letter from one of Totten's lieutenants to Commodore Inman placing Totten on report for drunkenness.39

Totten's attitude was not the norm, and Anglo-American cooperation continued. In February 1860, Commander Hewett of Her Majesty's steamer Viper discovered a vessel at Ponta de Lenha which aroused his suspicions. After taking precautions to prevent the vessel from shipping slaves, Viper went in search of an American man-of-war. Hewett found the sloop-of-war Portsmouth, Commander Colhoun, who immediately sent his boats, with Lieutenant George Brown, to accompany Viper. Upon investigation it was found that the vessel described by the shipping papers did not conform to the actual vessel. The slaver, Virginian, was a brigantine of one hundred fifty to one hundred eighty tons with an elliptical stern. Papers found in the vessel described a brig of two hundred twenty tons having a square stern. The brigantine was seized and sent for adjudication.40


40 Inman to Toucey, 13 Feb. 1860, ibid., 347; Gabriel to Russell, 11 Feb. 1860, BSP, Class A, 1861, LXIV, 37; and J. Calhoun to Toucey, 8 Feb. 1860, Letters Received by the Secretary of the Navy from Commanders, 1804-1886 (M-147), Roll 63:60, Naval Records Collection of the Office of Naval Records and Library, Record Group 45, National Archives, hereafter cited Commanders Letters.
Not all seizures depended upon information from the British. In May 1860 Portsmouth was at Porto Praia. It was the long-standing procedure to visit American vessels wherever found. On the third of May Colhoun sent boarding parties on board all American vessels in the harbor. Lieutenant T. Abbott was suspicious of one, Falmouth, but the vessel could not be seized while under Portuguese jurisdiction. The next day Colhoun called upon the Governor General of the island and requested that Falmouth be ordered to sea. The following morning Falmouth and Portsmouth proceeded to sea and when outside Portuguese waters, Falmouth was boarded, searched, and seized for being intended for the slave trade. The brig was sent to New York where she was condemned. 41

The United States squadron was busy in 1860. In September and October six slavers arrived at Monrovia and freed some forty-two hundred slaves. Four of these—Erie, Storm King, Cora, and Bonito—were captured on the African coast carrying about three thousand slaves. It was believed by the English commodore on the west coast "that a severe blow has been inflicted on this illegal traffic" because the United States was taking a more active role in the suppression of the trade. 42

41 J. S. Nicholas to Inman, 21 Dec. 1859, Squadron Letters, Roll 110:158-59; Colhoun to S. R. Betts, 7 May 1860, Commander's Letters, Roll 64:86; and Howard, American Slavers, 220.

42 J. H. Hollingworth to Her Majesty's Acting Judge
The seizures continued into 1861. On 21 April, after war had broken out in the States, one of the most important captures was made by the sloop-of-war Saratoga. The former American clipper ship Nightingale was discovered lying at anchor off Cabinda by Saratoga. Upon boarding she was found loaded with 961 slaves. The survivors were set free at Monrovia and Nightingale was condemned at New York.\textsuperscript{43}

The squadron had been so active that, in his report of the capture of Nightingale, Commodore Inman had to include a request for nine lieutenants, four lieutenants of Marines, one paymaster, one master, thirteen midshipmen, one sailmaker, one hundred seamen and six marines to fill vacancies in the squadron due to manning the prizes.\textsuperscript{44}

Two more slavers were captured by the African squadron after the commencement of hostilities in the United States, but the more urgent needs of war necessitated the recall of the squadron. On 9 May Secretary of the Navy Gideon Welles sent orders for all but one of the vessels of the squadron to return home. Such orders were expected and by 7 July all the units of the squadron, with the exception of

\textsuperscript{43} Huntly to Russell, 6 May 1861, \textit{ibid.}, 36; Inman to Toucey, 6 May 1861, Squadron Letters, Roll 112:251; and Howard, \textit{American Slavers}, 222.

\textsuperscript{44} Inman to Toucey, 6 May 1861, Squadron Letters, Roll 112:251.
Saratoga were at St. Paul de Loanda in anticipation. Around the first of August Inman received the expected orders and all but Saratoga sailed for the United States. Saratoga continued on the African coast until January 1862 when she received orders to patrol the Straits of Gibraltar. With her departure, the United States African squadron ceased to exist for the duration of the war.

The African squadron was unique in that it was created for two purposes, protection of commerce and the suppression of the slave trade. Except for a few attacks upon merchantmen by Africans, the only protection American commerce required was from interference by British men-of-war intent upon suppressing the traffic in African slaves. With "prudence," "discretion," and a great deal of cooperation the United States Navy accomplished its first mission, commerce protection, in short order.

Accomplishing the second mission took more time. As slaving waxed and waned in response to stimuli in the Americas, so the Navy's efforts responded to slavers. The Anglo-Spanish mutual search treaty, and the Aberdeen and Palmerston Acts led slavers to seek cover under the American

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flag. The American Navy reacted, capturing a number of slavers and sending them to the United States for adjudication. With few exceptions British naval and diplomatic officers praised the activity of American naval efforts. But neither British nor American naval patrols could alone end the slave trade. This could only be done by individual countries closing their boarders to the entry of African slaves.
CONCLUSIONS

The United States Navy was created to protect American maritime commerce and interests. Established initially in response to attacks by Barbary pirates, it was expanded to deal with threats to the merchant marine throughout the world. Until after the Civil War, commerce protection remained the most important mission of the American Navy. In 1800, however, the Navy was given another role, the suppression of the African slave trade. How did these two missions affect each other? It has been the opinion of some students of the subject that the emphasis placed upon commerce subtracted from the Navy's ability to curtail the traffic in slaves.\(^1\)

Before making any judgment, several factors affecting the Navy's role in the suppression of the slave trade should be considered. By law, American men-of-war could arrest only American citizens and American vessels involved in the slave trade. But what was an "American" ship? To be considered such, a vessel had to be American built, which many were. They also had to be registered in the foreign trade of the United States. Warren S. Howard estimates that

only one percent of the slavers satisfied these criteria.\(^2\)

But the British commissioners in Rio de Janeiro estimated that in the 1840s about thirty percent of the slavers using that port were American.

This is a significant discrepancy. But it can be resolved by considering "American" in terms understood by those concerned. As Perry's orders stated, the flag of the United States was *prima facie* evidence that the vessel flying it was American. And a vessel built in the United States was assumed to be American. But once sold to a citizen of another country, the vessel lost its American registry. It appears that the majority of vessels that were called American, were, in reality, foreign-owned vessels that had been built in the United States, carried false American papers, and illegally assumed the American flag. By participating in the slave trade they were "prostituting" the American flag.

In this aspect, the Navy's primary mission, the protection of American interests, corresponded with the suppression of the slave trade. The government did not condone the use of the American flag as a cover for slavers. The Navy was ordered to prevent this abuse by arresting slavers who sought protection from the Royal Navy under the flag of the United States. It was in the national interest not to permit slavers this cover.

Another consideration is the comparative size of the British and American Navies. The Royal Navy was many times larger than the American. England was thus able to employ more vessels in the slaver routes than were the Americans. The importance of this is apparent if one considers the men-of-war and slavers off the African coast to be objects moving about in a random manner. This assumption is valid since each was generally ignorant of the other until they came within visual contact. The capture of a slaver occurred upon the contact of a warship and a slaver. It follows then that the more objects there are of either type moving about, the greater will be the chances of a contact, hence more captures. England had more ships on station than did the United States and made more captures of slave ships, but it does not follow that the Royal Navy was better than the American.

The American Navy was small, but increasing its size was not as simple a matter as W. E. F. Ward implied. "The crux of the matter," he stated, "is that if the Government and people of the United States had sincerely wished to end the slave trade, they could easily have done so ... by providing a naval squadron strong enough to carry out a system of joint cruising." To accomplish this would have entailed an expensive ship-building or ship-purchasing program or to have removed vessels from other necessary

assignments. But when the Navy did have an unexpected increase in the number of ships, after the Paraguayan expedition, the African squadron was increased by four small steamers, and four more were situated around Cuba to suppress the slave trade.

How successful, then, was the United States Navy in suppressing the traffic in African slaves under the cover of the American flag? The efforts of the Royal Navy are the most significant of the navies that were engaged in the task, and will be the model of what could be done by a naval force. Table 2 compares the efforts of the Royal Navy and the United States Navy off Africa between 1845 and 1861. Columns 1, 2, and 3 compare the sizes of the two navies. Columns 4 and 5 show that Great Britain applied more ships to their African squadrons than did the United States, but the next two columns indicate that the United States assigned a greater portion of its naval force to the African squadron than did England.

Columns 8 and 9 confirm what might be expected. Since England had more vessels off the African coast than did the United States, vessels of the former captured more slavers. But it is the final two columns that begin to make a comparison of the effectiveness of the two naval forces. These show the number of slavers seized by each navy on a per ship basis. For example, in 1845 the Royal Navy had twenty-seven vessels assigned to the station and these captured eighty-one slavers, or three slavers for
### Table 2
COMPARISON OF BRITISH AND AMERICAN SQUADRONS ON WEST COAST OF AFRICA, 1843-1861

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Ships</th>
<th>Ratio USN Ship to Station</th>
<th>Percent Assigned to Station</th>
<th>Slavers Captured Per Ship</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>RN</td>
<td>USN</td>
<td>RN</td>
<td>USN</td>
</tr>
<tr>
<td>1843</td>
<td>497</td>
<td>45</td>
<td>1:11</td>
<td>12</td>
</tr>
<tr>
<td>1844</td>
<td>502</td>
<td>41</td>
<td>1:12</td>
<td>21</td>
</tr>
<tr>
<td>1845</td>
<td>520</td>
<td>40</td>
<td>1:13</td>
<td>27</td>
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<tr>
<td>1846</td>
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<td>1:12</td>
<td>33</td>
</tr>
<tr>
<td>1847</td>
<td>535</td>
<td>53</td>
<td>1:10</td>
<td>36</td>
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<tr>
<td>1848</td>
<td>550</td>
<td>40</td>
<td>1:14</td>
<td>32</td>
</tr>
<tr>
<td>1849</td>
<td>560</td>
<td>45</td>
<td>1:12</td>
<td>31</td>
</tr>
<tr>
<td>1850</td>
<td>528</td>
<td>39</td>
<td>1:14</td>
<td>29</td>
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<tr>
<td>1851</td>
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<td>37</td>
<td>1:14</td>
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<tr>
<td>1852</td>
<td>510</td>
<td>44</td>
<td>1:12</td>
<td>28</td>
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<td>1853</td>
<td>498</td>
<td>39</td>
<td>1:13</td>
<td>19</td>
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<tr>
<td>1854</td>
<td>494</td>
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<td>1:11</td>
<td>18</td>
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<tr>
<td>1855</td>
<td>560</td>
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<td>844</td>
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<td>1:26</td>
<td>13</td>
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<td>801</td>
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</tr>
<tr>
<td>1858</td>
<td>789</td>
<td>36</td>
<td>1:22</td>
<td>18</td>
</tr>
<tr>
<td>1859</td>
<td>785</td>
<td>48</td>
<td>1:16</td>
<td>13</td>
</tr>
<tr>
<td>1860</td>
<td>666</td>
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<td>1:15</td>
<td>15</td>
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<td>1861</td>
<td>688</td>
<td>69</td>
<td>1:10</td>
<td>15</td>
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</tbody>
</table>

Sources: Col 1: BSP, Navy, Number of Ships...in the Naval Service...1763-1859, 1860, XLII, 554-57; ibid., Number of Steam and Effective Sailing Vessels...1860, 1860, XLII, 599; and ibid., 1861, XXXVIII, 589. Col 2: U.S. Cong., Sen., Report of the Secretary of the Navy [1860], SED 1, 36th Cong., 2nd sess., 4-28. Col 4: BSP, Slave Trade, Vessels in...slave trade suppression...1845, XLIX, 639; ibid., 1852-53, XXXIX, 230-33; ibid., 1861, LXIV, 348-50; and ibid., Navy, Number...of ships...on the different stations...1847-68, XLV, 638-39. Col 5: See Col 2. Col 8: BSP, Slave Trade, 1850, LV, 79-87; ibid., 1852-53, XXXIX, 235-40; ibid., 1854, XLII, 547; ibid., 1861, LXIV, 360; ibid., 1865, LVI, 529. Col 9: See Appendix E.
each government vessel. The United States Navy had five ships on station. These captured five slavers, or one slaver per cruiser.

Comparing Columns 10 and 11 on a yearly basis, there are only four years in which the United States Navy performed, ship for ship, better than the Royal Navy: 1842, 1853, 1854, and 1860. This is not too favorable a showing.

But this comparison is based on the assumption that the two navies were permitted to seize all vessels they came upon. This was not the case. American commanders could only apprehend slavers under the American flag. British commanders, because of England's many mutual search and arrest treaties, could take vessels of almost all other nations. Table 1 gives an indication of how many "American" vessels were involved in the traffic. These, of course, are those operating out of Rio de Janeiro and are indicative of only a portion of the years the squadrons were on the African coast. If it is assumed, however, that the figures for Rio are representative of the remainder of Brazil and for Cuba, it is possible to come to a more realistic interpretation of Table 2. In the years 1840 to 1849, 179 vessels were identified by the British commissioners in Rio de Janeiro as leaving for the African coast on slaving voyages. Of these, 66 were identified as American. For the same years, 383 vessels entered Rio from Africa, 89 of which were American. American vessels thus comprised an average of 27.5 percent of the vessels
involved in the slave trade to Rio.

If it is assumed that this 27.5 percent was reasonably constant—vessels shifted flags as necessary, but at any one time 27.5 percent were wearing American colors—it follows that of every one hundred slavers on the African coast the British could capture 72.5 and the Americans 27.5, a ratio of 3.64 to 1. The British could seize 3.64 slavers to each one available for the United States squadron. If Column 11 is multiplied by this adjustment factor of 3.64, it will indicate how many slavers the American Navy would have captured if the British and American Navies had been allowed to seize equivalent numbers. Applying this adjustment indicates that the American Navy performed as well as, or better than, the Royal Navy in nine of the nineteen years: 1845, 1846, 1852, 1853, 1854, 1858, 1859, 1860, and 1861. If the factor is applied for the average of the whole period represented by Table 2, the Royal Navy had a capture-per-ship ratio of 1.35, the United States Navy a ratio of 1.31, a favorable comparison.

Between 1847 and 1849 American naval officers made no real attempt to suppress the slave trade because of adverse court decisions. If the figures for these years are eliminated, the American ratio increases to 1.69, somewhat better than the British. The conclusion, based on these assumptions, is that the United States Navy, ship for ship, performed as well as the Royal Navy, the one that has been set as the example of what could be done by a naval force
to suppress the African slave trade.

The Navy could arrest something less than one-third of the slavers on the African coast. But another factor enters which tends to reduce this number. Slave traders were free to employ whatever flag would benefit them the most. If a ship of the Royal Navy came upon a slaver, the latter would hoist an American flag and perhaps avoid inspection and seizure. After the establishment of the United States African squadron, the British were very circumspect about boarding a vessel under American colors. They did so only when there was great doubt as to the validity of the use of the American colors. And even if the British did board a suspicious vessel, if the ship's papers appeared in order, the British were reluctant to interfere with it. The same was true in the event American officers discovered a suspicious vessel.

But, if capture were inevitable, a slaver would sooner surrender to a British man-of-war than to an American. The British merely confiscated the vessel, and released the crew. There are cases of legitimate merchantmen augmenting their crews by shipping seamen released by the British on the African coast. American naval officers arrested individuals and sent them to the United States for trial. The

4 Howard, American Slavers, 20.

penalties were imprisonment and possibly death upon conviction. It is little wonder then, that a slaver facing certain capture, would choose to surrender to the Royal Navy rather than to the United States Navy. This also tended to reduce the number of slavers available to be captured by the American Navy.

There was a group of officers who have also been held responsible for reducing the number of slavers captured by the United States Navy. Southern naval officers have been blamed for the squadron's supposed lack of success. Lord Palmerston stated in 1861 that "the Southern captain shuts his eyes to what is going on, and runs off to Madeira for supplies or water; but the cruisers commanded by the North do give us very effective and vigilant cooperation." This statement has been used by both Christopher Lloyd and William L. Matheison without question. In March 1860 the New York Times editorialized about the poor performance of the squadron, but stated that they had "too much confidence in the force of discipline and of professional honor" of the naval service to blame the poor showing of the squadron on "the abstract opinions of Southerners in the service [which might be] allowed to influence the mode in which national ships do a plain and honorable duty." The fact

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that it was even necessary to mention that Southern officers might be influenced by the sentiment of their section indicates that the idea had currency.

The idea that Southerners in the naval service adversely influenced the African squadron in the suppression of the slave trade was prevalent not only in the 1860s but has reappeared more recently in one of the best general works on the slave trade. In *Black Cargoes* the authors state that southern efforts in the late 1850s to reopen the slave trade "encouraged American naval officers--many of whom were Southerners--to be tolerant of slavers and lackadaisical in pursuing them."8

Statements blaming Southerners for the inefficiency of the squadron have been followed by rebuttals. The New York Times editorial was refuted, a few months later, in a letter to the New York Herald by an officer in Marion, a ship of the African squadron. The author, possibly Thomas W. Brent, Marion's commanding officer, took offence that the Times should even mention Southern influence in the naval service. Referring to himself as a "hot bed" Southerner, he insisted that the Times editorial "which charges, though indirectly, the naval officers of the United States African squadron with lukewarmness and sectional interest" was only an "expose of the writer's absurd ignorance about such matters."9 The


author of the Herald letter appears to have misinterpreted the Times' editorial.

The letter to the Herald appeared the following month, edited and printed in the African Repository, the organ of the American Colonization Society. From there it was picked up by Willis D. Boyd who stated that the writer of the Repository article was placing the blame for the laxity of the Navy with regard to the slave trade on Southerners, a complete misinterpretation of the thesis of the original article. In the twisting of interpretation, a letter by a Southern naval officer defending the unprejudiced conduct of Southern naval officers has ended up being the documentary justification for their condemnation. 10

Only one author has attempted to refute, with examples, the charges against Southern officers. Warren S. Howard cites the activities of William McBlair and Thomas W. Brent as examples of Southerners who performed well, while Benjamin Totten, of New Jersey, was the only officer to be the subject of an official letter of complaint from the British government. And there is the case of John N. Maffitt, of Georgia, who between 1858 and 1861 succeeded in seizing five slavers in the West Indies. Although Maffitt captured more slavers than any other single commander, he was, during the Civil

War, the commander of the C.S.S. Florida, one of the most successful Confederate commerce destroyers.\(^{11}\)

These are, however, only examples. It is necessary to examine a greater number of individuals in order to determine whether they were exceptions or typical of the officers from their own section. Seventy-one individuals are herein used for this analysis. They comprise the commanding officers of the vessels assigned to the African squadron throughout its existence from 1843 to 1861, the commanding officers of the vessels in the Brazil squadron between 1843 and 1851, and the four commanders of the steamer assigned to the Cuban coast after the purchase of the additional vessels for the Paraguayan expedition of 1858. Table 3 gives the results.

### Table 3

**ANALYSIS OF OFFICERS BASED ON SECTIONAL CITIZENSHIP**

<table>
<thead>
<tr>
<th>Section</th>
<th>Number of Officers</th>
<th>Percent of Total</th>
<th>Officers Making Captures</th>
<th>Percent of Total</th>
<th>Captures Made by Officers</th>
<th>Capture per Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>32</td>
<td>45.0</td>
<td>15</td>
<td>46.8</td>
<td>24</td>
<td>0.75</td>
</tr>
<tr>
<td>Border</td>
<td>12</td>
<td>16.9</td>
<td>3</td>
<td>25.0</td>
<td>4</td>
<td>0.33</td>
</tr>
<tr>
<td>South</td>
<td>27</td>
<td>38.1</td>
<td>11</td>
<td>40.7</td>
<td>23</td>
<td>0.85</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>71</strong></td>
<td><strong>40.7</strong></td>
<td><strong>29</strong></td>
<td><strong>40.7</strong></td>
<td><strong>51</strong></td>
<td><strong>0.72</strong></td>
</tr>
</tbody>
</table>

Sources: Reports of the Secretary of the Navy, 1843-1861; Naval Register, 1843-1861; and U.S., Office of Naval Records and Library, Records of the Union and Confederate Navies During the War of the Rebellion (Washington, D.C., 1894-1917), 27 vols.

What the table shows is that those commanders from the

\(^{11}\) Howard, *American Slavers*, 141.
border states of Delaware, Maryland, Tennessee, and Missouri, and the District of Columbia, were less successful than their Northern or Southern brothers. A slightly higher percentage of Northern commanders succeeded in capturing slavers than did those from the South, but this difference is probably not significant. The percentage of Southerners making seizures is equal to the average of all officers. However, of those officers making captures of slavers, Southern officers performed better than did their Northern comrades.

Isaac Mayo was probably typical of the Southern officer. The British commissioners at St. Paul de Loanda described him as "a high-spirited and distinguished officer (although a southern man, and an extensive proprietor of slaves himself, and strongly imbued with southern feelings on the subject of slavery), expressed as fully determined, not only to carry out the instructions of his Government, but also to do his utmost to prevent this abuse to his country's flag."\textsuperscript{12} It would appear that the "confidence in the force of discipline and of professional honor" which the New York Times editorialist placed in the officers of the United States Navy, whether from the North or South, was well founded.

Finally, how did the Navy's obligation to protect

\textsuperscript{12}G. Jackson and E. Gabriel to the Earl of Clarendon, 19 Nov. 1853, British Sessional Papers, House of Commons, Accounts and Reports, Slave Trade, 1854, Class A, LXXIII, 129; Edgar L. Erickson, ed.
maritime commerce affect its role in the suppression of the slave trade? Certainly, the necessity to send ships to the Mediterranean, the Pacific, and the East Indies reduced the number of ships available to patrol the slave routes. In this sense the need to protect commerce subtracted from the American effort to suppress the slave trade. Nevertheless, the United States applied a greater proportion of its naval strength to the African coast than did Great Britain. In absolute numbers, however, there were not enough vessels to patrol adequately the entire coast. And realistically, no number of naval cruisers could have suppressed the slave trade. This happened only when the three major slave-holding countries—Brazil, Cuba, and the United States—themselves aggressively prohibited the entry of foreign slaves into their territories.

But the protection of commerce affected the suppression of the slave trade in another, positive manner. The squadron system was developed as a result of the need to protect commerce. It was only through the deployment of squadrons, ostensibly to protect maritime commerce, that the Navy was able to perform as well as it did to suppress the traffic in slaves. A model for the way in which an attempt was made to suppress the traffic without a squadron is found in the activities of the Navy off Africa between 1819 and 1843. For some twenty-four years, American men-of-war were occasionally sent to Africa to inhibit the illegal trade. Only ten slavers were captured in that period, nine
of them in 1820 and 1821 when a small squadron was deployed. It was the squadrons that were more constantly in the vicinity of the slaver routes off Brazil, in the West Indies, and off Africa that were most able to suppress the slave trade. This effort by American naval officers compares favorably with that of the naval force of any other nation. The mechanism thus created for the protection of commerce was the vehicle by which the United States Navy most effectively helped suppress the illegal commerce in African slaves.
APPENDICES
APPENDIX A

ORDERS TO SQUADRON COMMODORES AND SHIP'S CAPTAINS
FROM THE SECRETARY OF THE NAVY

Lieut Chas. Wilkes
Navy Department
August 11th 1838

Sir,
The Congress of the United States, having in view the important interests of our Commerce embarked in the Whale Fisheries and other adventures in the great Southern Ocean, by an act of the 18th of May 1836, authorising an Expedition to be fitted out for the purpose of Exploring and Surveying that Sea, . . . .

Comdg. Isaac Hull
Comdg. Medt. Squadr
New York.

Navy Department
Nov 30th 1838

Sir, . . .

The great object contemplated by the employment of a Naval force in the Mediterranean is to maintain a friendly relation with the Barbary States and the powers bordering on that Sea; and to afford protection to the Commerce of the U. States.

Comdg. Alexander Claxton
Comdg. U. S. Squadron in the Pacific Ocean

Navy Department
May 9th 1839

Sir, . . .

The primary objectives of the Government of the U.S. in

1Letters Sent by the Secretary of the Navy to Officers, 1798-1868 (M-149), Naval Record Collection of the Office of Naval Records and Library, Record Group 45, National Archives. The volume and page numbers are given at the end of each excerpt.
maintaining a naval Force in the Pacific Ocean, have always been, and still are, the protection of [our] Commerce and the improvement of Discipline, . . . .

XXVI:432

Lieut J. S. Paine
Comdg U. S. Brigs Grampus
Boston

Octr 9th, 1840

Sir, . . .

The Department has been informed that outrage and robbery were committed on board the Ship Transit of New York in Febry 1838, and more recently on board the Brig Robert of the same place, by a native Chief, styled King Sarrati, in the river Nunez.— You will therefore visit that river, and enquire into the facts, and afford your aid in preventing the recurrence of such outrages.

XXIX:559

S[ailing]. O[rders].

Com. Chas. Stewart
Comdg. Home Squadron
New York

February 4 1842

Sir, . . .

It is desirable in employing a "Home Squadron," of which you have been appointed to the Command, that the Government may have at all times a portion of our Naval force in a state of readiness and discipline to meet any extraordinary emergency that may arise, and calling for the prompt application of this force, to protect our rights and commerce, and to enforce the laws in respect to Piracy of whatever kind it may be.

XXXII:28-29

S[ailing]. O[rders].

Comm'' F. A. Parker,
Comdg. U. S. Squadron
April 26, 1843

destined for the East Indies.

Sir. . . .

The leading objects of your proposed cruise are: First, to protect the interests of the United States, and their citizens on the coast of China.

XXXIV:442
APPENDIX B

TYPES OF UNITED STATES MEN-OF-WAR
Figure 1
Explanatory Diagram of a Ship-Rigged Vessel
Figure 2 U.S.S. Pennsylvania
A 120-Gun Ship of the Line Built 1822-37
Figure 3  U.S.S. Macedonian
A Double-Banked Frigate Built 1832
Figure 5  U.S.S. Perry
A Man-of-War Brig Built 1843
Figure 6
Draught of an Unbuilt Brigantine

100'
Figure 7. U.S.S. Grampus: A Man-of-War Schooner Built 1821.
### APPENDIX C

**CHARACTERISTICS OF AMERICAN MEN-OF-WAR MAKING CRUISES TO AFRICA IN SUPPORT OF UNITED STATES LAWS AGAINST THE SLAVE TRADE**

**Sailing Vessels**

<table>
<thead>
<tr>
<th>Ship</th>
<th>Class</th>
<th>Guns</th>
<th>Tonnage</th>
<th>Length ft in</th>
<th>Beam ft in</th>
<th>Depth ft in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alligator</td>
<td>Schooner</td>
<td>12</td>
<td>177 (\frac{68}{95})</td>
<td>86 0</td>
<td>24 7</td>
<td>10 4</td>
</tr>
<tr>
<td>Bainbridge</td>
<td>Brig</td>
<td>12</td>
<td>259</td>
<td>100 0</td>
<td>25 0</td>
<td>11 0</td>
</tr>
<tr>
<td>Boxer</td>
<td>Schooner(^a)</td>
<td>10</td>
<td>194</td>
<td>88 0</td>
<td>23 6</td>
<td>10 6</td>
</tr>
<tr>
<td>Constitution</td>
<td>Frigate</td>
<td>44</td>
<td>1,576</td>
<td>175 0</td>
<td>43 6</td>
<td>14 3</td>
</tr>
<tr>
<td>Cumberland</td>
<td>Frigate</td>
<td>44</td>
<td>1,726</td>
<td>175 0</td>
<td>45 0</td>
<td>14 5</td>
</tr>
<tr>
<td>Cumberland</td>
<td>Razee Sloop</td>
<td>24</td>
<td>539</td>
<td>110 0</td>
<td>29 0</td>
<td>8 6</td>
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<td>Cyane</td>
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<td>24</td>
<td>566</td>
<td>117 7</td>
<td>33 10</td>
<td>15 0</td>
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<tr>
<td>Dale</td>
<td>Ship Sloop</td>
<td>16</td>
<td>566</td>
<td>117 7</td>
<td>33 10</td>
<td>15 0</td>
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<tr>
<td>Decatur</td>
<td>Ship Sloop</td>
<td>16</td>
<td>224</td>
<td>88 0</td>
<td>25 0</td>
<td>11 0</td>
</tr>
<tr>
<td>Dolphin</td>
<td>Brigantine(^c)</td>
<td>10</td>
<td>939</td>
<td>150 0</td>
<td>36 0</td>
<td>16 8</td>
</tr>
<tr>
<td>Germantown</td>
<td>Ship Sloop</td>
<td>20</td>
<td>939</td>
<td>150 0</td>
<td>36 0</td>
<td>16 8</td>
</tr>
<tr>
<td>Ship</td>
<td>Class</td>
<td>Guns</td>
<td>Tonnage</td>
<td>Length ft in</td>
<td>Beam ft in</td>
<td>Depth ft in</td>
</tr>
<tr>
<td>--------------</td>
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<td>------</td>
<td>-----------</td>
<td>--------------</td>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Grampus</td>
<td>Schooner</td>
<td>10</td>
<td>171(\frac{1}{2})</td>
<td>92 6</td>
<td>24 6</td>
<td>9 6</td>
</tr>
<tr>
<td>Hornet</td>
<td>Ship Sloop(^d)</td>
<td>18</td>
<td>440(\frac{2}{3})</td>
<td>106 9</td>
<td>29 7</td>
<td>14 0</td>
</tr>
<tr>
<td>Jamestown</td>
<td>Ship Sloop</td>
<td>20</td>
<td>985</td>
<td>157 6</td>
<td>35 0</td>
<td>16 2</td>
</tr>
<tr>
<td>John Adams</td>
<td>Ship Sloop</td>
<td>18</td>
<td></td>
<td>127 0</td>
<td>34 0</td>
<td>15 3</td>
</tr>
<tr>
<td>Macedonian</td>
<td>Frigate</td>
<td>36</td>
<td>1,341</td>
<td>164 0</td>
<td>41 0</td>
<td>18 0</td>
</tr>
<tr>
<td>Marion</td>
<td>Ship Sloop</td>
<td>16</td>
<td>566</td>
<td>117 7</td>
<td>33 10</td>
<td>15 0</td>
</tr>
<tr>
<td>Perry</td>
<td>Brig</td>
<td>10</td>
<td>280</td>
<td>105 0</td>
<td>25 6</td>
<td>12 3</td>
</tr>
<tr>
<td>Porpoise</td>
<td>Brigantine(^c)</td>
<td>10</td>
<td>224</td>
<td>88 0</td>
<td>15 0</td>
<td>11 0</td>
</tr>
<tr>
<td>Portsmouth</td>
<td>Ship Sloop</td>
<td>20</td>
<td>1,022</td>
<td>151 10</td>
<td>38 1</td>
<td>17 2</td>
</tr>
<tr>
<td>Preble</td>
<td>Ship Sloop</td>
<td>16</td>
<td>566</td>
<td>117 7</td>
<td>33 10</td>
<td>15 0</td>
</tr>
<tr>
<td>Saratoga</td>
<td>Ship Sloop</td>
<td>20</td>
<td>882</td>
<td>164 4</td>
<td>35 3</td>
<td>16 3(\frac{1}{2})</td>
</tr>
<tr>
<td>Shark</td>
<td>Schooner</td>
<td>12</td>
<td>177(\frac{68}{95})</td>
<td>86 0</td>
<td>24 7</td>
<td>10 4</td>
</tr>
<tr>
<td>St. Louis</td>
<td>Ship Sloop</td>
<td>18</td>
<td></td>
<td>127 0</td>
<td>34 0</td>
<td>15 3</td>
</tr>
<tr>
<td>Truxtun</td>
<td>Brig</td>
<td>10</td>
<td>329</td>
<td>100 0</td>
<td>27 4</td>
<td>13 0</td>
</tr>
<tr>
<td>United States</td>
<td>Frigate</td>
<td>44</td>
<td>1,576</td>
<td>175 0</td>
<td>43 6</td>
<td>14 3</td>
</tr>
<tr>
<td>Yorktown</td>
<td>Ship Sloop</td>
<td>16</td>
<td>566</td>
<td>117 7</td>
<td>33 10</td>
<td>15 0</td>
</tr>
</tbody>
</table>


Extreme beam. The other measurements are molded beam. The difference between extreme beam and molded beams is that the former is measured to the outside of the hull planking and the latter to the outside of the frames.


Hornet was built as a brig, then altered to a ship.
Steam Vessels

<table>
<thead>
<tr>
<th>Ship</th>
<th>Guns</th>
<th>Type</th>
<th>Tonnage</th>
<th>Speed</th>
<th>Acquired U.S.N.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mohican</td>
<td>8</td>
<td>Screw</td>
<td>994</td>
<td>10.5</td>
<td>1859</td>
</tr>
<tr>
<td>Mystic</td>
<td>5</td>
<td>Screw</td>
<td>541</td>
<td>6.5</td>
<td>1858</td>
</tr>
<tr>
<td>Niagara</td>
<td>12</td>
<td>Screw</td>
<td>4,582</td>
<td>14.5</td>
<td>1857</td>
</tr>
<tr>
<td>San Jacinto</td>
<td>12</td>
<td>Screw</td>
<td>1,567</td>
<td>----</td>
<td>1850</td>
</tr>
<tr>
<td>Sumter</td>
<td>5</td>
<td>Screw</td>
<td>464</td>
<td>----</td>
<td>1859</td>
</tr>
</tbody>
</table>


Storeships

<table>
<thead>
<tr>
<th>Ship</th>
<th>Guns</th>
<th>Tonnage</th>
<th>Length ft in</th>
<th>Beam ft in</th>
<th>Depth ft in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consort</td>
<td>6</td>
<td>230</td>
<td>78</td>
<td>9</td>
<td>25 4</td>
</tr>
<tr>
<td>Erie</td>
<td>4</td>
<td>---</td>
<td>117</td>
<td>11</td>
<td>32 4</td>
</tr>
<tr>
<td>Relief</td>
<td>6</td>
<td>468</td>
<td>109</td>
<td>0</td>
<td>30 0</td>
</tr>
<tr>
<td>Southampton</td>
<td>2</td>
<td>567</td>
<td>152</td>
<td>6</td>
<td>27 0</td>
</tr>
<tr>
<td>Supply</td>
<td>4</td>
<td>547</td>
<td>----</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

APPENDIX D

EMPLOYMENT OF UNITED STATES MEN-OF-WAR, 1840-1860

October 1840

<table>
<thead>
<tr>
<th>In Commission</th>
<th>26</th>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guns Mounted</td>
<td>599</td>
<td></td>
</tr>
<tr>
<td>Mediterranean</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Brazil</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Pacific</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>West Indies</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>East Indies</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>East Coast U.S.</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Africa</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Exploring Expedition</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

African Coast

|                          |                |
Brigantine Dolphin, 10    |                |
Schooner Grampus, 10      |                |

October 1841

<table>
<thead>
<tr>
<th>In Commission</th>
<th>33</th>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guns Mounted</td>
<td>669</td>
<td></td>
</tr>
<tr>
<td>Mediterranean</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Brazil</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Pacific</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>West Indies</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>East Indies</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>East Coast U.S.</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Exploring Expedition</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Special Service</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

African Coast

|                |           |
None             |           |

November 1842

<table>
<thead>
<tr>
<th>In Commission</th>
<th>29</th>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guns Mounted</td>
<td>816</td>
<td></td>
</tr>
<tr>
<td>Mediterranean</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Brazil</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Home</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Pacific</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>East Indies</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Special Service</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

African Coast

|                |           |
None             |           |

November 1843
In Commission 45
Guns Mounted 1,152

African Coast
Frigate Macedonian, 46
Sloop Saratoga, 20
Sloop Decatur, 16
Brigantine Porpoise, 12
Storeship Consort, 2

November 1844
In Commission 41
Guns Mounted 836

African Coast
Frigate Macedonian, 46
Sloop Saratoga, 20
Sloop Jamestown, 22
Sloop Yorktown, 16
Sloop Decatur, 16

November 1845
In Commission 40
Guns Mounted 866

African Coast
Sloop Jamestown, 22
Sloop Yorktown, 16
Sloop Marion, 16
Brig Truxton, 10
Storeship Southampton, 6

November 1846
In Commission 45
Guns Mounted 870

African Coast
Sloop Marion, 16
Brig Boxer, 10
Brigantine Dolphin, 10
Storeship Southampton, 6

Number of Ships Employed
5 Mediterranean
6 Brazil
8 Pacific
9 Home
4 East Indies
5 Africa
8 Special Service

October 1845
In Commission 40
Guns Mounted 866

Number of Ships Employed
1 Mediterranean
5 Brazil
10 Pacific
11 Home
2 East Indies
5 Africa
5 Special Service
1 Lakes

November 1846
In Commission 45
Guns Mounted 870

Number of Ships Employed
0 Mediterranean
2 Brazil
15 Pacific
19 Home
4 Africa
4 Special Service
1 Lakes

1843
November

Number of Ships Employed
5 Mediterranean
6 Brazil
8 Pacific
9 Home
4 East Indies
5 Africa
8 Special Service

1844
November

Number of Ships Employed
5 Mediterranean
3 Brazil
7 Pacific
6 Home
3 East Indies
5 Africa
11 Special Service
1 Lakes

1845
October

Number of Ships Employed
1 Mediterranean
5 Brazil
10 Pacific
11 Home
2 East Indies
5 Africa
5 Special Service
1 Lakes

1846
November

Number of Ships Employed
0 Mediterranean
2 Brazil
15 Pacific
19 Home
4 Africa
4 Special Service
1 Lakes
### November 1847

<table>
<thead>
<tr>
<th>In Commission 53</th>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guns Mounted 753</td>
<td>4 Mediterranean</td>
</tr>
<tr>
<td></td>
<td>3 Brazil</td>
</tr>
<tr>
<td></td>
<td>12 Pacific</td>
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<td>27 Home</td>
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<tr>
<td></td>
<td>3 Africa</td>
</tr>
<tr>
<td></td>
<td>3 Special Service</td>
</tr>
<tr>
<td></td>
<td>1 Lakes</td>
</tr>
</tbody>
</table>

- **African Coast**
  - Sloop Jamestown, 22
  - Brig Boxer, 10
  - Brigantine Dolphin, 10

### November 1848

<table>
<thead>
<tr>
<th>In Commission 40</th>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guns Mounted 791</td>
<td>7 Mediterranean</td>
</tr>
<tr>
<td></td>
<td>4 Brazil</td>
</tr>
<tr>
<td></td>
<td>10 Pacific</td>
</tr>
<tr>
<td></td>
<td>7 Home</td>
</tr>
<tr>
<td></td>
<td>5 Africa</td>
</tr>
<tr>
<td></td>
<td>3 Special Service</td>
</tr>
<tr>
<td></td>
<td>2 Lakes</td>
</tr>
<tr>
<td></td>
<td>2 East Indies</td>
</tr>
</tbody>
</table>

- **African Coast**
  - Sloop Portsmouth, 22
  - Sloop Decatur, 16
  - Sloop Yorktown, 16
  - Brig Bainbridge, 10
  - Brigantine Porpoise, 8

### November 1849

<table>
<thead>
<tr>
<th>In Commission 45</th>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guns Mounted 864</td>
<td>6 Mediterranean</td>
</tr>
<tr>
<td></td>
<td>3 Brazil</td>
</tr>
<tr>
<td></td>
<td>11 Pacific</td>
</tr>
<tr>
<td></td>
<td>13 Home</td>
</tr>
<tr>
<td></td>
<td>6 Africa</td>
</tr>
<tr>
<td></td>
<td>2 East Indies</td>
</tr>
<tr>
<td></td>
<td>3 Special Service</td>
</tr>
<tr>
<td></td>
<td>1 Lakes</td>
</tr>
</tbody>
</table>

- **African Coast**
  - Sloop Portsmouth, 22
  - Sloop Decatur, 16
  - Sloop Yorktown, 16
  - Brig Bainbridge, 10
  - Brig Perry, 8
  - Brigantine Porpoise, 8

### November 1850

<table>
<thead>
<tr>
<th>In Commission 39</th>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guns Mounted 780</td>
<td>6 Mediterranean</td>
</tr>
<tr>
<td></td>
<td>4 Brazil</td>
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<tr>
<td></td>
<td>10 Pacific</td>
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<td>5 Home</td>
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<td></td>
<td>7 Africa</td>
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<tr>
<td></td>
<td>4 East Indies</td>
</tr>
<tr>
<td></td>
<td>2 Special Service</td>
</tr>
<tr>
<td></td>
<td>1 Lakes</td>
</tr>
</tbody>
</table>

- **African Coast**
  - Sloop Portsmouth, 22
  - Sloop John Adams, 20
  - Sloop Yorktown, 16
  - Sloop Dale, 16
  - Brig Perry, 8
  - Brig Bainbridge, 6
  - Brigantine Porpoise, 8
November 1851

In Commission 37
Guns Mounted 575

African Coast
Sloop Germantown, 22
Sloop John Adams, 18
Brig Perry, 8
Brig Bainbridge, 6
Brigantine Porpoise, 8

Number of Ships Employed
2 Mediterranean
3 Brazil
11 Pacific
9 Home
5 Africa
4 East Indies
2 Special Service
1 Lakes

October 1852

In Commission 44
Guns Mounted 647

African Coast
Sloop Germantown, 22
Sloop John Adams, 18
Sloop Dale, 16
Brig Perry, 8
Brig Bainbridge, 6

Number of Ships Employed
4 Mediterranean
3 Brazil
7 Pacific
11 Home
5 Africa
8 East Indies
2 Special Service
1 Lakes
3 Exploring Expedition

November 1853

In Commission 39
Guns Mounted 606

African Coast
Frigate Constitution, 50
Sloop Marion, 16
Sloop Dale, 14
Brig Perry, 8

Number of Ships Employed
3 Mediterranean
3 Brazil
4 Pacific
6 Home
4 Africa
10 East Indies
3 Special Service
1 Lakes
5 Exploring Expedition

October 1854

In Commission 44
Guns Mounted 708

African Coast
Frigate Constitution, 50
Sloop Marion, 16
Sloop Dale, 14

Number of Ships Employed
4 Mediterranean
4 Brazil
7 Pacific
7 Home
3 Africa
9 East Indies
4 Special Service
1 Lakes
5 Exploring Expedition
October 1855

In Commission 37
Guns Mounted 539

African Coast
Sloop Jamestown, 22
Sloop St. Louis, 20
Sloop Dale, 14
Brigantine Dolphin, 6

<table>
<thead>
<tr>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mediterranean</td>
</tr>
<tr>
<td>Brazil</td>
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<td>Pacific</td>
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<td>East Indies</td>
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<tr>
<td>Special Service</td>
</tr>
<tr>
<td>Lakes</td>
</tr>
<tr>
<td>Exploring Expedition</td>
</tr>
</tbody>
</table>

October 1856

In Commission 32
Guns Mounted 589

African Coast
Sloop Jamestown, 22
Sloop St. Louis, 20
Brigantine Dolphin, 6

<table>
<thead>
<tr>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mediterranean</td>
</tr>
<tr>
<td>Brazil</td>
</tr>
<tr>
<td>Pacific</td>
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<tr>
<td>Home</td>
</tr>
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<td>Africa</td>
</tr>
<tr>
<td>East Indies</td>
</tr>
<tr>
<td>Special Service</td>
</tr>
<tr>
<td>Lakes</td>
</tr>
</tbody>
</table>

October 1857

In Commission 36
Guns Mounted 653

African Coast
Razee Sloop Cumberland, 24
Sloop Vincennes, 18
Sloop St. Louis, 20
Sloop Dale, 14
Storeship Supply, 4

<table>
<thead>
<tr>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mediterranean</td>
</tr>
<tr>
<td>Brazil</td>
</tr>
<tr>
<td>Pacific</td>
</tr>
<tr>
<td>Home</td>
</tr>
<tr>
<td>Africa</td>
</tr>
<tr>
<td>East Indies</td>
</tr>
<tr>
<td>Special Service</td>
</tr>
<tr>
<td>Lakes</td>
</tr>
</tbody>
</table>

October 1858

In Commission 36
Guns Mounted 613

African Coast
Razee Sloop Cumberland, 24
Sloop Vincennes, 18
Sloop Marion, 14
Sloop Dale, 14
Brig Bainbridge, 6
Steamer Niagara, 4

<table>
<thead>
<tr>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mediterranean</td>
</tr>
<tr>
<td>Brazil</td>
</tr>
<tr>
<td>Pacific</td>
</tr>
<tr>
<td>Home</td>
</tr>
<tr>
<td>Africa</td>
</tr>
<tr>
<td>East Indies</td>
</tr>
<tr>
<td>Special Service</td>
</tr>
<tr>
<td>Lakes</td>
</tr>
</tbody>
</table>
October 1859

<table>
<thead>
<tr>
<th>In Commission 48</th>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guns Mounted 706</td>
<td></td>
</tr>
</tbody>
</table>

### African Coast

- **Sloop Constellation, 20**
- **Sloop Portsmouth, 16**
- **Sloop Vincennes, 18**
- **Sloop Marion, 14**
- **Steamer San Jacinto, 15**
- **Steamer Mohican, 6**
- **Steamer Mystic, 5**
- **Steamer Sumter, 5**
- **Storeship Supply, 4**

October 1860

<table>
<thead>
<tr>
<th>In Commission 45</th>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guns Mounted 577</td>
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</tbody>
</table>

### African Coast

- **Sloop Portsmouth, 16**
- **Sloop Constellation, 20**
- **Sloop Saratoga, 18**
- **Steamer San Jacinto, 15**
- **Steamer Mohican, 6**
- **Steamer Sumter, 5**
- **Steamer Mystic, 5**
- **Storeship Relief, 2**

---

October 1859

<table>
<thead>
<tr>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 Mediterranean</td>
</tr>
<tr>
<td>6 Brazil</td>
</tr>
<tr>
<td>9 Pacific</td>
</tr>
<tr>
<td>13 Home</td>
</tr>
<tr>
<td>9 Africa</td>
</tr>
<tr>
<td>5 East Indies</td>
</tr>
<tr>
<td>3 Special Service</td>
</tr>
<tr>
<td>1 Lakes</td>
</tr>
</tbody>
</table>

October 1860

<table>
<thead>
<tr>
<th>Number of Ships Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Mediterranean</td>
</tr>
<tr>
<td>5 Brazil</td>
</tr>
<tr>
<td>7 Pacific</td>
</tr>
<tr>
<td>14 Home</td>
</tr>
<tr>
<td>8 Africa</td>
</tr>
<tr>
<td>5 East Indies</td>
</tr>
<tr>
<td>2 Special Service</td>
</tr>
</tbody>
</table>
### APPENDIX E

**VESSELS CAPTURED BY SHIPS OF THE UNITED STATES NAVY**

**FOR PARTICIPATING IN THE SLAVE TRADE**

<table>
<thead>
<tr>
<th>Slave Ship</th>
<th>Rig</th>
<th>Date</th>
<th>Location</th>
<th>U.S.N. Ship</th>
<th>Commander</th>
<th>Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marsouin</td>
<td>-----</td>
<td>6/1799</td>
<td>West Indies</td>
<td>Governor Jay</td>
<td>Leonard</td>
<td>a</td>
</tr>
<tr>
<td>Betsy</td>
<td>Sloop</td>
<td>25/6/00</td>
<td>West Indies</td>
<td>Experiment</td>
<td>Maley</td>
<td>b:III,281</td>
</tr>
<tr>
<td>Prudent</td>
<td>Sch.</td>
<td>19/7/00</td>
<td>West Indies</td>
<td>Ganges</td>
<td>Mullowny</td>
<td>b:VI,85</td>
</tr>
<tr>
<td>Phoebe</td>
<td>Sch.</td>
<td>21/7/00</td>
<td>West Indies</td>
<td>Ganges</td>
<td>Mullowny</td>
<td>b:VI,163</td>
</tr>
<tr>
<td>unnamed</td>
<td>-----</td>
<td>2/01</td>
<td>West Indies</td>
<td>Chesapeake</td>
<td>Barron</td>
<td>b:VII,116-17</td>
</tr>
<tr>
<td>Alexandrine</td>
<td>Brig</td>
<td>1/1/10</td>
<td>Off New Orleans</td>
<td>Saranac</td>
<td>Elton</td>
<td>c:XI,380-81</td>
</tr>
<tr>
<td>Tentativa</td>
<td>Sch.</td>
<td>15/11/17</td>
<td>Amelia Island</td>
<td>Saranac</td>
<td>Elton</td>
<td>c:XI,363</td>
</tr>
<tr>
<td>Eugene</td>
<td>Sch.</td>
<td>17/1/17</td>
<td>Gulf of Mexico</td>
<td>Hoffman</td>
<td></td>
<td>c:XI,352</td>
</tr>
<tr>
<td>unnamed</td>
<td>Sch.</td>
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APPENDIX F

PORTIONS OF PUBLIC ACTS PROHIBITING THE SLAVE TRADE
PERTAINING TO THE NAVY

1

An Act to prohibit the carrying on the slave-trade from the United States to any foreign place or country. Annals of Congress, 3rd Cong., 1st sess., 1794, IV, App. 1425.

Be it enacted, &c., 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 said 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. And if any ship or vessel shall be so fitted out, as aforesaid, for the said purposes, or shall be caused to sail, so as aforesaid, every ship or vessel, her tackle, furniture, apparel, and other appurtenances, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned, in any of the Circuit Courts or District Court for the District where the said ship or vessel may be found and seized. . . .

Approved, March 22, 1794.

2

An Act in addition to the act, entitled "An Act to prohibit the carrying on the slave trade from the United States to any foreign place or country." Annals of Congress, 6th Cong., 1st sess., 1800, X, App. 1513. . . .

SEC. 4. And be it further enacted, That it shall be lawful for any of the commissioned vessels of the United States, to seize and take any vessel employed in carrying on trade, business, or traffic, contrary to the true intent and meaning of this or the said act to which this is in addition;
and such vessel, together with her tackle, apparel, and guns, and the goods or effects, other than slaves, which shall be found on board, shall be forfeited, and may be proceeded against in any of the district or circuit courts, and shall be condemned for the use of the officers and crew of the vessel making the seizure, and be divided in the proportion directed in the case of prize: And all persons interested in such vessel, or in the enterprise or voyage in which such vessel shall be employed at the time of such capture, shall be precluded from all right or claim to the slaves found on board such vessel aforesaid, and from all damages or retribution on account thereof: And it shall moreover be the duty of the commanders of such commissioned vessels, to apprehend and take 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, in some one of the districts thereof, to be proceeded against in due course of law. . . .

Approved, May 10, 1800.

3

An Act to prohibit the introduction [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. Annals of Congress, 9th Cong., 2nd sess., 1807, XVI, App. 1268-59. . . .

SEC. 7. And be it further enacted, That . . . it shall be lawful for the President of the United States, and he is hereby authorized, should he deem it expedient, 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, where he may judge attempts will be made to violate the provisions of this act, and 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 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, wheresoever found on the high seas, contravening the provisions of this act, to be proceeded against according to law, and the captain, master, or commander of every such ship or vessel, so found and seized as aforesaid, shall be deemed guilty of a high misdemeanor, and shall be liable to be prosecuted before any court of the United States having jurisdiction thereof; and being thereof convicted, shall be fined not exceeding ten thousand dollars, and be imprisoned not less than two years, and not exceeding four years. 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 make such seizure, take, or bring the same into port for condemnation, whether such seizure be made by an armed vessel of the United States or revenue cutter thereof; and the same shall be distributed in like manner as is provided by law for the distribution of prizes taken from an enemy: Provided, That the officers and men, to be entitled to one-half of the proceeds aforesaid, shall safe keep every negro, mulatto, or person of color, found on board of any ship or vessel so by them seized, taken, or brought into port for condemnation, and shall deliver every such negro, mulatto or person of color to such person or persons as shall be appointed by the respective States to receive the same; 

Approved, March 2, 1807.

4

An Act in addition to "An Act to prohibit the introduction [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. Annals of Congress, 15th Cong., 1st sess., 1818, XXXII, App. 2573-74. 

SEC. 10. And be it further enacted, That the first six sections of the act to which this is in addition, shall be, and the same are hereby, repealed: Provided, That all offenses committed under the said sections of the act aforesaid, before the passing of this act, shall be prosecuted and punished, and any forfeitures which have been incurred under the same shall be recovered and distributed, as if this act had not been passed.

Approved, April 20, 1818.

5


Be it enacted, &c., 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 coast
of Africa, or elsewhere, where he may judge attempts may be made to carry on the slave trade by citizens or residents of the United States, in contravention of the acts of Congress prohibiting the same, and to instruct and direct the commanders of all armed vessels of the United States, to seize, take, and bring into any port of the United States, all ships or vessels of the United States, wheresoever found, which may have taken on board, or which may be intended for the purpose of taking on board, or of transporting, or may have transported, any negro, mulatto, or person of color, in violation of any of the provisions of the act, entitled "An act in addition to an act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, and to repeal certain parts of the same," or of any other act or acts prohibiting the traffic in slaves, to be proceeded against according to law. And the proceeds of all ships and vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which shall be so seized, prosecuted, and condemned, shall be divided equally between the United States and the officers and men who shall seize, take, or bring, the same into port for condemnation, whether such seizure be made by an armed vessel of the United States or revenue cutter thereof. And the same shall be distributed in like manner as is provided by law for the distribution of prizes taken from an enemy. Provided, That the officers and men, to be entitled to one half of the proceeds aforesaid, shall safe keep every negro, mulatto, or person of color, found on board of any ship or vessel so seized, taken, or brought into port, for condemnation, and shall deliver every such negro, mulatto, or person of color, to the marshal of the district in 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. 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. 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 of the ports 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. 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.

Approved, March 3, 1819.

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. Annals of Congress, 16th Cong., 1st sess., 1820, XXXVI, App. 2624-25.

SEC. 4. And be it further enacted, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel owned in 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.

SEC. 5. And be it further enacted, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned wholly or in part, or navigated for, or in behalf of, any citizen or citizens of the United States,
shall forcibly confine, or detain, or aid and abet in forcibly confining, or detaining, on board such ship or vessel, any negro, or mulatto, not held to service by the laws of either of the States or 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.

Approved, May 15, 1820.

7

A treaty to settle and define the boundaries between the territories of the United States and the possessions of her Britannic Majesty in North America: for the final suppression of the African slave-trade: and for the giving up of criminals, fugitive from justice, in certain cases. [Webster-Ashburton Treaty] Congressional Globe, 27th Cong., 3rd sess., 1843, XII, 30.

ARTICLE VIII

The parties mutually stipulate that each shall prepare, equip, and maintain in service, on the coast of Africa, a sufficient and adequate squadron, or naval force of vessels, of suitable numbers and description, to carry in all not less than eighty guns, to enforce separately and respects the laws, rights, and obligations of each of the two countries for the suppression of the slave-trade; the said squadrons to be independent of each other, but the two Governments stipulating, nevertheless, to give such orders to the officers commanding their respective forces as shall enable them most effectually to act in concert and co-operation, upon mutual consultation, as exigencies may arise for the attainment of the two objects of this article: Copies of all such orders to be communicated by each Government to the other respectively. . . .

Approved, August 29, 1842.

SEC. 2. And be it further enacted, That the President of the United States be, and he is hereby, authorized to issue instructions to the commanders of the armed vessels of the United States, directing them, whenever it shall be practicable, and under such rules and regulations as he may prescribe, to proceed directly to the coast of Africa, and there deliver to the agent or agents of the United States all negroes, mulattoes, and persons of color delivered from on board vessels seized in the prosecution of the slave trade, afterwards bringing the captured vessels and persons engaged in prosecuting the slave trade to the United States for trial and adjudication. . . .

Approved, June 16, 1860.
APPENDIX G

A NOTE ON NAVAL RANKS

During the Civil War the system of naval ranks was established in a form much like it is today. Before that time, however, it was in a state of flux--new ranks being added to the structure or changes made in the relationship between warrant and commissioned officers.

There were three classes of officers in the "old navy." Petty officers were appointed by the commanding officer of the vessel in which they served; warrant officers received their authority from the President; and commissioned officers who were appointed by the President and confirmed by the Senate. The last group were those charged with the responsibility of, or were in preparation for, command at sea. Warrant officers were in charge of the various departments on board ship: carpenters, gunners, boatswains, sailmakers, and the like. Of the warrant officers only two, sailing masters, who were charged with the safe navigation of the ship, and midshipmen, could aspire to command.

When the Navy was founded in 1794 only two commissioned officers were in command of the ships. Today there are twenty-seven rear admirals, eight vice admirals, six admiral commanders, six admirals, and the chief of naval operations. The United States Navy now has the highest rank in the world: four star admiral. (See Appendix H.)

1Lawrence Fasano, Naval Rank: Its Inception and Development: A Short History of the Evolution and Genealogy of the Naval Officer (New York, 1936), 49-57, 57-64, 65-81, 133-40; and James C. Tily, The Uniforms of the United States Navy (New York, 1964), 19-20, 44-45, 34.
ranks were established, captain and lieutenant. However, the terms "lieutenant commanding" or "lieutenant commandant" was variously applied to lieutenants who commanded vessels too small to justify a full captain. Briefly, in 1799, then permanently in 1806 the rank master commandant was created to denote individuals of intermediate rank who commanded the medium-sized vessels then coming into the Navy. This was shortened to commander in 1837. That same year most masters were removed from the ranks in line for command. Those who remained were listed as masters "in line of promotion." About the same time those midshipmen who passed the examination for a lieutenancy came to be called "passed midshipmen." In 1857 the rank of flag officer was created as a substitute for admirals, which rank Congress had not approved.

The year 1862 saw the greatest reorganization in the system of naval ranks. Flag officers became rear admirals and commodores, lieutenant commander was established as a permanent rank, masters were commissioned to take precedence below lieutenants, and passed midshipmen were made ensigns. With the exception of a few superior ranks of admiral and the change of master to lieutenant (junior grade), the system created in 1862 remains.
## APPENDIX H

**AMERICAN MEN-OF-WAR VISITING AFRICA, 1820-1842**

<table>
<thead>
<tr>
<th>Name</th>
<th>Type</th>
<th>Commander</th>
<th>Dates</th>
<th>Sources</th>
</tr>
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<tbody>
<tr>
<td>Cyane</td>
<td>Ship Sloop</td>
<td>E. Trenchard</td>
<td>Early 1820</td>
<td>ASP, I, 652; SP 148</td>
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<tr>
<td>Hornet</td>
<td>Ship Sloop</td>
<td>G. C. Read</td>
<td>Summer 1820</td>
<td>ASP, I, 676; LB; SP 148</td>
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<td>John Adams</td>
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<td>H. S. Wadsworth</td>
<td>Aug 1820</td>
<td>ASP, I, 652; LB; SP 148</td>
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<tr>
<td>Alligator</td>
<td>Schooner</td>
<td>J. F. Stockton</td>
<td>May-July 1821</td>
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<td>M. C. Perry</td>
<td>Sept-Nov 1821</td>
<td>AN 1823; SP 148</td>
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<td>Sept-Nov 1822</td>
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<td>Grampus</td>
<td>Schooner</td>
<td>J. D. Sloat</td>
<td>April 1824</td>
<td>NA, I, 41; AN 1824</td>
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<tr>
<td>Porpoise</td>
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<td>J. O. Creighton</td>
<td>Aug 1825</td>
<td>NA, III, 268</td>
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<td>Schooner</td>
<td>O. Norris</td>
<td>Jan-Feb 1827</td>
<td>AN 1827; LB; NA, I, 108; NA, IV, 43, 57</td>
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<td>Ontario</td>
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<td>J. B. Nicholson</td>
<td>Dec 1828</td>
<td>ASP, III, 146; AR IV, 3</td>
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<tr>
<td>Name</td>
<td>Type</td>
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<tr>
<td>Shark</td>
<td>Schooner</td>
<td>S. W. Adams</td>
<td>Dec 1828</td>
<td>AN 1828</td>
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<tr>
<td>Java</td>
<td>Frigate</td>
<td>E. P. Kennedy</td>
<td>Feb 1831</td>
<td>AR VII:5; HR 111-12; ST 166; AN 1830; AN 1831</td>
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<td>Boxer</td>
<td>Schooner</td>
<td>B. Page, Jr.</td>
<td>April 1832</td>
<td>AR VIII:5; NA,IV,3; AN 1832</td>
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<td>Porpoise</td>
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<td>J. M. McIntosh</td>
<td>Feb 1833</td>
<td>LB; AN 1833; NA,VI,6</td>
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<td>John Adams</td>
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<td>J. F. Voorhees</td>
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<td>Erie</td>
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<td>J. Percival</td>
<td>June 1835</td>
<td>NA,I,189</td>
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<td>Ship Sloop</td>
<td>W. D. Salter</td>
<td>Summer 1835</td>
<td>AN 1835; NA,I,191</td>
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<td>Dolphin</td>
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<td>W. E. Kennedy</td>
<td>Fall 1836</td>
<td>AN 1836; AN 1837; NA,I,202</td>
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<td>Potomac</td>
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<td>J. J. Nicholson</td>
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<td>AN 1836; AN 1837; AR:XIII,4</td>
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<td>Peacock</td>
<td>Ship Sloop</td>
<td>E. P. Kennedy</td>
<td>Winter 1836-37</td>
<td>AN 1836</td>
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<tr>
<td>Enterprise</td>
<td>Schooner</td>
<td>A. S. Campbell</td>
<td>Winter 1836-37</td>
<td>AN 1836</td>
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<tr>
<td>Dolphin</td>
<td>Brig</td>
<td>C. H. Bell</td>
<td>Early 1840</td>
<td>AN 1839; AN 1840</td>
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<td>Grampus</td>
<td>Schooner</td>
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<td>Early 1840</td>
<td>AN 1839; AN 1840</td>
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<tr>
<td>Dolphin</td>
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<td>Early 1841</td>
<td>AN 1840; AR XVII:11</td>
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<td>Mid 1841</td>
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<td>Vandalia</td>
<td>Ship Sloop</td>
<td>W. W. Ramsay</td>
<td>July-Oct 1842</td>
<td>LB; AN 1842</td>
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Abbreviations:

- **AN**: Secretary of the Navy Annual Report
- **AR**: African Repository and Colonial Journal
- **ASP**: American State Papers: Naval Affairs
- **LB**: Logbook, National Archives, Record Group 80
- **NA**: Correspondence of the Secretary of the Navy Relating to African Colonization (M-205), Naval Record Collection of the Office of Naval Records and Library, Record Group 45, National Archives
APPENDIX I

INSTRUCTIONS TO COMMODORE MATTHEW C. PERRY
FROM SECRETARY OF THE NAVY A. P. UPSHUR

NAVY DEPARTMENT, March 30, 1843

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

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

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

The United States are sincerely desirous wholly to suppress this iniquitous traffic, and with that view have declared it to be piracy. They have recently, by their treaty with England, come under specific stipulations upon the subject, to which your particular attention is called. I enclose

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a copy of the treaty lately concluded between the two countries, and refer you to the eighth article of it. The object which the two governments have in view, and the mode in which they propose to accomplish it, will be at once perceived from the plain language of this article.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I am respectfully yours,

A. P. UPSHUR

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