

4

negro

THE SUPPRESSION OF THE SLAVE TRADE.

—o—

SPEECH

OF

HON. HENRY WILSON, OF MASS.

—o—

Delivered in the Senate of the United States, May 21, 1860.

—o—

Mr. WILSON. I move to take from the table the bill (S. No. 408) introduced by me for the more effectual suppression of the slave trade, for the purpose of moving its reference to a committee.

The motion was agreed to, and the bill was taken up.

Mr. President, the general voice of Christendom pronounces the African slave trade a crime against humanity. It is war, devastation, bloodshed, tears, agony, death. Its appalling horrors upon the land, its tortures and torments upon the seas, glare upon the nations. The human imagination cannot conceive, nor the human intellect comprehend, the nameless woes, the "sumless agonies," endured by the hapless children of Africa, through four centuries of this hideous traffic "in the muscles and bones of men."

And now, in the light of the nineteenth century, this traffic in humanity, which Jefferson branded an "execrable commerce," a "piratical warfare;" a "cruel war upon human nature itself;" which Madison stigmatized as "inhuman," and Webster pronounced "inhuman and accursed," stands revealed to the gaze of mankind in all its loathsome and revolting aspects. Civilized man pronounces this traffic piracy, and the slave trader a pirate and a felon—"an offender far beyond the ordinary depths of human guilt." Yet, in this age, illumined by the lights of Christian civilization, this abhorred traffic flourishes in defiant mockery of the laws, the sentiments, and the opinions of the civilized world.

To America belongs the glory of having led the nations in their effort to suppress this odious and polluted traffic; but in this work of inhumanity, which now stains and dishonors the age, American citizens, lusting for gold, though it be soiled by blood and tears, are enacting guilty deeds which bring dishonor and shame upon the American name. American avarice, in defiance

of law, is now reviving with renewed vigor a traffic which is rekindling anew on the coasts of Africa the fierceness of savage warfare, and adding "new and fiercer passions to the contests of barbarians." American ships, chartered by American citizens, manned by American seamen, furnished with "the instruments of misery and torture, manacles and fetters," forged by American artisans, are hovering on the African waters for human cargoes, or floating upon the seas, freighted with "cargoes of despair," with anguish, suffering, and death. The American flag is prostituted to cover this loathsome commerce by American citizens, who should rather pour out their heart's blood to save that flag from such pollution and dishonor. American Christians, in shameless defiance of the moral sense of mankind and the laws of their country, greedily clutch the surviving victims of this lawless and piratical traffic, and doom them, in this Christian land, to perpetual bondage. American juries, regardless alike of the laws of the country and their own sworn obligations, refuse to indict or convict the audacious pirate and felon engaged in this "work of hell, foul and dark." American jurists misconstrue, misinterpret, and pervert the statutes of the country, to save the pirate from a felon's doom, to keep the victim of his crimes in perpetual servitude, and to shield the guilty purchaser of that victim from the just retribution of the violated laws of his country. American political economists clamor for the reopening of the slave traffic, and American politicians demand the modification or repeal of the laws which brand the slave trade as piracy; for these laws wound the refined and nice sensibilities of chivalric gentlemen, whose ardent souls hunger and thirst for the revival of a traffic, the contemplation of which fills their heated imaginations with dazzling dreams of commercial grandeur, supremacy, and glory. American "Commercial Conventions" are held, "African

Argosy 10-10-68 2. P. 4.00 C.P. 4.00

labor associations" organized, "secret leagues" formed, and "filibuster expeditions," in violation of neutrality laws, the faith and honor of the nation, sent to seize regions where markets may be opened for the victims of this traffic. American journals justify these deeds of piracy and blood, these acts of shameless violation of law, justice, and honor, which offend the moral sense, and defy the public opinion of an enlightened age.

The history of America, Mr. President, bears ample evidence that the people of the United States have ever been hostile to the African slave trade. That colonial and commercial policy of England, which nurtured, fostered, and protected the African slave traffic, found no sanction in the public opinion of the people of America. Bancroft tells us that "the English 'continental colonies, in the aggregate, were always opposed to the African slave trade;" that "laws designed to restrict importations of slaves 'are scattered copiously along the records of 'colonial legislation." The First Congress, in the Articles of Union, unanimously gave legal expression to the well-formed opinion and profound conviction of the country, by resolving "that no slaves be imported into any of the Thirteen United Colonies." Under the Federal Constitution, by the acts of 1794, 1800, 1807, 1818, 1819, and 1820—acts which received the support alike of the statesmen of the North and the South, and the sanction alike of the people of all sections; by the declarations of the treaty of Ghent, that this trade is "irreconcilable with humanity and justice;" by the obligations of the Webster-Ashburton treaty—the American people have pronounced in favor of the extirpation of this enormous crime against the people of Africa. By these acts of legislation, American citizens, seamen, and vessels, are prohibited from engaging in this traffic, and American citizens can acquire no title to the victims of this illegal commerce. In view of the legislation of the American Government, Mr. Justice Wayne has emphatically declared, in his charge to the grand jury of the Circuit Court of the United States for the district of Georgia, that, "*the rights of the 'inhabitants of Africa to their liberty were required 'to be inviolable by the inhabitants of the United 'States.*"

In spite, however, Mr. President, of the well-known and oft-avowed sentiments of the people, and of these acts of legislation, sanctioned by the general voice of the country, American merchants fit out in our harbors slave ships; American seamen navigate them; American citizens openly purchase and hold in perpetual bondage the surviving victims of the unhallowed trade; and the American flag, the banner of our pride, is made to conceal and protect "wrong, violence, 'and crime; the theft of living men; the foul- 'ness and corruption of the steaming slave-deck; 'the charnel-house of wretchedness and despair." These audacious deeds of lawlessness, violence, and inhumanity, cast their darkening shadows over the land, dimming the name and staining the fame of America among the nations. By the general voice of mankind, the Republic of the United States—which began its existence by the

condemnation of the African slave traffic—is the most powerful supporter of that traffic among the nations. It is in vain for America to plead, against the accusing voice of mankind, before the tribunal of nations, that by her laws the African slave trade is piracy, and the African slave trader a pirate and a felon, while American capital, nautical skill, and reckless daring, under cover of the American flag, infest the seas, and bring into her own ports, unpunished, cargoes of despairing victims. Nor will the world fail to note the marvellous change recently wrought in the sentiments of portions of the American people in regard to this heinous and appalling crime. Sir, in 1826, six years after the nation had made the African slave trade piracy—in the memorable debate on the Panama mission—Mr. Hayne, then representing in this body the State of South Carolina, declared that we had effectually accomplished the repression of the slave trade, "not more by the force of our laws than by the omnipotent power of public opinion;" that, "even in those States where slavery exists, 'the people have gone heart and hand with the 'Government in every measure calculated to cut 'up this nefarious trade by the roots. In the 'State which I have the honor to represent, any 'man concerned, directly or indirectly, in this 'traffic, would be indignantly driven out of so- 'ciety." In this debate, Judge Berrien, speaking for himself and Georgia, said:

"For myself, I abhor the slave trade; it is abhorred by my constituents."

Such were then, Mr. President, the declarations of these eminent Southern statesmen concerning the African slave trade. Witness now the change wrought in the sentiments of at least a portion of the people of South Carolina and Georgia. In the State where General Hayne then declared that "any man concerned, directly or indirectly, in this traffic, would be indignantly driven out of society," grand juries refuse to indict the pirates and felons of the slaver Echo; and Captain Corrie, the pirate leader of the Wanderer, instead of being "indignantly driven out of society" into a felon's cell or to a felon's scaffold, now struts the streets amidst the caresses of applauding thousands, shielded from a felon's doom by the monstrous perversions of the laws of the land by a faithless if not by a perjured judge. And in that State where Mr. Berrien then declared that the people "abhorred the slave trade," the slaver Wanderer lands, unmolested, her human cargo. In that State, these hundreds of kidnapped Africans are, in violation of law, greedily clutched, scattered among people, and publicly exhibited in defiant mockery of Federal authority. From that State, a delegate goes into a National Convention of the American Democracy, advocates the reopening of the African slave traffic, avows himself the owner of some of the stolen barbarians of the Wanderer, and invites the delegates of a Christian people to go home with him and see his noble specimens of imported negroes. In that State, the pirate, Captain Farnham, is forcibly taken from his prison, released from confinement, and the Federal authorities put at defiance and forced to make an

ignominious compromise with a mob of armed and maddened men.

If the American people, Mr. President, would manifest their sincerity, now questioned; if they would vindicate the national character from the imputation of connivance at the violations of their acts for the suppression of the slave trade, they must not only enforce existing laws, but enact such statutes as the exigencies of the occasion demand. To carry more fully into effect existing laws against the slave trade, to fulfil our treaty stipulations, to check the traffic now prosecuted by our countrymen with renewed vigor, and to vindicate the tarnished honor of the country, I have introduced this bill for the more effectual suppression of the slave trade.

The first section directs the Secretary of the Navy to cause to be constructed five steam screw sloops of war, for service on the coast of Africa, in suppressing the slave trade. The vessels sent to the African waters, in compliance with the stipulations of the Webster-Ashburton treaty, are, by common consent, illy adapted to accomplish the extirpation of the slave traffic. The opinions of naval officers and others, familiar with the condition of affairs on the African coast, are most emphatically in favor of employing steamers adapted to the service, instead of sailing ships. Commander A. H. Foote, who commanded the Perry in 1849, 1850, and 1851, on the coast of Africa, and rendered most efficient service, in his book entitled "Africa and the American Flag," says:

"If the Commodore had a small-sized steamer on the Loando station, in which he might visit the cruisers at points along the line of the slave coast, we should no more hear of a slaver using the American flag, than we do now of his using the British flag."

In an address delivered at the annual meeting of the American Colonization Society, held in this city in 1855, Commander Foote said:

"France could not, therefore, even with a larger force than England, accomplish the same result in captures as the British squadron, as she is not in treaty with other Powers, as England is. Her squadron of *steamers* and sailing vessels has vindicated the French flag by restricting its use in the slave traffic. And when it is remembered that the legal commerce of France is one hundred per cent. less than that of the United States, and that the slave trade under the French flag has been more than one hundred per cent. less than that under the American, it will readily be seen that the twelve French cruisers are ample for the purpose of protecting French commerce and preventing the use of the French flag in the slave trade. Had the United States, in place of her three sailing vessels, the number of steamers and sailing cruisers on the coast, with treaty stipulations for co-operation, that France now has—and which it is believed she intends to be continued there—we soon should hear no more of the American flag being engaged in the slave trade, than we now do of the colors of England or France covering that atrocious traffic. * * * It will increase the efficiency of that force

by the addition of several small steamers, as being better adapted for the suppression of the slave traffic, and for the protection of our valuable commerce, than the mere sailing vessels now composing the squadron."

In a letter addressed to me, in March last, this officer says:

"The proposition to build small steamers is a step in the right direction."

Commander Lynch, in his official report, published in 1854, said:

"If we do not wish to be accused, and perhaps justly accused, of observing the letter and neglecting the spirit of our treaty stipulations with regard to the slave trade, we must substitute small but effective steamers for sailing vessels upon the African station. In the John Adams, we were ten days in making the distance which could have been accomplished by a steamer in thirty-six hours.

"From the causes I have enumerated, our cruisers can visit very few places compared to the number that should be visited, and, as the log-books will testify, often remain long at their anchors, or make yet more lengthy passages to Madeira to recruit—a passage which, under canvas alone, in the teeth of a trade wind, is often more prolonged and more wearing to the ship than if she came directly home."

On the 17th July, 1852, Commodore Lavallette, then in command of the United States African squadron, addressed a friend thus:

"I trust that the squadron may not be withdrawn, but that it will be kept up, and, instead of half a dozen sailing vessels being employed in this service, there may be sent to the station three or four steam vessels, that will more effectually protect our commercial interests in this quarter, as well as more certainly suppress the slave trade."

Commodore Mayo, in command of the African squadron, writes, under date of 23d December, 1853:

"It is much to be deplored that the want of small steamers in our navy deprives this squadron of the greatest modern improvement in naval equipments, for these calm seas are particularly adapted to steam navigation. I am of opinion that it is very essential that the flag ship, at least, should be a steamer."

An intelligent correspondent, writing to the *New York Times*, a few months ago, from the west coast of Africa, says:

"And finally, in the name of all that is sensible and reasonable, if we are going to be in earnest in wiping out this stain so foul upon us, let us signify our earnestness by sending to the west coast a proper and adequate force. The idea of sending there, as chasing craft, a lot of old bygone vessels, is simply ridiculous, and an insult to the common sense of the age in which we live. Ten years after England and France, we begin to discover that an efficient arm of the naval service is small, light-draft, swift screw steamers, and it is to be hoped that, in imitation of those Powers, in the course of time we will have there the only really effective vessels on the African station."

A correspondent of the *Times*, referring to the condition of affairs on the African coast, says:

"That that work may be successfully prosecuted, it is, of course, requisite that the proper means be furnished for it. A few small, swift steamers, commanded by young officers, who are anxious to acquire a reputation, would be a powerful lever in the hands of a rightly-disposed flag officer, and would go far toward wiping out this foul stain of the African slave trade. I am glad to see the move made in Congress, to have a class of vessels constructed which are the only vessels fit for service on the coast of Africa. They are the more needed, from the fact that the slave traders are about employing steamers in the prosecution of their nefarious traffic. At the date of my leaving the coast, (a short time since,) a steamer was looked for from Cuba, which was expected to carry off a cargo of two thousand negroes. I most heartily wish success to Senator WILSON's bill, which provides for the building of five swift light-draft steamers."

At the annual meeting of the board of directors of the American Colonization Society, held in Washington city on the 18th of January, 1855, it was resolved that the African "squadron ought to be rendered more efficient by the employment of several small steamers."

These opinions of officers who have been employed on the African coast, and of persons interested in the efforts making to suppress this iniquitous traffic, should incite us—if we mean to fulfil our treaty obligations, enforce our own statutes, and vindicate our sincerity, now questioned—to speedy and effective action.

The second section of this bill increases the bounty authorized by the third section of the act of 1819 to be paid to officers and seamen of any commissioned vessel of the United States, for each African captured and delivered to any United States marshal, from twenty-five to one hundred dollars. The object of this increase of bounty is to incite the officers and crews of American ships to increased efforts for the capture of African slavers.

The third section of this bill provides that the bounty of fifty dollars, now paid to any person for lodging information with the officers of the United States that any African has been imported in violation of law, shall be increased to one hundred dollars; and that it shall be the duty of any district attorney to sue and obtain from any judge or commissioner of the United States, a warrant, directing the marshal to bring before the judge or commissioner such negro, together with the person in whose custody he may be; and the judge or commissioner shall examine summarily the case, and if it shall be ascertained that such person of color has been brought in contrary to law, the judge or commissioner shall direct the marshal to take such person into safe keeping, subject to the order of the President; and it shall further be the duty of the judge or commissioner, on any probable cause, to commit into custody the person in whose custody such African was found, for trial according to law. The object of this section is to quicken the zeal

of persons interested in the suppression of the slave traffic, by increasing the bounty paid for information furnished to the Government officials, and to enlarge the powers and duties of the officers of the United States. In view of the utter failure to recapture any of the hundreds of Africans imported in the *Wanderer*, now openly held as slaves in violation of law, some further legislation is demanded.

Section four provides that all persons convicted of participation, directly or indirectly, in the slave trade, either as officers or seamen on board vessels engaged in the trade, or who may fit out or be in any way interested in fitting out or sailing any ship for the purpose of engaging in that trade, shall be adjudged guilty of the crime of piracy, and punished therefor by imprisonment for life. This is a proposition to increase the penalties of fitting out vessels for the slave trade, by making such fitting out piracy, and to change the death penalty imposed upon officers and crews engaged in the trade to imprisonment for life. It makes persons on the land, who shall be interested in fitting out slavers, pirates and felons, as guilty of the ignominious crime of slave trading as the crews of slavers filled with the victims of the traffic, and it increases the chances of conviction, now so difficult, by repealing the death penalty. Such change cannot fail to aid more effectually the execution of the laws.

The fifth section provides that any ship upon the seas, not a properly registered American ship, which shall display the American flag as a badge of its nationality, shall be guilty of felony, and the owners, officers, and crew thereof, shall be punished by imprisonment not less than one year, and the ship forfeited to the United States. The American flag is the chosen banner of the audacious slave trader. Under the protecting folds of that flag he conceals his crimes against human nature. We know, the civilized world knows, that the flag of the United States is stained with the pollutions of the African slave traffic, that it is the shield of the slave pirate on every sea, under cover of which he pursues his work of human misery, despair, and death. The reports made to our Government, by our ministers abroad and our naval officers, furnish the amplest evidence that the American flag is made to cover this polluted commerce in flesh and blood. Mr. Proffit, Minister to Brazil, in a letter to Mr. Upshur, in 1844, said:

"I regret to say this, but it is a fact not to be disguised or denied, that the slave trade is almost entirely carried on under our flag in American-built vessels, sold to slave traders here, chartered for the coast of Africa, and there sold, or sold here, to be delivered on the coast. And, indeed, the scandalous traffic could not be carried to any extent, were it not for the use made of our flag."

In a dispatch forwarded to the Secretary of State, in 1845, by Henry A. Wise, then minister of the United States at the Court of Brazil, where he had abundant opportunity of becoming acquainted with the details of the slave trade, and the manner in which our citizens made themselves parties to it, he says:

"Our flag alone gives the requisite protection against the right of visit, search, and seizure; and our citizens, in all the characters of owners, consignees of agents, and of masters and crews of our vessels, are concerned in the business, and partake of the profits of the African slave trade, to and from the ports of Brazil, as fully as the Brazilians themselves, and others in conjunction with whom they carry it on. In fact, without the aid of our own citizens and our flag, it could not be carried on with success at all."

The successor of Mr. Wise, David Tod, in dispatches to the Secretary of State, earnestly invoked the action of this Government to vindicate the honor of the American flag. In communications to Mr. Clayton, he said:

"It will be difficult, if not impossible, wholly to rescue American vessels and the American flag from this trade." * * * "But, above all, the 'stars and stripes' give to vessels, throughout the world, a protection that is afforded them by no other flag."

"The preservation of the integrity of our flag is an object too sacred to be placed in the scale with dollars and cents. If it be not so, let all enactments upon the subject of the foreign slave trade be wiped from the statute book."

* * * "With the slave dealers and their abettors, oaths are as idle wind, and testimony is a fair purchasable commodity. So long as the American flag is suffered to cover vessels trading between Brazil and Africa, all restrictions may be considered absolutely nugatory and futile."

* * * "In this unequal struggle between humanity and patriotism on the one hand, and cupidity and imaginary self-interest on the other, the influence of the United States flag is scarcely felt, except in the support of the slave dealer; the seizures made by the American men-of-war weigh as nothing in the scale with the facilities which our colors afford in the transportation to Africa of slave goods, slave crews, and slave vessels."

"It is not my intention to point out the various modes in which our flag is used to advance the nefarious traffic. The Government is already in possession of full information upon the subject." * * *

"Hundreds of thousands of American bosoms would be bared to resent an insult offered to our flag by a foreign foe; and shall we hesitate to rescue that same glorious banner from the foul pollution of the slaver's touch?"

Robert T. Schenck, minister from the United States to the Court of Brazil, in a letter to Secretary Webster, dated Rio Janeiro, April 26, 1852 says:

"A reaction has evidently taken place." * * * "I am sorry to say that" * * * "nothing seems to occur to these miscreants who would commerce in human flesh, more likely to serve the purpose than the use, or rather abuse, of the American flag. It alone gives privilege and immunity from visitation and search, when on the high seas, against all pursuers but the commissioned naval police of our country."

Here, Mr. President, we have the emphatic declarations of four American ministers to the Brazilian Government—Proffit, Wise, Tod, and Schenck—that the American flag is made to protect the piratical traffic of African slavers. Our naval officers, in their dispatches and letters, are equally emphatic in these declarations. Commander L. M. Powell, of the United States ship *John Adams*, in a letter dated at sea, in 1850, to Commodore Gregory, commanding our naval force on the African coast, said:

"That our flag is used and abused for the purpose of sheltering the African slave trader, both here and on the coast of Brazil, is a shameful truth: by Brazilians and other foreigners, to evade the British cruisers; and by our own people, to cover foreigners and their property from search and capture, when the latter were destined for the slave trade."

Mr. Buchanan, Governor of Liberia, said, in 1839:

"The chief obstacle to the success of the very active measures pursued by the British Government for the suppression of the slave trade on the coast, is the American flag. Never was the proud banner of freedom so extensively abused by those pirates upon liberty and humanity as at this season."

Commander Foote, distinguished for his zeal for the extirpation of the slave traffic, emphatically declared, in his work called *Africa and the American Flag*, that "the slave trade has been boldly carried on under the American flag." In his address, in 1855, before the Colonization Society, this officer said:

"The American flag has become deeply involved in the slave traffic. Of this, as you are aware, from the reports of our officers on the African and Brazil stations, and from our diplomatic agents in Rio de Janeiro, there is abundant evidence in the Navy and State Departments."

The sixth section requires the master of every ship, before sailing for any port on the coast of Africa, to notify the attorney of the United States for that district; and it requires the attorney, upon receiving such notice, to examine the vessel, to ascertain whether she is designed to be engaged in the African slave trade, and to continue such examination until her actual departure; and every ship departing, or attempting to depart, in violation of this act, shall be forfeited; This provision gives ample power to, and makes it the duty of, the district attorneys of the United States to institute the most searching investigations into the character of all vessels sailing for the coasts of Africa. A faithful execution of this section of the bill would make it most difficult to fit out these slavers in American ports.

The seventh section of the bill provides that, whenever any American registered vessel shall be sold to a citizen of the United States, at any foreign port or place in North or South America, the West India Islands, the Cape de Verde Islands, or near the coast of Africa, the sale shall be utterly void, unless executed in the presence of a minister or consul of the United States, and shall contain a condition that the ship shall return to

the United States for a new register. And if any citizen of the United States, in any such port or place, being the owner or agent for the sale of an American ship or vessel, shall sell such ship or vessel, knowing that she is to be employed in the African slave trade, or that she is about to make a voyage to the coast of Africa before returning to the United States, or shall charter a vessel, of which he may be the owner or the agent, for a voyage to the coast of Africa, with the intent to sell such ship or vessel on that coast, every person so offending, on conviction thereof before the circuit court of the United States for any district wherein he may be brought, or afterwards found, shall forfeit and pay the sum of \$10,000, and shall be imprisoned for a term not exceeding three years. And it makes every charter of an American vessel, at any foreign port, with the intent that such vessel shall be employed in the slave trade, and every sale of an American vessel on the coast of Africa, unless condemned as unseaworthy, illegal.

The eighth section provides, that when any person shall lodge information with the attorney of the district against any person for the violation of this act, by any sale or charter of any vessel contrary to the act, it shall be the duty of the attorney to commence a prosecution against the offender, and upon conviction every such vessel shall be forfeited.

By the ninth section of the bill, every owner or agent for the sale of an American ship who shall sell such ship in any of the ports aforesaid, and every purchaser of such ship shall, at the time of the execution of the instrument of writing in the nature of a bill of sale for the transfer of such ship, make oath before a minister or consul of the United States residing at such port or place, that the said ship is not intended to be engaged in the African slave trade; and if any such owner, agent, or purchaser, shall swear falsely in the premises, he shall be deemed guilty of perjury, and shall, on conviction thereof, suffer all the pains and penalties imposed by the acts of Congress for willful and corrupt perjury.

Sir, these three sections of the bill—the seventh, eighth, and ninth—were prepared and introduced into the Senate in 1854, in the form of a bill for the more effectual suppression of the slave trade, by the late John M. Clayton. While at the head of the Department of State, his attention had been most pressingly called to the use of the flag and ships of the United States in the slave traffic between the coast of Africa and Brazil, by our minister, Mr. Tod. The files of the Department contained the amplest evidence, furnished by our Brazilian ministers and consuls, that the slave trade, so flourishing between Africa and Brazil, was carried on to an alarming extent by American seamen and vessels, under the protection of the American flag. Mr. Wise and Mr. Tod had furnished the Government the most conclusive evidence of the prostitution of our flag and the complicity of our countrymen; they had suggested the remedies, and earnestly invoked the prompt action of their Government. Mr. Wise, in a communication to the Government, said:

“It cannot be denied, and it is no longer to be concealed, (and the sooner all parties, at home and abroad, are informed of it, the better,) that *there is no trade whatever* between the coast of Africa and Brazil, but what partakes, directly or indirectly, of the nature and of the profits or losses of the slave trade. The slave trade is the main, the staple business, and all other trades, with the slightest exception, are accessory or auxiliary to it, between that coast and Brazil. And no vessels of the United States are chartered for the coast, in this country, but to export goods, provisions, and munitions of war, to make funds for the slave trade; or they are chartered to carry and bring crews of vessels employed in the slave trade, and to be tenders of those vessels in other respects; or they are chartered to cover their sales, and to obtain the protection of their flag, until they can be delivered on the coast, and ship their cargo of slaves. And they are chartered by and sold to none, or scarcely ever to any one, except notorious slave dealers, and are consigned, in almost every instance, to their known agents in Africa. And extraordinary prices are given for the vessels and the charters of vessels of the United States, because their national flag alone protects them from visits and search.”

Mr. Tod, who succeeded Mr. Wise, in his communications pressed upon the attention of the Government the duty of taking prompt and effectual measures to prevent the participation of our countrymen in the iniquitous commerce in flesh and blood. From these dispatches of Mr. Tod I make a few quotations, to show the guilty participation of our countrymen, and the remedy proposed. Mr. Tod says:

“Citizens of the United States are constantly in this capital, whose only occupation is the buying of American vessels with which to supply the slave importers. These men obtain sea-letters, which entitle them to continue in use the United States flag; and it is this privilege which enables them to sell their vessels to the slave traders, deliverable on the coast of Africa, at double, and sometimes more than double, the price for which they were purchased on the preceding day. The vessels take over slave goods, and slave crews, under the protection of our flag, and remain nominally American property, until a favorable opportunity occurs for receiving a cargo of slaves; and it is not unfrequently the case that our flag covers the slaver until the Africans are landed upon the coast of Brazil.”

“The granting of sea-letters to American purchasers in this country is one prolific source of the abuse of our flag.” * * * “It may be said, in general terms, that the entire trade carried on in American vessels, between Brazil and Africa, is directly or indirectly connected with the slave traffic. No one charts a United States vessel for Africa, and no person purchases one deliverable there, except the slave dealer. I repeat it, the whole commerce carried on in American vessels between the two countries is

' stained with the blood of the African, and is a
' reproach upon our national reputation." * * *

"But, so long as our vessels are permitted to
' clear from the ports of Brazil for the coast of Af-
' rica, for any purpose whatever, no regulation can
' entirely check the evil. I would, therefore, rec-
' ommend that all trade in American vessels, be-
' tween the ports of Brazil and those of Africa,
' be prohibited by law. The legal trade between
' the two countries is inconsiderable; the loss,
' therefore, to our carriers would be trifling."

"I also recommend that our laws, providing
' for the issue of sea-letters to vessels sold abroad,
' be so amended as to entitle the purchaser to a
' sea-letter only to navigate his ship to the Uni-
' ted States. This would, at all times, give to our
' Government the security afforded by the bond
' executed by the owners upon obtaining their
' register, and to this extent serve to prevent a
' violation of our navigation laws." * * *

"The use of American vessels in this traffic
' would also be materially checked by refusing
' sea-letters, except for the sole purpose of re-
' turning home to obtain a register."

The Hon. Gorham Parks, late consul at Rio de
Janeiro, in an official communication to Mr. Tod,
said :

"Soon after I arrived here, I was applied to to
' grant sea-letters. I perceived at once, what has
' since been too painfully verified, the great aid
' it would give to the slave traffic, and after con-
' sultation with Mr. Wise, then United States
' envoy extraordinary and minister plenipoten-
' tiary at this Court, I declined to grant sea-let-
' ters for any other voyage than to the United
' States, where, upon the arrival of the purchased
' vessel, her owner would be obliged to procure
' a register in the usual manner. Mr. Wise sent
' me a very able and luminous argument, sustain-
' ing me in the views I took of this subject, which
' I forwarded to the State Department. An an-
' swer was returned, informing me that it was my duty
' to grant sea-letters. Since that instruction was
' known, I have granted nineteen sea-letters to
' vessels, seventeen of which are known to have
' gone to the coast of Africa.

"As there is no trade in American vessels be-
' tween Brazil and the coast of Africa but what
' is directly or indirectly connected with the
' slave trade, all commerce between Brazil and
' Africa in our vessels should be prohibited.
' Should any one deny the assertion that there
' is no trade in American vessels between this
' country and the coast, except what is connect-
' ed with the slave trade, I refer him to the evi-
' dence furnished in the cases of the Laureus and
' Independence. Were these suggestions adopted,
' you must be well aware that not only the whole
' slave trade in our vessels between Africa and
' Brazil would be entirely broken up, but the
' slave trade itself, in any vessels, would receive
' a severe and salutary check; and no people
' would rejoice more at such a consummation
' than a large proportion of the ablest and wisest
' men this country affords. The deep affection
' which is felt here for the people of the United
' States would be increased; our commercial and
' friendly relations would be drawn still nearer

' together; our national character would be ele-
' vated more than it could be, were we to line
' this whole coast with line-of-battle ships and
' frigates; much good and no evil would be
' done."

From the State Department, where his atten-
tion had been called to this subject, Mr. Clayton
came into the Senate, and early introduced the
bill to remedy the shocking evils described in
the reports of our officials in Brazil. In support
of his bill, Mr. Clayton said :

"American ships are always sought for in Ha-
' vana for the slave trade, and command a higher
' price, when purchased or chartered to be used
' as slavers, than the vessels of any other nation.
' Hence it is that our countrymen are more deep-
' ly implicated as participating in this traffic
' than either Englishmen or Frenchmen. We
' have acquired a degree of skill in the con-
' struction of ships unequalled by any other na-
' tion." * * *

"It is not merely the superiority of the Amer-
' ican vessels, but the superior character of the
' American captains for skill, intrepidity, and
' daring, in these hazardous enterprises, that
' causes them to be employed at higher prices
' than could be obtained by others."

Under the lead of Mr. Clayton, the bill unani-
mously passed the Senate; but this wise and be-
nevolent measure, intended to remedy a great
abuse, and to check the slave traffic, was not
acted upon in the House of Representatives.
That House was then engaged in a great strug-
gle to repeal the restriction upon slavery exten-
sion, embodied in the Missouri prohibition of
1820, and had no time to act upon this humane
and Christian measure. I have, therefore, incor-
porated this bill of Mr. Clayton's, entire, into the
bill I now propose; and, as it received the unan-
imous vote of the Senate in 1854, I confidently
hope it will receive the sanction of the Senate
in 1860.

The British Government, with which we have,
by the Webster-Ashburton treaty, entered into
stipulations for the extirpation of the African
slave trade, employs commissioners or agents,
resident in Africa. I propose, in the tenth sec-
tion of this bill, the appointment of a commis-
sioner, to reside in Africa, whose duty it
shall be to aid in the suppression of the slave
trade, under the direction and instruction of the
President of the United States. The service
an able and faithful slave commissioner, resident
in Africa, can render to the great work of extir-
pating the traffic in men, must be invaluable. A
writer in the *New York Times*, under the signa-
ture of "Loando," who speaks, as he says, from
personal observation and general experience on
the slave coast, sustains this position. This
writer says :

"Next in importance to having a proper and
' well-directed squadron, I consider, is the ap-
' pointment of a slave commissioner. The pres-
' ence of such an official on the coast is all-im-
' portant, and I consider that the fact of the ne-
' cessity of such an appointment has been over-
' looked. The vocation of this man should be
' to adjudge of prizes, and to decide as to the

'legality of captures. He should be armed with high powers of authority, and be an accomplished jurist, which *very* many of our naval officers in command are certainly not. By his keeping a number of spies (blacks) in his employ, he could be readily informed as to the proximity of a slaver, or the congregation of a cargo; and on the strength of that information would be able, by dispatching a force to the required point, to put a stopper on the proceedings of the slave-trading gentry. He would keep the home Government fully informed as to the actual state of the traffic, which he would be well qualified to do by virtue of his residence on the coast, and the fulness of information which would be realized by his official position. And, in this connection, it may be well to state that the superior efficiency and power of the British Government in keeping in check the slave trade, is due, not only to the excellence of their slave squadron, but also to the workings of zealous commissioners, who, like sentinels ever on the alert, catch the first sound of the slave-cargoes' tread, and pass the news along the line."

By existing regulations, the naval officers sent to the African waters, to aid in the suppression of the illegal slave traffic, are responsible if the vessels captured are not, by a court of law, proved to be slavers. The difficulties of conviction, unless slaves are found on board, are well known. The oft-repeated failures to convict in such cases are well known to the naval officers, and cannot fail to repress their zeal, and thus restrain their action. By the eleventh section, I propose to release the naval officers from any responsibility for arresting any vessel suspected of being engaged in the slave trade, and thereby leave them free to exercise their own judgments in making arrests, uninfluenced by any apprehensions of legal prosecutions.

By the recent extraordinary decision of Judge McGrath, of the Circuit Court of the United States for the district of South Carolina, importing Africans who were not free in Africa is no offence against the act of 1820, and is not therefore punishable as piracy. The act of 1820, as construed by Judge McGrath, in the trial of Captain Corrie, of the yacht *Wauderer*, only condemns as piracy the seizure and importation of persons who are free. By the twelfth and thirteenth sections, I propose to amend the provisions of the act of 1820 to meet the objections of Judge McGrath.

It is proposed, Mr. President, by the enactment of this bill, to construct five steam ships of-war, for service in the African waters, "to assist," in the words of Daniel Webster, "in scourging from the seas the worst pirates which ever infested them;" to release the naval officers

from any legal responsibilities for the capture of suspected slavers not proved to be slavers by the courts; to incite the zeal of officers and crews, by increasing fourfold the bounty for captures; to send a commissioner to Africa to baffle the schemes of the flesh-jobbers on land and sea; to make the fitting out of slavers, like the sailing of them, piracy; to facilitate the conviction of the slave pirates of land and sea, by changing the penalty from death to imprisonment for life; to make the display of the American flag as a badge of nationality, by a not legally-registered American ship, felony, the penalty for which is imprisonment of the crew and the forfeiture of the vessel; to make the sale of American ships on the coast of Africa illegal, and to require the sellers and purchasers of American vessels in any foreign port—in North or South America, the West India Islands, and the Cape de Verde Islands—to make oath that such vessels are not intended to be engaged in the slave trade; to forbid the abuse of consular sea-letters, by vessels sold abroad, by requiring them to return to the United States for new registers before making voyages to the African coasts; and to enlarge the powers and increase the duties of the judicial officers of the United States in the examination of ships intended to sail for the ports of Africa, and in the arrest and examination of colored persons imported in violation of the laws of the country.

Such, Mr. President, are the provisions proposed to be incorporated into the statutes of the Republic, by the enactment of this bill. Existing statutes, however wisely framed, are inadequate to meet the necessities of the present. They have not only failed to preserve unsullied the American flag upon the seas, and to prevent American ships, navigated by American seamen, from participation in the guilty commerce in flesh and blood between Africa and Cuba and Brazil, but they have failed to preserve American soil from the polluting tread of imported African barbarians. I move the reference of this bill to the Judiciary Committee, and I ask the members of that committee to give to it their earnest attention and favorable consideration. Should it have the favor of the committee, should it receive the sanction of Congress and the approval of the President, and should its provisions be rigorously enforced by the executive and judicial officers of the Government, it will, I am sure, contribute something to check the participation of our countrymen in an accursed and abhorred commerce, to vindicate the fame of our country, now tarnished, and to promote the final extinction of a traffic which now pains the ear of the Christian and civilized world with the agonizing moans of the despairing, suffering, dying sons and daughters of Africa.

WASHINGTON, D. C.

BUELL & BLANCHARD, PRINTERS.

1860.