

M E S S A G E  
OF THE  
PRESIDENT OF THE UNITED STATES,  
RELATIVE TO

*The capture of the slaver Wildfire, on the coast of Cuba, by Lieutenant Craven, of the United States steamer Mohawk.*

MAY 19, 1860.—Read, referred to the Committee on the Judiciary, and ordered to be printed

*To the Senate and House of Representatives :*

On the 26th day of April last, Lieutenant Craven, of the United States steamer Mohawk, captured the slaver Wildfire, on the coast of Cuba, with five hundred and seven African negroes on board. The prize was brought into Key West on the 31st April, and the negroes were delivered into the custody of Fernando J. Moreno, marshal of the southern district of Florida.

The question which now demands immediate decision is, what disposition shall be made of these Africans? In the annual message to Congress of December 6, 1858, I expressed my opinion in regard to the construction of the act of the 3d March, 1819, "in addition to the acts prohibiting the slave trade," so far as the same is applicable to the present case. From this I make the following extract:

"Under the second section of this act, the President is 'authorized to make such regulations and arrangements as he may deem expedient for the safe-keeping, support, and removal beyond the limits of the United States of all such negroes, mulattoes, or persons of color,' captured by vessels of the United States, as may be delivered to the marshal of the district into which they are brought; 'and to appoint a person or persons residing upon the coast of Africa as agent or agents for receiving the negroes, mulattoes, or persons of color delivered from on board vessels seized in the prosecution of the slave trade by commanders of the United States armed vessels.'

"A doubt immediately arose as to the true construction of this act. It is quite clear, from its terms, that the President was authorized to provide 'for the safe-keeping, support, and removal' of these negroes up till the time of their delivery to the agent on the coast of Africa; but no express provision was made for their protection and support after they had reached the place of their destination. Still, an agent was to be appointed to receive them in Africa; and it could not have

been supposed that Congress intended he should desert them at the moment they were received, and turn them loose on that inhospitable coast to perish for want of food, or to become again the victims of the slave trade. Had this been the intention of Congress, the employment of an agent to receive them, who is required to reside on the coast, was unnecessary, and they might have been landed by our vessels anywhere in Africa, and left exposed to the sufferings and the fate which would certainly await them.

“Mr. Monroe, in his special message of 17th December, 1819, at the first session after the act was passed, announced to Congress what, in his opinion, was its true construction. He believed it to be his duty under it to follow these unfortunates into Africa, and make provision for them there until they should be able to provide for themselves. In communicating this interpretation of the act of Congress, he stated that some doubt had been entertained as to its true intent and meaning, and he submitted the question to them so that they might, ‘should it be deemed advisable, amend the same before further proceedings are had under it.’ Nothing was done by Congress to explain the act, and Mr. Monroe proceeded to carry it into execution according to his own interpretation. This, then, became the practical construction.”

Adopting this construction of President Monroe, I entered into an agreement with the Colonization Society, dated 7th September, 1858, to receive the Africans which had been captured on the slaver *Echo* from the agent of the United States in Liberia, to furnish them, during the period of one year thereafter, with comfortable shelter, clothing, and provisions, and to cause them to be instructed in the arts of civilized life suitable to their condition, at the rate of \$150 for each individual. It was believed that within that period they would be prepared to become citizens of Liberia, and to take care of themselves. As Congress was not then in session, and as there was no outstanding appropriation applicable to this purpose, the Society were obliged to depend for payment on the future action of that body. I recommended this appropriation, and seventy-five thousand dollars were granted by the act of 3d March, 1859, [the consular and diplomatic bill,] “to enable the President of the United States to carry into effect the act of Congress of 3d March, 1819, and any subsequent acts now in force for the suppression of the slave trade.” Of this appropriation, there remains unexpended the sum of twenty-four thousand three hundred and fifty dollars and ninety cents, [\$24,350 90,] after deducting from it an advance made by the Secretary of the Interior out of the judiciary fund of eleven thousand three hundred and forty-eight dollars and ten cents [\$11,348 10.]

I regret to say that, under the mode adopted in regard to the Africans captured on board the *Echo*, the expense will be large; but this seems, to a great extent, to be inevitable without a violation of the laws of humanity. The expenditure upon this scale for those captured on board the *Wildfire* will not be less than one hundred thousand dollars, and may considerably exceed that sum. Still it ought to be observed that during the period when the government itself, through its own agents, undertook the task of providing for captured negroes

in Africa, the cost per head was much greater than that which I agreed to pay the Colonization Society.

But it will not be sufficient for Congress to limit the amount appropriated to the case of the Wildfire. It is probable, judging from the increased activity of the slave trade and the vigilance of our cruisers, that several similar captures may be made before the end of the year. An appropriation ought, therefore, to be granted large enough to cover such contingencies.

The period has arrived when it is indispensable to provide some specific legislation for the guidance of the Executive on this subject. With this view, I would suggest that Congress might authorize the President to enter into a general agreement with the Colonization Society, binding them to receive, on the coast of Africa from our agent there, all the captured Africans which may be delivered to him, and to maintain them for a limited period upon such terms and conditions as may combine humanity towards these unfortunates with a just economy. This would obviate the necessity of making a new bargain with every new capture, and would prevent delay and avoid expense in the disposition of the captured. The law might then provide that in all cases where this may be practicable the captor should carry the negroes directly to Africa and deliver them to the American agent there, afterwards bringing the captured vessel to the United States for adjudication.

The capturing officer, in case he should bring his prize directly to the United States, ought to be required to land the negroes in some one or more ports, to be designated by Congress, where the prevailing health throughout the year is good. At these ports cheap but permanent accommodations might be provided for the negroes until they could be sent away without incurring the expense of erecting such accommodations at every port where the capturing officer may think proper to enter. On the present occasion these negroes have been brought to Key West; and, according to the estimate presented by the marshal of the southern district of Florida to the Secretary of the Interior, the cost of providing temporary quarters for them will be \$2,500, and the aggregate expenses for the single month of May will amount to \$12,000. But this is far from being the worst evil. Within a few weeks the yellow fever will most probably prevail at Key West; and hence, the marshal urges their removal from their present quarters at an early day, which must be done in any event as soon as practicable. For these reasons, I earnestly commend this subject to the immediate attention of Congress. I transmit, herewith, a copy of the letter and estimate of Fernando J. Moreno, marshal of the southern district of Florida, to the Secretary of the Interior, dated 10th May, 1860, together with a copy of the letter of the Secretary of the Interior to myself, dated 16th May.

It is truly lamentable that Great Britain and the United States should be obliged to expend such a vast amount of blood and treasure for the suppression of the African slave trade, and this when the only portions of the civilized world where it is tolerated and encouraged are the Spanish islands of Cuba and Porto Rico.

JAMES BUCHANAN.

WASHINGTON, *May* 19, 1860.

U. S. MARSHAL'S OFFICE, SOUTHERN DISTRICT OF FLORIDA,  
*Key West, May 10, 1860.*

SIR: I have the honor to inform the department of the arrival in this port, on the 30th ultimo, of the United States steamer Mohawk, Lieutenant Commanding T. Augustus Craven, United States navy, having in tow the supposed American bark Wildfire, of New York, Stanhope, master, with a cargo of over 500 Africans on board. The Wildfire was captured on the 26th ultimo, on the coast of Cuba, near the port of Neuvas.

Immediately upon the arrival of the Mohawk here, Captain Craven informed me of the nature of her cargo, and desired that I should take possession of the captured Africans as early as possible. Having no means at that time at my command to secure them, I determined at once to erect temporary quarters on the lands of the United States, adjacent to Fort Taylor. I commenced work on the 1st instant, with all the available force that could be obtained on the island, and I am pleased to say that by the 4th instant, in the morning, almost three acres of land had been inclosed with a fence six feet high, and a building 140 feet long, and a kitchen erected, and were in readiness to receive them.

The landing of the Africans commenced about 12 o'clock, noon, on the 4th instant, and by 4 o'clock p. m. of that day 458 occupied the quarters hastily put up for them.

There had been landed previously, on the 1st instant, forty-nine sick, for whom I had obtained the use of the carpenter's shop near Fort Taylor, as a temporary hospital.

The total number, including men, women, and children, received by me, and for which I have given a receipt to Lieutenant Commanding Craven, is 507. I regret to say that of this number fifteen have died since they were landed. There are at present under treatment in the hospital, about thirty-five sick, principally cases of diarrhoea. I have employed two of the most experienced physicians on the island to attend on the sick, and have also secured the services of competent nurses to wait upon them.

It is a matter of great surprise to me, that out of such a large number of human beings closely confined on board of a vessel, there should be so few sick. Those landed in good health are improving daily. I have furnished clothing to all of them, as they were in a nude state on board of the vessel. In addition to the quarters already built, I am having a building seventy-five feet long erected, for a hospital, and will be detached from the other. It will also be necessary to put up a small house for quarters for the guard employed within the inclosure, as it is hazardous for them to quarter in the same building with the Africans, owing to the prevalence of cutaneous diseases among the latter.

I am pleased to inform the department that I am under great obligations to Mr. James C. Clapp, civil engineer, and the agent in charge of Fort Taylor, for the valuable assistance rendered me by his advice in the erection of quarters, and for the use of materials and workmen furnished me from the fort for that purpose, all of which were promptly

granted to me upon application, and without which much delay would have been occasioned in providing shelter for the Africans.

I am also under obligations to Captain John M. Brannan, United States army, commanding the post at this place, for the military guard and small field pieces which he has kindly furnished me upon my application. This guard consists of six men and a sergeant. The men are relieved every twenty-four hours, and have their quarters outside of the inclosure.

Captain Brannan has also tendered me the use of his whole command in case of emergency.

Within the inclosure I have a guard of eleven civilians, who perform duty day and night, and are absolutely necessary to direct and keep the Africans in good discipline. I have also in service a Spaniard, who was on board the bark Wildfire, and claims to have been a passenger on board that vessel. His services are invaluable to me in controlling these people. I have found no difficulty in providing food for the Africans, and trust to have none during the time they may remain here. The supply of water at present on the island is larger than usual at this season of the year, and I hope to experience no difficulty in supplying them with all they may require.

In making arrangements for the safe-keeping of these Africans, I will use all the economy within my power, and trust that the course which I have pursued thus far will meet with the approval of the President.

I am pleased to inform the department that the health of the island is good at present; but as the time is approaching when the yellow fever may be expected to make its appearance in our midst, I trust that the removal of the Africans from here will take place at an early day.

Inclosed I have the honor to hand you an estimate of the probable amount required to defray the necessary expenses of the captured Africans for the month of May.

The department will be pleased to direct all communications for me to be sent to Charleston, to come in the steamer Isabel on the 4th and 19th of each month, instead of the Fernandina route, which at this time is very irregular.

I am, sir, very respectfully, your obedient servant,

FERNANDO J. MORENO,

*United States Marshal, Southern District of Florida.*

Hon. J. THOMPSON,

*Secretary of the Interior, Washington, D. C.*

(Direct letters to the care of Mordecai & Co., Charleston, S. C.)

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U. S. MARSHAL'S OFFICE, SOUTHERN DISTRICT OF FLORIDA,  
*Key West, May 10, 1860.*

SIR: There will be required to defray the expenses of Africans (captured by the United States steamer Mohawk) for the month of May, 1860, the following amounts, viz:

For expenses of temporary quarters, mechanics, &c.....	\$2,500 00
For food and clothing.....	7,000 00
For guards.....	700 00
For nurses in hospital .....	250 00
For medical attendance, medicines, &c.....	1,550 00
	12,000 00

You will be pleased to cause a warrant to be issued in my favor for the above amounts, (with which I am to be charged on the books of the Treasury Department,) and direct that a draft on the assistant treasurer, New York, for the amount be remitted to me at Key West.

I am, sir, very respectfully, your obedient servant,

F. J. MORENO,

*United States Marshal for the Southern District of Florida.*

Hon. J. THOMPSON,

*Secretary of the Interior, Washington, D. C.*

DEPARTMENT OF THE INTERIOR,  
May 16, 1860.

SIR: I have the honor to submit, for your information, a copy of a communication this day received from F. J. Moreno, United States marshal for the southern district of Florida, dated the 10th instant, officially reporting the landing of over five hundred Africans from the slaver Wildfire, recently captured by the steamer Mohawk on the coast of Cuba, and stating that he now has them in his custody. He also reports the arrangements he has made for their support, clothing, medical attendance, &c., and urges their speedy removal from the country, as the season is rapidly approaching when the yellow fever may be expected to make its appearance at Key West. The marshal asks an immediate remittance of the sum of \$12,000, to meet the estimated expenses he is under the necessity of incurring on this account during the current month; and I respectfully recommend that you direct this to be done out of the appropriation made by the act of 3d March, 1859, to enable the President to carry into effect the act of 3d March, 1819, for the suppression of the slave trade, (vol. 11, of Statutes at Large, page 404,) to be accounted for by the marshal in the usual manner.

Prior to the 9th May, 1859, advances were made from the judiciary fund to the extent of \$6,947, which, since that date, have been increased to \$11,348 10 for expenses properly payable from the appropriation for the suppression of the African slave trade; and I have also to recommend that that amount be now transferred from the latter appropriation to the judiciary fund.

Very respectfully,

J. THOMPSON,  
*Secretary.*

The PRESIDENT.