

condemn it at large, and denounce it as unworthy of those gentlemen and disrespectful to this community."

After pointing out the impolicy and impropriety of this apparent effort to evade the laws, the News adds, with emphasis, its decided condemnation:

"The Secretary's letter clearly shows that the laws of Congress, both in letter and spirit, prohibit an importation for these purposes [as slaves or apprentices] to any part of the United States. Does it become Southern citizens to undertake or countenance clandestine violations of the laws of the land? These laws are not alone Federal enactments; they are also the laws of South Carolina by her own legislation. Her act of 1835 provides that it shall not be lawful for any free negro or person of color to migrate into this State, or be brought or introduced into its limits, under any pretext whatever, by land or by water." The enactment is general as to all the African unenslaved race from any part of the world. Does it become Carolinians, and the comity of the State with the others, to violate the spirit of this law, and to attempt to introduce such interdicted persons into other States, or to bring them through other States into this?"

The Courier publishes the letter without comment.

Letter from the Secretary of the Treasury.

TREASURY DEPARTMENT,

MAY 22, 1858.

SIR: It appears from your letter of 20th April, 1858, that application has been made to you by Messrs. E. Lafitte & Co., merchants, of Charleston, S. C., "to clear the American ship Richard Cobden, W. F. Black, master, burden 750 31-95 tons, for the coast of Africa, for the purpose of

taking on board African emigrants, in accordance with the United States passenger laws, and returning with the same to a port of the United States."

You ask the opinion of the Department upon the propriety of your granting or refusing the application. The question is an important one, and I have delayed an answer to your letter until I could give the subject a proper examination.

The form in which this application is presented involves the question in some embarrassment. The object of the applicants must be either to import Africans, to be disposed of as slaves, or to be bound to labor or service, or else to bring them into the country like other emigrants, to be entitled on their arrival to all the rights and privileges of freemen. In either of the two first named contingencies the object would be so clearly and manifestly against the laws of the United States as to leave no room for doubt or hesitation. I deem it proper, however, to call your attention to the provisions of those laws, as they indicate very clearly the general policy of the Government on the subject of African importation.

Prior to the 1st of January, 1808, the time fixed by the Constitution when Congress would be authorized to prohibit such importation, the acts of 2d March, 1794, (1.347,) and 10th May, 1800, (2.70,) were passed. These laws indicate the strong opposition felt at that time to the African slave trade. The subsequent act of 2d March, 1807, (2.426,) and 20th April, 1818, (3.450,) as well as the acts of 3d March, 1819, (3.532,) and 15th May, 1820, (3.600,) show not only the promptness with which the power was exercised by Congress of prohibiting this trade to the United States, but they also bear evidence

of the stern purpose of enforcing their provisions by severe penalties and large expenditures. The legislation of the slaveholding States prior to 1808 exhibits the fact that the first steps taken for its suppression were inaugurated by them.

There is no subject upon which the statute books of our country afford more conclusive evidence than the general opposition every where felt to the continuance of the African slave trade.

By reference to the acts of 1794 and 1800, against the slave trade generally, it will be seen that their operation was confined to *slaves eo nomine*. The first section of the act of 1794 provides :

"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 such 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."

The language of the act of 1800 is the same in this respect. Both contemplate, in general terms, the prevention of the trade *in slaves*. When, however, in 1807, and subsequent thereto, Congress undertook to prevent the importation of slaves into the United States, the language of the law was made more stringent and comprehensive. The first section of the act of 1807 provides :

"That from and after the first day of January, one thousand eight hundred and eight, it shall not be lawful to import or bring into the United States or the Territories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of color, with intent to hold, sell, or dispose of such negro, mulatto, or person of color, as a slave, or to be held to service or labor."

This law seeks not only to prevent the introduction into the United States of *slaves* from Africa, but any negro, mulatto, or person of color, whether introduced as slaves, or to be held to service or labor. Whether or not the wisdom of our fathers foresaw at that early day that efforts would be made, under a pretended apprentice system, to renew the slave trade under another name, I cannot undertake to say; but the language of the law which they have left to us on the statute book leaves no doubt of the fact that they intended to provide, in the most unequivocal manner, against the increase of that class of population by immigration from Africa. No one could then have contemplated an object for which African emigrants would be brought to this country which is not clearly guarded against and forbidden by the law to which I am now referring.

It is only necessary to add that subsequent acts on the subject contain the same language. This view of the subject is strengthened by

reference to the provisions of the act of 28th February, 1803, (2,205.) The first section of that act is as follows:

"That, from and after the first day of April next, no master or captain of any ship or vessel, or any other person, shall import or bring, or cause to be imported or brought, any negro, mulatto, or other person of color, not being a native, citizen, or registered seaman of the United States, or seamen natives of countries beyond the Cape of Good Hope, into any port or place of the United States, which port or place shall be situated in any State which by law has prohibited, or shall prohibit, the admission or importation of such negro, mulatto, or other person of color; and if any captain or master aforesaid, or any other person, shall import or bring, or cause to be imported or brought, into any of the ports or places aforesaid, any of the persons whose admission or importation is prohibited as aforesaid, he shall forfeit and pay the sum of one thousand dollars for each and every negro, mulatto, or other person of color aforesaid, brought or imported as aforesaid, to be sued for and recovered by action of debt in any court of the United States—one-half thereof to the use of the United States, the other half to any person or persons prosecuting for the penalty; and in any action instituted for the recovery of the penalty aforesaid, the person or persons sued may be held to special bail: *Provided always*, That nothing in this act shall be construed to prohibit the admission of Indians."

It will be seen that Congress, by this act, undertook to co-operate with those States which, by State legislation, had interposed to prevent the importation of negroes into this country. At that time the constitutional prohibition to which

I have before referred, restrained Congress from the exercise of the absolute power of prohibiting such importation. The States, however, being under no such restraint, had in several instances adopted measures of their own; and the act of 1803 shows the promptness of the General Government in exercising whatever power it possessed in furtherance of the object. The language of this act is important in another view. It will be observed that its object is to prevent the importation into the United States of "any negro, mulatto, or other person of color, not being a native, a citizen, or registered seaman of the United States, or seamen natives of countries beyond the Cape of Good Hope." It is not confined to slaves or negroes bound to labor, but contemplates the exclusion, in the broadest terms, of all such persons, without regard to the character in which they may be brought. It excludes free persons as well as slaves and persons bound to labor or service. The only limitation in the act is, that it is confined to such persons as are prevented by the laws of any of the States from being imported into such States. At that time there existed laws of some of the States, not only prohibiting the introduction of negro slaves, but also free negroes. Indeed the policy of the slaveholding States has always been opposed to the increase of its free negro population: and it is proper here to remark that at the present time that policy is more earnestly sustained in those States than at any previous period of their history.

After this reference to the laws on the subject it is hardly necessary to repeat that if the application of Messrs. Lafitte and Co. contemplates the introduction of negroes into the United States from Africa,

either in the character of slaves or as apprentices bound to service or labor, it is clearly in violation of both the letter and spirit of the law, and cannot be granted.

The form of the application made by Messrs. Lafitte & Co. would seem to contemplate the introduction into the United States of negroes from Africa, entitled, on their arrival, to all the rights and privileges of freemen. The proposition, upon its face, is so absurd that it is hardly worthy of serious refutation. Messrs. Lafitte & Co. ask us to believe that their vessel, fitted out in the port of Charleston, South Carolina, is going upon a voyage to Africa to bring to some port in the United States a cargo of free negroes. The port to which the vessel expects to return is not indicated. It cannot be the one from which it sails, nor any other port in the State of South Carolina, as the introduction of free negroes into that State is wisely prohibited by stringent laws and heavy penalties. It cannot be the port of any other slaveholding State, as similar laws in each of those States alike forbid it. The reason for such laws is so manifest that I do not feel called upon either to produce the evidence of their existence or to justify the policy which led to their adoption. It is sufficient to know that the public mind of that section of the Union is not more cordially agreed upon any one subject than upon the propriety and necessity of prohibiting, as far as possible, an increase of the free negro population; and hence the laws to which I refer, prohibiting their importation from any place. Can it be that Messrs. Lafitte & Co. propose to return, with their cargo of free negroes, to a port in some of the non-slaveholding States? I am not aware of a single State where these new-comers would receive a

tolerant much less a cordial welcome; whilst, by stringent laws and constitutional provisions, some of them have provided for their unconditional exclusion.

Looking beyond the legislation which has been had on the subject by the General Government, and both the slaveholding and the non-slaveholding States, I may be permitted to refer, in this connexion, to the various, repeated, and earnest efforts which have been made in every section of the Union to provide for the removal from our midst of this most unfortunate class.— However variant the motives which have induced these efforts with different persons, in different sections of the country, they all exhibit an earnest desire to diminish rather than increase the free negro population. This public opinion, thus manifested in every form, is familiar to every one, and it would be doing great injustice to the intelligence of Messrs. Lafitte & Co. to suppose that they alone were ignorant of it. Where, then, do they propose to land their cargo of free negroes? What is the motive which induces the enterprise? It cannot be the profits of the voyage. There are no African emigrants seeking a passage to this country; and, if there were, they have no means of remunerating Messrs. Lafitte & Co. for bringing them. The motive cannot be mere philanthropy, for it would confer no benefit upon these negroes to bring them to our shores, where, if permitted to land at all, it would only be to occupy our pest-houses, hospitals, and prisons. To believe, under the circumstances, that there is a *bona fide* purpose on the part of Messrs. Lafitte & Co. to bring African emigrants to this country to enjoy the rights and privileges of freemen, would require an amount of credulity that would justly subject

the person so believing to the charge of mental imbecility. The conviction is irresistible, that the object of the proposed enterprise is to bring these "African emigrants" into the country with the view either of making slaves of them or of holding them to service or labor. If so, it is an attempt to evade the laws of the country on the subject of African importation, to which I have called your attention. Ordinarily it would be an unsafe rule for a public officer to act upon the suspicion of a purpose on the part of another to

violate the laws of the country; but in this case it is put so clearly beyond the reach of doubt that I think that you not only can, but that you are in duty bound to act upon the presumption that it is the intention of Messrs. Lafitte & Co. to evade the laws of the United States, and you should accordingly refuse their vessel the clearance asked for.

I am, very respectfully,

HOWELL COBB,

Secretary of the Treasury

Wm. F. Colecock, Esq.,

Collector of Customs, Charleston.

Horrors of the Slave Trade.

VISIT TO A DISMANTLED SHIP.

A letter from the U. S. Frigate *Powhattan*, dated at Jamestown, St. Helena, February 1st, 1858, appeared some time since in the *New York Journal of Commerce*. The writer says:

"I have just witnessed a sight, which may my eyes never behold again—a SLAVER! I climbed up its side; I walked into the docks; I went into the hold; I sat down upon the planks where human beings like myself and mine—men, women and children, had sat a short time before, but manacled and fettered; and, where they had sighed, sickened, and many had died, and then been thrown into the deep,—without prayer, without coffin, and without shroud, just as dogs, when dead, are tossed into the deep. But all was silent now; not a living form was seen; not a sigh was heard; not a tear was shed; while fancy, left free to do its work, filled the slave-deck with groans, skeletons, corpses, and death. Here and there I picked up a rude article of wood, whittled into some shape like a comb or spoon, by the wretched prisoners, or a piece

of their manacles and chains, or a tool of steel or iron used in fastening and remaking their manacles and fetters; while the whole scene seemed to be made present and living by the fragment of a *shell* which had been fired into the slaver by the British armed steamer which captured it. I walked, and sat, and mused, and then rose, and walked, and mused again, unable to realize where I was, and what I saw. I had read of slavers, and the middle passage, in my boyhood, the verses of Cowper were burnt into my memory, and rang in my ears, and tears *would* flow for scenes of imagined grief. But here was the reality! I was standing in the midst of all its horrors. It was no phantom I saw; the infernal reality was before me, living, moving, palpable; I saw it; I touched it; I stood upon it; I descended into its pit of the blackness of darkness; and more truly than *Jonah* 'from the belly of hell cried unto the Lord.'

"Gloom and silence reigned around it. All the vessels in the harbor seemed to shun it as a plague-spot, and anchored at a distance; and when the flags of all nations gayly

flaunted upon the breeze, no colors disported from this sullen, dismal keel. Death reigned! and as much by day as by night. The mystery was solved, when upon inquiry I was told it was a *slaver* recently captured on the coast of Africa, and *proh pudor!* an *American* slaver, and worse still, a *Connecticut* slaver!

"The slaver is a brigantine, and was built about four years ago in New London, Connecticut. It was admirably constructed for speed, being something less than 150 feet in length, by less than thirty in width, and having a measurement of 220 tons. The hold was entirely empty. * * * The hold had been floored from stem to stern, though the flooring was now removed, and not a trace of it was to be seen. Thus the hold is about equally divided horizontally, the upper division being the *slave deck*, which is not above four feet and a half high. The gangway leading to the slave deck is the only aperture for light and air, and even this is in part defeated in its object by the heavy iron grating which is thrown over it to prevent the escape of the slaves in case of mutiny, and which is never removed except when a gang of slaves is taken up for air and washing. Thus the wretches who carry on this detestable traffic, seem to desire to *cham* Heaven's free and sweet bounties as well as human limbs. Nothing can be imagined more dismal than this dreary, empty hold, a great cavern now, and once had been a tomb, full of dead men's bodies if not bones, and all manner of uncleanness. I have been in old and venerated tombs, but none so horrible as this, which had been the great *sarcophagus* of six hundred living human beings. It was frightful to look; it was frightful to listen; my own voice and tread almost startled me,

seeming to echo the sighs and dying groans of the poor creatures who had been half-suffocated here, or who had sickened and died here; and I hurried up from this *inferno* which men had built for their unoffending fellows. * * *

"To locate six hundred and fifty Africans within the space afforded by the slave-deck of so small a vessel, required the utmost compression and compactness compatible with life, and had not so large a portion been mere children, they could not have been stowed away. I was told the following method was employed to economize space. The Africans were placed in rows, face to face, lengthwise of the deck, and each one running one leg between the legs of the one sitting opposite. Another row was placed back to back against the exterior row first seated, and thus the whole deck was almost a solid mass of living human flesh. To keep them still and powerless, and prevent insurrection, a ring was put on one ankle, to which an iron bar was attached which reached up to the body, and to which the manacles were fastened which were put on their wrists. Thus situated, row facing row, and legs interlaced with legs, a long iron bar ran along over the line of ankles, to which the irons were attached which fastened the feet. Thus nearly all motion of the body and exercise of the limbs was impossible, men in the stocks having as much liberty as they had, with all the advantages of light and air. Even for a day, such a position would be painful and almost intolerable; what then a passage from continent to continent, over the broad Atlantic, amidst storms and calms, and suffocation, and occupying often sixty days and more!

"Occasionally the slaves are taken on deck in gangs, where they may

breathe the pure air a short time, and where they are washed by having buckets of salt water thrown upon them, their fetters and manacles yet remaining on them, and the salt water washing the sores and raw flesh which their sitting position on the hard planks, their pressing against each other, together with the galling irons, have made."

ANOTHER SLAVER.

"The scuttling of a New York slave ship, off the east end of Long Island, and the subsequent arrest of six of her crew, including the mate, contributes to keep alive the excitement on the subject of the slave trade, which was raised by the arrival of a human cargo at Charleston. This slaver, named the *Haidee*, which was sunk on the 18th of September, was a small, sharp, rakish clipper, built at Providence in 1853. She was fitted out for her last voyage at New York, taking on board flour, beef, rum, tobacco, and cotton cloth, and was cleared from that port January 7, 1858, for Gibraltar and a market. The next seen of her was on the morning of the 18th ultimo, when the keeper of the lighthouse upon Montauk Point, on going up to extinguish the light, observed a square-rigged vessel in the southern offing, lying off and on. An hour afterwards the vessel had disappeared, and two boats' crews came ashore through the surf, and made their way to the village of Sag Harbor, from whence, after the display of doubloons and Spanish coin in profusion, they scattered. Those that have remained within reach are now in custody.

"From their confessions, as well as by intelligence received from Havana, it is known that the sunken vessel was the *Haidee*, and that since she left New York she has landed a cargo of slaves in the Bay of Cardenas. This transaction took place without interference on the part of the Spanish authorities, and the unhappy negroes were soon distributed to their masters, of course never again to be recovered. The discovery of the *Haidee* by the keeper of the lighthouse at Montauk Point, the arrest of a portion of her crew, and the attention thus attracted to the violation of her treaty obligations for the suppression of the slave trade by Spain, may possibly stir up the officials in Cuba to make some inquiries as to the parties guilty of importing the negroes landed from this vessel. A correspondent of the New York Times says that Zulneta, the great Cuban slave-trader, was the owner of vessel and cargo, and it was rumored, but with little probability, that he would be arrested. It was also reported that several persons, holding high position under Government, were part owners, though this may be a scandal."

King, one of the crew of the above vessel, swore that "a cargo of negroes, consisting of 1,333 or 1,334 in number, was brought on board as slaves," from a port of Africa, and that the ship sailed the same day and went directly to the Island of Cuba, and that (200 having died on the voyage,) those surviving were landed near Cardenas.

Cultivation of Cotton in Africa.

We are indebted to the kindness of our intelligent and philanthropic friend, BENJAMIN COATES, Esq., of Philadelphia, for his pamphlet on this subject, which comprises much valuable information. Mr. Coates