LETTERS OF MARQUE
BY
GIDEON WELLES
A MANUSCRIPT
ON THE USE OF PRIVATEERS IN THE NAVY

[Handwritten note:]

W. C. Brown
Wells, July 770
Feb 4, 1924
The question of military privates
enterprises in aid of the government when
the war as well as the large early engage-
ments were eagerly anticipated.
A number of speculations were made
that the commerce and shipping interest
would be increased which was expected
from the participation of all arms.

It was endeavored to get theレー
of the speculations, that were
nobody would be above the precaution.

Committees, and others in the movement,
that there should be
or our pea coat, who were accused of
from a countering movement against their
threats and depredations. Schemes for a volunteer
army, preparation for a militia of the year,
times of small squabbles, our plans for
real brigands were pressed upon the
government by men of justice and character
as well as by the spirit of adventure. It was
rememoed that in the year of 1812, another
the American power was rendered
by the Minister, assured, contesting
the preferable character of the a design
own with the president combined nation
that a civil conflict with insurgents who have neither common to be injured, nor story to preserve private enterprise, it was urged that the government might be benefitted
now as them by a course of interference.

The Secretary of State favored

that scheme, while the Secretary of

the Navy, who had more specifically to charge
the policy of the case, questioned whether

shells of Marque or prize could be

The Secretary of State favored

of difficulties, the public was aware that

of preserving which aggrandized

the noble feeling, and it was then to strike

the most effective blows against the rebels,

the demands for every way available may

become imperative. These declarations of

a willingness by Foreign Government to assist

the rebels, particularly great

Prussia by the treatment of questions of

international maritime law.
probably an influence on the Secretary.

and were deeply united
by state, which, however, had sympathies with the
campaign. It was clear that these who were realists for Britain as well as
prudent into

The pressure was against the high seas
for all reasons.
The pressure from without naturally led
to discussions in the cabinet, which decided to

the views entertained by the head of the

department, most important, that the


dimensional ships were taking orders for the issue in
depth the foreign policy. At the same time,

of Congress and others, the subject was entertained
by members of the act passed compelling the

re the execution was one suspending the


"authorizes the commanders of armed forces, and subject matter that

authority of any person of the act of 1793 to be

by Congress to authorize to

and if the high seas to send out

and if the same commanders are to

the act of 1793. The same has been

the acts of Congress that have been

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But, shortly after Congress adjourned, came a letter from a highly respectable merchant engaged in the China trade, appealing that while Congress might not yet have been addressed a communication to the Secretary of the Navy, suggesting the expediency of letters of marque or other commission under the provisions of the recent enactment. It was simultaneously with this communication to the Secretary of the Navy a letter was also addressed to the Secretary of State by means of the same channel, for letters of marque to the steam frigate, which was about leaving from Boston to China. The Secretary in answer, at first, offered to return the letter and acquainted me with the different opinions which the officers of the department had entertained about the expediency of the application. On this, it seemed necessary to return the letter without answering it, as having been addressed to me, and replied to have correspondence with my understandings to the merchant and merchant's agent, with the different officers of the department. There was only to wind up thisSrc and probably leave no doubt which side was of superiority, (in city)
The letter was very much regretted and
had the effect of calming and apparently of
time alleviating, any person that
dissatisfying for a person that
where the deepest interest and subject
which it was characterized by the
tragic and the
But it was not only the
Emptiness was caused by
The Wallace and the
by the
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The misunderstanding
was increased and appreciated by the conduct
of the British government, in excluding all United
States goods coming from the English ports,
though in China, while the head of that empire
was to the commercial trade and navigation, it was
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while our
ships were by the
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that the commercial were
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But our Condition was such that fortunate
which engaged in foreign warfare with the enemy
became a duty and the government was obligated
to a degree that in restraining the particular
which would have happened in war with England the British
Demands for supplies, the enemy among us
and though the Crown was not inflexible to the pressure it was known
of English Capital engaged in illicit Traffic
with the rebels in America and Academy
At this time the Congress and unfairly
with the blockaders the connections and unfriendly
condemn of the prevailing wisdom and for to
no arm to destruction, but really convinced
of actions against the enemy would be lasting
resentment against the administration
Tablet: 7-10
It is some qualifications
was to remember now that through day and
open, that in addition to the amount of taxation
suffered from English
Millions for the criminal among our
Many captains more than twenty million
engaged in illicit Traffic from the destruction
of property no insurmountable portion of
which was English Capital engaged and
appropriated as the time by the Congress of the Senate.
Departments in the service of the enemy committed
from interest and遗址, our enemies, the people to whom you are or
Made us all that time of the most efficient
on the part of the Navy and Army Department. 

Privately, the Secretary of War, an officer very 

newly called for, by men regarded as the 

leaders of the party, and the consequences 

of committing to adventures the highest 

and most delicate responsibilities. 

The Secretary of State, too, instead of refusing 

on the principle of other nations, has decided 

furiously. The Secretary of 

State, too, has resolved to 

maintain a precedent 

as wise as it is committed to 

ever doing, to maintain the 

Secretary of the project that can never be 

be done 

fundamental principles. 

The war also induces and involves the minds 

on the subject, which directly the policy of 

which has nothing to 

The subject was, however, very much affected, 

in July 1862, the Senate resolved to 

the Senate
write confidentially to the President convey to the mind of every man that it is necessary to the country's safety to carry on war with all the energy necessary. Mr. Lincoln will be advised with his consent to make the commencement of hostilities in July 1862. And that since he might inform our European friends, "since the Cisco Florida and other vessels are being received by the insurgents from Europe to renew demonstrations on our national government, Congress is about to authorize the issuing of letters of marque and reprisal, so that if it is found necessary to support the piracy, we shall bring pirates into review for that purpose, and of course for that purpose only." And Congress advising without taking action on the subject. The recent depositions confirmed by English builders vessels with armed ships by Englishmen, plying, not under the English flag for the benefit of any recognized nation, but for their own interests. Continued if necessary, on with it involves the contest, and hostilely towards the government and people, the country preserves.
This was a quality that won admiration which was duly appreciated by cool reasoning, particularly when he knew a day after Congress adjourned in Washington, the way to take action on the subject was the depreciation of the blockade and most of the Florida issues, the violation of neutrality and hostility against not only the rebels but England.

On the 17th of September, the President warned me that there were extensive contrabands to break the blockade, and to confirm this administration brought an order to re-examine and demolish a dispatch and documents from our efficient Consul at the city of Liverpool. The dispatches furnished proof that eight or ten alliances were ready to break the blockade, and that there was negative evidence of the necessity of any arms. There was a wonderful effort among the merchants to advertise Great Britain stimulated by the taking of slaves under the laws of Bull Run, while they had just previously received one considerable consignment which they said was from France. England had mistaken Congress unmeritously.

...
blockade runners for armed blockaders

Although residing in the vicinity

of a town, one of the smaller

of the armed blockade runners,

blockade runners for armed blockaders

wrote a letter, acknowledging the

of the town, and expressing fear for their

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A letter written by one of the smaller

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A letter written by one of the smaller

of the armed blockade runners,
a foreign war that we must avoid complications only grow new disturbances. The public mind became inflamed against England by means of the victorious
itself, and actions, offending the
public, had an influence on Congress, which on the last day of the session passed a treaty
and declaring, that in all domestic 

The President did hold a declaration that in all domestic and foreign wars, the President of the United States is authorized to issue
private armed vessels of the
United States, Commission, or letter of marque
and general armed in such form
as he shall think proper, and under the
name of the United States, and make all
necessary rules and regulations for the
government thereof, as for the adjudication
and disposal of the prizes and damages made
by such armed. Provided that the authority
granted by this act shall cease to exist at the end of the
session from the passing of this act.
a foreign power that we must receive complaints
from unsatisfactory. The public mind
became inflamed against Complain by reason
of the voluntary and unjust offense done
which had an influence on Congress, which
on the last day of the session passed a law
declaring that by all desertion of the war.

So long as the subject remained under Executive
control, the President and President of the President,
inspired the public safety and interest in safety.
And the public mind had become highly inflamed, in
which Congress participated; and on the 21st December
1862, the last day of the session, an act was
passed declaring that in all desertion.
This action of Congress, it was anticipated, might have a favourable effect abroad, that England would be admonished that there was a limit to American forbearance. Viewing it in this light, and as a warning to Great Britain, under the premises, the High-Commissioner for the United States, Mr. Moulton, proceeded to Berlin, and delivered an endorsement of the execution of the treaty, which was received, in effect, as a threat. Peace and modified treatment were desired in it. It was more than felt, that, notwithstanding the power with which the powers were able, from the Secretary of State, that the country would be secure against every check or precipitate measures by the President, to whom the whole subject was committed. But unfortunately, the effect of the enactment was the feeling which forced its passage, proved a stimulant which brought along an added unexpected resort to the movement among others, the Secretary of the Treasury, on whom the more cautious and prudent had relied, became a convert to, or rather advocate for, measures not in your opinion.
The Secretary of State was very much elated by the passage of concurrence.

and by the acquiescence of the Secretary to the suggestion that the Merchants of New York were paying far more for their provisions to the0 Ohio trade than the prices of the same articles in the West Indies, and proposed at once to take measures for carrying the law into effect. But the President was reticent, though the law, considered as one expression of the sentiment of the legislature, bound by the constitution of the government, and the people with which it stood, raised from the Secretary of the Treasury, who was the understanding to be the official representative of the Commercial Department, that the senators and representatives of the Senate and House of Representatives would not engage in such enterprises, that provisions were usually excited by the expectations of large returns from Capture, and

and that the plundering crews which they were supposed emulating to found in Connecticut to0 undertake armed

in several districts of cargo or merchandise.
and that even of sufficient magnitude as to prevent it being successfully with the blockade would require a large investment for an uncertain venture. Without running further pressure, upon the demand existing there were justic ready to undertake engage in the work as soon as they could be licensed, but the new procedure at once, in conformity with the talk to procure persons and make sufficient rules and regulations for the government of the government, not for any profit, but for the benefit of the country. The regulations, therefore, on the subject of which I am preparing, will be determined to the few reverse, criticism, and suggestions. I stated it was greatly opposed to the prevailing system, but I am confirmed in the legal customs of the decline. The cloudy, led in a free, cabinet, since I made some general remarks, excepting to the regulations as transcending the authority, conformably to the subject discussed for the or three weeks, during a part of which time I was absent from Washington, and the President declined to come to a decision, while I was engaged, from after the action brought forward the application of the discussion, and that parties
intensive and becoming impatient, and suggest
that I should make communication to the President,
who, however, had been engaged in matters of
importance to his office in the city, I sent a
day or two accounts to him the following
letter.

(see copy.)

Whilst this letter was
on my table, Senator Sumner, who had opposed
the law when on its passage, called on me
and was very much dissatisfied by what he
had learned, President being the probable policy
of the administration. From the meeting
he had hoped better treatment as was,
when he called, a good deal occurred of some
importance, which he did not
readily mentioned to be
left. He then remonstrated a great deal over
my own concerns, with which he often in
Washington, with which he was likely to assume the

President was in allusion to the laws, which computed
with the devoting opinions, he remarked

Then were too many Senators of State in Washington,
I handed to him the above letter which was
very much disappointed with the news
I was very
much disappointed as the same

Then was the Chief, and was discouraged by
Congress, but the President, Mr. Lincoln. He expressed great satisfaction with my letter, but before he read it to the State Department, that I would read it to the President. This was not my practice, and I could not doubt that he became, himself, on its receipt would submit the letter to the President.

The evening after this interview, the President came across the square to my house, which was directly across the Executive Mansion, and said his principal object in calling was to see a letter that I had prepared on the subject of the proposed issue of letters of marque, which the Senator had read out of complement, and that wished him to converse, I informed him that I had written the letter had been sent to the Senate, but it would be in the press early in the morning. He thought this uncanny for the Senate would undoubtedly, almost immediately after the Senate, desire the subject, which letter of considerable length. The President
different view, and if I was right in my belief, that the merchants would not engage in speculating on the grain, would cause different mistakes as from the first. If they did not make the substantial men of the country hold off, the credit would be ruined, as all would be satisfied.

At the Cabinet meeting on Tuesday, the 5th of May, the President had some dialogue with me in relation to the appointment of a Radical, of character to be the secretary of the State Department; one whom he could depute to labor and details of examining applications and preparing papers. He had previously requested that Admiral Foote should be detailed for that service, but that officer, after looking into the qualifications requested to be excited from the duty, at the meeting relating to the filling of a private, at letters of which had in former was a consequence of the State Department, he went to on this occasion, objected that the Navy ought not to be blended with the government. He very frankly stated his purpose in asking for a naval officer of rank, and to be relieved of labor...
I trust and detail in other words the Navy Department was to show in the responsibility of any that might result from a policy which it had pursued failure or miscarriage, and he named Rear Admiral C.H. Davis as acceptable and trustworthy was assigned accordingly.

The President said for me, "The following day yesterday, as I entered the room, he remarked that I would probably be surprised to hear that I would already have an application for letters of marque. I acknowledge I was disappointed if there were responsible and responsible parties to engage in the business. The President said he knew nothing of the gentlemen whom Drexel had brought him further than that he had a case, and was anxious to enter upon this service. Taking up a paper he was looking at a paper he said the gentleman's name was Wright that he was then in the Audubon Room that he had a want of one hundred thousand dollars which he proposed to fill a lottery and was selected from the Audubon Room, and he would call upon him in that I might examine him. This I returned him over to someone, for I was familiar..."
Not that this war could have been prevented. No human power could have saved us from a inevitable fate. Combination of forces, political and military, would have been necessary for our salvation.

with the case which had been several times before me. Then came the President. His New York Merchants, or Capital, this enterprising application. Is true? This was a Southern Adversary.

when more had been a citizen of South Carolina, and to understand that the Secretary of State (of our state) desired of this act an attempt similar. All was with a smile. In his eye the President, evidently, said he would not trouble me further in this matter.

Senator, the President informed me of the same time that the President had expressed great difficulty in getting a sight of my letter of the 20th of March. The Senate did not bring it to his notice. I was surprised, and when the President asked for it, one week after another, was given, but the President put it aside to some other business. When he notified the Senator, and told me they read it, or desired that whole subject of prejudice and unfriendliness.

This, with similar applications, the only one that ever came to my knowledge, and which the Senate of this State, of the Senate, sent him, when he notified the Senator, and told me they read it, or desired that whole subject of prejudice and unfriendliness.
During the rebellion of 1861 again, Lincolns prestige increased.
That his views were earned and sincere in his belief that privates might render official services. I mean devoted, but it was fortunate for the administration and the country that he did not "direct affairs" for the nation in that instance. The Lincoln proved himself through that whole exciting period, his "superior in mental intellectual power and administrative ability."
The subject of enlisting private enterprise in aid of the government upon the ocean as well as the land early engaged attention. Vague and wonderfully suggestive rumors that our commerce and shipping interest was endangered from the swarm of privateers that were, or soon would be abroad alarmed the mercantile community, and stirred up the fishermen and mariners on our sea coast, who were anxious that there should be counteracting movement against these threatened depredations. Schemes for a volunteer Navy, propositions for a Militia of the seas, tenders of Government Squadrons, and plans for Naval brigades were passed upon the government by men of position and character as well as by adventurous spirits. It was remembered that in the War of 1812 important service was rendered by the privateers. Without considering the difference between a foreign war with the weakest commercial nation and a civil conflict with insurgents who had neither commerce to be injured, nor booty to reward private enterprise, it was urged that the government might be benefited, now as then, by reprisals.

The Secretary of State, falling in with the current popular feeling, favored these crude schemes, which the Secretary of the Navy, who had been especially in charge of the police of the seas, questioned whether letters of marque could be made effective in this conflict with the rebels, and was apprehensive they might provoke the powerful selections with other powers.

But at the commencement of difficulties, the rebel government produced a great sensation and agitation of privateers which aggravates the existing hostile feelings. In the universal desire to strike the most effective blows against the rebels, the demand for using every available means became almost irresistible. Indications of a willingness by foreign governments, particularly Great Britain, to give encouragement to the rebels by the treatment of questions of international maritime law, had probably an influence on the Secretary of State, and more deeply enlisted his sympathies with those who were zealous for carrying on upon the high seas private as well as public war, against the
insurgents. No encouragement was given by the administration for privateers. The pressure from without naturally led to occasional discussions in the cabinet, which developed the differing views entertained by the heads of the two departments. But no decisive steps were taken, and this was in itself the naval policy. At the extra session of Congress in July, the subject was entertained by the members and among the acts passed conferring authority on the executive, was one empowering the President to "authorize the commanders of armed vessels sailing under the authority of any letters of marque — and reprisal granted by Congress to subdue, seize, take, and if on the high seas to send into port." But Congress omitted to authorize the issuing of letters of marque. The enactment, however, served to relieve the administration in a measure from many of the schemes that have been urged. But, shortly after Congress adjourned, several highly respectable merchants of Boston engaged in the China trade, apprehensive that "rebel cruisers might get into their seas," addressed a communication to the Secretary of the Navy, suggesting the "expedienacy of Letters of Marque, or other commissions" under the provision of the recent enactment. Simultaneously an application was made to the Secretary of State by some of the same parties, for letters of Marque to the steamer Lombok, which was about sailing from Boston to China.

Mr. Seward, in view of the differing between the State and Navy Departments, instead of answering this letter direct referred it with an inquiry to me. My reply to him, which the President approved and which, corresponded with my answer to the Merchants; and Mr. Seward disposed of the application to himself by sending out and publishing my letter to him. This relieved him of responsibility.
The letter had the effect apparently of satisfying, for a time at least, those who had taken the deepest interest in the subject. But the ravages of the Sumter, which vessel was fitted with friendly weapons and supplied in British ports, with the subsequent destruction of the Alabama and Florida, English built and manned chiefly by Englishmen, aroused the indignation of the whole country. This indignation was increased and aggravated by the conduct of the British government, in excluding all United States cruisers from the English ports in China, though the seas of that empire were infested by pirates, and the whole commercial world was interested in this suffering. While our national ships in English ports received only grudging hospitality, it was notorious that the semi-juridical vessels, with no recognized nationality, though substantially English vessels sailing under the rebel flag, were capturing, plundering and wantonly destroying our commerce, that the injury to us was to the benefit of England. Under these wrongs and outrages our whole commercial marine became greatly excited, and could the country have been united, a war with England more calamitous than any she had ever known, would have made much with her commerce. But our condition was such that forbearance became a duty, and the government while engaged in prosecuting a war with the rebels was subjected to a severe trial, in restraining the popular demand for reprisals, which would have degenerated a war with Great Britain; for though the crown was not unfriendly to the Union it was known that English capital was largely engaged in illicit traffic with the rebels, and in running and evading the blockade. At the same time the unneutral and unfriendly conduct of her ministry who put forth no arm to prevent, but craftily connived at schemes against the Union was felt and will be lasting memorials against the administration of Palmerston and Russell. It is some gratification to remember now, when those dark days are over, that in addition to the award of fifteen millions for the criminal wrong we suffered from England, our Navy captures more than thirty millions of property engaged in illicit traffic and running the blockade, no inconsiderable portion of which was English capital. While the
public mind was influenced by the wrong complaints were made of the want of efficiency on the part of the Navy and Navy Department. Privateers, Letters of Marque were called for, by men regardless of the necessities of the case, and of the consequences of committing to greedy and ruthless adventurers the highest and most delicate responsibilities of the Government - an abuse of which, would endanger the peace of the nation. To meet and dispose of these demands required decision and effort. The Secretary of State instead of repressing quietly favored the privateer policy, which had its advocates in certain presses and circles in New York. Fortunately, the President, cautious, but firm maintained a prudent and wise reserve, and committed himself to no project that was likely to endanger the national welfare. There were also judicious and discreet minds on this subject, in Congress that deprecated the policy of sending out Letters of Marque in this war with rebels. The subject was, however, much agitated, and in July 1862, Mr Seward wrote to Mr Adams that he might inform Earl Russell, "since the Oreto and other gunboats are being received by the insurgents from Europe to renew demonstrations on our national commerce, Congress is about to authorise the issue of letters of Marque and reprisal, and that if we find it necessary to suppress that piracy, we shall bring privateers into service for that purpose, and of course for that purpose only".

This was a qualified and harmless admonition which was duly appreciated by Earl Russell, particularly when he learned a few days after, Congress had adjourned, without taking action on the subject. In the mean time the depredations of the Alabama and Florida increased the irritation and hostility against not only the rebels but mercenary England.

On the 29th of September, Mr Seward warned me that there were extensive combinations to break the blockade, and to confirm his admonition brought me a dispatch and documents from Mr Dudley our efficient Consul at Liverpool. The dispatches were a notification that eight or ten steamers were ready ready to run the blockade; but there was no evidence to confirm the apprehensions of the Secretary of State. No mention was made of any armed vessel, but there was reported wonderful activity
among the merchant adventurers of Great Britain, stimulated by the tidings of our
under Genl Pope at Bull Run which they had just previously received, and
which they considered conclusive that the union cause could not be sustained. Mr
Seward had mistaken unarmed English blockade runners, for armed blockade breakers.
Although relieved, he insisted still! that this policy of Letters of Marque advisable
and proposed that the powerful merchant steamer Baltic should be commissioned, and
Comstock a very competent merchant Captain, somewhat connected with the New York ring -
should be placed in command. Such a proceeding on the part of the government would have
been a reflection on naval officers and could not be entertained. There was yet no
authority to grant letter of Marque, and if the Baltic were chartered or purchased by
the Navy, she must, I assured him be commanded by a Naval officer.

So long as the subject remained under Executive control the prudence and
firmness of the President insured the national welfare and safety. But the public
mind had become angry and highly inflamed, in which Congress participated, and on the
3d of March 1863, the last day of the session, an act was passed declaring "that in
all domestic and foreign wars the President of the United States is authorised to
issue to private armed vessels of the United States, Commissions, or letters of Marque
and general reprisal in such form as he shall think proper, and under the seal of the
United States, and make all needful rules and regulations for the government thereof,
and for the adjudication and disposal of the prizes and salvages made by such vessels.
Provided that the authority conferred by this act shall cease and terminate at the end
of three years from the passage of this act"

This action of Congress, though general in its character would have a favorable effect abroad. England would be admonished that there was a limit to American
forbearance. Viewing it in this light, and as a warning to Great Britain, where the
spirit of unscrupulous greed, if not of positive enmity to the union had embarked an
immense capital in schemes of illicit traffic in violation of our views of the blockade, the brief and modified enactment was acquired in. It was moreover felt, notwithstanding the favor which the project received from the Secretary of State, that
the country would be secure against any rash or precipitate measure by the President, to whom the whole subject was committed. But, unfortunately, the effect of the enactment and the feeling which forced its passage, proved a stimulant which brought strength and added unexpected recruits to the movement. Among others, the Secretary of the Treasury on whom the more cautious and prudent had relied, became a convert to, or avowed advocate for privateers and reprisals.

The Secretary of State was much elated by the enactment, and by the acquisition of the Secretary of the Treasury. He represented that the merchants of New York were ready and anxious to fit out privateers to take the Alabama or Florida, and proposed at once to take measures for carrying the law into effect. But the President still hesitated, though the law, considered as an expression of the sentiment of the legislative branch of the government, together with the sentiment which it received from the Secretary of the Treasury who was understood to be the special representative and exponent of the commercial interest had each an influence which it was difficult successfully to resist. I had from the first maintained that intelligent merchants and capitalists would not engage in such enterprises - that privateers were usually incited by the expectation of large returns from captured merchantmen - that the plundering rovers which they would under present circumstances be commissioned to overtake would, if taken be found destitute of cargo or merchandise and that vessels of sufficient magnitude and power to cope successfully with the Alabama would require a large investment for so uncertain a venture. Without naming persons Mr. Seward insisted there were responsible parties ready to engage in the work so soon as they could be licensed, he therefore proceeded at once to propose forms and make "needful rules and regulations" for the government of privateers, in conformity with the act. These regulations covering a number of pages he on the 10th of March, one week after the enactment, submitted to me for review, criticism and suggestions. As I was wholly opposed to the proceeding I declined the labor, admitted they conformed to the legal enactments of 1862 but in a free cabinet discussion I made some general remarks, excepting to the regulations as transcending Executive authority. The subject lingered for two or three weeks, during a portion of which time I was absent from Wash-
ington, and the President declined to come to a decision whilst I was away. Soon after my return, Mr. Seward brought forward the subject and said that parties interested were becoming impatient. He proposed that I should communicate my objection to his rules in writing, and the President concurred in the suggestions. I in a day or two addressed to him the following letter:

(See copy.)

Whilst this letter was on my table, Senator Sumner, who had opposed the law when in its passage, called on me, and was very much disturbed by what he had learned from Mr. Seward would be the probable policy of the administration. From the comment he had objected to licensing privateers, and was, when he called, a good deal incensed at some remarks of the Secretary of State whom he had just left. It was felt by Mr. Seward to be something of a triumph over Mr. Sumner, who often came in conflict with his views, and in allusion to whom, when confronted, as he sometimes was by the President, with the Senator's opinions, he remarked, "there were too many Secretaries of State in Washington." I handed to Mr. Sumner, my letter which was yet unsent to read, and remarked as I did so, that I was very much disappointed at the recent course of Mr. Chan, and discouraged by just received from Earl Reimsdial. He expressed great gratification with my letter, but hoped, before I sent it to the State Department, that I would read it to Mr. Lincoln. This was not my practice. I could not doubt that Mr. Seward himself, on its receipt would submit it to the President.

The evening after this interview, the President came across the square to my house, which was directly opposite the Executive mansion, and said his principal object in calling was to see a letter that I had prepared on the subject of the proposed regulations and of letters of marque, which Mr. Sumner had read and complimented, and wished him to peruse. I informed him that the letter had gone to Mr. Seward, but I would bring him the press copy in the
morning. He thought this unnecessary, for Mr. Seward would undoubtedly present it. We then discussed this subject, with others at considerable length. The President met my disbelief that men of character and intelligence would be induced to engage in the business of privateering, and that Mr. Seward was deceiving himself in that respect, by asking whether the best method of testing the fact would not be by giving the merchants an opportunity to manifest their views.

"Let us see," said he, "who the men are that are ready and anxious to aid the government in this way, perhaps you are mistaken and Seward right. Those who knows, or ought to know the commercial sentiment, has come into Seward's views. It may be well to make the experiment. The State and the Treasury may have more fully the confidence of the merchants than the Navy." I thought it would be hazardous. Should the merchants, as Mr. Seward believes, embark in the measure, adventuring, would be held to also engage in reprisals, and might involve us in a war with England, which with the load upon our hands would be disastrous. We ought, therefore, to act deliberately, and with a full and right appreciation of all the probable consequences. He said that was so, and he had confidence in my judgement and my opinions, but I might be mistaken. The State and Treasury took a different view, and if I was right in my belief that the merchants would not engage in privateering, no harm would come from the trial. If Seward was mistaken and the substantial men of the country held off, the credit would then be mine, and all would then be satisfied.

At the cabinet meeting on Friday, the 3rd of April, Mr. Seward had some side-talk with me in relation to the assignment of a naval officer of character to the service of the State Department, one whom he could devote the labor and details of examining applications and preparing papers. He had previously requested that Admiral Foote should be detailed for that service, but that officer after looking into the subject requested to be excused. As all matters relating to privateering and letters of marque had in former way been committed to the State Department, and were to be on this occasion, I objected that the Navy ought not to be blended with the movement.
He very frankly said his purpose in asking for a naval officer of rank, was to be relieved himself of labor and details— in other words I found the Navy Department was to share in the responsibility of any failure or that might result from a policy which it disapproved. He named Rear Admiral C. H. Davis as acceptable who was assigned accordingly.

The President sent for me the following morning, Saturday, and as I returned entered the room, he remarked that I would probably be surprised to hear that Seward already had an application for Letters of Marque. I acknowledged I was disappointed if there were respectable and responsible parties to engage in the business. The President said he knew nothing of the gentleman whom Seward had brought him, further than that he had a vessel, and was anxious to enter upon the service. Taking up and looking at a paper, he said the gentleman's name was Leybuck, that he had a vessel of one hundred tons into which he proposed to put a - - - - that this gentleman was then in the audience room, and he would call him in that I might examine him. This I informed him was unnecessary, for I was familiar with the case which had been several times before me. There was, I assured the President, no New York merchants or capital in this enterprise. Leybuck was I had learned, a Russian adventurer, a citizen of South Carolina, and I preferred that the Secretary of State should dispose of this and all other similar applications. With a twinkle in his eye the President said he certainly would not trouble me further in this instance.

Senator Sumner informed me at the same time that the President had experienced great difficulty in getting a sight of my letter of the 31 of March. Mr. Seward did not bring it to his notice as was expected, and when he asked for it, one excuse after another was given, but the President persisted until it was sent him, when he notified the Senator, and together they read it, and discussed the whole subject of privateering and reprisals.

This, with Leybuck's application, the only one that even after came to my knowledge, closed the subject of Letters of Marque and reprisals during the rebellion.
I never again saw the regulations or heard them alluded to.

That Mr. Seward was earnest and sincere in his belief that privateers might render efficient service I never doubted, but it was fortunate for the administration and the country that he did not "direct affairs" for the nation in that instance. Mr. Lincoln proved himself, through that whole exciting period, the "superior in native intellectual power" and administrative ability.

*Dear Sir, 2, 1861, Willis answered Seward's instructions and sufficiency and adds: It is a specimen of Seward's management.*