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Report of the Secretary of State, (in compliance with a resolution of the Senate,) in relation to the practice of foreign governments in transferring their criminals and paupers into the United States...

Washington, D.C.: U.S. G.P.O., 1845

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REPORT
OF
THE SECRETARY OF STATE,

(In compliance with a resolution of the Senate,)

IN RELATION TO

The practice of foreign Governments in transferring their criminals and paupers into the United States.

JANUARY 16, 1845.

Read, and ordered to be printed.

To the Senate of the United States:

The Secretary of State, in compliance with the resolutions of the Senate of the 23d ultimo, directing him "to communicate to the Senate such information as may be in possession of the Department of State, as to the practice of foreign Governments in transferring their criminals and paupers into the United States; and that he also communicate copies of such instructions, if any, as may have been given by the Government of the United States to its consuls and other agents in foreign Governments upon this subject; and copies of such reports, if any, as may have been received from such consuls and agents in relation thereto:" and, also, "that he be instructed to communicate to the Senate any information in his department, of arrangements made by any foreign Governments, or Government, for the removal to the United States of foreign paupers or convicts, specifying, if the information in the department will enable him to do so, the number of persons of the above descriptions who have, within any given time, to which such information may extend, migrated to the United States; and any information in possession of the department of the average number of foreigners, of every description, annually arriving within the United States"—has the honor to transmit the accompanying documents, which contain all the information on the files of this department in relation to the subject, except what may be found in the report of Mr. Forsyth to the President of the United States, dated 10th May, 1838, (House Document No. 370, 25th Congress, 2d session,) to which he respectfully refers.

The table accompanying this, showing the average number of persons annually arriving in the United States, is compiled from returns to this department for the last eight years, and embraces, as far as practicable, the information called for by the resolution in regard to the description of the emigrants.

Respectfully submitted.

J. C. CALHOUN.

DEPARTMENT OF STATE,
Washington, January 14, 1845.

List of papers.

- A.—A letter from J. Cuthbert, United States consul at Hamburg, to Mr. Livingston, dated January 22, 1833.
 A Letter from same to the Syndic Siveking, December 7, 1832.
 A letter from Syndic Siveking to J. Cuthbert, January 4, 1833.
 A translation of a report to the Hamburg Senate, December 25, 1832, by J. L. Dammert, chief of police.
- B.—Extract of a letter from J. Dodge, United States consul at Bremen, to Mr. Forsyth, dated February 1, 1835.
 Translation of an act of the Bremen Senate respecting emigrants.
- C.—Extract of a letter from F. J. Grund, United States consul at Bremen, to Mr. Webster, dated February 10, 1842.
- D.—A table showing the average number of persons arriving in the United States annually.

A.

CONSULATE OF THE UNITED STATES OF AMERICA,
Hamburg, January 22, 1833.

SIR: On the 4th December I had the honor to receive a despatch from the Department of State, dated the 8th October, signed by Daniel Brent, Esq., respecting the convicts sent by the police of this city to New York; and on the 7th I addressed a note to the Syndic Siveking on the subject, copy of which I have the honor to enclose. On the 4th instant I received a note from him, with a report made by Senator Dammert, chief of police, to the Senate, translation of which is also enclosed. This document proves that the Hamburg Senate had given its consent to the deportation, but contains so many absurdities (not to give them a worse name) that I was of opinion a verbal acknowledgment of its receipt would be best, which I did on the 6th at the Syndic's table, without any remarks whatever.

I request to hand herewith the half-yearly report of arrivals and clearances, with vouchers for payments and account current to the end of the year.

With great respect, your most obedient servant,

JOHN CUTHBERT.

HON. EDWARD LIVINGSTON,
Secretary of State of the U. S., Washington.

No. 1.

CONSULATE OF THE UNITED STATES OF AMERICA,
Hamburg, December 7, 1832.

SIR: I beg leave to enclose you an extract of a despatch received from the Department of State, respecting the sending of convicts to the United States. When informed of the affair, I was not disposed to give credit to it, as I was unwilling to believe in such a breach of moral faith. As the

vessel had left the port before I received the intelligence, I wrote immediately, via Liverpool, giving the information to the mayor of New York. It will most probably come before Congress for their decision; but in the mean time I consider my power over the American ship masters increased, and am desired to say that my Government expects nothing of the kind will be attempted in future.

With respect, &c.

JOHN CUTHBERT.

His Excellency the Syndic SIVEKING.

—
No. 2.

HAMBURG, *January 4, 1833.*

SIR: Referring to the note of the 7th December, by which you accompanied an extract of a despatch from the Department of State, dated the 8th October, I have the honor to transmit copy of a police report on the passengers of the brig Dorothea.

I have the honor to be, &c.

C. SIVEKING.

JOHN CUTHBERT, Esq.

—
No. 3.

[TRANSLATION.]

HAMBURG, *December 25, 1832.*

In conformity to the charge received Amplo. Senatve upon that which is contained in the note of the consul of the United States of North America of the 17th instant, I do myself the honor respectfully to state:

That in the foregoing summer many individuals [were] detained in the prisons and houses of correction, consisting mostly of persons guilty of boyish indiscretions, whose time of imprisonment was more or less near expiring, and who begged for their release under the promise of leaving the country; which request was laid before the Senate, who were willing to grant it. Such procedure takes place frequently every where with offenders whose crimes have not been very great; and it is well known that such persons, with real good will, find it much more easy to gain an honest livelihood in a foreign country than in their own, where their indiscretions or crimes, and that they have been imprisoned, is kept constantly alive in the public mind. Some of these persons, who had heard of a conveyance to North America for a reasonable sum, chose the aforesaid country to go to, and agreed for their passage on board the ship Dorothea. Many others soon joined them. I have heard it was their intention to go into the interior of North America, to cultivate the land, and to be useful to the colonists, and some to purchase uncultivated land.

The number of south Germans, who shortly before had gone to North America from Bremen and Hamburg, for the same purpose, of whom, off and on, many came here, and of which much was spoken in public, may have given them this idea. The police could not refuse these people the passports they requested, which were given them by the chancery bureau;

and, as it is not customary to have the consul's visa to passports to North America, it was also omitted this time, and thus the consul was not informed of their departure.

That many persons from the European continent go to America without passports, is well known to the police, from the strangers that have passed through here. In respect to Vogelsang, who is named in the enclosure with the note, he is among the released, and received a passport. But it is wrong to denounce this individual as a notorious incendiary. He was imprisoned on suspicion of having set fire to the property, but not found guilty, and punished in consequence of having discovered the fire, and keeping it secret for criminal purposes, and being found guilty of other crimes.

Besides, it is just this man, that has property, and, so far as my memory serves, he was more particularly one whose intention was to go into the interior to purchase uncultivated land—I believe in Canada.

Those who have undergone their punishment, or where a part has been remitted as an act of mercy, have made their peace with community ; and it would be hard if such should be prevented seeking an honest livelihood in another State.

J. L. DAMMERT, *Dr.*

B.

[EXTRACT.]

UNITED STATES CONSULATE, BREMEN, *February 1, 1835.*

* * * * *

The great number of poor Germans emigrating yearly to our country, and who, on their landing, without any funds and without any means to maintain themselves, become a burden to our seaports, if they cannot immediately obtain employment, leads me respectfully to submit to your consideration, whether the following suggestions may not be made useful to our country in remedying the same, viz :

Every foreigner emigrating to the United States shall, before his departure from a port in Europe, appear before the consul of the United States residing at the port from whence the vessel is cleared, and make oath, first, to the number of persons who compose his family, and whom he takes with him ; and, secondly, that he is the possessor of a certain sum of money, (the amount of which to be fixed by law, according to the number of persons which compose his family,) over and above the amount of his passage money, and what may be necessary for his expenses previous to embarking, and which sum of money he shall engage himself by said oath to take with him to the United States, and produce the said amount, and the oath signed by himself, and certified to by the consul, to a competent officer, who shall immediately visit the vessel before the same makes entry ; and should any emigrant fail to produce to the visiting officer the said certified oath, and the amount of money mentioned therein, the captain of the vessel shall be obliged to give bonds, holding himself and sureties accountable for all damages and expenses which may arise from the said emigrant falling on the charge of the city where he may have arrived, during the term of three years. The commutation money to be raised to

three dollars for each individual emigrant brought in the vessel, and to be paid by the captain at the time of entry.

As the attending to this business would take up a great deal of the consul's time, and probably occasion to him the expense of an additional clerk, a small fee of at least fifty cents, for drawing up and administering each oath, would be a reasonable compensation, and not heavy to the emigrants.

I enclose an act of the Bremen Government of the 13th June, 1834, and a translation thereof, by which you will please observe, that they have taken the precaution to protect themselves against all expenses which might fall upon them for the maintenance of emigrants, in case emigrants embarking from here, or from any other port on the Weser, and bound to a port on the other side of the Atlantic, might be shipwrecked in the European seas, or in case any other accident might happen in the said seas to the said vessel, which might prevent its proceeding on the said voyage, by ordering insurance, effected in this city by the owner, consignee, or freighter of the vessel, for the passage money, and for 18 rix dollars, extra, for each individual emigrant, and the policy of said insurance to be deposited with the commissioner for inspecting the brokers, before the vessel is allowed to be despatched.

I have, sir, the honor to remain, with the greatest respect, your most obedient servant,

JOSH. DODGE.

HON. JOHN FORSYTH,
Secretary of State, Washington.

No. 1.

Translation of an act of the Bremen Senate respecting emigrants.

By the act published on the 1st October, 1832, sundry regulations respecting the emigrants that arrive here have been made, chiefly to the end that in respect of the impending sea voyage the intent of the emigrants themselves, as well as the public interest, be secured as much as possible.

Though in general these regulations have been found to answer the purpose, yet in respect of disasters at sea, which might happen to the vessel, the necessity of some more extended regulations has been discovered, particularly that the passengers may obtain the necessary help in case of such an unhappy accident.

The Senate ordains, therefore, the following :

1. Every citizen of this place who may be owner, consignee, or freighter of a vessel, and who engages for the same at least 25 cabin or steerage passengers for a port on the other side of the sea, whether the embarkation shall take place here in Bremen haven or elsewhere on the Weser, has to apply to the inspection of the brokers, and to prove to that authority :

A. That the vessel is in a fully fit condition for the intended voyage.

B. That the same has been furnished with sound provisions sufficient, according to the number of passengers, and in respect of the place of destination, viz : if it is bound to a port of North America, in order to give security for the utmost case, at least for a time of ninety days.

C. That for the case if a misfortune should happen in the European seas to the vessel, whereby the same might become unable to proceed on the voyage, the passage money of all passengers that are saved, and more-

over a sum amounting to 18 rix dollars for each of them, be ready to be employed, in order thereby, first, to cover the costs of saving the passengers and their effects, and the costs of their temporary maintenance, as also to pay the passage money necessary to get them forward, and in general to reimburse to the Bremen Government all expenses made for the passengers in consequence of the disaster, and then to distribute among the passengers the balance that might remain.

2. For proving as far as regards the article mentioned under C, it is required that the amount which shall serve for employment be insured by an insurance company here, or by a solid private underwriter of this city, and that the policy be handed over to the inspection.

Should an accident of the said kind afterwards happen, that amount is to be employed conformably to the above regulations by the person who has expedited the vessel, and the same has afterwards to prove to the inspection that such has been done.

3. As soon as a vessel is on the Weser, and intends such a voyage, its fitness must be proved, and that it has been duly furnished with provisions, and that the insurance has been effected must be proved at least before the passengers go on board; and the inspection shall give a certificate thereof to the person who expedites the vessel. It is not allowed to despatch the vessel before receiving this certificate, under a fine of 50 rix dollars for each contravention, and under personal responsibility of the person who despatches the vessel, for all damages arising therefrom.

The regulations of the first-mentioned act remain in force in as far as they are not altered by the present regulations.

Concluded at Bremen, in the Assembly of the Senate, on the 13th, and published on the 19th June, 1834.

C.

[EXTRACT.]

CONSULATE U. S. FOR THE PORT OF BREMEN,

February 10, 1842.

* * * * *

One reason why American vessels cannot compete with those of Bremen is, that the latter carry all the emigrants, from 12,000 to 16,000 a year, which they effect by a law requiring or urging all persons who wish to emigrate *to engage their passage on board of some Bremen vessel* before entering the city. The Bremen brokers and ship owners have their agents all over Germany, who make it a point to catch all they can on the road, "and in many cases have obtained from \$2 to \$5 a head for all they caught," when American vessels were obliged to leave in ballast.

The emigrants are not even permitted to remain in town after they have engaged their passage, but are hurried immediately after their arrival on board of their respective ships; the merchants being determined to derive all the benefit from the emigration, and to share none of its inconveniences.

But this matter admits yet of another point of view. The emigrants who are thus hurried to the United States, without having the slightest chance of availing themselves of the benefit of the market, and who are thus made to lose large sums which would otherwise benefit the United States, have not even an opportunity offered them of consulting the United

States consul, in order to take his advice on all matters concerning the country of their adoption. And yet he would be the very best person to inform them about the laws and regulations of America, and the safest means of investing their property. He is the only responsible person who, himself an American citizen, has a permanent interest in their success.

From the moment the emigrant announces his intention to leave his native country, he is looked upon as a *malcontent*, a person who is dissatisfied with the institutions at home, and who, leaving his country never to return, is a fit subject for plunder. For it must be observed that the emigrants from this country, and from the continent of Europe in general, are usually provided with very considerable sums of money, of a very large portion of which they are defrauded on their way to the seaports. Were the United States consuls authorized to exercise a species of *surveillance* over all persons emigrating to America, which might be effected by requiring a consular *visa* or passport of all persons arriving in the United States, and making the captains of vessels responsible for it, a species of self-protection and protection of the emigrants, which it appears is the more necessary as the United States Government has no control over them after they are once landed, the following advantages would accrue :

1st. It would prevent criminals and fugitives from justice from resorting to the United States, because the consul would not give passports to persons of a suspicious character.

2d. It would inform the consul of the number of emigrants, and thereby prevent the merchants of the place from making their shipment a monopoly.

3d. It would bring the wealthy emigrants in direct contact with the American land owners or the Government, and thus save thousands of dollars annually which are thrown away on absurd mercantile speculations, of which these people have no idea, but to which they are enticed by interested persons. These people do not know the American market, much less the degree of perfection to which manufactures have risen in America, or they would not, at an enormous expense, charge themselves with goods, instruments, farming utensils, &c., all which they might purchase cheaper and better in the United States. All these sums would be saved to themselves and the country if they were made to listen to the advice of the consul.

The undersigned has done all in his power to advise German emigrants through the public prints, and is just publishing a work on this subject. He has undertaken, at his own expense, a long journey to the interior, and has had interviews with the ministers of the States of Wurtemberg, Baden, Hessen, and Bavaria ; but all these efforts, and the good will of these persons to co-operate in this philanthropic measure, must prove ineffectual, if the Government of the United States, which is more interested in it than any other, does not, by legislation, remedy the evil.

It cannot be urged against my suggestion, that the *visa* and inspection of passports would cost the consul a great deal of time and trouble. If the port be small, and the number of emigrants few, he will be able to attend to them himself ; otherwise a small fee, say from 12½ cents to 25 cents, would enable him to procure the assistance of a clerk, or compensate him for the loss of time.

* * * * *

Your most obedient servant,

FRANCIS J. GRUND.

Hon. DANIEL WEBSTER, *Secretary of State.*

D.

A statement showing the average number of persons arriving in the United States annually, their occupations, sexes, and the countries of which they are natives, made up from and averaged by the returns to this department for the last eight years.

Occupation.	Males.	Females.	Where from.	Males.	Females.
No occupation - - -	7,140	21,653	United States - - -	3,418	1,261
Children - - -	6,466	5,712	England and Scotland - -	6,736	4,679
Merchants - - -	4,580	5	Germany - - -	11,061	7,186
Laborers - - -	9,052	427	Ireland - - -	17,749	12,332
Mariners - - -	702	-	France - - -	3,214	1,750
Mechanics - - -	8,415	236	Spain and Spanish colonies	832	156
Clergymen - - -	135	-	British possessions - -	1,353	714
Farmers - - -	11,462	735	Texas - - -	1,463	176
Lawyers - - -	69	-	Mexico - - -	319	52
Engineers - - -	29	-	Prussia - - -	842	599
Shipmaster - - -	1	-	French colonies - - -	49	22
Planters - - -	14	-	Not known - - -	766	419
Clerks - - -	108	-	Switzerland - - -	331	203
Teachers - - -	29	1	Norway - - -	297	201
Traders - - -	14	-	West Indies - - -	205	82
Physicians and surgeons -	217	-	South America - - -	53	33
Seamstresses & dressmakers	-	260	Italy - - -	68	12
Students - - -	3	-	Portugal - - -	33	8
Missionaries - - -	3	-	East Indies - - -	2	1
Artists - - -	59	3	Denmark - - -	41	20
Soldiers - - -	30	-	Poland - - -	16	13
Miners - - -	24	1	Sweden - - -	52	18
Officers* - - -	60	-	Russia - - -	21	11
Servants - - -	53	464	St. Domingo - - -	6	2
Players and musicians -	27	2	Dutch colonies - - -	3	2
Spinsters - - -	-	226	Turkey - - -	2	-
Gentlemen - - -	276	-	Sardinia - - -	6	3
Ladies - - -	-	236	Persia - - -	1	-
Editor - - -	1	-	Danish colonies - - -	5	3
Financier - - -	1	-	Austria - - -	13	6
Sisters of charity - - -	-	2	Sicily - - -	5	-
Nuns - - -	-	5	Egypt - - -	1	-
Priests - - -	3	-	Pacific islands - - -	1	-
			Genoa - - -	2	1
			Greece - - -	1	-
			China - - -	1	1
			Africa - - -	5	2
	48,973	29,968		48,973	29,968
Males - - -	-	48,973	Males - - -	-	48,973
Females - - -	-	29,968	Females - - -	-	29,968
Total arrivals per annum -	-	78,941	Total arrivals per annum -	-	78,941

* Includes civil and military.