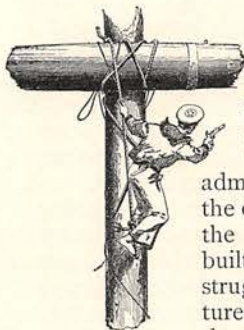


BRINGING IN PRIZES.

EARLY VICTORIES OF THE AMERICAN NAVY.

NEW FACTS FROM FRENCH SOURCES.



THE career of the American Navy, strictly speaking, began with its reorganization under Washington's second administration in 1794. At the close of the Revolution the vessels that had been built or purchased for that struggle had all been captured, lost, or sold except the *Alliance*, 32 guns, the

Deane, 32, and the *George Washington*, 20 guns, and soon after the announcement of peace these vessels also were sold.

At the time Washington assumed the reins of government in 1789 the affairs of the navy were placed in the hands of the Secretary of War, and it was not until the 30th of April, 1796, that a Navy Department was added to the President's Cabinet, Benjamin Stoddert of Georgetown, D. C., being the first Secretary. On the 27th of March, 1794, a law was passed for the establishment of a permanent and organized navy. By this law six frigates rating not less than thirty-two guns were ordered; but it is more than probable that even this step would not have been taken had it not been for the seizure of our merchant ships and the enslaving of their crews by the rovers of Barbary. These six frigates were:

	Rate.	Tons.	Cost.	Place.
Constitution	44	1576	\$302,719	Boston.
President	44	1576	220,910	New York.
United States 44	1576	299,336	Philadelphia.	
Chesapeake	36	1244	270,678	Norfolk.
Congress	36	1268	197,246	Portsmouth, N. H.
Constellation 36	1265	314,212	Baltimore.	

According to the report of the Secretary made April 1, 1794, these frigates "separately

1 Owing to the depredations of French cruisers on American commerce, the United States Government, in the spring and summer of 1798, abrogated its treaty

would be superior to any single European frigate of the usual dimensions; that if assailed by numbers they would be always able to lead ahead; that they could never be obliged to go into action but on their own terms, except in a calm; and that in heavier weather they would be capable of engaging double-decked ships."

Thus at the outset we find the American naval constructors aiming at a higher standard than had yet been attained. The success they achieved will be the object of our inquiry.

"Separately [they] would be superior to any single European frigate of the usual dimensions." The *Constellation* was the first to be put to this test. At half-past twelve o'clock on the afternoon of February 9, 1799, while cruising alone in the vicinity of St. Christopher, the island of Nevis bearing five leagues west by south, her commander, Captain Thomas Truxtun, discovered a sail to the south-southeast. He immediately put before the wind, which was fresh from the north-northeast, so as to cross the stranger's course. At one o'clock the chase was standing on the port tack. Half an hour later a squall necessitated the shortening of sail. For a few minutes the vessels were lost to view, but on the weather clearing up it was seen that the stranger had sprung her maintopmast and had changed her course with a view of running into St. Eustatius. Soon after she hoisted an American flag, upon which Captain Truxtun showed his colors and gave the private signal of the day. As the chase did not answer, there was no longer any doubt of her nationality. Presently she hoisted French colors, fired a gun to leeward in "confirmation," and put about to the southeast, the *Constellation* in hot pursuit.¹

of alliance and other conventions with France, and authorized American officers to capture French cruisers, public or private, wherever found. Though war was

By 3.15 o'clock¹ the American frigate had gained so much as to be within "pistol-shot," at which time the Frenchman hailed. As Captain Truxtun did not reply the chase again hailed, when the *Constellation*, having gained a position off her port quarter,² poured in a full broadside. This was promptly returned by the Frenchman, when the cannonading became heavy on both sides. After a few minutes the enemy luffed up to run aboard, but owing to the loss of her maintopmast was not quick enough, so that the *Constellation*, forging ahead, ran athwart her course and poured in a raking fire. Captain Truxtun then passed along the Frenchman's starboard side, and, having received no material damage in his spars or rigging, was able to keep his ship just off the enemy's starboard bow, where she was weakest. This position he maintained fully an hour, pouring in broadside after broadside, at the same time receiving a heavy fire from his opponent.

While this was going on an "eighteen-pound ball"³ struck the *Constellation's* foretopmast just above the cap. This so injured the spar that it tottered, and was in imminent danger of giving way under the press of sail. Midshipman Porter, afterwards Commodore, was stationed in the foretop, and immediately hailed the deck, giving notice of the danger. In the excitement and uproar of battle no order was sent up. Seeing the urgency of the occasion, young Porter went aloft, cut the stopper and lowered the yard, thus relieving the mast of the pressure of sail and averting a serious mishap.

The *Constellation* now drew out of the smoke which had collected around the ships, and again running athwart the enemy's course poured in a second raking broadside. Then ranging alongside the Frenchman's bow, she opened a heavy fire from her starboard battery which soon dismounted every 18-pounder on the enemy's main deck, leaving him with only his "battery of 12-pounders."⁴ About half-past four o'clock the *Constellation* dropped astern, crossed the enemy's wake, and was about to rake for the third time, when the Frenchman surrendered. A boat was immediately sent aboard the prize, which soon returned with Captain Barreaut and the first lieutenant of the French 36-gun frigate *l'Insurgente*.

There has been some error among naval

writers in regard to the several actions between American and French cruisers in this *quasi* war, owing to lack of information. James Fenimore Cooper merely states that "*l'Insurgente's* armament consisted of 40 guns, French twelves, on her main-deck battery." William James, in a pamphlet entitled "Naval Occurrences between England and the United States," gives *l'Insurgente* "26 long 18-pounders upon the main deck," thus contradicting Mr. Cooper's statement of 12-pounders on the main deck. Even the French naval historian, M. Troude, has made conspicuous errors in treating of these actions, some of them in favor of the American ship. He gives *l'Insurgente* 12-pounders instead of 18-pounders on the main deck, while at the same time he gives the *Constellation* 28 12-pounders on the main deck, whereas she carried cannon of twice that weight, or 24-pounders. Moreover, Mr. James says the "nature of the *l'Insurgente's* guns nowhere appears." These irreconcilable statements have arisen from lack of information on the subject, and the great difficulty of getting at the official reports of the French commanders. These reports and all other papers dealing with American affairs of this period have been jealously guarded, inasmuch as they involve long-standing and intricate claims of American and French citizens for indemnity against privateer captures during this war.

Through the courtesy of Admiral Aube of the French Navy, late Minister of the Marine, the writer was permitted to search through the archives of the Navy Department in Paris, where he found the official reports of the French commanders concerned in this war. The report of Captain Barreaut throws much light on the action between the *Constellation* and *l'Insurgente*, and determines the nature of the latter's armament, which up to this time has been in dispute. He says:

At Pitre Point, Liberty Port, this 29th Pluviose, year 7 of the French Republic. Barreaut, Frigate Captain, to the Citoyen Desfourneaux particulier of the executive directory for the Windward Islands.

CITIZEN GENERAL: It is my duty and desire to render you an exact account of my conduct on the 21st Pluviose, and of the unfortunate events following it. I shall not deviate from the truth, and as agent and military commander I beg you to be willing to judge me.

mandant Maley, both built to cruise after swift-sailing privateers and each carrying 12 guns, rendered important services and gained renown.

¹ Official report of the French commander.

² "La hanche de bâbord." Troude's "Batailles Navales de la France," Tome III., p. 168.

³ "Life of Commodore David Porter," by Admiral David D. Porter, p. 22.

⁴ Official report of the French commander.

not formally declared, it existed on the seas until the treaty of peace ratified by the Senate in February, 1801. This article treats only of the three principal battles of the war, to the history of which it brings important information derived from the reports of the French commanders. But the *Constellation* and *Boston* did not enjoy all the glory won by the American tar in this struggle; the schooners *Enterprise*, Lieutenant-Commandant Shaw, and *Experiment*, Lieutenant-Com-

The 21st Pluiose, being about three leagues off the Point [Pitre] at the northeast of Nevis, which was then due N. E. $\frac{1}{4}$ N. the wind east, the lookout called at 12.30 P. M. that there was a sail to the windward of us. I continued my course for another half-hour, then having mounted the foreyard with Citizen Petit Pierre, I saw that the stranger was running towards us. I allowed her to approach to the northwest and then decided to make my course between Saba and St. Christopher, but this vessel in approaching appeared to me and to all on the yards to be a corvette from the trim of her sails. Having, Citizen agent, engraved upon my heart your words, you are going to see how a good crew conduct themselves. I think a corvette would not frighten you. I believed it was the moment to show our haughty enemies [the English] that in spite of the superiority of their forces vessels of war might still be captured from them. I wished also to inspire confidence in my crew by hugging the wind, every one burning with ardor for the fight.

At one o'clock I tacked the same as did this vessel which continued to chase us, and at 1.30 P. M., in a squall in which the topgallant sails were lowered, the Citizen Durand then commanding the manœuver, the maintopmast fell—source of all our misfortune. Immediately, upon the advice of the coasting pilot, I steered to the N. W. $\frac{1}{4}$ N. to make St. Eustatius if I had time to make the anchorage. The vessel, which I could see was a frigate, chased me. I had hoisted the American flag; she signaled me and also hoisted an American flag.

I found myself in a position to avoid no longer an engagement, and as the stranger still pursued me it became necessary to ascertain her nationality. I therefore lowered the American flag and hoisted French colors with pendant, which I confirmed by a cannon shot to leeward. She hoisted her broad pendant with the American flag without confirming. I doubted yet that she was an American. I was much embarrassed by your orders, which were not to fire on the American flag. Thus an English frigate could easily have made use of this flag while chasing us, thereby avoiding the fire of our 18-pounders, with which we could have seriously injured her [the *Constellation*] during the hour and a half she was overtaking us, and thus have given me time to save myself.

Again, if I should have fired on the American frigate, with what reproach would you not have overwhelmed me. I would have commenced hostilities, and if in the end I had been defeated all the blame would have been on me; and, one might say to you, the instructions of captains of American frigates do not permit them to fire on the Republic's vessels.

Lastly, it stands to reason that having lost my maintopmast I gave the advantage to a frigate of double my strength in letting her approach within pistol-shot before defending myself. I was thus obliged to receive a full broadside from a frigate of 24 and 12 pounders, deliberately aimed at pistol-shot, which broadside made terrible havoc in my quarter-deck.

At three o'clock the combat commenced. Judge of my surprise on finding myself fought by an American frigate, after all the friendship and protection accorded to the United States. My indignation

was at its height. As soon as my first broadside was fired I cried, and with all the men on the quarter-deck and fore-castle, "Let's board her!" My cabin was invaded to get arms, and I ran to the helm to put her to windward in order to get alongside of the American frigate. *L'Insurgente* changed her first movement, but being without center sails and not being able to move the others quickly enough, the American frigate had time to run ahead of us, and having all her sails set she was beyond us, which compelled us to change our battery men.

My only remaining service were my cannons, a cannon of 18 pounds of Baloze dismantled; and manœuvering with much difficulty, we fired three broadsides. The American frigate now seemed to suspend her fire and I ordered Citizen Jourdan to suspend ours, thinking that the American captain might still be considering his conduct. But he again opened on us, so I gave orders to fire also. This frigate did not remain crossways to us, but sought by every means to take advantageous positions and completely to dismantle us. I endeavored to imitate the irregular manœuver, but the mizzen-topmast had fallen in the tops, the "brigantine" was completely riddled. All I could do was to bring it down to trim the mizzenmast, for the arms, bowlines of foremast sails, and fore-topsails were completely cut through, our topmen without doubt killed, as they did not reply; the master did not appear upon the bridge, no quartermasters were left, only a bridgeman with yard-men. All I could do was to give the order to Citizen Sire to square-brace every sail on the mizzenmast. The American frigate still having all her sails, which were only slightly injured, and moving very easily, was at pistol range in front of us.

Finally, seeing my position was hopeless, a little later on it became necessary to surrender to very superior forces. Seeing many men wounded and killed on the yards, I decided to pass to the front of the gangway to consult my second. At this moment the topmen cried out, "Two ships to windward coming down on us, and they are large vessels." I said to my second, "Rather than strike to two English ships in my disabled condition, I prefer to surrender to the American frigate, which I believe has not the right to take me," being persuaded that war did not exist between the two nations.

After two hours' combat, totally dismantled, the ship like a hulk, having as our only defense a battery of 12-pounders, yet well provided with a crew and ammunition, comparing her to an upset battery against a frigate of 24 and 12 pounders, about fifty men killed or wounded, my second said to me, "Do as you please." No objection from the others, I thought it necessary to strike so that I might have a chance to speak to the American commander.

The American frigate then sent its boat aboard to take me and my second aboard their ship, we taking nothing with us. My first question was, "Why have you fired upon the national flag? Our two nations are not at war." His only reply was, "You are my prisoner"; and made us go below, and took our arms from us. This conduct surprised me, the more so after the last news from Europe received through the corvette *la Sagesse*, and after the statement of the Citizen Mariner, who declared at the Point that the captain of the frigate *Constitution* [Nicholson] had told him that if he had overtaken

me he would not have fired the first shot on me, but that if I had fired he would have replied.

This is an exact account of my conduct. I have done everything I could in such unfortunate circumstances. I thought that about two hours of combat, the total dismantlement of my frigate, fifty men *hors de combat*, was sufficient. A greater obstinacy would have caused a greater loss of men without having any hope of escape. An hour later I would have been compelled to surrender anyhow. All just and impartial seamen will tell you that I would have been taken. My hope was that Captain Truxtun, commanding the *Constellation*, had taken much too much upon himself in firing first upon us.

The next morning I reminded the captain of the *Constellation* how he had answered one of my questions. He replied that he had special instructions, known only to himself, and that it was three months ago that war had been declared in France. You can imagine how much surprised I was, remembering your particular orders and instructions [*i. e.*, not to fire on the American flag], and I make bold to assure you that if I had been able, during the two hours that the American frigate was in our wake, within range of my two long 18-pound stern-chasers, to fire on her, I should have made it impossible for her to overtake me.

My honor, existence, all are compromised by the duplicity of this infamous government.

[Signed] BARREAUT.

A true copy signed Desfourneaux, certifying this to be an exact copy of the original deposited at the Majorite de la Marine. Le Commis Principal de la Marine, charged with the execution of the order contained in the despatch of the 28th July, 1821.

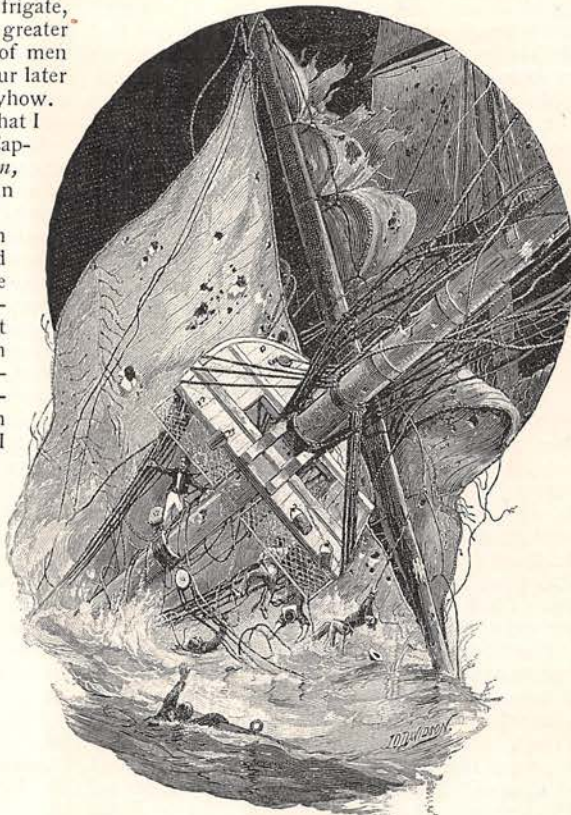
L'Orient le 6 oibre, 1821.
SCHABRIE.

Here we find that Captain Barreaut speaks of his 18-pounders in three separate places, which, taken together with the fact that an 18-pound shot struck the *Constellation's* foretopmast during the action,¹ leaves no room for doubt that *l'Insurgente's* principal armament consisted of 18-pounders. Again Captain Barreaut speaks of "une batterie de 12," showing also that he had a battery of 12-pounders. In no portion of his report does he mention, or in any way intimate, that his ship carried other than 18 and 12 pounders. All authorities agree that *l'Insurgente* carried 40 guns, which, as the rating of French frigates was peculiarly regular, rates her as a 36-gun frigate. This class of French frigates carried 26 long guns on the main deck, 10 long guns on the quarter-deck and fore-castle, and 4 36-pound carronades, two on the quarter-deck and two on the fore-castle.

According to M. Troude, *l'Insurgente* car-

¹ "Life of Commodore David Porter," by Admiral David D. Porter, p. 22.

ried 26 long 12-pounders, 10 long 6-pounders, and 4 carronades of 36 pounds. We have seen, however, that Captain Barreaut admits having a battery of 18-pounders and one of



FALL OF THE "CONSTELLATION'S" MAINMAST.

12-pounders, but in no way does he mention 6-pounders. There can be no doubt, then, that *l'Insurgente* carried 26 long 18-pounders on the main deck, as Mr. James states, 10 long 12-pounders on the quarter-deck and fore-castle, and 4 36-pound carronades, which were always carried by French frigates of this class.

Both the *Constellation* and *l'Insurgente* were rated as 36-gun frigates, yet by a comparison of their armaments we shall find the *Constellation's* materially superior to that of her antagonist. The American frigate carried 28 long 24-pounders on the main deck and 20 long 12-pounders on the quarter-deck and fore-castle, carronades, at that time, not having come into use in the American navy. This gave the *Constellation* — not allowing for deficient weight in American metal — a total of 912 pounds. Her crew numbered 309, of whom 2 were killed — one by the third lieutenant for deserting his gun early in the action — and 3 wounded. *l'Insurgente* carried 26 long 18-pounders on the main deck, 10 long

12-pounders on the quarter-deck and fore-castle, and 4 36-pound carronades, which were always carried by frigates of this class. The French pound, it must be borne in mind, was eight per cent. heavier than an English pound. Thus a French 12-pound shot weighed thirteen English pounds, and a French 24-pound shot weighed twenty-six English pounds. Calculating on this basis we find *l'Insurgente's* total weight of metal to have been 791 pounds.

Neither Captain Barreaut in his official report nor M. Troude make statements regarding *l'Insurgente's* complement. The usual complement for a French 36-gun frigate was about 300 men, but Captain Truxtun in his official report states that she carried 409 men, of whom 29 were killed, 22 badly and 19 slightly wounded. From this it must be inferred that *l'Insurgente* carried a hundred supernumeraries at the time of the engagement.

COMPARATIVE FORCE AND LOSS.

	Guns.	Lbs.	Crew.	Killed.	Wounded.	Total.
Constellation	48	912	309	2	3	5
<i>l'Insurgente</i>	40	791	409	29	41	70
					Time, 1 h. 14 m.	

It again fell to the lot of the *Constellation* to demonstrate the superiority of the American frigates over "any single European frigate of the usual dimensions," for early on the morning of February 1, 1800, nearly a year after her action with *l'Insurgente*, while cruising fifteen miles west of Basseterre, she gave chase to a sail that appeared to the southward. This at first was thought to be a merchantman, but on closer inspection it was found to be a heavy French frigate. Orders were immediately given to sling the yards with chains and to clear the ship for action. Towards noon the wind became light, thus enabling the stranger to hold his distance, which was nearly hull down to the south. In this relative position the two frigates remained for twenty-four hours waiting for a breeze which would enable them to manœuver.

At one o'clock Sunday afternoon, February 2, the wind freshened so that by setting every inch of canvas the *Constellation*, by eight o'clock in the evening,¹ succeeded in getting within gun-shot. Captain Truxtun then hoisted his colors, lighted his battle lanterns, and soon after stepped to the gangway to hail. At this moment the stranger opened fire from her stern-chasers and quarter-deck guns. The *Constellation* did not immediately reply, but, reserving her fire until she had secured a position on the Frenchman's weather quarter, opened with deliberate and destructive broadsides. The stranger directed his fire at the *Constellation's* rigging, while the latter aimed at the Frenchman's hull. In this manner the two frigates

ran along, side by side, with little or no manœuvering, for nearly five hours, keeping up a spirited cannonade.

Towards midnight the Frenchman's fire slackened, and by half-past twelve became silent. By this time the *Constellation's* rigging, sails, and spars were terribly cut up, although her hull was comparatively uninjured. It was now ascertained that the mainmast was unsupported, every stay and shroud having been carried away. The men were immediately called from the guns to meet this great danger. But it was too late, for a few minutes later the mast went over with a crash, carrying the topmen and Midshipman James Jarvis with it. This young officer, although warned by a gray-haired seaman of the critical condition of the mast, refused to leave his post and perished with his men.

Every effort was made to clear the wreck, and in an hour's time the frigate was again after her antagonist. The Frenchman, however, having sustained comparatively little damage in his rigging, had improved this opportunity to make his escape, and by the time the *Constellation* was again under way he had disappeared in the night. There being no trace of the enemy at break of day, Captain Truxtun made for Jamaica to repair damages. It was afterwards learned that the stranger was the 40-gun frigate *la Vengeance*, Captain A. M. Pitot.

During the following August, or six months after this encounter, *la Vengeance* was captured by the British frigate *Seine*, Captain David Milne. She then carried 28 long 18-pounders on the main deck, 16 long 8-pounders on the quarter-deck and fore-castle, and 8 short 36-pounders, making in all 52 guns and 994 English pounds of metal. Since her action with *l'Insurgente* the *Constellation* had exchanged ten of her long 12-pounders for 24-pound carronades — the first, it is believed, ever used in our navy. Her 24-pounders also had been replaced by 18-pounders. Her armament then consisted of 28 long 18-pounders on the main deck, 12 long 12-pounders, and 10 short 24-pounders on the quarter-deck and fore-castle, in all 50 guns, aggregating 888 pounds of metal. Out of her crew of 310 she lost 14 killed and 25 wounded.²

Captain Pitot does not definitely state his losses, merely saying, "In consequence of the action I was so much damaged in my rigging that I was forced to return to the port of Curacao, working to bend new sails on the stumps of the masts which remained, by means of which we were enabled to reach the port on the 18th of the same month." The regular complement of a French 40-gun frigate was

¹ Official report of the French commander.

² Official report of Captain Truxtun.



THE "BOSTON" RAKING "LE BERCEAU."

330 men. As the *Constellation* directed her fire principally at the enemy's hull, their loss in killed and wounded was very severe. According to American accounts it was 50 of the former and 110 of the latter.

COMPARATIVE FORCE AND LOSS.

	Guns.	Lbs.	Crew.	Killed.	Wounded.	Total.
<i>Constellation</i>	50	888	310	14	25	39
<i>La Vengeance</i>	52	994	330	50	110	160
					Time, 5 hours.	

Captain Pitot's official report of this action is as follows:

CURAÇAO, year 8.

A. M. PITOT, captain commanding the frigate *la Vengeance* of the French Republic, to the Minister of the Marine and Colonies:

CITIZEN MINISTER: I have the honor to send you an account of two actions I have had on the 12 and 13 Pluviose with an American frigate which attacked us at eight o'clock in the evening in latitude $15^{\circ} 17' N$. by $66^{\circ} 4'$ longitude west of Paris, and fought at first under the English flag and then the American. I am ignorant of its name. The examination I was made

to pass before the Governor of Curaçao, and from all the information that I have been enabled to procure, leads me to believe that the action took place with the *Constellation*, frigate of the United States, of sixty cannons and having 500 men as a crew. She had 24 and 18 pounders in her battery, and 12-pounders upon her quarter-deck.

You will see, Citizen Minister, what has been my conduct on this occasion; everything showed me that I must avoid an action in the position I was in, and must limit myself to the defensive. I acted in consequence. After having in the first action dismantled my antagonist, I put on sails and continued my course. As to him he could have attacked us in daylight, but he did not do so, preferring to attack at nightfall, and after having been forcibly repulsed he returned to the charge. The action was very exciting. In consequence of the action I was so much damaged in my rigging that I was forced to return to the port of Curaçao, working to bend new sails on the stumps of the masts which remained, by means of which we were enabled to reach the port on the 18th of the same month.

I was very well received here by the governor and the commandant of the Marines. Each of my

officers fulfilled his duty with honor, courage, and talent, and I must express very great satisfaction with their conduct. I have too much confidence in the justice of the Government to believe that it will be necessary for me to enter into their individual actions to satisfy the Government. But I cannot forego this pleasure. I will speak with all the more praise for them as it is the second action in which the great part of them participated in *la Vengeance* in the space of ten months.

[Signed] A. M. PITOT.

As we have seen, Captain Pitot reports the *Constellation* as a "frégate des États-Unis de 60 canons et ayant 500 hommes d'équipage." It is hardly necessary to show the error of this statement. It will be observed, however, that no ship in the United States Navy, up to 1814, carried more than 56 guns, and not even the heaviest as many as 500 men. That the 36-gun frigate *Constellation*, under cover of night, should have induced Captain A. M. Pitot to believe that he was fighting a frigate of 60 guns, manned by 500 men, is the best possible acknowledgment of the efficiency of the ship and of her crew.

The official report of the third action between American and French cruisers in this war shows it to have been one of the most remarkable struggles in naval history. Cooper in his account of this affair merely states that the *Boston*

was directed to cruise a short time, previously to going on the Guadeloupe station again, between the American coast and the West India islands. While in the discharge of this duty, November, 1800, in latitude 22° 50' N. and longitude 51° W., she made a French cruiser, which, instead of avoiding her, evidently sought an encounter. Both parties being willing, the ships were soon in close action, when, after a plain, hard-fought combat of two hours, the enemy struck. The prize proved to be the French corvette *le Berceau*, Captain Senez, mounting 24 guns, and with a crew a little exceeding 200 men. *Le Berceau* was much cut up, and shortly after the action her fore and main masts went. Her loss in killed and wounded was never ascertained, but from the number of the latter found in her it was probably between 30 and 40 men. Among the former were her first lieutenant, master, boatswain, and gunner. The *Boston* mounted 8 more light guns than *le Berceau*, and had about an equal number of men. She had 4 killed and 11 wounded. Among the latter was her purser, Mr. Young, who died of his injuries. *Le Berceau* was a singularly fine vessel of her class, and had the reputation of being one of the fastest ships in the French marine. Like the combat between the *Constellation* and *l'Insurgente*, the superiority of force was certainly in favor of the American ship on this occasion, but the execution was every way in proportion to the difference.

According to the French official account of this action, the battle lasted not two hours

only, but twenty-four hours, and was one of the most desperate encounters of that period. Owing to the death of Captain Senez and his first lieutenant, the next officer in rank, Second Lieutenant Clément, was officially examined, of which examination the following official record was made:

Extract from Register F., folio 159, of the "Chancellerie du Commissariat des relations commerciales" of the French Republic at Boston.

To-day, 17th Frimaire of the year 9 of the French Republic, before midday appeared before me, Albert Salleron, chancellor pro tem. of the said Commissariat in the chancery of the commissariat of commercial relations of the French Republic at Boston, Citizen Louis Marie Clément, second lieutenant of the Republic's sloop *le Berceau* of twenty-two pieces of cannon, 8-pounders, and two howitzers, commanded by Citizen André Senez, frigate captain, who made before me the following declaration:

"That the 20th Vendémiaire 9 year [12th of October, 1800] *le Berceau* sloop, Captain Senez, sent from Cayenne on a cruising expedition, the 5th completing day of the year 8 [September 17th, 1800], by the agent of the Cayenne, having for a "spy" the schooner *l'Espérance*, Captain Hammond, reckoning 22° 47' latitude N. by 49° 20' longitude W. of Paris, variable winds east-northeast by southeast, fresh wind, fine sea. At five o'clock in the morning we noticed a sail before us at a league and three-quarters' distance. Immediately we signaled the schooner to the southeast and let it come up a little. A short time after we found out that the vessel we had sighted was a large war vessel. We at once put about and signaled the schooner to do the same. A moment later she imitated our actions. At six o'clock the vessel, which we found to be a frigate, was in our wake, the schooner being a little to windward of us. At half-past six a general and decided rallying was signaled to the schooner. At this time the frigate had the wind and chased the schooner, which at once took the wind on the starboard tack. At this time we let the schooner approach us; the frigate hugged the wind, but the schooner gained on her. At eight o'clock the frigate, seeing that she could not overtake, we let her approach us. We then went to the windward, knowing that this was the best point of sailing for fore and aft rigged vessels like ours.

"At ten o'clock the schooner had disappeared, the frigate was still chasing us and was gaining a little. By eleven o'clock she had gained still more, and at noon we perceived that she had a decided advantage over us, upon which we relieved our ship by throwing the anchor overboard. The frigate was now about a league behind us. At half-past twelve their advantage being more obvious, we threw overboard many articles which might impede our progress, and at two o'clock the frigate, having gained considerably on us, we threw overboard what remained of the ballast, also the second boat and the spare masts, except the extra topmast.

"At half-past three o'clock the frigate hoisted the American flag and pennon and fired twice. We at once hoisted French colors and pennon and an-

swered by a single cannon shot. The frigate at a quarter to four, being within speaking distance, asked us from whence we came. 'From Cayenne,' replied the captain. 'Where are you going?' 'Cruising.' 'Strike your flag.' 'Never!' replied the captain. A moment later she fired on us, and ranging along our starboard side, within pistol-shot, the battle began in a most spirited manner on both sides. The musketry was very sharp and well sustained, the only delays being to reload the pieces. The battery also was served with the greatest activity, and the cry of 'Vive la République' was often heard during the battle.

"At six o'clock our mizzen topgallant-mast and topmast were seriously wounded, the shrouds cut through, and the yards, sails, and lower masts riddled with shot. At five minutes of six o'clock the frigate dropped astern, having her topmast cut through and fallen. We hauled up our courses and held the wind as well as we could. The frigate from this moment ceased firing, and we worked without ceasing at repairing damages.

"At half-past eight o'clock the frigate again attacked us and we discharged a broadside. From that time the action was renewed with great ferocity at pistol-shot. At half-past nine o'clock the captain, seeing a favorable opportunity of boarding the frigate, gave the order, and the crew only awaited the chance and our vessel manœvered to favor the attempt. The frigate, however, took care not to allow herself to be boarded, and the action continued at pistol-range up to eleven o'clock, when the frigate again hauled off to repair damages. We also hauled up our courses; a short time after which our jib-boom broke, also the topmasts fell on the forward deck. At this time our shrouds and backstays were nearly all cut through, and the two square topmasts had also been cut upon our two gibbets. We therefore found ourselves without the possibility of repairing, but we nevertheless made as much sail as we could. The frigate also was much damaged in her sails and topmasts, and she remained out of gunshot but always in sight.

"At five o'clock the next morning nobody had yet left his post and we expected every moment a third attack, when the frigate passed us to the starboard at a great distance and placed herself to windward of us at half a league's distance. In the course of the morning we saw that she was working at repairs. At half-past eleven o'clock our foremast, pierced with shot, fell to the starboard, and a short time after the large mast fell also. At two o'clock in the afternoon the frigate, which had now finished

repairs, came up to us on the starboard side. Our captain then assembled the council necessary in such cases. All that were called to the council thought that the dismayed ship, having its battery entangled with the fallen masts, many shot below the water-line, which already caused her to make seven inches of water in the hold, as well as a number of other serious damages, could no longer keep up the combat against the frigate without wasting the lives of those yet alive and who were now so situated that there was no possible means of defending themselves to advantage. Moreover, that the honorable manner in which they had fought had sufficiently proved how much they had had to heart to preserve to the Republic the sloop which had been confided to their care, but having done all that was possible to prevent its capture they ought to give in to superior forces. It was then unanimously decided that without making any more resistance the flag should be hauled down. Accordingly it was struck at once, and immediately after the frigate sent a boat to take possession. We then found the frigate to be the frigate of the United States, the *Boston*, of 24 12-pounders and 12 9-pounders commanded by Captain George Little.

[Signed]

CLÉMENT,
SALLERON.

"Four killed and seventeen wounded. Seven hundred cannon shot expended and two thousand and one hundred musket shot."

The *Boston* was a corvette, and carried 24 long 12-pounders and 12 long 9-pounders, making a total of 36 guns with 396 pounds of metal, not allowing for deficient weight in American metal. Out of a crew of 230 she lost 4 killed and 11 wounded. *Le Berceau* mounted 22 long 8-pounders, and 2 short 12-pounders, in all 24 guns, making 216 English pounds of metal. Out of a crew of 220 she had 4 killed and 17 wounded.

COMPARATIVE FORCE AND LOSS.

	Guns.	Lbs.	Crew.	Killed.	Wounded.	Total.
Boston.....	36	396	230	4	11	15
Le Berceau....	24	216	220	4	17	21

Le Berceau was taken to port and refitted, and on the ratification of the treaty with France, February 3, 1801, she was returned to their navy.

Edgar S. Maclay.

YESTERDAY.

LORN yesterday
 Came back to say,
 "Let me a shadow be,
 A shade, if nothing more,
 To follow faithfully
 The days that go before."

I could but say,
 "Sweet, have your way";
 And so the gone day clings:
 Since pleasures are too few,
 Why lose the old sweet things,
 Though sweeter prove the new?

John Vance Cheney.