

CAPTURE OF THE *NIGER*

Captain Samuel Nicholson, USN, to the Secretary of the Navy

CONSTITUTION, Hampton Road, 12 September 1798

Sir, I have the pleasure to inform you that I arrived here yesterday evening. I have been much retarded in my passage to our southern boundary—which I was endeavoring to effect agreeable to your orders—by contrary winds, calms, and the chasing, and speaking [with] the great number of vessels I fell in with at sea. The Havana fleet and many others, mostly Americans when, on the 8th instant at 6 AM in latitude 33:10 north and longitude 74:00 west from London, a man from our mast head made a sail steering to the northwestward. We made all sail and gave him chase. He then tacked and stood by the wind to the southeast. We soon perceived him to be a ship of war. He kept his ship close by the wind. About 10 AM he tacked and stood to the northward and westward. He found we came down on him fast. He then thought to try us two points from the wind; he was still no match for our ship. He was much deceived in our ships' size. I came close on his beam, end-on within half gun shot, when I fired a shot over him and hoisted my colors. He then the first time showed me an English ensign and fired one gun to leeward; he then kept by the wind, all sail set, and endeavored to get the wind of us until we came close on board of him, when he hauled up his courses and backed his main top sail, all hand to quarters in a very minute and complete manner, as we were also. I had from his maneuvering every reason to expect a broadside from him every moment until my third lieutenant Mr. Beal was actually on board of him and ordered and drove his men from their quarters, who were constantly trailing and pointing their guns into us as we altered our positions. We were then within pistol shot of each other, and if he had caught me one instant off our guard, I am convinced he would have fired his broadside into us. I hailed them and was answered very impertinently in broken English by their boatswain, who seemed the commanding person on board. The captain afterwards apologized to me on that account, that it was his boatswain. I ordered them to hoist out their boats and for their captain to come on board the CONSTITUTION with his papers. They at first refused I repeated my Request and told them if they offered to make sail or give me any further trouble by attempting to get away I would absolutely fire into them, sink them and give them no quarters. I was convinced they were pirates. They then sent a small boat with the second captain, a Frenchman, on board with four men, the remainder still at their quarters trailing their guns. I kept them and sent the boat back with my own people, with orders to send their first captain and a boat full of those people, as my officer was not safe in the hands of such a set, for they had absolutely laid a train of gunpowder to their magazine in order to blow up the ship. Their boat and first captain now came on board; each had the French national uniform on; they said they were French royalists and bound from Jamaica to Philadelphia and had a commission from the English government, and a register and clearance from Jamaica, all which I believe to be counterfeits. They have no articles, shipping paper, or logbook and they have, I suppose 30 hogsheads sugars and 12 or 15 hogsheads Rum on board. The crew is made up of 7 French officers, - Frenchmen, - Spaniards, 3 English, - Portuguese, - Italians, 1 American, - Dutch, and - Negroes—in all about 75 Men [and] a British officer and an American gentleman belonging to Baltimore passengers. The ship is called the *NIGER* built by the Spanish government, taken by the British, and sold at Jamaica 2 or 3 years since. Has quarter galleries and a scroll head, mounts twenty-four nine and twelve-pounders, built of cedar and coppered, and as completely sound as any ship of war whatever. They have a great deal of money on board, and I am informed a large sum under the magazine; the crew have their pockets full. There was a disturbance amongst them a few nights ago fighting with knives and etc., on which I ordered them to be searched and deprived of their knives, money, watches and etc. Every one of those people have one or two trunks, American made, full of good clothes and etc. which I have no doubt have been plundered from the Americans. The French captain was very solicitous on his first coming on board to have his French boatswain excused being put in irons with the rest of his people, but one of my men named Martin Rose swears that seven months ago he was on board a schooner from Portsmouth, NH bound to the West Indies and was taken by a French Schooner of which this same man was boatswain. [He was] stripped stark naked, and by him carried to Guadeloupe; we are really put on our guard by these people for of all beings I ever beheld in human shape I declare I never saw so impudent and daring a set of rascals, and I have had a great many to take care of in my time. It is my real opinion if they could get an opportunity, they would blow our ship up by way of revenge. They are fit for and capable of anything, be it ever so desperate. I have come in with them myself—I was really afraid to trust her alone with so many prisoners on board, knowing the men, their great rage and disappointment notwithstanding, every officer is a very active and diligent man. I have no doubt she will be condemned to us. Should that be the case I would recommend her to the President of the United States as a very fast sailing ship mounting completely 24 guns ready for immediate use and 400 Tons burthen. They have treated their passengers in such a brutish manner that they are exasperated with them and are happy in the change, and in my possession. The English officer is quarter master, and paymaster to the 58th Regiment on his passage to America with his lady and 2 children for their

health, whom they have turned out of their cabin previous to which this officer tells me they had attempted to poison him by giving him drugs in his wine. This ship was certainly cruising (and is not consigned to any person in Philadelphia) and capturing our American homeward-bound East and West Indiamen. I have no doubt but different sets of papers and various methods will be made use of when ever any of those people fall into our hands. To deceive us they will no doubt endeavor to cover themselves all in their power; this we must expect. It is certain they cleared from Jamaica and said they were bound to Philadelphia, but that they ever meant to go there with that crew before they had disposed of the greater part of them in prizes I cannot conceive, or believe at any rate I had a duty to do, which I thought obliged me to see this ship into port. She was, they say, bound to Philadelphia and I have taken care of her and brought her into Virginia. I shall deliver the prisoners into the hands of the marshal and make no doubt but the district judge, with my agent, under your orders will take the necessary steps to have her condemned to us. I have taken a French royalist. I don't know them and as I have no orders respecting such a nation or people, I was at no difficulty in my own mind at taking possession and sending them into port for the examination and decision of our government on this head, and what those people are to show for colors. They had English and national colors both bent when my officer boarded them. It appears to us they sailed from Port Royal to Port Antonio with a few hands on board, and in the night they sailed from Port Antonio on this voyage or cruise. This mixed, unprincipled set of people came on board I suppose by assistance in breaking goal and to go off in this ship. The English sailors are deserters from Men of War; this appears to me evident as they had neither articles, logbook, or anything else as other nations at sea are by law accustomed to. They could not stay at Jamaica on account of the enclosed proclamation of that government. I am informed that the revenue cutter is gone to sea from this place with your dispatches for me. In that case I shall wait here till I receive your orders, as it is uncertain when the cutter will return. In the meantime I will fill up my water and prepare for sea at the shortest notice....

We have but two people that are unwell on board and they are recovering fast. I have taken them quite unawares here as they have not any place to receive the prisoners, but they will be landed in the fort in two or three days when the commanding officer will receipt for them as prisoners of war, and they are now making preparations to receive them. We are put to great difficulty and expense here on account of the public officers that will have to libel and arrange the business for the condemnation of prizes in the admiralty courts residing at a great distance.

Office of Naval Records. *Naval Documents Related to the Quasi-War Between the United States and France. Naval Operations from February 1797 to October 1798.* (Washington, DC: 1935), pp. 393–396.