

island for years, without any object or employment, I concluded to take a number of Kanakas, and enter them upon such terms that I could at any moment discharge them.

The authorities of Oahu were applied to through our consul, and readily agreed to the men being employed, provided they were returned to the island agreeably to their own laws. Articles of agreement were consequently entered into to this effect, by which I bound the government of the United States to return them after their services were no longer needed; and a stipulation was made that the rations of spirits should not be drawn by them. I was thus assured of having at least sober men. Word was sent to the different parts of the island for those who were disposed to enter, to assemble on a given day at the fort, under the authority of the governor. Upwards of five hundred men assembled in consequence, out of whom Captain Hudson and myself chose about fifty, all able-bodied and active young men, in perfect health.

The authority for thus completing our complement of hands is contained in the Act of Congress of March the 3d, 1813; the ninth section of which provides as follows: "That nothing in this act contained shall be construed to prohibit any commander or master, of a public or private vessel of the United States, whilst in a foreign country or place, from receiving any American seaman, in conformity to law, or *supplying any deficiency of seamen on board such vessel*, by employing American seamen or *subjects of such foreign country*, the employment of whom shall not be prohibited by the laws thereof." Yet, notwithstanding my acting under this ninth section, on my return home it was alleged that I had violated the first section of this same act, and it was made one of the charges against me by the Secretary of the Navy. The whole act is to be found in Story's Laws of the United States, vol. ii. p. 1302.

It was highly necessary for the service I was engaged in, to enlist these men for a time; it was done according to law; all the circumstances were duly reported to the government in my next despatches, and my conduct was not objected to until the charges were made out against me.

I was now enabled to complete my plans of operation, and every exertion was made forthwith to put the vessels in condition for service, half of the crews being retained on board to proceed with the outfits, while the rest were on liberty.

The services on which I proposed to employ the vessels of the squadron, were as follows, viz.:

Captain Hudson, in the Peacock, accompanied by the tender, was