

CHARLES G. RIDGELY.

[To accompany bill H. R. No. 486.]

JANUARY 27, 1838.

Mr. HOWARD, from the Committee on Foreign Affairs, made the following

REPORT:

The Committee on Foreign Affairs, to which was referred the memorial of Commodore Charles G. Ridgely, praying remuneration for various necessary expenditures incurred by him as commanding officer of the naval forces of the United States on the South American station, in 1820 and 1821, report :

That this case has been before both branches of Congress, in each of which a favorable report was made. It is necessary to refer to the documents of the Senate, in order to explain the reason why the claim has not been heretofore satisfied, as it was acknowledged to be just.

On the 13th of June, 1836, the Committee on Foreign Affairs in the Senate made a report, which concluded with the following resolution :

“ *Resolved*, That Captain Ridgely is entitled to a just remuneration for the extraordinary expenses incurred by him on the occasions herein alluded to, after they are ascertained by the proper accounting officers ; and that, as such remuneration may be made out of appropriations annually made, the Committee on Foreign Affairs be discharged from further considering the said petition.”

Upon a copy of this report being presented to the State Department, as the one whose contingent fund was supposed to be applicable to the payment of the claim, it appeared that the Secretary did not consider himself at liberty to appropriate any portion of the fund to that purpose. The following memorandum expresses his opinion :

“ The Secretary of State has no power to pay any such claims as those of Captain Ridgely, nor any fund out of which they could be properly paid.

“ J. FORSYTH.”

In consequence of this difference of opinion, it became necessary to apply again to Congress, and the Committee on Foreign Affairs in the House of Representatives, on the 17th of January, 1837, made a favorable report, and accompanied it with a bill.

The committee refer to and adopt that report, with the exception of that part in which an effort is made to fix upon the precise sum due to Captain Ridgely. They now prefer to leave the case to be settled by Thomas Allen, print.

such proof as may be exhibited to the Secretary of the Navy, and propose, in the bill herewith reported, to authorize him to settle the account upon principles of equity and justice.

JANUARY 17, 1837.

The Committee on Foreign Affairs, to which was referred the memorial of Commodore Charles G. Ridgely, praying remuneration for various necessary expenditures incurred by him as commanding officer of the naval forces of the United States on the South American station, in 1820 and 1821, report :

That it appears that, during the years 1820 and 1821, whilst Captain Ridgely was in command of the American squadron in the Pacific ocean, and when war was raging in Peru and Chili, the Spanish Viceroy, having been deposed, sought a temporary refuge, with his suite and attendants, on board of the United States frigate Constellation, under the command of Captain Ridgely ; that he incurred considerable expenses in entertaining these guests ; that, on other occasions, he received distinguished Spaniards on board of his squadron, owing to the prevailing unsettled state of things ; and that, whilst he was affording them a protection, dictated by humanity, and warranted by his instructions from the Navy Department, incurred extraordinary expenses entertaining them ; and that he also performed other services, during his cruise, not falling within the ordinary duties of the commander of a squadron, but demanded by the unsettled condition of public affairs, and the consequent necessity of protecting the substantial interests of his country.

Upon referring to the Navy Department for a knowledge of the instructions under which Captain Ridgely sailed, for the purpose of ascertaining whether his conduct was justified by them, the committee find that a large discretionary power was given (as ought to have been given) to the commanding officer upon such a distant and delicate duty. The Secretary of the Navy directed him, among other things, as follows : " In touching at the ports in Chili and Peru, and all others in South America, you will ascertain whether the trading or whale ships of the United States are molested in the prosecution of their voyages, and the causes of such molestation, and afford to them all particular relief, in cases of need ; and, at all the ports you may visit, make such display of the ship under your command as shall be best calculated to produce impressions favorable to the interests of the United States." " You will visit all the United States ships and vessels you may meet, with a view to ascertain their situation, and whether they have been interrupted in their lawful pursuits ; afford them aid, protection, and security, consistently with the laws of nations, and the respect due to the existing authorities, wherever and whenever such protection and aid shall be needed and can be afforded."

The two following examples are selected amongst the services performed by Captain Ridgely, under these general instructions, which appear to the committee to fall legitimately within their scope. In 1821, a revolution took place at Lima, in Peru, and that city fell into the hands

of General San Martin. Immediately preceding the fall of the city, the Viceroy of Spain, General Pezuela, an old gentleman of seventy years of age, and who had been Viceroy of Peru for twelve years, was deposed, and made his escape on board an American merchant ship, called the General Brown. He was accompanied by his son-in-law, a colonel in the service of the King of Spain, and by his confessor. In a day or two after this event, the frigate Constellation arrived, and Captain Ridgely found a determination existing, on the part of the commander of the fleet of Chili, to capture the General Brown, with the intention of sacrificing the life of this venerable Viceroy, and listened, from humanity and policy, to the appeal for protection on board of his ship for the Governor who had for so many years presided over the country, and who might, perhaps, be soon called upon to resume his power. All the other ports of Peru were at that time under the Government of Spain, and prudence, therefore, required that a kind feeling towards the American flag should be maintained in those ports. These persons were received on board of the frigate by Captain Ridgely, as his guests, and entertained at his expense, until an opportunity was afforded of placing them in safety.

Upon another occasion, Mr. Prevost, then at Lima, exhibited to Captain Ridgely a letter which he had received from the master of a large merchant ship, belonging to New York, with a very valuable cargo on board, stating that his vessel was taken possession of by the authorities of Guayaquil, and calling for assistance from the civil and military powers of his country. The revolutionary condition of Guayaquil at that moment, and the absence of all regular government, required a speedy and effectual interposition. Although Mr. Prevost was not, perhaps, strictly accredited, according to diplomatic etiquette, to the authorities of Guayaquil, yet he was known to be an agent of the American Government, and Captain Ridgely promptly repaired with him to the relief of their countryman in distress. The union of civil and military interference was too influential to be resisted, and the vessel was released; but the expenses of maintaining Mr. Prevost fell, of course, upon Captain Ridgely, and are properly chargeable to the United States.

These two cases will serve to illustrate the general character of the services rendered by Captain Ridgely, under his instructions; and it is unnecessary to enumerate more. The price of provisions is represented to have been enormous. Captain Clack certifies that, at the time when the Viceroy was received on board, flour was selling for one hundred dollars per barrel, and other articles proportionably high. Although no precise data exist in the case, from which to compute exactly the expense sustained by the commodore, the committee have endeavored to ascertain it, and believe that six thousand dollars would not be more than a fair allowance.

They therefore report a bill for that amount.

IN SENATE OF THE UNITED STATES, JUNE 13, 1836.

Mr. CLAY made the following report :

The Committee on Foreign Affairs, to which was referred the petition of Captain Charles G. Ridgely, of the navy, has had the same, with the accompanying documents, under consideration, and beg leave to report :

That it appears that, during the years 1820 and 1821, whilst Captain Ridgely was in the command of the American squadron on the Pacific ocean, and when war was raging in Peru and Chili, the Spanish Viceroy, having been deposed, sought a temporary refuge, with his suite and attendants, on board of the United States frigate Constellation, under the command of Captain Ridgely ; that he incurred considerable expenses in entertaining these guests ; that, on other occasions, he received distinguished Spaniards on board his squadron, owing to the prevailing unsettled state of things ; and, whilst he was affording them a protection, dictated by humanity, and warranted by the amicable relations subsisting between the United States and Spain, incurred extraordinary expenses in entertaining them ; and that Captain Ridgely performed other services, during his cruise, not falling within the strict line of his duty.

Whilst the committee believe that there may be occasions when, without a neglect of the duties of humanity, (and some such occurred as above* stated,) the commanders of our squadrons on distant service cannot avoid incurring extraordinary expenses, for which they ought to be remunerated, the committee think that these occasions ought to be always strictly examined, and that they should not be unnecessarily multiplied, nor at any time made for useless parade, nor for laying the foundation of a subsequent claim for extra allowance. The committee does not intend to say that this was done by Captain Ridgely ; on the contrary, it has no reason to believe that he did any thing which was not suitable to the case, the character of his country, and of his vocation.

The committee is of opinion that Captain Ridgely ought to be reimbursed all expenses which he incurred in the instances referred to, not arising out of the regular line of his official duty ; but the committee possesses no adequate data upon which it could recommend to the Senate to make him the specific allowance to which he is equitably entitled. This is the less necessary, as, in the opinion of the committee, it is competent to the Department of State or the Navy, out of the appropriations annually made for contingencies, to make him a just and proper allowance. The committee therefore propose the following resolution :

Resolved, That Captain Ridgely is entitled to a just remuneration for the extraordinary expenses incurred by him on the occasions herein alluded to, after they are ascertained by the proper accounting officers ; and that, as such remuneration may be made out of appropriations annually made, the Committee on Foreign Affairs be discharged from further considering the said petition.