



## *Circular to the Captains of Revenue Cutters, 1819*

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**13<sup>th</sup> July, 1819**

**Sir,**

For your government in performing the duties of your station, it becomes proper briefly to point them out to you. Accordingly, I refer you to the Act of Second March 1799, under which you have been appointed, and in which are contained your powers, and the objects to which you are to attend. And I shall add such observations as appears to me requisite to guide you in fulfilling the intent of that act. It may be observed, generally, that it will be in a particular manner the province of the Revenue Cutters to guard the Revenue Laws from all infractions or breaches, either upon the coasts or within the bays, or upon the rives and other waters of the United States, previous to the anchoring of vessels within the harbors for which they are respectfully destined. Hence, it will be necessary for you, from time to time, to ply along the Coasts in the neighborhood of your station, and to transverse the different parts of the waters which it comprehends.

To fix yourself constantly, or even generally at one position, would in a great measure defeat the purpose of the establishment. It would confine your vigilance to a particular spot, and allow full scope for fraudulent practices everywhere else. The ninety-ninth section of the act before mentioned, declares that the officers of the Revenue Cutters are to be deemed officers of the Customs, and enumerates certain powers with which they are to be invested.

This section requires particular attention, as marking the outline of your authority and duty. But, in the capacity of officers of the Customs, you will possess some other powers, and be bound to perform some other duties, which is not mentioned in that Section. You will, have a right, for example, an it will be your duty to seize vessels and goods, in cases in which they are liable to seizure, for breaches of the Revenue Laws, when they come under your notice. But all the powers you can exercise will be found in some provisions of the law; and it must be a rule with you to exercise none with which you are not clearly invested. In every case of doubt, you will follow the advise of the Collector under whom you may be placed. On points of importance, which admit of delay, you may correspond with the Secretary of the Treasury. All the sections which relate to manifests, will also require your particular attention. The due observance of the provisions of those sections is considered as of material consequence to the security of the Revenue; and ample time having been allowed for them to be generally known and complied with, it is now

indispensable that they should be strictly enforced. You will keep a record of all the vessels from which you demand manifests, not only of those from which you receive them, but of those from which you do not receive them, and of the Districts for which they are bound; and you will at the end of every month (pursuing the division of the year by the calendar) send me an abstract of your record. Careful attention is likewise due to other sections of the Act.

It is of importance that vessels should not break bulk or put out any part of their cargoes, even to temporarily, previous to the regular entry and permission obtained except in cases of real necessity to be duly reported and proved. You will observe that besides the penalties on the master and mate of the vessels, from on board, of which good shall have been illegally removed, the master or commander of the vessel or boat into which they may be received, and all persons aiding in the removal, are liable to a forfeiture of treble the value of the goods removed, and the vessel or boat, in which they may be received, is also subject to forfeiture. It is well known that one of the most extensive cases of illicit trade is that which is here intended to be guarded against - that of unlading goods before the arrival of a vessel into Port, in Coasters and other small vessels, which convey them clandestinely to land. Hence the bare removal of goods from one vessel to another is made penal, though they may not have been landed. Nor will the pretext of their being intended to be replaced avail anything. The provisions of the Act admonish you to keep a very careful eye upon the motion of coasting vessels, without, however, interrupting or embarrassing them, unless where some strong ground of suspicion requires that they should be visited and examined. It is easy to state that it would be dangerous to the Revenue for vessels to go at pleasure, from one port of the United States to another, without announcing themselves to some proper officer. Hence, though each may proceed on her voyage from a more exterior to a more interior District, to which she may be bound - yet none can go back from a more interior to a more exterior district, or from one part of the United States to another, without first reporting herself to the Collector of the District, in order that she may come under the notice and precautions of the law. Nor can this be deemed a hardship; seeing her report will not oblige her to unlade any part of her cargo, but she may afterwards proceed with it wheresoever she pleases. I have now noticed to you the principal parts of the law which immediately relate to the execution of your duty. It will, however, be incumbent upon you to make yourself acquainted with all the Revenue Laws, which concern Foreign Commerce, or the Coasting Trade a knowledge of the whole spirit and tendency of which cannot but be a useful guide to you in your particular sphere.

You will observe that the law contemplates the officers of the Customs, in certain cases, remaining on board of vessels until they arrive at their places of destination; and with a view to this it is that so many officers have been assigned to each Cutter. It is not however expected that this will be done in every case, and it must be left to the discretion of the Commanding Officer when it shall be done; - where there is a vessel, the lading of which is of very great value, or which has any considerable quantity of goods on deck, or in other situations from which they can readily be removed; or where the nature of the cargo is such as to admit more easily a clandestine landing, or from the highness of the duty to afford a more than ordinary temptation, or where a vessel is bound to a very

interior District, up long bays or rivers, or where any suspicious circumstances appear; in these, and the like cases, it will be proper to let an officer accompany the vessel to her place of destination.

The want of a Manifest will be circumstance in favor of doing so. It will not however, be advisable to make known the circumstances under which it is deemed most peculiarly proper to use these precautions, as it might sometimes unnecessarily give offense. It may be always left to be understood, that it is the practice whenever the State of the Cutter renders it convenient.

You are empowered, among other things, to affix seals on packages found in certain situations.

The principal design of this provision is to identify the packages found in such situations.

It will be expected that a regular journal be kept in each Cutter, and in the same manner as far as circumstances are applicable, as is practiced in sea voyages; and that all occurrences relative to the execution of the laws, and to the conduct of all vessels which come under their notice, be summarily noted therein, and that a copy of this journal, at the end of each month be regularly forwarded to the Treasury.

While I recommend in the strongest terms to the respective officers, activity, vigilance, and firmness, I feel no less solicitude that their deportment may be marked with prudence, moderation and good temper. Upon these last qualities, not less than the former, must depend the success, usefulness, and consequently the continuance of the establishment, in which they are included. They will always remember to keep in mind, that their countrymen are freemen, and as such, are impatient with everything that bears the least mark of a domineering spirit. They will, therefore, refrain, with the most guarded circumspection, from whatever has the semblance of haughtiness, rudeness or insult. If obstacles occur, they will remember that they are under the particular protection of the laws; and that they can meet with nothing disagreeable in the execution of their duty which these will not severely reprehend. This reflection and a regard to the good of the Service, will prevent at all times, a spirit of irritation and resentment. They will endeavor to overcome difficulties, if any are experienced, by a cool and temperate perseverance in their duty - by address and moderation, rather than by vehemence or violence. The former style of conduct will recommend them to the particular approbation of the President of the United States, while the reverse of it, even in a single instance of outrage, or intemperate and improper treatment of any person, with whom they have anything to do, in the course of their duty, will meet with his pointed displeasure; and will be attended with correspondent consequences. The foregoing observations are not dictated to whom they are addressed, But, in an affair so delicate and important, it has been judged most advisable to listen to suggestions of caution, rather than of confidence, and to put all concerned on their guard against those sallies to which even good and prudent men are occasionally subject. It is not doubted that the instruction will be received as it ought to

be and will have its due effect. And that all may be apprised of what is expected, you will communicate this part of your orders, particularly, to all your officers, and you will inculcate upon your men a correspondent disposition. The twentieth Section of the Act requires that all officers appointed pursuant to that Act, should take a certain oath therein specified, which oath, when taken by yourself, and each of your officers, must be transmitted to the Comptroller of the Treasury.

I am, Sir, very respectfully  
Your, Obedient Servant  
Wm. H. Crawford.

P. S. The Acts of Congress to which your attention is more particularly invited, are as follows:

"The act of enrolling and licensing ships or vessels to be employed in the Coasting Trade and Fisheries, and for regulating the same," passed February 18<sup>th</sup> 1793.

"An act to regulate the collection of Duties on Imports and the act supplementary thereto, passed April 20<sup>th</sup>, 1818.

"An act supplementary to the Acts concerning the Coasting Trade, " passed March 2<sup>nd</sup>, 1819.

"An act in addition to the Acts prohibiting the Slave Trade, " passed March 3<sup>rd</sup>, 1819.

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**Historical background:** The Treasury Department was having a difficult time in keeping the cutters "active" on patrol. Crawford's letter was clearly a prompt to these officers to do their duty with more vigor. He also reminds them they all took and signed an oath of office to attend faithfully to that duty.

**A warning.** Although care has been taken to transcribe this document accurately; there is no substitute for viewing and revisiting the original.

This Circular is a fair copy located at the National Archives, Record Group 26, Entry 143A. Copies of Letters Sent from Treasury Department to Customs Collectors, Vol. 1. Pages 137 - 143. Transcribed by [William R. Wells, II](#), II, GMCM, USCG (ret). January 26, 2001.

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