To Mr Rebello
&c &c

Baltimore May 18th 1829.

David Hoffman

The Criminal proceedings now pending in the Circuit Court of the United States against persons who have violated the Laws of this Country for the preservation of its neutrality, and also the Laws of Nations, by fitting out Privateers in American ports, to cruise against the Subjects and property of His Imperial Majesty, the Emperor of Brazil, have been attentively promoted by me, in conjunction with the patriotic Citizen who in a recent pamphlet assigns himself "Publico" and who remains still unknown to every one but myself. This publication, and the voluminous Statements and documents with which we have furnished the Grand Jury, have excited great interest in the public mind, and have already laid the foundation of 15 Indictments, which it is supposed will be followed by as many more. Some of these persons have gone to prison, for the want of bail; and others having found bail, await their trial at the present Court. It is also in contemplation to vindicate the injured reputation of our City by the Establishment of a Society for the Suppression of Privateering, Piracy, and Slave-trade. The criminal proceedings will probably engage my attention for several years to come, and even if they should not eventuate in the legal conviction of many of the offenders, it must still have the effect of breaking up their plans, by making their devices notorious; and by the exposure of all names connected with their plundering and nefarious enterprises. It will under

privateering so perilous, and little profitable, that few will have sufficient motive to engage in it, and the whole system will I trust be finally abandoned. But this desirable object will be greatly promoted by the arrest of such prize property as they may bring into American ports, and also by calling on them to respond in damages for their illegal acts, which can be done in all cases in which the captures are made by American citizens, and where the prize goods are brought into American ports. These civil prosecutions will require great and constant vigilance; very satisfactory proof, and considerable expense. Of the many libels that may be instituted, only some of them will be successful, but even when unsuccessful, they must tend to the suppression of privateering, since it puts the captors to heavy expense, and great vexation. I have heard of several parcels of property said to be Brazilian, and to have been captured by Baltimore privateers; but it is so mixed up with Spanish and Portuguese property as to render the proofs of Brazilian ownership extremely difficult; whereas the expense is certain. It is probable that the total expense of prosecuting for the property now heard of would amount to $1000— this expense must be had to the various offices of Courts by the losing party; and must be advanced, in the first instance, by the libellant or plaintiff. These expenses I am willing to encounter; but, as I am very far from being certain of establishing a right of recovery of any part of the property, I should be unwilling to undertake the business for less than one half of the net proceeds of each case; since I should certainly lose all the expenses of the unsuccessful libels. On the day however to

my writing to you, I filed with Mr Coale's permission a Libel against some property supposed to be Still in the hands of the Conspirators but turned out to be Brazilian prize property, but on enclosing proof was given that it had been sold by the Consignee a few months since and fully accounted for to the Consignor at St Barts— of course I have to pay the expense of the libel— There are several other parcels which if libelled, the result could not be known for some time, because the success would depend on my being able to prove 1st that it is Brazilian. 2d that it was prize property— and 3d that it was captured by a privateer fitted out, commanded, or in part owned by Americans. And when I reflect on the various artifices and perfidies of privateersmen, it renders very doubtful success in such cases. Some cases perhaps would be sustained; others would be defeated; but if all were defeated, it could not fail to diminish privateering, as it subjects the Captors to expense, and renders them insecure in the full enjoyment of their plunder, and consequently less inclined to fit out expensive privateering enterprises. If therefore, libels should be constantly filed against them, and their plunder, though few might be attended with success, it would so harrass them, as to wholly break up their plans. I have engaged four men to furnish me with information. One of them, who has just returned from the W. Indies, is of opinion that much of this plunder could be procured in the W. Indies

by any one duly authorised by you. He has requested me to propose to you to obtain your authority whilst he is in the W. I on his own business, to get this property, which he says can, in many instances, be secured by paying a commission; and also by his obtaining definite information there of all prize property shipped to American ports; by whom, and to whom shipped he to charge nothing, except on such property as is actually restored. He further states that he can procure good security in this city for the honest surrender to the Brazilian Agent in this country of all such property. At his request I mention these things, not presuming to judge at all of the matter, knowing that your judgment is much better than my own. Still it appears to me that if there were such an Agent in the West Indies, it might prove a powerful means of defeating the robberies of these men, and lead to the restoration of much property.

I am sir with great respect
your most obt
David Hoffman