

guese seamen, liberated and given up to the Governor of St. Salvador, and 8 passengers, private characters, whom the Commodore did not consider prisoners of war, and permitted them to land without any restraint.

All the officers and seamen taken in the Java, were paroled by Commodore Bainbridge, and landed on the 3d of January at St. Salvador, Brazils.

Extract of a letter from commodore Bainbridge, to his friend in this city, dated

AT SEA, Jan. 24, 1813.

"The Java was exceedingly well fought and bravely defended. Poor Lambert, whose death I sincerely regret, was a distinguished gallant officer and worthy man. He has left a widow and two helpless children! But his country makes provision for such sad events.

"We are now homeward bound. The damage the Constitution received in the action, and the decayed state she is in, makes it necessary for me to return to the United States for repairs: this I much regret—my crew participate in this sentiment; they are however, consoling themselves with the hope of receiving their prize-money for the Guerriere on their return. You would be highly amused to hear these rough, though noble, sons of Neptune planning how they shall spend their prize-money. One says he will buy himself a snug little ship, on the highest hill he can find, that he may thence in his old age view all our sea fights—another, that now he will marry his Poll—another, that now he will send his little Jack to school, &c.

"Poor fellows, I trust they will not be disappointed in their expectations. Twice have they willingly and gallantly encountered the enemy, and twice have they succeeded: to return home now, and find that they have nothing but a remnant of pay coming to them, would be extremely mortifying—it would inevitably depress their spirits, and damp that noble ardor which they have hitherto felt and displayed. The officer may feel differently. For the performance of his duty, he feels a reward in his own bosom, and in his country's thanks—patriotism and a laudable thirst for renown, will lead him to court perils in defence of his country's rights. These feelings operate upon the sailor also; but to keep up the high tone of his ardor, he must have prize money in view!

"True policy, in my humble opinion, dictates the destruction of the enemy's ships after capture; for by manning them, even if they are left in a manageable situation, our ships would be so weakened in their crews, that they would be liable to be captured by an equal, or insulted by an inferior force. The act of destruction is done by the command of the Captain only—the crew, who have exposed their lives equally with him, have not the right of opposition. When I ordered the Java to be destroyed, these

considerations presented themselves to my mind with great force. Surely justice and sound policy obviously recommend a liberal provision in their favor. In making these observations, I am not influenced by any selfish motive—the applause of my countrymen has for me greater charms than all the gold that glitters. But justice to those who have bravely fought under my command, and assisted me in obtaining this victory, requires at my hands an exertion in their behalf; and should it please Heaven to conduct us safe to our native shores, I shall not fail to use my best endeavours, solemnly believing, as I do, that the principle is all important to the continued success of our navy! For if it is, as I hold it, the indispensable duty of the commander to destroy the ship after capture, on account of the gauntlet he would have to run with both the prize and his own ship (except he should be very near one of our own ports)—and the captain to receive (which is almost always the case) all the honor, and the others no compensation—it is not natural to suppose but that the ardent desire which our seamen at present so strongly manifest to get into battle would diminish? Let that once take place, and your naval fights will not, I prophecy, be so decisive as they would be by keeping the ardor up. And how trifling an expence the compensation would be in a national view.—The schooner that I am now dispatching, (a prize to the Hornet) will give to the public Treasury upwards of one hundred thousand dollars."—*National Intelligence*.

List of Killed and Wounded on board of the United States' Frigate Constitution, under the command of Commodore Wm. Bainbridge, in an action with his Britannic Majesty's Frigate Java, Henry Lambert, Esq. Commander, December 29th, 1812.

KILLED.

- Jonas Ongrain, Seaman.
- Joseph Adams, ditto
- Patrick Conner, ditto
- Barney Hart, ditto
- John Cheves, ditto
- Mark Snow, ditto
- John D. Allen, ditto
- Wm. Cooper, ditto
- Thos. Hanson, Private Marine.

(Signed)

ROBERT C. LUDLOW, Purser.
WILLIAM BAINBRIDGE.

WOUNDED.

- | | |
|---------------------------------|-------------|
| Wm. Bainbridge, Esq. Commander, | severely |
| John C. Aylwin, lieu. | do. |
| Charles F. Waldo, Mas r's Mate, | do. |
| Peter Woodbury, Qr. Master, | do. |
| John Clomeat Seaman, | do. |
| Joseph P. Cheves, do. | do. |
| Nicholas Vixtram, do. | slightly |
| Wm. Long, do. | dangerously |
| Steven Webb, do. | do. |
| Reuben Sanders, do. | do. |
| Joseph Ward, do. | severely |
| Wm. Weaden, do. | slightly |
| Enos Bateman, do. | dangerously |
| James D. Hammond, do. | slightly |
| Peter Venus, do. | severely |
| Stephen Shepherd, do. | slightly |
| Abijah Eddy, do. | do. |
| Philip Cook, do. | do. |
| Philip Brimblecorn, do. | severely |
| Samuel Brown, Oy. do. | do. |
| Daniel Hogan, do. | do. |
| Thomas Williams, S', do. | slightly |
| John Vogie, do. | severely |
| Anthony Reaver, Private Marine, | slightly |
| John Elwell, do. | do. |

(Signed) AMOS A. EVANS, Surgeon.
R. C. LUDLOW, Purser.

WM. BAINBRIDGE.

The following is a list of his Britannic Majesty's military and naval officers paroled at St Salvador, by Commodore Bainbridge:

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|-------------------------|---------------------|
| 1 Lieutenant-General | } Military officers |
| 1 Major | |
| 1 Captain | |
| 1 Post Captain | |
| 1 Master and Cammander | |
| 5 Lieutenants | |
| 3 Lieutenants of Marine | |
| 1 Surgeon | |
| 2 Assistant Surgeons | |
| 1 Purser. | |
| 15 Midshipmen | |
| 1 Gunner | |
| 1 Boatswain | |
| 1 Master | |
| 1 Carpenter | |
| 2 Captain's Clerks | |

28 Officers.

323 Petty officers, seamen, marines, & boys, exclusive of 9 Portu-