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FURTHER PAPERS  
RELATING TO  
THE SLAVE TRADE:

VIZ,

ON THE SUBJECT OF THE SLAVE TRADE AT THE CAPE,  
AND AT THE ISLE OF FRANCE.

*List of Papers on the Subject of the Slave Trade.*

- No. 1.—Extract of a Letter from the Earl of Caledon to Lord Viscount Castlereagh, dated 15th December 1807.
- No. 2.—Extract of a Letter from the Earl of Caledon to Lord Viscount Castlereagh, dated 4th February 1808.
- No. 3.—Copy of a Letter from the Earl of Caledon to Lord Viscount Castlereagh, dated 18th May 1808.
- No. 4.—Extract of a Letter from the Earl of Caledon to Lord Viscount Castlereagh, dated 18th May 1808.
- No. 5.—Extract of a Letter from the Earl of Caledon to Lord Viscount Castlereagh, dated 2d October 1808; One Inclosure.
- No. 6.—Extract of a Letter from Governor Farquhar to the Earl of Liverpool, dated 8th January 1811.
- No. 7.—Extract of a Letter from Governor Farquhar to the Earl of Liverpool, dated 15th February 1811.
- No. 8.—Copy of a Letter from Governor Farquhar to the Earl of Liverpool, dated 26th October 1811.
- No. 9.—Copy of a Letter from Governor Farquhar to the Earl of Liverpool, dated 1st February 1812; with Fourteen Enclosures.

COLONIAL OFFICE, February 15, 1813.

*Henry Goulburn.*

No. 1.—EXTRACT of a Letter from the Earl of *Caledon* to the Lord Viscount *Castlereagh*; dated Castle of Good Hope, 15th December 1807.

A PORTUGUESE Ship from Mosambique, with a cargo of four hundred Slaves, a short time since put into Table Bay for the purpose of procuring refreshment, and proceeding on her voyage to the Brazils.

Many of the principal inhabitants upon her arrival addressed me, praying permission to purchase her cargo for the benefit of the Colonists, and submitting the justice of their request, chiefly upon the following grounds;

1st. On account of the great mortality which prevailed amongst the Slaves last year, in consequence of the Meazles.

2d. On account of an increased demand for Agricultural Product, owing to a numerous garrison, as well as the more frequent resort of shipping to the Bays, an additional supply of fresh provision is requisite, and consequently an increase of labour to procure it.

3d. That the enlisting of Hottentots for His Majesty's Service, diminishes the Farmers means, and necessarily becomes a drawback to more extensive cultivation.

Although these arguments had their weight, as far as confirming what I before observed to your Lordship, the necessity of an increased labouring population; yet, as the parties had incurred no expense, and the importation of Slaves is contrary to the feelings of Government at home, I resisted the application.

## 6 FURTHER PAPERS RELATING TO

No. 2.—EXTRACT of a Letter from the Earl of *Caledon* to the Lord Viscount *Castlereagh*, dated Castle of Good Hope, 4th February 1808.

ALTHOUGH I have not received from your Lordship a Copy of the Act for the Abolition of the Slave Trade, yet that Act having come before me in a private form, I feel myself bound to regulate my conduct according to its Enactment.

As I do not understand from the perusal of it, that the transfer or sale of those Slaves already possessed, is prohibited within the jurisdiction of the Settlement, I am not aware that the inhabitants can suffer any inconvenience; at the same time there is a Case which does not seem so clearly provided for; and I am to request your Lordship's instructions, whether an inhabitant of the Cape, possessing Slaves, and wishing to remove to a West India island in the possession or occupation of His Majesty, can remove his Slaves with him as part of his property? The Act does not prohibit the removal of Slaves from one West India island to another, but prohibits the removal generally from Africa to the West Indies; and thus, if taken in the full sense, would deprive this Colony of a Right enjoyed by His Majesty's Subjects in the West Indies.

I am likewise to request your Lordship's commands for the disposal of those Slaves who may be brought here in captured vessels.

There are now three detained Portuguese Slave Ships lying in Table Bay, and as some of them may be eventually adjudged Prize, I hope to be apprized of your Lordship's determination as soon as circumstances will admit.

No. 3.—Copy of a LETTER from the Earl of *Caledon* to the Lord Viscount *Castlereagh*; dated Castle of Good Hope, 18th May 1808.

My Lord,

THE Act of Parliament for prohibiting the importation of Slaves into His Majesty's Settlements, has given rise to a Case of some difficulty, but in which I presume to hope that His Majesty's Ministers will approve of the line of conduct that I have adopted.

Sir David Baird, in consideration of some advantage which His Majesty's Government had derived from the exertion of Mr. Tennant, permitted that gentleman, in the year 1806, to import five hundred Slaves for the use of the Colony; in virtue of which permission, he contracted with a Portuguese, named V. de Souza, whose ship, the *Neptune African*, was then lying in Table Bay, to supply him with two hundred and fifty Slaves. The Contractor accordingly sailed for Mosambique, in February 1807, with the intention of returning as soon as he could complete his lading, but shortly after a Portuguese Slave Ship, called the *General Izedro*, arrived, when Mr. Tennant finding a favourable opportunity of benefitting by Sir David Baird's permission, applied to Lieutenant General Grey, acting Governor, and obtained leave to land three hundred and eighty-three Slaves, as part of the number to which the licence had extended.

Upon the return of the *Neptune African*, afterwards called the *Constantia*, from Mosambique, Mr. Tennant applied to me for permission to land the whole cargo, consisting of two hundred and twenty Slaves; but as I saw no reason for granting an extraordinary indulgence, I merely permitted the importation of one hundred and seventeen, which, with those from the *General Izedro*, completed the amount he was entitled to land by the sanction of Sir David Baird.

Under such circumstances, the vessel was about to proceed to the place of her ultimate destination, the Brazils, with one hundred and three Slaves on board, the property of Mr. Tennant, when she was detained by one of His Majesty's ships of war, and Proceedings instituted against her in the Court of Vice Admiralty. It was now reported to me, that the Slaves, from long confinement, were in a most unhealthy state; and, actuated by a consideration for their sufferings, I permitted them to be landed on Robben Island, until the Decision of the Court should be divulged.

The

## THE SLAVE TRADE.

7

The Claim of the Captors shortly afterwards was withdrawn, and the Slaves would have been again embarked, had not a violent gale of wind arisen, which drove the ship from her moorings, and in consequence of which she was totally lost in Saldanha Bay.

Your Lordship will now perceive the embarrassing situation in which I was placed; prohibited by the Enactment of the Legislature from permitting their importation as Slaves, equally prohibited from permitting their export to any other country; yet knowing, that if landed as free people, from their youth and extreme ignorance, they would in fact either be forced into servitude or starve for want of food, I was induced to accede in part to the prayer of a memorial from Mr. Tennant then addressed to me, by allowing them to be landed; having previously directed His Majesty's Fiscal to bind them by Indenture to Mr. Tennant, as Apprentices in Husbandry for the term of Seven years, subject however to the approval of His Majesty's Ministers, and to any alteration which they may be pleased to direct.

I have the honour to be, &c.

(Signed) CALEDON.

Lord Viscount Castlereagh,  
&c. &c. &c.

No. 4.—EXTRACT of a Letter from the Earl of *Caledon* to the Lord Viscount *Castlereagh*; dated Castle of Good Hope, 18th May 1808.

HIS Majesty's Fiscal having obtained information that some Slaves had been clandestinely landed from the Portuguese Ship, *Rosalie*, lying in Table Bay, instituted an enquiry before the Court of Justice, on the morning of the 25th of April, by an examination of the Master.

The result of the enquiry was a conviction in the breast of the Court, that the charge alleged was well founded; in consequence of which it was determined by His Majesty's Fiscal to seize the vessel, prosecute the Master on the part of the Crown, and pray the Judgment of the Court, according to Colonial Law and Usage.

No. 5.—EXTRACT of a Letter from the Earl of *Caledon* to the Lord Viscount *Castlereagh*; dated Castle of Good Hope, 2d October 1808.

IN addition to my dispatch, acquainting your Lordship with the detention of the Portuguese Ship *Rosalie*, and the forfeiture of those Negroes who were clandestinely landed, I have now the honour to inform you, that I directed His Majesty's Fiscal to bind them Apprentices by Indenture, for the space of Fourteen years, subject to certain provisions, a copy of which is hereunto annexed; the Committee appointed by my Proclamation of the 29th of April, having terminated its Sittings and transmitted their Report, by which it appears that the illicit Traffic in Slaves had been carried to a greater extent than was at first conjectured, I directed that the parties concerned should be proceeded against according to Law, in consequence whereof, sixty-one Negroes have been adjudged as forfeited to His Majesty, making collectively, with those from the *Rosalie*, one hundred and seven; and I propose that the whole of them shall be bound Apprentices under a similar Indenture to that already submitted.

(Copy.)

(Enclosure.)

THIS Indenture of Two Parts, made the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord 1808, between W. S. Van Ryneveld, Esquire, His Majesty's Fiscal at the Cape of Good Hope, on the one part, and \_\_\_\_\_ Witnesseth, That His Majesty's Fiscal, by the direction of his Excellency, Du Pré Earl of Caledon, Governor and Commander in Chief at the Cape of Good Hope,

## 8 FURTHER PAPERS RELATING TO

as set forth in a certain Paper, bearing date \_\_\_\_\_ signed  
 \_\_\_\_\_ has put placed and bound, and by these Presents does put place  
 and bind \_\_\_\_\_ Blacks, (that is to say) \_\_\_\_\_ -males and  
 females, in consideration of a Premium of \_\_\_\_\_ for each Black, to be  
 paid into the hands of the Secretary of the Colony, to be disposed of in such manner  
 as Government may deem meet; which Blacks have been clandestinely landed in  
 this Colony, and have been declared forfeited to the disposal of Government by  
 sentence of the Worshipful Court of Justice, bearing date \_\_\_\_\_  
 which Blacks are now at Cape Town, Cape of Good Hope; each of whom is named  
 and described in a Document herunto annexed, and signed by the said \_\_\_\_\_  
 in pursuance of the directions of an Act of Parliament passed in  
 \_\_\_\_\_ to be apprenticed with him the said  
 \_\_\_\_\_ for the space of Fourteen years from the date of  
 these Presents, in order to their being instructed in the occupations of Husbandry (or  
 as the case may be) and other useful employments thereunto relating, according to  
 the usage and customs of the Colony; by and during all which time the said  
 \_\_\_\_\_ Blacks shall the said \_\_\_\_\_ their Master  
 well and faithfully serve in all such lawful business as the said  
 Blacks shall be put into by the command of their said Master, according to the  
 powers wits and abilities of them the said \_\_\_\_\_ Blacks, and honestly  
 and obediently in all things shall behave themselves towards their said Master and  
 all who are put in authority under or by him: And the said  
 for his part, for himself, his heirs, executors and administrators, Doth hereby promise  
 and covenant, to and with His Majesty's Fiscal now and for the time being; That he  
 the said \_\_\_\_\_ shall the said \_\_\_\_\_ Blacks  
 instruct or cause to be instructed in the principles of the Christian Religion, in the  
 occupations of Husbandry (or as the case may be) and other useful employments  
 thereunto belonging, in manner before recited, in the best manner that he can, or  
 may teach instruct and inform, or cause to be taught instructed or informed; and  
 the said \_\_\_\_\_ shall also find and allow unto the said Appren-  
 tices sufficient meat, drink, apparel, lodging, and all other things needful or proper,  
 according to the usage of the Colony: And the said  
 Doth further covenant and agree for himself, his heirs, executors, administrators and  
 assigns, that he will from time to time, as often as he shall be required by His  
 Majesty's said Fiscal, or by the Magistrate of the District in which he is resident, now  
 or for the time being, a full true and just account render of and about the state  
 of health, employment and treatment of each and every of the aforesaid  
 Blacks, and of the place or places where they shall or may be at the time of the  
 said return; and the said \_\_\_\_\_ Doth further agree for himself,  
 his heirs, executors and assigns, that in case of the death of any of the said Blacks,  
 he is not to have any pretension whatever to reimbursement of the above Premium;  
 and further, that in case of any wilful or intentional breach of any of the above-  
 mentioned stipulations, this Indenture to be null and void, and the said Premium  
 forfeited.

In Witness whereof, &c. &c.

## THE SLAVE TRADE.

No. 6.—EXTRACT of a Letter from Governor *Farquhar* to the Earl of *Liverpool*; dated Port Louis, Isle of France, 8th January 1811.

I AM not prepared to enter so fully as it will be necessary into the state of the Slave Trade at these Islands. There is a great deficiency of labourers, in consequence of the strict blockade of these Islands, which was kept up during the last few years; so that unless some means be speedily devised for supplying these Colonies with hands, they cannot continue in cultivation, but must become deserts. I shall, however, write more fully on this subject by the vessel which will, I trust, in the course of a few days, convey to your Lordship, a full account of the resources of these Colonies, and of the Establishments that have been provisionally formed for carrying on the government, until His Majesty's pleasure shall be known.

No. 7.—EXTRACT of a Letter from Governor *Farquhar* to the Earl of *Liverpool*; dated Port Louis, Isle of France, 15th February 1811.

THE subject of Slavery is of itself so important, and, as it relates to these Colonies now held under a capitulation, is so peculiarly interesting, that I feel it my duty to make it a particular topic of observation.

Although the Slave Trade be done away by the British Legislature, as well as by some other nations, yet still Slavery is known throughout the world, and forms a special head of Law even in some of the British Colonies in the East Indies; and it is impossible to conceive how some of those Establishments could be upheld without it, where labour of every kind is so dear, that the commonest labourer, who works not the fifth of an Englishman's work, cannot be had under six or seven Spanish dollars per month, and from that to 15 and 30, and upwards, if an artisan; which even at 5s. the dollar, is from 30 to 35 shillings, and up to £.3. 15s. and £.7. 5s. and upwards per month, while their holidays and feasts take away nearly a quarter of that month's labour, lost to the employer; and where house servants can scarcely be had or retained, except in a state of Slavery. If such be the case in some of the British possessions within the East India Company's limits, what must I say with respect to the Colonies lately belonging to the Dutch in the East Indies, and these Colonies late pertaining to the French, but now reduced under His Majesty's dominion; where Slavery is the very soul of their existence, where universal torpor and poverty must reign without it, and where every labourer and domestic servant, and almost every artisan, is a slave.

Various causes, such as interruptions by the blockade and our cruizers to the Madagascar and Mosambique Slave Trade from these Islands, and epidemic distempers following a state bordering on famine, which swept off numbers of the Blacks within the period of some years past, have increased the prices of Slaves and labour, have contributed to stop the progress of extended cultivation and revenue, have compelled many proprietors to leave manufactures at a stand, and lands to run to waste, and to become totally unproductive; so that without a fresh importation of Slaves, and even not reckoning any disastrous visitation in future, these Islands, as I am given to understand, and have been led to believe, cannot continue in cultivation and produce, but must become deserts.

I believe it has generally been agreed, that a British Act of Parliament does not extend to a Colony, unless that Colony be specially mentioned, either by name or general inclusive words; and that an Act made previously to the acquisition of a Colony, and which, therefore, it could not be in the contemplation of the Legislature to bind at the time of passing the Act, will not, generally speaking, bind the Colony acquired subsequently to the making of the Act.

Besides those general positions, my instructions were to grant these Islands, on capitulation, their laws, customs and usages; they have been granted in express terms by the capitulations. Those laws, customs and usages, recognize not only Slavery, but the Slave Trade; without that trade, or some other substitute or remedy, these Colonies promise shortly to be annihilated, and the inhabitants are likely to be rendered desperate, if the supply of Slaves be refused them.

## FURTHER PAPERS RELATING TO

Another point occurs worthy particular notice, which is, that notwithstanding the British Slave Act, His Majesty was, as I understand, pleased to suffer and sanction the Slave Trade upon a modified scale, to be continued for the Island of Trinidad, or some places in the West Indies.

As these matters press for a most speedy decision, I beg leave to request your instructions on the subject generally, with all convenient expedition.

While writing on topics of this nature, I deem it proper, in regard to myself, to state that I am not by any means disposed to be a supporter of Slavery; and while political considerations and my immediate duty call upon me to forward this communication, I have looked on the other hand with the feelings of humanity, upon the Slave, and endeavoured, in every practicable instance, to alleviate the burthens of his condition; to which I must add, that, from observation, I am happy to bear this testimony to the character of the inhabitants of the Isles of France and Bourbon, that I believe they are not by any means cruel masters. At the same time, however, that I do them this justice, I have judged it proper to order, that where Slaves be to be chained for security or punishment, these chains shall not be heavier than are indispensably necessary to secure the person of the Slave; and in the event of Proprietors transgressing this order, the Slaves are to become forfeited to the use of Government. By this order and others of a similar nature, I do not revoke any part of the assurances given to the planters and inhabitants in antecedent Proclamations, pursuing the letter of my instructions, and considered indispensably necessary for the tranquillity and prosperity of these Colonies, and their attachment to their new government, because the use of chains is still allowed for security and punishment; and as the preservation of the Slaves from becoming *Maroons*, or runaways and vagabonds, and keeping them in proper subjection to and respect for their Masters, embraces every object which can really be beneficial to the Proprietors, those measures are ensured by chains of the allowed weight; while the principles of humanity and Christianity, upon which the order is founded, conduce to the alleviation of unnecessary burthens imposed upon our suffering fellow-creatures. I hope it is unnecessary to assure your Lordship, that it will be a prominent feature of my administration to ameliorate, in every possible mode, the fate of these unfortunate beings. It must not be disguised, however, that any sudden alteration, or an ill-timed display of sympathy, might be attended with the worst effects at a moment like the present, by strengthening the impression which appears to have existed in a considerable degree in these Colonies, that the arrival of the English was to be the signal of Emancipation, and the release of the Slave from all obligation towards his Master.

No. 8.—Copy of a LETTER from Governor *Farquhar* to the Earl of *Liverpool*; dated Port Louis, 26th October 1811.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's dispatch of the 2d May 1811, noticing that part of my Letter of the 15th of February, which relates to the Slave Trade, and expressing some apprehensions that I may have suffered it to exist, previously to the arrival of the necessary explanations on this subject from home.

I beg leave, in reply, to assure your Lordship, that every precaution has been taken on the part of Government to prevent the importation of Slaves, and that where attempts have been suspected to have been made for their fraudulent introduction under false pretences, the ships have been seized and duly sent to the Vice Admiralty Court at the Cape of Good Hope for adjudication, and that the property has been held in sequestration by me to abide the judgment of that Court, when the penalties incurred shall be duly enforced.

The only circumstance connected with the transfer of Negroes which has yet occurred, arose out of the capitulation of the French Settlements at Madagascar to Captain Lynne, of His Majesty's sloop *Eclipse*, duly authorized to grant terms of capitulation, in conformity to the orders of Vice Admiral Bertie, then Commander in Chief of His Majesty's squadron in these seas. A List of eight hundred and sixty-three

## THE SLAVE TRADE.

sixty-three Slaves, stated to be the private property of the Settlers, was at that time made, signed, and delivered in by Mr. Sylvan Roux, the French Governor and Commandant at Madagascar, who capitulated.

This List was required and made with a view of preventing any further acquisition of Slaves, on the part of the Settlers, by commerce with the Natives, as well as to preserve to them, permanently, the property of that description then in their possession.

General Warde having determined on withdrawing the British forces from Madagascar during the period of his government of the Mauritius, the Settlers were left at the mercy of the Natives, whose unextinguishable hatred to the French afforded the latter no chance of permanent safety, but by removing with their property and effects to Mauritius and Bourbon.

Repeated applications having been made by the inhabitants for permission for the Settlers to remove hither with their Slaves and other property, I demanded the opinion of the Judicial Assessor, how far such a sanction could be granted in conformity to the provisions of the Slave Act. His official opinion was, that the Slaves bona fide the property of the Settlers at Madagascar, at the time of capitulation, as enumerated and described in the List delivered in by the Governor who surrendered, might legally be transferred hither, when it was no longer safe for them to stay at Madagascar.

To put the point beyond the chance of litigation, I also consulted Captain Schomberg, the senior officer of His Majesty's navy in this port, on the propriety of admitting the transfer of the Slaves as requested. Captain Schomberg in return assured me, that far from throwing any impediment in the way of the proposed measure, he would do any thing in his power to favour its execution, as it was so arranged as to put it beyond the power of any individual concerned to overreach or abuse it.

With this legal and professional advice, I determined to comply, actuated by a desire of extending to His Majesty's subjects, that protection they were legally entitled to; and I issued a Permission in consequence, for the Settlers in question to transfer their Slaves to Mauritius and Bourbon.

In order to multiply the means of preventing illicit commerce, and to show the inhabitants, that the most rigorous measures would be enforced, on the part of Government, to detect and punish any infraction of the Law, I placed two of the Government schooners at the disposition of the senior officer of the navy, to be employed in cruising round the coast, to prevent Slaves being smuggled into these Islands, in those places which could not be watched by His Majesty's ships of war; such and many others, unnecessary to be enumerated here, were the precautions adopted on the part of Government.

In consequence of the special Permission above adverted to, two vessels, L'Eclair and Industry, brought up from Madagascar three hundred and thirty-five Slaves, of which two hundred and seventeen only agreed in description with those for whom permission had been granted, the remaining one hundred and eighteen, therefore appeared to have been embarked for the purpose of being fraudulently introduced into these Colonies. On this account the ships, cargoes, and the whole of the Slaves were seized, and the latter landed and put under the charge of the Collector of the Customs, agreeably to the provisions of the Slave Act and Orders in Council; and the whole affair was referred to the decision of the Court of Vice Admiralty at the Cape of Good Hope.

Your Lordship will observe from the foregoing statement, that every possible step has been taken by this Government to enforce the Slave Act with the utmost rigour, and that the sanction which was granted on the Petition of the inhabitants for the removal of the Settlers with their property, from Madagascar, could not have been refused without subjecting to probable destruction, those (the Slaves as well as their Masters) whom I was bound to protect as British subjects.

That an abuse of this permission has been attempted, is extremely probable; but your Lordship will see that the means of detection were adequate to the object, and that the offenders cannot escape with impunity.

I have the honour to be, &c.  
R. T. FARQUHAR,

The Earl of Liverpool,  
&c. &c. &c.



## FURTHER PAPERS RELATING TO

No. 9.—Copy of a LETTER from Governor *Farquhar* to the Earl of *Liverpool*; dated Island of Mauritius, 1st February, 1812:—(With Fourteen Enclosures.)

My Lord,

SINCE my last dispatch relating to Slaves, under date the 26th of October last, the duplicate of which I have the honour to transmit to your Lordship; some further circumstances have occurred, which make it my duty to resume the subject.

The dispatch just alluded to acquainted your Lordship with the permission granted to His Majesty's new subjects at Tamatave, on the evacuation of that post by the British troops, to transfer hither, and to the Island of Bourbon, under particular regulations, the Slaves bona fide their private property at the time of the surrender of that Settlement, on capitulation with Captain Lynne, of His Majesty's sloop *Eclipse*, and the reasons for the permission having been granted. It further mentioned the cautions taken by me, in concert with His Majesty's senior naval officer here, to prevent the abuse of that permission, and the illicit commerce in Slaves. The same communication likewise notified to your Lordship, the seizure and detention of two vessels, the *Industry* and *L'Eclair*, their cargoes, and the Blacks found on board, under suspicion of a trade in Slaves, contrary to Law; and that the whole had been referred for adjudication to the Court of Vice Admiralty at the Cape.

Every precaution which could be devised, and which the situations of these Colonies would allow, having been used by me, in concert with His Majesty's senior naval officer, to check this inhuman Traffic, I was in hope that it would not any longer be pursued, and I could not have just cause to believe that any endeavour would be made to infringe the prohibitions.

I have, however, now to acquaint your Lordship, that a seizure of seventy-five Blacks was lately made at Bourbon, in the attempt, surreptitiously, to introduce them into that Colony as Slaves; and that the cause, and the guilty parties, if to be found, will be prosecuted either at the Cape, or in such other competent jurisdiction as the culprits may be met with.

Another Case of an illicit Trade in Slaves also occurred some time ago, by information given here, that a Mr. John May, then commanding a schooner in the employ of this Government, afforded a conveyance for one hundred and one Slaves, on board that vessel, from Madagascar to Bourbon. Mr. May has since been discharged from the command; and I shall not fail to try every legal means of bringing him to trial for the offence, whenever he may be found within a competent jurisdiction. In the mean time, although the fact of Mr. May's violation of his duty to this Government, as well as of the laws of his country, is fully and circumstantially established, not having a Prize Court within these Islands, the only measure I have been able to take hitherto, to evince my horror and detestation of Mr. May's nefarious breach of trust, and to prevent a repetition of such conduct, has been, to order him out of these Colonies, and to forbid him resorting to or residing within the limits of my Government.

An additional Case of suspected unlawful Commerce in Slaves has likewise been acted upon by Captain Lynne, of His Majesty's sloop *Eclipse*, upon this station, in his late seizure of the *Eliza* lugger, bound from Tamatave to this port, having on board the private property, Slaves adverted to in the commencement of this dispatch, under a passport given by the sworn British Agent at Tamatave, pursuant to the capitulation for that Settlement, made by Captain Lynne himself—the subsequent Proclamation on the subject—the permission granted by this Government—and the measures thereupon taken, *in concert with His Majesty's senior naval officer here, Captain Schomburg.*

In this instance, it seems that the vessel belongs to parties apparently innocent, and that the Proprietors of the Slaves are not in fault, as far as I have been able to discern. The sending the vessel and Blacks, under all such circumstances, for adjudication to the Cape, struck a violent alarm in the Colony, and made the minds of numbers of the inhabitants waver, as to the belief of the British faith, and reliance on the Government here. Impressed as I was, therefore, with the importance of this Case, in every point of view, I deemed it proper to commence a correspondence with Captain Lynne on the occasion, and on the representation of the Claimants, to write to His Majesty's Proctor at the Cape; copies of all which correspondence and letters,

## THE SLAVE TRADE.

13

letters I have the honour to forward herewith, for your Lordship's full and particular information, on the several points connected with the transaction at large.

For the further prevention of the abolished Trade, I continue to take every means which consideration can suggest. From the commencement of the British rule in these Colonies, I have issued repeated orders to awaken the diligence of every officer under my controul; and I have on every occasion afforded the assistance of the Government schooners to the officers of His Majesty's navy, to enable them to pursue the Smugglers employed in this nefarious Trade, into the bays, creeks and crannies, which are not navigable by His Majesty's ships and vessels attached to this station.

I beg leave also to assure your Lordship, that the motives which have long incited me, as well as other gentlemen, to support human freedom, have never ceased to be the constant care of my Government; and I am happy to be able to add, that it has been in my power, by a series of measures, to ameliorate the condition of the Slaves of these Colonies in general, and to bring into practice a system for their treatment which must tend to their benefit and comfort, and ultimately, I trust, be productive of material advantage to society in general, and the highest interests of humanity.

These proceedings have not passed without evident and *avowed* dissatisfaction expressed by many; nor without occasional highly-coloured representations of the danger to be apprehended from my successive efforts in favour of the Slaves. It is consonant indeed to the general infirmity of the human mind, that the Colonists should take a prejudiced view of their own concerns upon such a subject, and that this prominent new order of things, which they conceive strikes at the root of their *most valuable individual interests*, should, above all other considerable measures of the British Government, agitate and ferment their passions, especially in a Colony just conquered, where, for the last century, the most uncontrouled and licentious loose has been given to the pursuit of this inhuman Traffic in Negroes. I trust, nevertheless, that your Lordship will always have occasion to remark my exertion to meet their alarms or their remonstrances, by a prudent, though not less obstinate firmness and resistance. A consciousness of my duty to my King and Country, as the chief member of one of His Majesty's Governments, at this enlightened epoch of the world, as well as my ardent desire to accelerate the civilization of the surrounding African states, will not only induce my perseverance in such a course, but prompt me to fulfil the task with all that cheerfulness and zeal, which its tendency to the developement of general prosperity, and to the extension of British arts and industry to foreign countries, under my immediate auspices, is calculated to inspire.

I have the honour to be, &c.

To the Earl of Liverpool,  
&c. &c. &c.

(Signed)

R. T. FARQUHAR.

(Enclosure 1.)

In Governor Farquhar's, of 1 Feb. 1812.

(Copy.)

Chief Secretary's Office,  
Port Louis, 10th January 1812.

Sir,

IT will of course come to your knowledge, that seizures of some Vessels and Slaves have been made here, under a suspicion of their being contraband, and as such sent to your Court for adjudication. If contraband, they must of course be condemned, and the guilty parties concerned be prosecuted; but if, on the other hand, it shall be found that a contraband Trade in Slaves has not been carried on, but that innocent proprietors of Slaves, acquired before such proprietors became subjects of His Majesty, have only been removing them hither, from the Settlements of Madagascar to the dependencies of this Government, in consequence of the British protection having been withdrawn from that part of our territories; his Excellency the Governor, upon his faith, already pledged to the inhabitants of these Colonies, considers himself bound to give them every support which the Law will allow, in the maintenance of their just rights, more especially as having so lately become subjects of His Majesty, and as yet unacquainted with the British proceedings in our Courts respecting Slavery and Slaves; I have, therefore, in command from his Excellency the Governor, Mr. Farquhar, to transmit you the several Documents herein enumerated relative to the subject at large; viz.

## FURTHER PAPERS RELATING TO

And I have further, in command from his Excellency, to request you will take the proper means to make those Documents known to the Court, in the several Causes therein depending and alluded to, and save the rights of the innocent parties, who might, from their absence, their ignorance, or their poverty otherwise suffer therein; and for the costs to be incurred, this Government will be answerable to you.

I have the honour to be, &c.

(Signed)

A. Barry,  
Chief Sec<sup>y</sup> to Govern<sup>t</sup>.

P. S.—It has been found impossible to take the depositions and to complete the whole of the Documents which will be necessary to transmit to you, and the production of which before the Court may be of primary importance; and, as a question deeply affecting His Majesty's interests in these Colonies, his Excellency trusts you will take such steps as you may judge most proper to prevent the Cause from being proceeded in upon *ex parte* evidence.

The earliest possible opportunity will be seized of forwarding you the Affidavit and Documents in question.

(Signed)

A. Barry.

- N<sup>o</sup> 1.—Minute of H. E. the Governor—Substance of which has been communicated to H. M's Ministers of State.
- 2.—Copy of Capt<sup>n</sup> Schomberg's Letter from the Gov<sup>t</sup>.
- 3.—Copy of Letter from Captain Schomberg.
- 4.—Public Notification of the Licensed-transferred Slaves, under the capitulation (French).
- 5.—Copy of Instruct<sup>ns</sup> to Mr. Deller, Sworn Agent for Government at Tamatave.
- 6.—Affidavit of Mr. Deller, sworn before H. E. the Governor.
- 7.—Copy of a Letter from the Chief Sec<sup>y</sup> to Govern<sup>t</sup>, to Capt<sup>n</sup> Lynne.
- 8.—Copy of Letter from Mr. Deller, to the Chief Secretary.
- 9.—Copy of Licence, inclosed to the Chief Sec<sup>y</sup>.
- 10.—Copy of Letter from Captain Lynne, dated 7th Jan<sup>y</sup> 1812.
- 11.—Copy of Letter from Chief Sec<sup>y</sup> to Captain Lynne, in reply.
- 12.—Copy of Protest by H. E. the Governor, to Captain Lynne.
- 13.—Copy of a Passport, granted under similar circumstances by H. E. Rear Admiral Stopford.

(Copy.)

(Enclosure 2.)

## MINUTE by His Excellency the Governor.

THE only circumstance connected with the transfer of Negroes, which has as yet occurred, arose out of the capitulation of the French settlements at Madagascar, to Captain Lynne, of H. M. sloop Eclipse, duly authorized to grant terms of capitulation, in conformity to the orders of Vice Admiral Bertie, then Commander in Chief of H. M. squadron in these seas. A list of 803 Slaves, stated to be the private property of the Settlers, was at that time made, signed and delivered by Mr. Sylvan Roux, the French Governor and Commandant at Madagascar, who capitulated.

This List was required and made with a view of preventing any further acquisition of Slaves, on the part of the Settlers, by commerce with the Natives, as well as to preserve to them, permanently, the property of that description then in their possession.

General Warde having determined on withdrawing the British forces from Madagascar, during the period of his Government of the Mauritius, the Settlers were left at the mercy of the Natives, whose unextinguishable hatred to the French Government afforded the latter no chance of permanent safety, but by removing with their property and effects to Mauritius and Bourbon.

Repeated applications having been made by the inhabitants for permission for the Settlers to remove hither with their Slaves and other property, I demanded the opinion of the Judicial Assessor, how far such a sanction could be granted in conformity to the provisions of the Slave Act. His official opinion was, that the Slaves bona fide the property of the Settlers at Madagascar, at the time of capitulation, as enumerated and described in the List delivered in by the Governor who surrendered, might be legally transferred hither, when it was no longer safe for them to stay at Madagascar.

## THE SLAVE TRADE.

15

To put the point beyond the chance of litigation, I also consulted Captain Schomberg, the senior naval officer in this port, on the propriety of admitting the transfer of the Slaves as requested. Captain Schomberg in return assured me, that so far from throwing any impediment in the way of the proposed measure, he would do any thing in his power to favour its execution, as it was so arranged as to put it beyond the power of any individual concerned to overreach or abuse it.

With this legal and professional advice, I determined to comply, actuated by a desire of extending to His Majesty's subjects that protection they were legally entitled to, and I issued a Permission in consequence, for the Settlers in question to transfer their Slaves to Mauritius and Bourbon.

In order to multiply the means of preventing illicit commerce, and to show the inhabitants, that the most rigorous measures would be enforced on the part of Government, to detect and punish any infraction of the Law, I placed two Government schooners at the disposition of the senior naval officer, to be employed in cruising round the coast, to prevent Slaves being smuggled into these Islands, in those places which could not be watched by His Majesty's ships of war. Such and many others, unnecessary to be enumerated here, were the precautions adopted on the part of Government.

In consequence of the official Permission above adverted to, two vessels, L'Eclair and Industry, brought up from Madagascar 335 Slaves, of which 217 only agreed in description with those for whom the permission had been granted; the remaining 118, therefore appeared to have been embarked for the purpose of being fraudulently introduced into these Colonies on this account. The ships and cargoes, and the whole of the Slaves were seized and landed, and put under charge of the Collector of the Customs, agreeably to the arrangements made by His Majesty's senior naval officer; and the whole affair referred to the decision of the Court of Vice Admiralty at the Cape of Good Hope.

Every possible step has been taken by this Government to enforce the Slave Act with the utmost rigour; and the sanction which was granted on the petition of the inhabitants, for the removal of the Settlers with their property, from Madagascar, could not have been refused, without subjecting to probable destruction those (Slaves as well as Masters) whom I was bound to protect as British subjects.

That an abuse of this permission has been attempted, is extremely probable; but that the means of detection were adequate to the object, and that the offenders cannot escape with impunity, is obvious. The only danger to be guarded against is, that the innocent may not be promiscuously punished with the guilty.

(Copy.)

(Enclosure 3.)

To Captain Schomberg, R. N. Com<sup>d</sup> H. M. ship Astrea,  
and senior Naval Officer on the Mauritius station.

Sir,

I HAVE the honour to transmit to you a List of the slaves bona fide belonging to the French Colonists of Madagascar, at the time when that Island was taken possession of in the name of his Britannic Majesty, and the principal establishment entered into a capitulation with Captain Lynne, which being exactly similar to the one agreed upon on the surrender of the Mauritius, of course secured to the inhabitants the possession of their private property:

Every possible care has been taken in comparing this List, which I confess, considering the length of time that the French inhabitants have been in the habits of settling in that Island, does not appear to me to be exaggerated.

The British force having been withdrawn from Madagascar, it is natural that the inhabitants should desire to transfer their Slaves to Mauritius or Bourbon, which measure being strictly in conformity with the provisions of the Slave Act, as well as the capitulation, will, I presume, meet with no difficulty.

To prevent all possible abuse however, and with a view to the utmost exactitude and rigour on this important point, I propose to send an agent to Madagascar, for the express purpose of again verifying this List, and of giving a most correct register and descriptive roll of every individual Slave; and I have to request that you will issue such directions as you may think proper, for allowing the Slaves above-mentioned to be transferred from Madagascar to the other of His Majesty's possessions in these seas, without any let, seizure, or molestation.

I have the honour to be, &amp;c. &amp;c. &amp;c.

(Signed)

R. T. Farquhar.

## 16 FURTHER PAPERS RELATING TO

(Enclosure 4.)

(Copy.)

To his Excellency R. T. *Farquhar* Esq. Governor, &c. &c.

Sir,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 8th instant, requesting that I would issue such directions as I might judge proper, to prevent the Negroes, the private property of inhabitants of this Island at its surrender, being seized or molested on their passage from Madagascar to this port, under the guarantee of Government.

I have, in consequence, to inform your Excellency, that a Memorandum relative to the above circumstances, will be left here by me, together with the List of their numbers, &c. &c. at my departure, for the guidance of the Captains and Commanders of His Majesty's ships who may arrive in my absence; and I make no doubt that they will see the transaction in its proper light, and that they will, far from throwing any impediment in the way, do all in their power to assist your Excellency in the execution of a measure, which seems so arranged as to put it beyond the power of any individual concerned to overreach or abuse it.

I trust it will be considered by the inhabitants, as one of the many attentions shown by this Government to their private interests.

I have the honour to be, &amp;c. &amp;c. &amp;c.

(Signed)

*C. M. Seemberg,*  
Capt<sup>n</sup> and Sen<sup>r</sup> Officer.H. M. Ship *Astrea*,  
Port Louis, 9th August 1811.

(Enclosure 5.)

Avis.

Son Excellence le Gouverneur prévient Mess<sup>rs</sup> les Habitans que, sans difficulté, les noirs portés sur l'état ci annexé et déclarés par Mr. Silvain Roux, Agent commercial lors de sa Capitulation avec la corvette de Sa Majesté l'*Eclipse*, peuvent être introduits en cette Colonie ou a l'Isle de Bourbon.

Pour prévenir tous abus, Son Excellence le Gouverneur va envoyer à Madagascar un Commissaire chargé de donner les passports nécessaires: et afin de libérer le Gouvernement des frais qu'il fait à cet égard, chaque noir, à son introduction dans les Colonies, payera trois piastres effectives, qui seront remises à la Douane.

Port Louis Isle Maurice, le 10 Août 1811.

Par Ordre,

(Signé)

*A. Barry,*  
Sec.<sup>e</sup> en Chef du Gouvernement.

Noirs déclarés par Mr. SILVAIN ROUX.

Messrs.	Têtes.	Messrs.	Têtes.	Messrs.	Têtes.	Messrs.	Têtes.	
Gemin - - -	135	Giquel - - -	10	Gardé - - -	8	Tasrelot - -	8	
Le Cudnec - -	50	Robin - - -	15	Lalles - - -	15	Noé - - -	20	
La Gardère - -	80	Cornet - - -	12	Lasalle - - -	10	Là Goardette -	40	
J <sup>e</sup> Aubert - - -	12	Valassara - -	35	Pestel - - -	6	Glond - - -	10	
Luciany - - -	12	Arrouch - - -	5	Chardenoux - -	10	Cuvillier - -	6	
Pelizeau - - -	10	Breard - - -	40	Hugon Dubois -	8	Bernard - -	4	
Dieu le Fils - -	40	Rousson - - -	20	Dufourq - - -	6	Giraudeau - -	8	
La Peyre - - -	45	Renaud St. } -	53	Tanrin - - -	4	Dayot - - -	4	
J. René - - -	40	Germain } -		Nicole - - -	2	Camoin - -	15	
Guyard - - -	8	Thebaud - - -	5	Connan - - -	12	Silv <sup>e</sup> Roux -	40	
							TOTAL -	863 Têtes d'esclaves.

Approuvé  
(Signé)*R. T. Farquhar.*

(Signé)

*Charvalon,*  
Administrateur Gen<sup>l</sup>.

## THE SLAVE TRADE.

17

(Enclosure 6.)

(Copy.)

Sir,

HIS Excellency the Governor having received a very favourable recommendation of your character and conduct from Captain Collingwood, and as you have volunteered to undertake the commission to Tamatavy, I am directed by his Excellency to give you the following instructions for your guidance.

In the first instance I have to inform you, that it is a trust of the most important nature which is committed to you, and that his Excellency has deemed it necessary that you should take an oath, that you will execute that trust with zeal, fidelity and integrity. You will, after having subscribed the foregoing oath, proceed on board the Kingston transport, to Tamatavy on Madagascar; where you will take upon you the duty of giving the necessary passports for the transport to this Island or Bourbon, of the private property, Slaves who were guaranteed by the capitulation of Madagascar, and of which Slaves N° 1. is a List. You will observe, that agreeably to Enclosure, N° 2. have arrived, and others may be on their way. You will therefore take special care that the proper deductions are made on this account, and that there is no collusion in the transaction. You will examine Mr. Rondeaux, the Civil Commissary's register, to ascertain this fact the more correctly.

It will be particularly your duty to prevent the smuggling of Slaves, and to be cautious that none are secreted in the ships that are to carry up the Slaves licensed under the capitulation, to be brought to this Island.

You will proceed yourself on board every ship or vessel, previously to their sailing, in order to muster the licensed Slaves, and you will be most vigilant in carrying this part of your instructions into execution, and represent the danger to all persons concerned, of their carrying any other Slaves than those licensed as above stated.

Having performed the above duties you will return to Port Louis, and will receive, after the faithful execution of your duty, a reward of 1,000 dollars for your trouble, besides obtaining a recommendation in favour of your services in the estimation of the Governor.

You are to write to me by every opportunity, and give me an account of your proceedings. You are not to interfere in any other duties at Madagascar, than those pointed out to you in the above instructions.

The passport should certify that they are the licensed Slaves, the number, and to whom belonging, the ship or vessel in which they are embarked, and that there are none others than the said licensed Slaves on board.

I am, Sir, your obedient Servant,

Port Louis, 25 September 1812.

(Signed)

A. Barry,  
Chief Sec<sup>y</sup> to Gov<sup>r</sup>.

William Deller, Esq.

(Enclosure 7.)

I WILLIAM DELLER Esquire, do promise and swear, That I will zealously, faithfully and conscientiously, execute the trust reposed in me as Commissary, for granting passports to the licensed Slaves from Madagascar to this Island, under the instructions conveyed to me in the Chief Secretary's letter of the 25th September 1811.

So help me God.

(Signed)

W<sup>m</sup> Deller.

Sworn by me, at Port Louis in the  
Isle of Mauritius, this 25th day of  
September 1811. }

(Signed)

R. T. Farquhar.

## 18 FURTHER PAPERS RELATING TO

(Enclosure 8.)

(Copy.)

Chief Secretary's Office,  
Port Louis, 5th January 1812.

Sir,

I BEG leave to forward you the enclosed copy of a letter, and of a duplicate passport, which have this moment reached me, from Mr. Deller, the accredited Government Agent at Tamatave.

I consider it incumbent on me to transmit to you these official documents, as a report has been made to this Government, that the Eliza lugger has been seized by you, under the suspicion of having contraband Slaves on board.

The present state of Mr. Farquhar's health being such as to preclude the possibility of immediate attention to business of any description, I trust, Sir, it may not be deemed intrusive or irregular on my part to beg to be apprized, for his information, whether in the event of its being satisfactorily proved on investigation, that the Slaves in question are not contraband, but that they have been regularly embarked and transferred to this Colony, in strict conformity to the License herein transmitted, it is your intention to cause the Eliza to be released, or upon what grounds you may consider further detention necessary?

I have the honour to be, &amp;c.

(Signed)

*A. Barry.*Chief Sec<sup>y</sup> to Governm<sup>t</sup>.

P. S.—It not being in my power at the moment to obtain copies of the Documents alluded to, Mr. Power, Deputy Secretary to Government, has been good enough to take charge of the originals, and will produce them in person for your satisfaction.

To Captain Lyne, R. N. command<sup>r</sup>  
H. M. Sloop Eclipse.

(Enclosure 9.)

(Copy.)

Tamatavy, Madagascar,  
24th Dec<sup>r</sup> 1811.

Sir,

I HAVE the honour to enclose a duplicate of Blacks transported by the chasse maree Eliza, likewise a statement of the number already arrived, with these now sent in addition; and have to add, I am only waiting for two vessels more to complete my mission, when, should his Excellency the Governor have no further request of me at Tamatavy than the commission I was sent on, I shall embark on board the last vessel that may take up Blacks.

I beg leave to enclose an abstract of pay due to me, by the Government brig Minto, should it be convenient to advance the same shall be much obliged by its being remitted to me at Tamatavy.

I have the honour to be, &amp;c.

(Signed)

*W<sup>m</sup> Deller.*To Major Barry Chief Secret<sup>y</sup>.

## THE SLAVE TRADE.

19

(Enclosure 10.)

License.

Passport.

Copy.  
Duplicate.

## BILL OF LADING.

THIS is to certify, that the number of licensed Blacks embarked on board the chasse marec Eliza, whereof Peter Daugeout is master, are to be conveyed from Tamatave on the island of Madagascar, to Port Louis on the island of Mauritius direct, sanctioned by his Excellency the Governor of the Isles of Mauritius, Bourbon, and their dependencies, &c. &c. &c. of private property, Blacks who were guaranteed by the capitulation of Madagascar to the several inhabitants whose names are inserted herein, and that there are no other Blacks licensed on board the said vessel before-mentioned, but the number found agreeably with the passport.

Marks.	Number from to	Males.	Females.	To whom licensed. Messieurs	TOTAL NUMBER.
E	1 to 42	22	20	Gemin - - - -	Forty-two { 22 Males. 20 Females.
T	1 to 12	4	8	Cornet - - - -	Twelve - { 4 Males. 8 Females.
C	1 to 12	9	3	Luciame - - - -	Twelve - { 9 Males. 3 Females.
L	1 to 10	7	3	Chardenoux - -	Ten - - { 7 Males. 3 Females.
R	1 to 7	3	4	Lattes - - - -	Seven - - { 3 Males. 4 Females.
I	1 to 22	17	5	Villa Sara - - -	Twenty-two { 17 Males. 5 Females.
F	1 to 22	16	6	Silvian Roux - -	Twenty-two { 16 Males. 6 Females.
P	1 to 2	2	- - -	Petizean - - - -	Two - - - - Males.
D.	1 to 16	10	6	La Gardare - -	Sixteen - { 10 Males. 6 Females.

TOTAL 145 Blacks. - - - - - Blacks one hundred and forty-five.

Given under my Hand and Seal  
this 24th day of December 1811. }

(Signed)

W<sup>m</sup> Deller.  
Agent, Tamatave.

(Enclosure 11.)

(Copy.)

His Majesty's Sloop Eclipse,  
Port Louis, 7th Jan<sup>r</sup> 1812.

Sir,

I REGRET I was from home at the time Mr. Power was good enough to bring the documents which you mention in your letter, but never having seen, or even heard of, any *sanction* being given to individuals by Government, to introduce Slaves into this Island, until the detention of the vessel in question, I am totally unacquainted with the contents or documents alluded to.

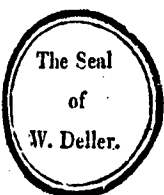
So far from thwarting any intention of Government, I shall ever be most happy to lend every assistance in my power that may tend to the execution of his Excellency's the Governor's wishes; but in the present instance, where I see the good intentions and indulgence of Government so grossly abused, it is a duty incumbent on me to check it in the first instance, in order that a stop may be put to such iniquitous proceedings.

I have the honour to be, &amp;c.

(Signed)

W<sup>m</sup> Lynne,  
Capt<sup>r</sup>.

To Major Barry,  
Chief Sec<sup>r</sup> to Govern<sup>r</sup>.





## FURTHER PAPERS RELATING TO

(Enclosure 12.)

(Copy.)

COPY of a Letter from *A. Barry* Esquire, to Captain *Lynne*, dated 9th January 1812.Chief Secretary's Office,  
Port Louis, 9th Jan<sup>r</sup> 1812.

Sir,

I HAVE laid before the Governor a Copy of the Letter I wrote you on Sunday last, in reference to the seizure of the *Eliza* lugger, upon suspicion (as it was represented to me at the moment) of having contraband Slaves on board; the state of his Excellency's health, as I then informed you, not admitting of direct communication from himself, on that or any other subject connected with public business.

I have now, by his commands, to acknowledge the receipt of your letter of yesterday, in answer to mine of the 5th, and to convey to you his sentiments, in reference to its contents, with the least possible delay.

In the first instance, I have to express his Excellency's astonishment and regret, that you should not have been earlier in possession of every requisite information, with regard to the *sanction* on the part of this Government, to which you allude, (that is to say) the *authority* granted by his Excellency the Governor, with the express *knowledge* and *concurrence* of His Majesty's senior naval officer, for the transfer to this Colony of such Slaves as are bona fide the private property of the French inhabitants at Tamatave, at the period of its surrender to the force under your command, and guaranteed to them as such by the articles of capitulation; *which were verbatim the same as granted for the Mauritius.*

The sanction, *exclusively* given for the transfer of this description of Slaves, was generally known, and as notoriously promulgated as public *Proclamation* could render it; and if any doubts could have remained upon his Excellency's mind, either with regard to the propriety, the validity, or the notoriety of the sanction thus solemnly pledged, as applied to the Commanders of H. M's ships of war upon this station, the accompanying letter from Captain Schomberg, then in command at the Mauritius, must have set his Excellency's mind at rest upon those and all other points connected with the subject; conveying as it does the cordial and unqualified approbation of that distinguished officer to the whole proceeding under consideration, prior to its final adoption on the part of Government.

His Excellency is indeed persuaded, that on a careful and attentive perusal of the accompanying correspondence, you will yourself, Sir, be fully disposed to admit, that if His Majesty's senior naval officer, or indeed any other individual in these Colonies, has remained hitherto ignorant, either of the sanction itself, or of its precise nature, operation and extent, it is a circumstance that may be lamented, but cannot, in fairness or justice, be traced to any want of proper communication and caution on the part of this Government.

Having made these remarks, I have to express the Governor's sincere acknowledgments for the assurance you have so handsomely expressed of a general disposition on your part, rather to meet his Excellency's wishes upon every proper occasion, than to thwart or impede, in any instance, the measures of his administration.

His Excellency is also happy to express his high sense of the very fair and honourable avowal, which he has been led to understand you have made, that had the conviction been brought home to your own mind, that the Slaves on board the *Eliza* had been bona fide private property at the time of the capitulation at Tamatave, you *should not* have considered them as contraband, and that the *Eliza* would, in consequence, have been permitted to disembark them without hindrance or molestation.

It could be upon this ground, and under this specific conviction alone, that his Excellency the Governor could have been induced to feel a wish, that either the vessel, or the Slaves on board her, should have been protected against seizure or detention.

If, Sir, however, in this or in any other instance, it can be proved, that any attempt has been made to take advantage of, or abuse the good faith and the good intentions of this Government, his Excellency would naturally be the first to rejoice in its detection, and in the infliction of the full penalty of the Law upon those who may have been concerned in its infringement or violation.

That

## THE SLAVE TRADE.

21

That abuse may have prevailed, and that Slaves may have been clandestinely introduced into the French islands, since the establishment of the British power, his Excellency can, of course, have no doubt. The seizures indeed by His Majesty's navy, as well as those made on shore, seem sufficiently to establish the fact, that attempts are still made to carry on this disgraceful and illicit Traffic. His Excellency has already received some valuable intelligence on the subject, and will gratefully acknowledge any information which he may receive from yourself, Sir, or from any other quarter, which might tend to discover the delinquency itself, or to point out those who can be legally proved either principals or participators in it. If guilt in the *present instance* in reality exists, as you appear to suspect, the iniquity must assume a deeper shade from so profligate an abuse of the justice and good faith of the Government.

But in proportion as an accusation is grave or odious in its nature, it becomes the part of every honourable and feeling man to be cautious that the innocent are not involved in the odium, vexation and disgrace, of imputed delinquency.

Without this discrimination between innocence and guilt, to whatever extent either the one or the other may prevail, the sacred bonds of justice must be torn asunder; and, situated as we are, in these newly acquired Colonies, the faith and dignity of the British Government, the interests of our common sovereign and of our country, and the fair estimation of the British character in the eyes of foreigners and of the world, must stand compromised by the slightest deviation from these plain and fundamental principles of Equity and of Law.

These, Sir, are his Excellency's feelings and sentiments upon the present occasion, and he is convinced, Sir, that they are also yours.

I have the honour to be, &c.

(Signed)

A. Barry,  
Chief Sec<sup>r</sup>.

To Captain Lynne,  
Commandn<sup>r</sup> H. M. Sloop Eclipse.

(Enclosure 13.)

(Copy.)

I Robert Townsend Farquhar, Esquire, Governor and Commander in Chief of the Islands of Mauritius, Bourbon and dependencies, Captain General, Vice Admiral, &c. Do hereby protest, in the name of His Majesty's Government in these Colonies, against Henry Lynne, Esq. commanding H. M. sloop of war Eclipse, and others, for all losses, expenses and damages, that are or may be incurred by the act of seizing or taking possession of, at Port Louis, the Eliza lugger, with certain Negroes, regularly licensed by this Government, with the sanction and approbation of His Majesty's senior naval officer, to be transferred from the British possession at Tamatavy to the British possessions of the Mauritius and Bourbon, situated in these seas; which said Negroes are regularly borne upon the Licence granted under the hand and seal of the sworn and accredited Agent of the British Government at Tamatavy, as private property belonging to the inhabitants of these Colonies, and guaranteed to them by the articles of capitulation, on the surrender of the settlements of Madagascar to the force under the said Henry Lynne, and others concerned in the said seizure, to be wholly and entirely responsible in his and their person or persons and property for all costs, charges, damages, and other consequences which may arise out of the said seizure, and out of all other acts connected therewith or dependent thereon.

Given under my hand and seal, at Port Louis in the  
Isle of Mauritius, this 10th day of January 1812.

(Enclosure 14.)

(Copy.)

His Majesty's Ship Scipion,  
Port Louis, Isle of France, 29th Oct<sup>r</sup> 1811.

HIS Excellency Governor Farquhar having represented to me, that Messrs. Cayoux Brothers, inhabitants of the Isle of France, have requested that I would grant them a passport to permit nineteen Slaves, now forming an actual part of their property

## 22      FURTHER PAPERS RELATING TO, &amp;c.

property, to be removed from the Island of Diega Garcia to the Isle of France, in a brig called the Illusion.

It is my direction, that in the event of your falling in with the said brig, that you suffer her to perform her voyage as above mentioned, without molestation, provided there is no reason to suspect that any abuse has been made of this passport.

(Signed)

*Robt Stopford.*  
Rear Admiral.

To the respective Captains and Commanders  
of His Majesty's Ships and Vessels off the Isle  
of France, &c. &c. &c.

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