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II.

FURTHER PAPERS

RELATING TO

SLAVES IN THE WEST INDIES:

VIZ.

RETURN to an Address of The Honourable House of Commons,
dated 13th April 1824;—*for*

Copy of any INFORMATION which has been received, respecting the Apprehension, for the purpose of being carried off the Island of Jamaica, of two free Men of colour named *Lescesne*, and *Escoffery*, in the month of October 1823 with the Proceedings consequent thereupon; and Copies of the Affidavits filed in the Grand Court of that Island, on the occasion of moving for a Writ of Habeas Corpus on their behalf.

Colonial Department, }
Downing Street, }
3d March 1825. }

R. J. WILMOT HORTON.

Ordered, by The House of Commons, to be Printed,
4 March 1825.

II.—FURTHER PAPERS RELATING TO

LIST OF PAPERS.

- N° 1.—Copy of a Despatch addressed to Earl Bathurst by his Grace the Duke of Manchester; dated King's House, Jamaica, 12th January 1824 - p. 3.
- N° 2.—D° - - D° - - D° - 9th February 1824 - ib.
- N° 3.—D° - - D° - - D° - 30th July 1824.—With seventeen Enclosures, numbered 1 to 17 - - - - - ib.
- N° 4.—Copy of a Report addressed to the Duke of Manchester by the Attorney-General of Jamaica; dated Spanish Town, 10th August 1824.—One Enclosure - p. 31.
- N° 5.—Commission from the Duke of Manchester, authorizing certain persons to take evidence of the execution of the will of Louis Nicholas Lecesne - p. 34.
- Return to that Commission, with the will annexed - - - - - ib.
- N° 6.—Extract of a Despatch from his Grace the Duke of Manchester to Earl Bathurst; dated King's House, Jamaica, 13th November 1824.—One Enclosure - p. 35.

— N° 1. —

Copy of a Despatch addressed to Earl Bathurst by His Grace the Duke of Manchester.

N° 1.

MY LORD,

King's House, Jamaica, 12th January 1824.

TWO Aliens, named *Lecesne* and *Escoffery*, who had resided for many years in this island, having been reported to me by the magistrates of Kingston as persons of a dangerous description, I ordered them, in pursuance of the authority vested in me by the Alien Law, to be sent off the island. These people having a considerable number of creditors in Kingston, affidavits were obtained tending to show that they were born in Jamaica; and upon the strength of these affidavits they applied for and obtained their habeas corpus.

When the Assembly met, a secret committee was appointed to inquire into the case of these and some other Aliens, who were suspected of treasonable practices; and it having been proved before the committee that *Lecesne* and *Escoffery* were beyond all doubt Aliens, I, in compliance with a message from the House, and after having consulted the council on the subject, ordered them to be sent out of the island.

I should not have thought it necessary to trouble your Lordship with this detail, had I not understood it to be the intention of the parties to make some representation to your Lordship on the subject.

I have, &c.
(signed) MANCHESTER.

— N° 2. —

Copy of a Despatch addressed to Earl Bathurst by His Grace the Duke of Manchester.

N° 2.

MY LORD,

King's House, Jamaica, 9th February 1824.

I OMITTED to state to your Lordship, in my other letter of this date, that in the evidence adduced at the trial* of the conspirators in the parish of Saint George, it appeared that arms had been furnished them by *Lecesne* the Alien, whom, I informed your Lordship in my communication of 12th ultimo, I had found it necessary to send out of the island.

Although this information rests on the evidence of slaves, and could not have convicted *Lecesne* in a court of justice, there is the greatest reason to believe that it is true.

I have, &c.
(signed) MANCHESTER.

* Vide evidence on the Trial of the Slaves already laid before the House of Commons.

— N° 3. —

Copy of a Despatch addressed to Earl Bathurst by His Grace the Duke of Manchester.

N° 3.

With Seventeen Enclosures.

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MY LORD,

King's House, Jamaica, 30th July 1824.

I HAVE had the honour to receive your Lordship's despatch of the date stated in the margin, together with the copy of a resolution of the House of Commons of 13th April, requiring certain information on the subject of the apprehension and deportation from this island of two persons named *Lecesne* and *Escoffery*; and I now, in compliance with your Lordship's instructions, transmit herewith such official papers connected with this transaction as, in addition to the information conveyed in my communication to your Lordship of 12th January last, will enable you to comply with the wishes of the House of Commons.

The facts are simply as follow: *Lecesne* and *Escoffery* were reported to me by the police of Kingston as aliens of a dangerous description, and were in due course ordered to be sent out of the island. Some little delay having however taken place in carrying this order into effect, petitions were presented to me on their part, stating that they were born in Jamaica, and their general loyal conduct. I immediately referred these petitions to the police of Kingston, directing them to ascertain whether *Lecesne* and *Escoffery* were or were not aliens; and in the event of the magistracy being satisfied that they were aliens, my order for their being sent off the island was to be carried into immediate effect. Whilst this inquiry was going on a writ of habeas corpus was applied for, and they were released from confinement by the grand court. The order merely stated, that on referring to the return of the deputy marshal, the said *Lecesne* and *Escoffery* were discharged from custody. The cause of detention set forth by the deputy marshal was the order for sending these persons out of the island as aliens of a dangerous description, agreeably to the provisions of the Alien Law passed in 1818. Here the matter for some time rested; and I refused repeated importunities to have the question of their birth again agitated. In consequence, however, of it being known that meetings of the persons of colour in Kingston had been unusually frequent, and it being generally believed that an improper connection was kept

31 May 1824.

Numbered 1 to 17.

N° 3.

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up between Hayti and Jamaica through the medium of certain aliens who had been for some years domiciliated in Kingston, a secret committee was appointed by the House of Assembly, consisting of nine members, six of whom were entirely unconnected with the city of Kingston, and one of whom was the counsel employed by Lecesne and Escoffery before the grand court, for the purpose of ascertaining the nature and object of these meetings; and in the course of that inquiry it was discovered that some of the affidavits in favour of Lecesne and Escoffery, which were supposed to have influenced the decision of the grand court, for it was declared by the court, that amidst much conflicting testimony the evidence only preponderated in their favour, were false; and additional evidence was brought forward establishing the fact of their being aliens.

This, my Lord, was the course pursued towards these men. No proceeding originated with me; and, as far as relates to the exercise of the power vested in me by the alien law, they received from me the greatest forbearance. I referred the consideration of their petition to the magistracy of Kingston, affording them an opportunity of applying for their habeas corpus; and after they had been discharged by the chief justice, I refused to sanction any further measures against them. I had of course no control over the proceedings of the House of Assembly; but after the subject had been gravely considered by a committee, and I had received a message from the House on the subject, and further, after having submitted to the council the message of the House, and the whole case, including the proceedings before the grand court, having been detailed to them by the Attorney General, I then, by the unanimous advice of the council, ordered Lecesne and Escoffery to be sent out of the island.

The question turns on the naked fact, whether these people were or were not aliens. A great body of evidence, and that least liable to suspicion, supports the assertion that they were aliens. Had it been thought necessary, much more evidence might have been at the time, and has since, been produced; but the emissaries of these men had endeavoured to terrify those who could have indisputably proved that Lecesne and Escoffery were born in Saint Domingo.

As to the petition of the merchants of Kingston, I have already, in my letter to your Lordship of 12th January last, stated that they are composed principally of the creditors of Lecesne and Escoffery; and had they not, your Lordship is no stranger to the facility with which signatures are obtained to petitions, whatever the subject may be. The assertion that it was signed by a member of the council has no foundation in truth.

With respect to the policy of sending away Lecesne, the late trials in St. George, and numerous examinations since taken in Kingston before a very active intelligent magistrate, prove that he was concerned with the conspirators in that parish; that he had supplied them with arms; and that his house was the place of resort for all disaffected persons of all denominations.

Your Lordship will pardon my entering so much at length into this matter, but I am naturally anxious to remove any impression which the statement made in the House of Commons might have excited, that I had acted with unbecoming harshness or precipitation, or had shown any want of moderation towards persons of whatever country or designation, who had so long resided under my government.

I have the honour to be, my Lord, your Lordship's most obedient humble servant,
(signed) MANCHESTER.

LIST of Papers accompanying the Governor's Despatch to Earl Bathurst; dated 30th July 1824.

N° 1.—Copy of a Letter from the Mayor of Kingston, to the Governor's Secretary, reporting Nicholas Pinero, a native of Curacoa, as a person of a dangerous description.

N° 2.—Copy of a Letter from Hector Mitchel, esquire, a magistrate of Kingston, and one of the representatives in Assembly for that city, communicating information relative to Lecesne and Escoffery. (This letter accompanied N° 1.)

N° 3.—Letter from the Governor's Secretary, to the Mayor of Kingston, acquainting him that the Provost Marshal had been ordered to send out of the island Nicholas Pinero, and Lecesne and Escoffery.

N° 4.—From the Governor's Secretary, to the Provost Marshal, ordering the deportation of Pinero, Lecesne and Escoffery.

N° 5.—From the Mayor of Kingston, to the Governor's Secretary, explaining the reasons why Lecesne and Escoffery had not been imprisoned.

N° 6.—Letter from the Governor's Secretary, to the Mayor of Kingston, stating that no considerations of a private nature could be allowed to interfere, in regard to Lecesne and Escoffery, with the provisions of the Alien Law.

N° 7.—Petition of Lecesne.

N° 8.—Petition of Escoffery.

N° 9.—From the Governor's Secretary, to the Mayor of Kingston, referring to the magistrates the petitions of Lecesne and Escoffery, and directing them to inquire whether they were or not aliens.

N° 10.—From the Mayor of Kingston, and Hector Mitchel, esquire, stating that the result of the inquiry made by the police of Kingston established the fact that Lecesne and Escoffery were aliens.

N° 11.—Petition of sundry merchants and inhabitants of Kingston in favour of Lecesne and Escoffery.

N° 12.—Proceedings

- N^o 12.—Proceedings filed in the Crown Office in a matter relating to writs of Habeas Corpus at the instance of Lecesne and Escoffery.
 N^o 13.—Report from the Secret Committee to the House of Assembly.
 N^o 14.—Copy of a Message from the House of Assembly to his Grace the Governor.
 N^o 15.—Report from the Secret Committee to his Grace the Governor.
 N^o 16.—Extract from the Proceedings of the Council.
 N^o 17.—The Governor's order in Council for transporting Lecesne, Escoffery, and Valmour.

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Enclosure N^o 1.

Copy of a Letter from the Mayor of Kingston, to the Governor's Secretary, reporting Nicholas Pinero, a native of Curacoa, as a person of a dangerous description.

Sir,

Kingston, 30th September 1823.

FOR the information of his Grace the Governor, I have to acquaint you, that a negro man, appearing to be about fifty years of age, and a native of Curacoa, has been to day committed to gaol as a suspicious character, and dangerous to be at large: his name is Nicholas Pinero. He has been from time to time visiting the neighbouring colonies and St. Domingo. It is said he is a married man, and his wife is in Cuba; he says he was married there, and his wife died two years ago. Information previous to his arrest was given, that some eight years or more ago he was in Carthagena, and commanded the French negroes at that place, and was made colonel; but that, in consequence of some attempt at a revolution, he was, with some other persons, sent out of the country. He has been a long time about Jamaica, and was at one time in the Kingston militia. He was brought up a sailor; but for more than six years he has exhibited a barber's pole at his door in this place; and though he may have had some person to shave in his shop, he is by far too great a man to handle the razor himself. He professes to deal in segars, but his occupation is chiefly in receiving and attending on foreigners, of whom the most are persons of colour, and officers connected with the insurgents of the Spanish Main. His correspondence of a political nature would seem to be extensive, though a part of it only was found. He was reported to be a mediator between the free people and free people of colour, with a view to strengthen political interest. His arrest occasioned a general panic. Among the foreigners, and the respectable men who were willing to give every information respecting him as a dangerous man, are now so much alarmed, that if they were brought forward to give evidence it would be difficult to get them to declare the truth. It is unnecessary to say that he denies every thing alleged against him; but in one of the letters addressed to him, introducing a countryman of his own, part of the character given is, "he is of our sentiments, and is of our party, and of our way of thinking."

I am, &c.

(signed) Jo^s Barnes, Mayor.Enclosure N^o 2.

Copy of a Letter from Hector Mitchell, Esquire, a Magistrate of Kingston, and one of the Representatives in Assembly for that city, communicating information relative to Lecesne and Escoffery.

Dear Sir,

Kingston, 30th September 1823.

THE investigation into the case of Nicholas Pinero, who was to day committed as a dangerous foreigner to be at large in Kingston, brought to the knowledge of the magistrates, but to that of myself particularly, other matter of importance to the country at large, and which, from the rumours that have gone abroad, may form a proper subject of communication to the Governor.

Two persons of the committee of the people of colour, seeking to be put on a footing with the whites, calling themselves Lecesne and Escoffery, are natives of St. Marks and Port-au-Prince. The first is about thirty years of age, and the other between thirty and forty.

Some five or six years, a mustee of the name Hero, the son of a quadroon woman, a native, as well as her son, of St. Domingo, but for a number of years back a tavern-keeper in Havannah, came to Kingston, and made freemasons of various persons of colour, for which he underwent the censure of one regular lodge in particular. He afterwards went to Port-au-Prince, where he is now a schoolmaster, and keeps up a correspondence with the persons of colour freemasons in Kingston, who have secretly formed themselves into a lodge, of which Lecesne and Escoffery are said to be the principals; each, however, denying any knowledge of the fact; yet both these persons at the same time profess to belong to a benevolent society for the purpose of managing charitable-subscriptions for the burying foreign indigent people of colour. Under pretext of meeting for such charitable purpose, these bastard masons, as they are termed, meet in a political character and as masons, and hatch all matters concerning their objects of future purpose in obtaining privileges, &c. and in respect to foreign connections.

Nicholas Pinero is well known to them all, and is said to have had constant communication with them, and especially being a mason, which he admits by having a diploma from

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from Cuba; and he was in the habit of carrying the republican officers of colour from Columba to visit them. Lecesne was several years old when he was brought to this country, and was carried to St. Ann's, where his reputed father Lecesne sometime settled, and at the age of about ten years was brought to Kingston, and baptized, on the 13th March 1804, as a free mulatto, born 30th August 1798, as appears by a certificate from Mr. Mann.

His appearance shows he is a man of thirty at least, and not at all a person begotten by a white man; indeed, old Lecesne said he was the son of the driver of the property in St. Domingo of which he was himself the attorney; but in getting him baptized, it would seem consideration had been had to the time of the arrival of the fleet from St. Domingo in 1798, in which he came to record the birth at such time as to make it appear that Lecesne, the reputed son, was born in this island, in order that he might derive the advantages of a natural-born subject. This Lecesne, of black complexion, is the most forward and officious person in all matters concerning the people of colour, and it would seem they have placed their confidence in him. Escoffery is the son of an Italian Jew whose name was Escófie, and was born at St. Mark's.

The information derived from the French whites shows that these two persons keep up a correspondence with St. Domingo.

On the former occasion of the free people seeking for an extension of privileges, it appears that Lecesne was the most forward and busy person.

I am, &c.
(signed) *H. Mitchell.*

Enclosure N^o 3.

Copy of a Letter from the Governor's Secretary to the Mayor of Kingston, acquainting him that the Provost Marshal had been ordered to send out of the Island Nicholas Pinero, and Lecesne and Escoffery.

Sir,

King's House, 3d October 1823.

I HAVE received and laid before his Grace the Governor your letter of 30th ultimo, accompanied by one of the same date from Mr. Hector Mitchel to yourself; and am to acquaint you that the provost marshal has been ordered to send out of the island Nicholas Pinero, and two persons called Lecesne and Escoffery, as aliens, and of a dangerous description.

As it does not appear that either Lecesne or Escoffery are in confinement, it will of course be necessary that they should be committed to gaol.

I have, &c.
(signed) *W. Bullock.*

Enclosure N^o 4.

Copy of a Letter from the Governor's Secretary to the Provost Marshal, ordering the Deportation of Pinero, Lecesne and Escoffery.

Sir,

King's House, 3d October 1823.

I AM commanded by his Grace the Governor to desire that you will immediately send out of the island an alien called Nicholas Pinero, now in the gaol of the county of Surrey; and also two other aliens, called Lecesne and Escoffery, whom the magistrates of Kingston have been directed to commit to the said gaol as persons of a dangerous description, agreeably to the provisions of the Alien Law passed in 1818.

I have, &c.
(signed) *W. Bullock.*

Enclosure N^o 5.

Copy of a Letter from the Mayor of Kingston to the Governor's Secretary, explaining the reasons why Lecesne and Escoffery had not been imprisoned.

Sir,

Kingston, 4th October 1823.

I HAVE received your letter of yesterday, informing me that the provost marshal has been ordered to send out of the island Nicholas Pinero, and two persons, called Lecesne and Escoffery, of whom mention was made in my letter and copy of another enclosed from Mr. Mitchel to me, both of the 30th ultimo.

Lecesne and Escoffery were not sent to prison in consequence of their keeping shops, and the probability of their being indebted to various persons who might from self-interest set about a hue and cry, which it would be better to avoid. An instance occurred, I think, when General Morrison was lieutenant-governor, of a foreigner being put in gaol to be sent out of the island, and a petition was instantly got up to keep him in it, on the ground that he was owing a great deal of money to the inhabitants.

Lecesne and Escoffery have the command of money, and would be disposed to adopt any legal measure to prevent their going away, and being married men would have the support of all the people of colour.

I forbear,

I forbear, therefore, to send Lecesne and Escoffery to gaol until the pleasure of his Grace be further known, and in doing so I trust my motive will be considered prudent. In the mean time the strictest watch will be kept upon them as respects their proceedings.

I have, &c.

(signed) *Jos. Barnes*, Mayor.

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Mr. Mitchel and myself consider it necessary to preserve as much silence as possible in this matter.

Enclosure N^o 6.

Copy of a Letter from the Governor's Secretary to the Mayor of Kingston, stating that no consideration of a private nature could be allowed to interfere, in regard to Lecesne and Escoffery, with the Provisions of the Alien Law.

Sir,

King's House, 6 October 1823.

I HAVE laid before his Grace the Governor your communication of 4th instant.

You are of course aware that the warrant ordering the provost marshal to send Lecesne and Escoffery out of the island was delivered to Mr. Innes, with an injunction of secrecy, instead of sending it through the usual channel of the provost marshal's office.

Referring to your letter of 30th ultimo, as well as that of Mr. Mitchel of same date, Lecesne and Escoffery having been reported to his Grace as aliens of a dangerous description, but without assigning any reason why they had not been taken into custody, his Grace thought it proper to order them to be sent out of the island, and it is impossible for him now to attend to any reasons of a private nature why this order should not be carried into effect.

I have, &c.

(signed) *W. Bullock*.

Enclosure N^o 7.

Petition of Lecesne.

Jamaica, fs.—PERSONALLY appeared before me, Louis Nicholas Lecesne, of the city and parish of Kingston and Island aforesaid, merchant, who being duly sworn, made oath and saith, that his reputed son, Lewis C. Lecesne, by Charlotte, a free black woman, was born in the city and parish of Kingston and Island aforesaid, on the 30th day of August 1798.

(signed) *L. N. Lecesne*.

Sworn before me, this 21st day of March 1814.

(signed) *A. Stewart*.

These are to certify, that Lewis Lecesne, son of Charlotte Lecesne, a free black woman, by L. N. Lecesne, born 30th August 1798, was baptized on the 5th day of March, in the year of our Lord 1814, as appears from the register-book of the city and parish of Kingston.

Kingston, 2d October 1823.

(signed) *I. Mann*, Rector.

Jamaica, fs.—Lewis C. Lecesne, of the city and parish of Kingston, a person of colour, being duly sworn, maketh oath and saith, that the several matters and things stated in the annexed petition, are just and true, to the best of his knowledge and belief.

(signed) *Lewis G. Lecesne*.

Sworn before me, this 8th day of October 1823.

(signed) *Peter Duffus*.

Jamaica, fs.—To his Grace William Duke of Manchester, Captain-General and Governor in Chief in and over this His Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same.

The humble Petition of Louis Celeste Lecesne, of the parish of Kingston, in the county of Surrey and Island aforesaid, a free person of colour,

Sheweth,

That your petitioner is now under confinement in the county gaol of Surrey, in order to be sent off the island under the Alien Act.

That your petitioner is a native of this island, and was born on the 30th day of August, in the year of our Lord 1798, as appears by the certificate of baptism hereunto annexed; and your petitioner has never been absent from this island.

That your petitioner can procure testimonials of character from many of the magistrates, and most respectable inhabitants of Kingston, with whom he has been in the habit of transacting business for some years past; that he has always been punctual in his payments, and has now some demands against him unsatisfied, such merchants having full confidence in your petitioner's integrity.

That your petitioner is a freeholder, and is possessed of several slaves and other property in this island; that he is married to a native of the city of Kingston, and has five children, and many relatives, who are entirely dependent on him for their subsistence.

That your petitioner has always been attached to the government of this island, and can procure evidence of his having always been considered a peaceable and quiet inhabitant, and not likely to promote sedition or disaffection towards the government; and has been

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upwards of three years a serjeant in the Kingston militia, and refers to his officers for his good conduct.

That your petitioner having procured a copy of your Grace's order to the keeper of the said gaol, the said order directs your petitioner, together with Escoffery, to be *immediately* sent out of this island; that the distress of your petitioner of being separated, without a moment's notice, from his large young family, his numerous relatives and friends, most of whom depend upon your petitioner's exertions for support, and will, in consequence, be left in wretchedness, must be of the most painful and agonizing description; your petitioner leaving all his business and concerns in a mass of confusion, and his numerous creditors unsatisfied.

Your petitioner therefore humbly prays your Grace, that you will be pleased to take into consideration the peculiar hardship of your petitioner's situation, and that your Grace will be pleased to countermand the order for sending him off the island; and that your petitioner may be allowed time to defend himself from any charges that may have been preferred against him; and that your petitioner may be set at liberty, on furnishing such bail as to your Grace shall seem meet, and prays for such relief as to your Grace shall seem meet; but should your Grace not be pleased to grant wholly such your petitioner's prayer, your petitioner still humbly hopes that your Grace will be pleased to allow some short and reasonable time to your petitioner for the investigation of his innocence; and that your Grace will at the same time be pleased to grant that he may be informed of the particulars of any charge against him, (now wholly unknown to your petitioner,) and that he may be allowed to produce evidence and necessary testimonials on his own behalf, for the re-establishment of his character and innocence.

And your petitioner shall ever pray, &c.

(signed) *Lewis C. Lecesne.*

Enclosure N^o 8.

Petition of Escoffery.

Jamaica, fs.—THESE are to certify, that John, the son of Louise Savary, a sambo woman, by John Escoffery, was born 28th November 1795, and baptized 16th March 1801.

(signed) *Thomas Rees, Rector of Kingston.*

Produced before me this 21st February 1814.

(signed) *John Miller, Churchwarden.*

Produced before me this 28th February 1814.

(signed) *Rob^t M^cClelland, Magistrate.*

Jamaica, fs.—John Escoffery, of the city and parish of Kingston, a free person of colour, being duly sworn, maketh oath and saith, that the several matters and things stated in the annexed petition, are just and true, to the best of his knowledge and belief.

(signed) *John Escoffery.*

Sworn before me, this 8th day of October 1823.

(signed) *Peter Duffus.*

Jamaica, fs.—To His Grace William Duke of Manchester, Captain-General and Governor in Chief in and over this His Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same.

The humble Petition of John Escoffery, of the parish of Kingston, in the county of Surrey and Island aforesaid, a free person of colour,

Sheweth,

That your petitioner is under confinement in the county gaol of Surrey, in order to be sent off the island under the Alien Act.

That your petitioner is a native of this island, and was born in Kingston, on the 28th day of September 1795, of which fact he can adduce evidence; and has never been off this island. Your petitioner annexes the certificate of his baptism.

That your petitioner is a freeholder, and has some slaves and other property in this island, and has a large family entirely dependent on him.

That your petitioner has always manifested his attachment to the government of this island, and can procure testimonials of good character from many of the most respectable merchants of this city, with whom he has transactions; and there are now some outstanding demands against him, which he has been in the habit of discharging punctually, and with good faith.

That your petitioner has been eleven years in the militia of Kingston, always performing his duty as a good soldier, and has been a serjeant two years.

Your petitioner therefore humbly prays your Grace, that you will be pleased to countermand the order for the immediate sending of your petitioner from this island; and that he may be allowed time to rebut any charges which may have been brought against him; and that he may be discharged from custody, on procuring such bail as to your Grace shall seem satisfactory; and prays for such relief as to your Grace shall seem expedient to grant.

And your petitioner shall ever pray, &c.

(signed) *John Escoffery.*

Enclosure N° 9.

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Copy of a Letter from the Governor's Secretary to the Mayor of Kingston, referring to the Magistrates the Petitions of Lecesne and Escoffery, and directing them to inquire whether they were or not Aliens.

Sir,

King's House, 8 October 1824.

I AM directed by his Grace the Governor to refer to the consideration of the magistrates of Kingston two petitions which have been presented to his Grace on behalf of Louis Celeste Lecesne and John Escoffery.

You will observe that the petitioners state themselves to be natives of this island; the magistrates, therefore, will be pleased to confine their inquiry to the single fact, whether Lecesne and Escoffery are or are not aliens, and subject of course to the provisions of the alien law; and should it appear to the satisfaction of the magistrates that they are aliens, his Grace's warrant, ordering the provost marshal to send them out of the island, must be carried into execution.

I have, &c.

(signed) *W. Bullock.*

Enclosure N° 10.

Copy of a Letter from the Mayor of Kingston and Hector Mitchel, esq. stating that the result of the inquiry made by the Police of Kingston established the fact that Lecesne and Escoffery were Aliens.

Sir,

Kingston, 14 October 1823.

IN compliance with your letter of 8th instant, inquiry has been made in regard to the place of birth of Louis Celeste Lecesne and John Escoffery, and it has been proved to our satisfaction, in weighing the evidence on both sides, that the former is a native of Port-au-Prince, and the latter of St. Mark's.

Many more witnesses to prove these facts are in Kingston; but in consequence of not being able to benefit the accused persons, and a desire not to incur their displeasure in times considered not free from danger, they are unwilling to step forward. All the affidavits in behalf of both Lecesne and Escoffery are equally deserving, in our opinion, of discredit, as not containing one word of truth; and they are at variance with themselves.

Lecesne's mother reports she arrived in August 1798, and all the affidavits, or most of them, say she was delivered of a child a few months afterwards. The father, in his affidavit attached to the petition to his Grace, says that child was born on the 30th August 1798. The father's will, recorded in the secretary's office, shows that L. C. Lecesne was in August 1816 at least twenty-one years of age, which carries his birth to St. Domingo.

The affidavits taken by the magistrates are confirmative of this fact.

Escoffery is made a foreigner by his own showing; for on a reference to the Royal Gazette no such vessel as she (the mother) reports to have come in is there to be found, from the 1st of August 1795 to the end of the Maroon war, during which time the affidavit states she arrived. In May 1796 her keeper, the father of John Escoffery, is not upon the tax roll in West-street, where the affidavits state she lived; but in December the same year the tax roll, made up at that time for the year 1797, contains the name Jean Escoffery in that street.

The certificate of baptism attached to Escoffery's petition shows that an attempt was made by him to obtain privilege papers, and he was unsuccessful, because he did not get them; but at the same time it appears by the parish records his sister obtained hers. By his own statement he was travelling in a foreign country with his father in 1801, at the age of between five and six; not at all likely. The affidavits show that he was a grown apprentice in 1802, at work in Kingston as a tailor, and that he was born in St. Mark's.

We are, &c.

(signed) *Jos. Barnes,
H. Mitchel.*

Enclosure N° 11.

Petition of sundry Merchants and Inhabitants of Kingston in favour of Lecesne and Escoffery.

Jamaica, ss.—To his Grace William Duke of Manchester, Captain-General and Governor in Chief in and over this His Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same:

The humble Petition of sundry Merchants and Inhabitants of the City and Parish of Kingston,

Sheweth,

THAT your memorialists have known Louis Celeste Lecesne and John Escoffery respectively, of the same place, free persons of colour, at present prisoners in the gaol of Kingston, for many years, some of your memorialists for a shorter, others for a longer period, and many of them from the infancy of the said prisoners respectively.

N^o 3.

Enclosures

4—17.

That the said Louis Celeste Lecesne and John Escoffery, from the time when they respectively arrived at the age when it is usual to enter into business, began to establish themselves in Kingston, and from their integrity and good conduct, as well in their character of persons in trade and business as persons doing duty in the militia of this island, and in other respects, acquired the confidence, good opinion and good will of your memorialists.

That they are both married men, and have, as your memorialists believe, several children, who with their mothers, as well as the mothers of the said Louis Celeste Lecesne and John Escoffery, are dependent on them for their support.

That by their industry and application to business they have respectively acquired considerable property in this island, each of them being a freeholder in the city of Kingston, and each possessing five or ten slaves.

That as your memorialists believe, all that they respectively possess in the world, and that is dear to them, is in this island.

That their integrity and general good conduct have been the occasion and means of their respectively acquiring from time to time considerable credit amongst the merchants and traders of this city, who have uniformly found them punctual and regular in their payments and returns, and in all their dealings.

That they are now indebted to several of your memorialists, who have every reason to place the fullest confidence in them, as far as can relate to their own punctuality, justness and integrity.

That your memorialists have heard and understood that the said Louis Celeste Lecesne and John Escoffery have been imprisoned, and are now in prison in the Kingston gaol, by some order from your Grace; but your memorialists are ignorant, and believe that the said prisoners are equally ignorant, of the charges or charge exhibited or intended to be exhibited against them, or either of them; and it has been reported that they are considered as persons of the description contemplated by the alien laws, which might subject them to be removed from the island in a summary manner without trial.

That your memorialists verily believe that they are not aliens; and do also verily believe, such is the high opinion which your memorialists entertain of them, that they are incapable of any act that could possibly be construed into any thing like disaffection towards His Majesty's Government; and that if it could be permitted to them to be made acquainted with the charges exhibited against them, and could have their liberty on the occasion, they would be able to acquit themselves completely, and to refute any charge, of whatever description, that may be brought against them, if tried openly and in due course of law.

Your memorialists, therefore, on the part of the prisoners, the said Louis Celeste Lecesne and John Escoffery respectively, humbly pray that your Grace will be pleased to grant to them such relief in the premises as to your Grace shall seem meet.

And your memorialists shall ever pray, &c.

Signatures,

H. J. Hall; Samuel Watt; Neslam Tory; Jos. Fannim; John B. Elin; Lucius Cary; Edw. Cowell; M. C. L'Hoste; T. Rodger; Francis Treadway; John Adams; Charles Smith; John Neilson; Anthony Gutzner, jun.; Thomas Cross; Robert Johnston; Thomas Henriques; William Mulholland; H. L. Garriques, with regard to Escoffery, not knowing the other party; J. B. Morris, with regard to Escoffery; Thomas Morton, same as the above; W. H. Hale; A. Kennedy, with regard to Louis Lecesne; R. S. Newman, with regard to Escoffery; James M'Dowell, with regard to Escoffery; J. Reid, can only state he has known both parties several years; W. Hyslop, as to Escoffery; W. Titley; M. Bourke, has known Lecesne for several years.

Enclosure N^o 12.

Proceedings filed in the Crown Office, in a matter relating to Writs of Habeas Corpus, at the instance of Lecesne and Escoffery.

Jamaica, fs.—I, THOMAS Farquhar Hill, clerk of the Crown of this His Majesty's island of Jamaica, do hereby certify and make known, that the paper writings hereunto annexed are true copies of the several affidavits filed in my office, in certain matters relating to writs of habeas corpus, at the instance of Lewis Celeste Lecesne and John Escoffery, late prisoners in the Kingston Gaol, orders of the supreme court of judicature of this island made thereon, and also of the writs of habeas corpus awarded and issued out of the said court in the said matter, and the returns made thereon.

Given under my hand and seal of office, this 1st day of July 1824.

(signed) Tho^s F. Hill, Clerk of the Crown.

Jamaica, fs.—In a matter relating to a Habeas Corpus, at the instance of Lewis Celeste Lecesne, a Prisoner in the Kingston Gaol.

Stamp, 2/6.

Jamaica, fs. in the Supreme Court.—Lewis Celeste Lecesne, of the city and parish of Kingston, a free person of colour, being duly sworn, maketh oath and saith, that he, this deponent, was on Tuesday the 7th day of October instant, taken up by Mr. James Stewart Innes, and carried to the gaol in Kingston, where he has ever since been confined a prisoner. And this deponent further saith, that he has applied to Anthony Davis, esquire, the deputy marshal of the said parish of Kingston, under whose custody this deponent was so placed, for a copy of the charge, commitment or authority under which this deponent was so put into prison and confined; and that he has been furnished by the said Anthony Davis with the

the annexed copy, certified by Mr. Silva his deputy, and which he states to be the only authority which he possesses for detaining this deponent. And this deponent further saith, that he knows of no other commitment, order, authority or charge against this deponent, or under which he is so detained: that by the order aforesaid, a copy whereof is annexed, this deponent is regarded as an alien, and subject to the alien law passed in the year 1818. And this deponent further saith, that as he hath been informed by both his parents, namely, Lewis Nicholas Lecesne, late of Kingston aforesaid, his father, and Charlotte Lecesne, of the same place, a free black woman, that this deponent was actually born in the city and parish of Kingston aforesaid, which this deponent has always believed, and does most firmly believe. And in proof that this deponent is not an alien, but a natural-born subject of His Majesty, this deponent craves leave to refer to the several affidavits about to be filed herewith; namely, the affidavits of his mother, the said Charlotte Lecesne, of his nurse Rosalie Lecesne, a free black woman, of Charles Robinson Nelson, a free person of colour, of Madelaine la Roche, a free person of colour, of John Harvey and the said Charlotte Lecesne, of Rose Mandrew, a free black woman, of John Cator and James Goffe, free persons of colour, and James Maxwell Norris, gentleman.

Lewis C. Lecesne.

Sworn before me this 11th day of October 1823.

D. Hames, p. Comm^a.

Sir,

King's House, 3d October 1823.

I AM commanded by his Grace the Governor to desire that you will immediately send out of the island an alien called Nicholas Pinero, now in the gaol of the county of Surrey, and also two other aliens called Lecesne and Escoffery, whom the magistrates of Kingston have been directed to commit to the said gaol as persons of a dangerous description, agreeably to the provisions of the alien law passed in 1818.

I am, sir, your obedient servant,

W. Bullock, Sec.

Angus Kennedy, Esquire, Provost Marshal General.

True copy, per *Anthony Davies, D. M.*

M. G. Silva.

Sworn before me this 11th day of October 1823.

D. Hames, p. Comm^a.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th Oct. 1823.

T. F. Hill, Clk. Cor.

Jamaica, fs. in the Supreme Court.—In a matter relating to a habeas corpus; at the instance of Lewis Lecesne, a prisoner in Kingston gaol, Charlotte Lecesne, of the city and parish of Kingston, a free black woman, being duly sworn, maketh oath and saith, that she is the mother of Lewis Celeste Lecesne of this city, and a prisoner in the gaol in Kingston. And this deponent further saith, that she came over to this island in the year 1798; was then pregnant, and was delivered of that child a short time afterwards in Orange-street, in the said city of Kingston, the then residence of Lewis Nicholas Lecesne, the father of the said Lewis Celeste Lecesne, and that the said child is the identical Lewis Celeste Lecesne above named. And this deponent further saith, that at the time of her arrival in this island she had with her another child, the brother of the said Lewis Celeste Lecesne, who was then about two years of age, and who afterwards died within a short period after her said arrival.

Stamp, 2/6.

Charlotte Lecesne, ✕ her Mark.

Sworn before me, this 11th day of October 1823.

Wm. Savage, p. Comm^a.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Jamaica, fs. in the Supreme Court.—In a matter relating to a habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol. Rosalie Lecesne, of the city and parish of Kingston, a free black woman, being duly sworn, maketh oath and saith, that she was a slave of Mr. Lewis Lecesne, formerly of this city, merchant, deceased: that she came over to this island with Charlotte, the mother of Lewis Celeste Lecesne, who was then pregnant: that she, the deponent, was present when the said Charlotte was delivered of that child a few months after her arrival, and that the said child is the identical Lewis Celeste Lecesne, at present of this city, and above named. And this deponent further saith, that she was the dry nurse of the said Lewis Celeste Lecesne during his infancy, and was manumised by the said Lewis Lecesne, the father, in remuneration for her care and attention to the said child. And this deponent further saith, that the said Charlotte, at the time of her arrival as aforesaid, had with her another child about two years old, the brother of the said Lewis Celeste Lecesne, who departed this life soon after the said Charlotte Lecesne was delivered of the said Lewis Celeste Lecesne.

Stamp, 2/6.

Rosalie Lecesne, ✕ her Mark.

Sworn before me, this 11th day of October 1823.

Wm. Savage, p. Comm^a.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

N^o 3.
 Enclosures
 1—17.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court, in a matter relating to a habeas corpus, at the instance of Louis Celeste Lecesne, a prisoner in the Kingston gaol.—Rose Mandrew, alias Munro, of the parish of Kingston, a free negro woman, being duly sworn, maketh oath and saith, that she was a slave of Mr. Louis Nicholas Lecesne, formerly of Kingston aforesaid, merchant; that she came over to this island from St. Domingo in the same vessel with Charlotte, the mother of Mr. Louis Celeste Lecesne, now a prisoner in the Kingston gaol. And this deponent further saith, that the said Charlotte had with her on board the said vessel, a son, about two years old; to which son this deponent was the nurse in St. Domingo, on board the vessel, and after his arrival here, until he died in the parish of St. Ann, a short time after his coming here. And this deponent further saith, that the said Charlotte, when she came here, had never had any other child than the last abovementioned, but that she was at that time big with child, and was delivered shortly after her arrival, in Orange street, of a son, which son was nursed by Rosalie Lecesne, and whom this deponent was constantly with, and has known up to the present time, and the above-named Louis Celeste Lecesne is that son.

Rose Mandrew, alias Munro, ✕ her mark.

Sworn before me this 11th day of October 1823.

D. Hames, p. Commn.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court, in a matter relating to a habeas corpus, at the instance of Louis Celeste Lecesne, a prisoner in Kingston gaol.—John Cator, of the city and parish of Kingston, carpenter, being duly sworn, maketh oath and saith, that he, this deponent, recollects perfectly well the arrival in this island, in the year 1798, of Charlotte Lecesne, the mother of Louis Celeste Lecesne, of this city, a free person of colour. And this deponent further saith, that the said Charlotte was then pregnant, and was afterwards delivered of that child, whom this deponent saw about five or six weeks after his birth, in Orange street, in this city, where his father and mother then lived; that he has known him ever since, and that he is the identical Louis Celeste Lecesne above named. And this deponent further saith, that the said Charlotte, at the time of her arrival as aforesaid, had with her another child, about two years old, the brother of the said Louis Celeste Lecesne, who departed this life soon after the said Charlotte Lecesne was delivered of the said Louis Celeste Lecesne.

John Cator, ✕ his mark.

Sworn before me, this 11th day of October 1823.

W^m Savage, p. Commⁿ.

Filed in the clerk of the court's office, 23th October 1823. Filed in crown office, 20th October 1823.

Tho^s F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court, in a matter relating to a habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol.—Madelaine La Roche, of the city and parish of Kingston, a free person of colour, being duly sworn, maketh oath and saith, that, in the year 1798, deponent embarked in Port-au-Prince, in the island of St. Domingo, on board of a ship for this island; that she met on board of the said ship Charlotte Lecesne, the mother of Lewis Celeste Lecesne, who was then big with child, and with whom deponent remained all night; that the vessel being too small, and too full of people, deponent left her the next morning, and went in another to North America; that two years after she came to this island, where she saw the said Lewis Celeste Lecesne, then apparently about two years of age, and whom deponent verily believes is the same child, of whom the said Charlotte Lecesne was encient when deponent met her as aforesaid.

Madelaine La Roche.

Sworn before me, this 11th day of October 1823.

W^m Savage, p. Commⁿ.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court, in a matter of habeas corpus, at the instance of Louis Celeste Lecesne, a prisoner in the Kingston gaol.—Louis Charles Lecesne, formerly of the city and parish of Kingston, but now resident in the parish of St. Thomas in the East, in the county of Surrey and island aforesaid, a free person of colour, shipwright, the reputed brother of the half blood on the father's side of Louis Celeste Lecesne, of the said city and parish of Kingston, a free person of colour, retailer, being duly sworn, maketh oath and saith, that deponent arrived in this island some time in the year 1798, to the best of deponent's recollection. And this deponent further saith, that Charlotte Lecesne, the mother of the said Louis Celeste Lecesne, arrived in this island shortly after this deponent. And this deponent further saith, that immediately upon the arrival of the said Charlotte Lecesne, this deponent saw her, and she then appeared to be far advanced in pregnancy. And this deponent further saith, that a short time afterwards, the said Charlotte Lecesne was delivered

delivered of a male child, who is the identical person above, called Louis Celeste Lecesne.
So help me God.

Sworn before me, this 14th day of October 1823,

Louis Charles Lecesne.

Fred^d. F. Hill, p. Commⁿ.

Filed in the clerk of the court's office, 14th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

N^o 3.

Enclosures

1—17.

Jamaica, fs.—In the Supreme Court, in a matter of habeas corpus, at the instance of Louis Celeste Lecesne, a prisoner in the Kingston gaol.—George Jaques and James M^cQueen, of the city and parish of Kingston, free persons of colour, being respectively duly sworn, make oath and say, that they perfectly remember having known Lewis Celeste Lecesne above named, for upwards of twenty-one years ago; that the said Louis Celeste Lecesne was then quite a child, and could not have been more than between three and four years of age when they first knew him as aforesaid. And this deponent, the said George Jaques, further saith, that he is the godfather of the said Louis Celeste Lecesne, and that he has always heard both Lewis Nicholas Lecesne, the father of the said Louis Celeste Lecesne, and Charlotte Lecesne, his mother, declare, that the said Louis Celeste Lecesne was their child; and that the said Louis Nicholas Lecesne was particularly fond of him, gave him the best education, and left him his executor.

Stamp, 2/6.

Geo. Jaques.

James M^cQueen.

Sworn before me, this 14th day of October 1823.

W^m Savage, p. Commⁿ.

Filed in the clerk of the court's office, 14th October 1823. Filed in crown office, 20th October 1823.

Jamaica, fs.—In the Supreme Court. In a matter relating to a habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol.—James Goffe, of the city and parish of Kingston, a free person of colour, schoolmaster, being duly sworn, maketh oath and saith, that some time in the month of July 1802, Mr. Lewis Lecesne, late of this city, merchant, deceased, called upon deponent, and requested him to take under his care his son named Lewis Celeste Lecesne, who was then, as he stated, and as deponent verily believes as far as he can recollect, about four years of age. And this deponent further saith, that the said Mr. Lecesne, in a conversation which he had with this deponent some-time afterwards relative to his son's education, mentioned to deponent, that his said son, being an English creole, born in this island, he particularly requested him to give him an entirely English education, to which request deponent attended. And this deponent further saith, that the said Lewis Celeste Lecesne afterwards boarded with this deponent for three years and upwards, and is the identical Lewis Celeste Lecesne now a prisoner in the Kingston goal.

Stamp, 2/6.

James Goffe.

Sworn before me this 11th day of October 1823.

W^m Savage, p. Commⁿ.

Filed in the clerk of the court's office on the 13th October 1823. Filed in the crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Jamaica, fs.—In the Supreme Court. In a matter relating to a habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol.—John Harvey, a free person of colour, and Charlotte Lecesne, a free black woman, both of the city and parish of Kingston, being severally duly sworn, make oath and say, that on the afternoon of Tuesday, the 7th instant, the day that Lewis Celeste Lecesne, of the city and parish of Kingston, a free person of colour, now a prisoner, was taken up and imprisoned in the Surrey gaol, which it was believed in Kingston was under an impression that he was an alien, Lucille Lecesne, a free person of colour, a sister on the father's side of the said Lewis Celeste Lecesne, came into the house of the said Lewis Celeste Lecesne, where deponents and Anette Lecesne, the wife of the said Lewis Celeste Lecesne, then were, and said in their presence, that it was a hard case that the said Lewis Celeste Lecesne should have been taken up as an alien, because she knew and was ready to swear that he was not an alien, but was born in this island. And these deponents further say, that the said John Harvey then immediately informed the said Lucille Lecesne, that as she also knew the fact she ought to prove it, which she declared she should be ready to do. And this deponent, the said John Harvey, further saith, that on Thursday the 9th instant he accidentally met the said Lucille Lecesne, and told her that affidavits were preparing on behalf of the said Lewis Celeste Lecesne, and that he expected she would come forward and make her own affidavit that the said Lewis Celeste Lecesne was born here, as she had stated before. And this deponent saith, that the said Lucille Lecesne thereupon answered, that she had been prevailed upon by two or three white persons to make an affidavit to the contrary, and that she had already done so, and could not therefore make two different oaths; and further

Stamp, 2/6.

N^o 3.Enclosures
1-17.

ther said, that she was threatened with being sent off the island as an alien if she did not make such affidavits.

Charlotte Lecesne ✕ her mark. *John Harvey.*

Sworn before me this 11th day of October 1823.

W^m Savage, p. Commⁿ.
John Harvey.

Sworn before me this 11th October 1823.

D. Hames, p. Commⁿ.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court. In a matter relating to a habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol.—Rose Mandrew, of the city and parish of Kingston, a free black woman, being duly sworn, maketh oath and saith, that on Friday the 10th instant she accidentally met Lucille Lecesne, of this city, a free woman of colour, the half-sister of Lewis Celeste Lecesne, (a prisoner in the Kingston gaol); deponent told her that it was a great shame that she who knew that her brother was a native of this island should have gone and sworn that he was not born here; that the said Lucille Lecesne thereupon answered to this deponent, that she had been prevailed upon so to swear by Mr. Villegrain, who told her that it was her interest to get her brother shipped off this island, as in that case she would come to half of his property derived from their late father, (meaning Lewis Nicholas Lecesne,) and that if she did not swear against her said brother she would be imprisoned and put in irons.

Rose Mandrew ✕ her mark.

Sworn before me this 11th day of October 1823.

W^m Savage, p. Commⁿ.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court. In a matter relating to a habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol.—Charles Robinson Nelson, of the city and parish of Kingston, a free person of colour, being duly sworn, maketh oath and saith, That he, this deponent, has known Lewis Celeste Lecesne from his infancy, and always understood, and verily believes, that he was born in the city of Kingston,

DATE.	Time of Arrival in this City.	Place of last-mentioned Arrival.	Name of Vessel.	Name of Captain.	Place or Places of Residence for Three Years before Arrival in this Island.
Report of Charlotte Le Cesne :					
N ^o 360.					
22 July - 1803	August 1798 -	Kingston -	Schooner Dauphin.	Lajaille -	Port-au-Prince
Report of Guillaume Villegraine :					
N ^o 11.					
21 July - 1803	22 Oct. - 1798	Kingston -	The Fanny -	Olver -	Jeremie, St. Domingo.

James Maxwell Norris, of the parish of Kingston, in the county of Surrey, and Island aforesaid, clerk to Messrs. Severson and Whitehorne, being duly sworn, maketh oath, and saith, that the above are correct extracts from the Book of Report of Foreigners, belonging to the police office of Kingston; and this deponent further saith, that he applied to Robert Smith the police officer, for certificates thereof, who replied, that the said books were kept by his predecessor, Mr. Cowgill, and that he knew nothing of them. That this deponent afterwards applied to Mr. Harris, the clerk of the peace, for the said certificates, who stated that deponent might have access to the books, but that he had nothing to do with them, and therefore could not give such certificates; that in consequence thereof this deponent made

Kingston, in this island. And this deponent further saith, that on Friday the 10th instant he was in the gaol in Kingston where Lewis Celeste Lecesne is a prisoner, and whither Lucille Lecesne, his half sister by the father's side, went to see him: that he, the said Lewis Celeste Lecesne, in this deponent's presence, asked the said Lucille Lecesne, "How could you, my sister, who knew and have often told me that I was born in this island, swear that I was not born here?" to which she answered, That she knew he was born here, but that she had been prevailed upon to swear to the contrary, and threatened to be imprisoned and put in irons if she did not so swear.

C. R. Nelson.

Sworn before me this 11th day of October 1823.

D. Hames, p. Comm^r.

Filed in the clerk of the court's office, 13th October 1823. Filed in the crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

N^o 3.
Enclosures
1-17.

Jamaica, fs.—In the Supreme Court. In a matter relating to a habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol.—Francis Robert Palmer, of the city and parish of Kingston, gentleman, being duly sworn, maketh oath and saith, That some time in the year 1815 he had occasion to call upon Mr. William Villegrain, of the said city and parish of Kingston, gentleman, on business: that while talking with him, he saw a poney in his yard, and asked him whom it belonged to: that Villegrain answered, it belonged to the young man (meaning the said Lewis Celeste Lecesne) he had sent to him. Deponent then asked the said William Villegrain if the said Lewis Celeste Lecesne was not a foreigner; whereupon the said William Villegrain replied, that he was not, but was born in this city, and that the gentleman (meaning one Lewis Nicholas Lecesne) who had come with him when the agreement was made for the hiring a penn, which deponent then rented from the said William Villegrain, was the father of the said Lewis Celeste Lecesne.

Stamp, 2/6.

F. R. Palmer.

Sworn before me this 14th day of October 1823.

D. Hames, p. Comm^r.

Filed in the clerk of the court's office, 14th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Jamaica, fs.—In the Supreme Court. In a matter relating to a habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol.

Stamp, 2/6.

Trade, Profession or Occupation.	Present Place of Residence, what Street or House particularly.	Whether Householder or Inmate or Inmate of whom.	Property in Land, Houses and Slaves in this Island.	Names of such Slaves, and whether some, or any of them, had been at any time or times, and when and how long, at St. Domingo, or any other Foreign Island or Colony.
Sempstress - - -	Black Harbour Street, L. Lecesna House.	Householder - -	- - -	- - -
Planter - - -	White Providence Penn, Rockfort Road.	Inmate of Mr. Menard.	Part of the said Penn, one negro woman and her child.	- - -

made the above extracts, and has carefully compared them with the said books of report, of which they are true and correct extracts.

James M. Norris,

Sworn before me this 11th day of October 1823.

D. Hames, p. Comm^r.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

Th. F. Hill, Cl. Cor.

N^o 3.Enclosures
1—17.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court: in a matter of habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol.—William Lundie and Alexander Lundie, both of the city and parish of Kingston, gentlemen, being respectively duly sworn, make oath and say, That they were well acquainted with Lewis Nicholas Lecesne, late of this city, deceased, the father of the above-named Lewis Celeste Lecesne, and had occasion to visit him repeatedly, respecting a suit in chancery, in which the said Lewis Nicholas Lecesne was a party, and in which these deponents, as well as their father, in his life-time, were materially interested. And these deponents further say, that they have heard the said Lewis Nicholas Lecesne declare and acknowledge, that the said Lewis Celeste Lecesne was his son, and was born in this country.

William Lundie, Alexander Lundie.

Sworn before me this 16th day of October 1823.

W^m Savage, p. Comm^r.

Filed in the clerk of the court's office, 17th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court. In a matter of habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in Kingston gaol.—William Goffe, of the city and parish of Kingston, a free person of colour, being duly sworn, maketh oath and saith, That he has known Lewis Celeste Lecesne, a prisoner in the Surrey gaol, since the year 1802, and that at that period the said Lewis Celeste Lecesne could not have been more than four years of age; this deponent being now about twenty-eight years of age, and being between three and four years older than the said Lewis Celeste Lecesne. And this deponent further saith, that the said Lewis Celeste Lecesne and this deponent were schoolfellows, at the school kept by deponent's father: that the said Lewis Celeste Lecesne was a boarder for several years, and that he and this deponent slept together, and were upon terms of great intimacy. And this deponent saith, that he has been very frequently at the house of Lewis Nicholas Lecesne, the prisoner's father, and has heard him repeatedly say that the said Lecesne was a native of this island.

W^m Goffe.

Sworn before me this 16th day of October 1823.

W^m Savage, p. Comm^r.

Filed in the clerk of the court's office, 17th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court. In a matter of habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Kingston gaol.—Donald Campbell, of the city and parish of Kingston, gentleman, being duly sworn, maketh oath and saith, That he was employed by Thomas Cuming, late of this city, deceased, in writing parochial papers, and that he is well acquainted with the manner and character of the hand-writing of the said Thomas Cuming. And this deponent further saith, that the name "Thomas Cuming" set and subscribed to the annexed certificate, is of the proper hand-writing of the said Thomas Cuming. And this deponent further saith, that at the time mentioned in the said annexed certificate, the said Thomas Cuming was clerk of the common council of the city and parish of Kingston.

Donald Campbell.

Sworn before me this 16th day of October 1823.

D. Haines, p. Comm^r.

Stamp, 1/8.

N^o 789. Kingston, Jamaica, fs.—These are to certify, that Lewis C. Lecesne, mulatto, did, on the 21st day of March, in the year of our Lord 1814, give in his name at a court of common council holden at the court house, in the city and parish of Kingston, and did then and there produce the certificate of his baptism, and show how he obtained his freedom.

Thomas Cuming, Clerk of the Common Council.

Filed in the clerk of the court's office, 17th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs. in the Supreme Court. In a matter relating to a habeas corpus, at the instance of Lewis Celeste Lecesne, a prisoner in the Surrey gaol—Edward Escoffery, of the parish of Kingston, in the county of Surrey and island aforesaid, a free person of colour, being duly sworn, maketh oath and saith, that the signature "I. Mann," set and subscribed to the annexed certificate of baptism, is the proper hand-writing of the reverend Isaac Mann, rector of the parish of Kingston, the said Isaac Mann having signed the same in the presence of this deponent.

Edward Escoffery.

Sworn before me, this 17th day of October 1823.

D. Haines, p. Comm^r.

Jamaica, fs.—These are to certify, that Lewis Lecesne, son of Charlotte Lecesne, free black, by L. N. Lecesne, born on the 30th August 1798, was baptized on the 5th day of March, in the year of our Lord 1804, as appears from the register book of the city and parish of Kingston.—Kingston, 17th October 1823.

I. Mann, Rector.

Filed in the clerk of the court's office, 17th October 1823. Filed in crown office, 20th October 1823.

T. F. Hill, Cl^k Cor.

N^o 3.
Enclosures
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Jamaica, fs. in the Supreme Court, October Grand Court, 1823; Friday the 17th. In a matter of habeas corpus, at the instance of Louis Celeste Lecesne, a free person of colour, a prisoner in the gaol of the county of Surrey.—On motion of Mr. Rennalls, and on reading the affidavits filed in this matter, it is ordered, that a writ of habeas corpus do issue, directed to Anthony Davis, deputy marshal for the parish and precinct of Kingston, and keeper of the above-mentioned gaol, commanding him to bring into court forthwith the body of the above-named Lewis Celeste Lecesne *ad subjiciendum*, unless cause shown to the contrary by Thursday next.

Stamp, 2/6.

By the court,
Thos F. Hill, Cl. Cor.

Jamaica, fs. in the Supreme Court.—In a matter of habeas corpus, at the instance of Lewis Celeste Lecesne, a free person of colour, a prisoner in the gaol of the county of Surrey.—James Maxwell Norris, of the parish of Kingston, in the county of Surrey, and island aforesaid, gentleman, being duly sworn, maketh oath and saith, that he did, on Saturday the 18th day of October instant, personally serve Henry John Ross, esquire, as solicitor of the Crown, with the annexed order nisi, by delivering unto and leaving with him a true copy thereof, and at the same time showing unto him the said annexed original.

Stamp, 2/6.

Ja^s M. Norris,

Sworn before me this 20th day of October 1823.

D. Hames, p. Commⁿ.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Personally appeared William Villegrain, who being duly sworn, saith, that he knows very well a person of black or dark complexion at present in Kingston, who goes by the name of Louis Celeste Lecesne, and was reputed the son of a white Frenchman, whose name was Louis Nicholas Lecesne; and the said Louis Celeste Lecesne was born in Port-au-Prince, in the island of St. Domingo, in the street called Rue Dauphine, and opposite to the post-office. And deponent further saith, that he knows the mother of the said Louis Celeste Lecesne, and she is a black woman, who was a slave to Comte de Vaudreuil, and her name is Charlotte Lecesne. And deponent further saith, that the said Louis Celeste Lecesne and his mother came to this island with the rest of the negroes belonging to the said Comte de Vaudreuil, at the evacuation of Port-au-Prince in the year 1798, touching at Jeremie on the way.

Stamp, £.5.

W. Villegrain.

Sworn before me, this 9th day of October 1823.

H. Mitchel.

Filed in crown office, 22d October 1823.

Jamaica, fs. Kingston.—Personally appeared before me Joseph Armour, of the city and parish of Kingston, being duly sworn, maketh oath, that he was applied to by Mr. Silva to obtain permission to take one Lucille Lecesne, the sister of Louis Celeste Lecesne, now in gaol, before the magistrates, for the purpose of declaring where the said Louis Celeste Lecesne was born; and on calling the said Lucille Lecesne, who, on learning the purport of Mr. Silva's message, she, with her own will and accord, declared in his presence she would state the truth, and was surprised that her brother should attempt to say he was born in this island, as he must well know she had arrived in the country some time before him; and further stated, she had requested her mother to purchase a toy for little Louis in St. Domingo, which was so done, and sent to him. The deponent further swears, that some persons came to his gate for the purpose of communicating with the said Lucille Lecesne; and, as stated by her, offered her money if she would go to the gaol and say two words. She refused any communication without first asking the deponent, who recommended her to go and see her brother Louis Celeste Lecesne, and hear what he had to say that on her return she stated, her brother said she could relieve him if she would swear he was born here, meaning in the city of Kingston. In reply to which she observed she had stated to her brother she could not take an oath to that effect, as she had already sworn to the contrary, and to the facts of his being born in Port-au-Prince, which he knew was true; when the brother, with others in the room of the gaol, commenced to abuse her, which caused her to withdraw; further stating she could not help it. The deponent further swears, that after the said Lucille Lecesne had made her declaration to the magistrates, Mr. Innes called and requested permission to examine the said Lucille Lecesne in the execution of his office, which was done, in the presence of myself and family, with mildness, and that no threats whatever were made to the said Lucille Lecesne; but, on the contrary, endeavoured

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to impress on her mind that he hoped she had stated nothing but the truth before the magistrates; to which she again replied, she had stated nothing but the truth, and does still affirm the same to be true.

Joseph Armour.

Sworn before me this 15th day of October 1823.

Rob. Graham.

Filed in crown office, 22d October 1823.

Stamp, £. 5.

Jamaica, fs. Surrey.—Augustus Hardin Beaumont, of the city and parish of Kingston, gentleman, being duly sworn, maketh oath and saith, that in a conversation he, this deponent, had with Louis Celeste Lecesne, he understood the said Louis Celeste Lecesne explicitly to state, that he was a foreigner, and had come a child to Jamaica some time subsequent to the revolution in the French part of St. Domingo.

A. H. Beaumont.

Stamp, 2/6.

Sworn before me this 12th day of October 1823.

H. Mitchel.

Filed in crown office, 22d October 1823.

Stamp, £. 5.

Jamaica, fs.—Personally appeared Lucy, alias Mary Lucesne, a mulatto woman, who being duly sworn, saith, that she was born in Port-au-Prince, and that her mother was a black woman called Mary Ann Lecesne: that she very well knew another black woman called Charlotte Lecesne, the mother of a person who is at present in Kingston, and goes by the name of Louis Celeste Lecesne, who was born in Port-au-Prince, in Saint Domingo; and the reputed father of deponent, and the said Louis Celeste Lecesne, was a native of France, and named Louis Nicholas Lecesne. Deponent further saith, that Louis Celeste Lecesne and herself were always reputed half-brother and sister.

Lucille Lecesne.

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Sworn before me this 9th day of October 1823.

Jos. Barnes.

Filed in crown office, 22d October 1823.

Stamp, £. 5.

Jamaica, fs.—Personally appeared, Moses Gomes Silva, who being duly sworn, maketh oath and saith, that on the 9th instant he was requested by Mr. Innes to carry the half sister of Louis Celeste Lecesne, whose name is Lucille Lecesne, before the magistrate, as she was willing, of her own accord, to give evidence as to the birth of Louis Celeste Lecesne; and on taking her into the chaise, Mr. and Mrs. Armour, with whom she lives, strictly enjoined her to be careful to tell nothing but the truth, which she appeared to do without any compulsion whatever. That this morning the said Lucille Lecesne came to the gaol, and said, that her brother had sent for her, and she had with her two of Mr. Armour's children; and she said that Mr. Armour had told her to go and see what her brother wanted with her; that she said she was afraid of being ill treated, and begged the deponent to accompany her, saying she would not go without him, and therefore he went as far as the door of the room, and there remained about a quarter of an hour, when she came out; while standing at the door he heard Louis Celeste Lecesne say to his sister, "how could you do such a thing?" and she answered, "it is of no use your saying any thing to me, because you know I have already given my evidence, and you know you was born in St. Domingo." And deponent further saith, that when Lucille Lecesne came out of her half brother's room in gaol, she told deponent that a mulatto man, not tall, called upon her last evening, and offered her two or three doubloons if she would go and swear that Louis Celeste Lecesne was born in Jamaica; and deponent believes, from the description she gave of the man who made her the said offer, that the person who did so was John Harvey, of this city.

M. G. Silva.

Sworn before me this 10th day of October 1823,

H. Mitchel.

Filed in crown office, 22d October 1823.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court, Henry John Ross, gentleman, being duly sworn, maketh oath and saith, that he, this deponent, hath perused the record of the last will and testament of Louis Nicholas Lecesne, to which this deponent craves leave to refer. And this deponent further saith, he, this deponent, hath been informed, and believes, that Louis Celeste Lecesne, now under commitment under the Alien Act, is the same individual as is mentioned and described in the said will as sole executor thereof, and who is thereby appointed guardian of Louis Nicholas Lecesne therein also named. And this deponent submits, that it appears therefrom that the said Louis Celeste Lecesne was of age, for all legal purposes, at the time of the execution of the said last will and testament.

H. J. Ross.

Sworn before me this 14th day of October 1823.

Geo. Mills.

Filed in crown office, 22d October 1823.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court, personally appeared before me, James Stewart Innes, additional tide-waiter and searcher, under the Alien Act, maketh oath and saith, on the 9th day of October instant, Moses Silva, of the parish of Kingston, came to him and stated, that

that there was a sister of Louis Celeste Lecesne, named Lucille Lecesne, living at Mr. Joseph Armour's, in Hanover street, who knew her brother Louis Celeste Lecesne to be a native of St. Domingo, and born in Port-au-Prince: that the deponent being at that hour very busy in the clerk of the peace's office, attending the duties of his office, requested Mr. Silva to take her in his chaise (if willing) down to the magistrates, which was done; and the deponent has since learnt *the* Lucille Lecesne, with her own accord, hath accordingly made her declaration, on oath, to that effect. The deponent further saith, he never knew or saw the said Lucille Lecesne until after the above declarations were made, and which was in the presence of both Mr. and Mrs. Armour, before whom she declared that it was impossible her brother could say he was not born in St. Domingo, as he must surely recollect her having sent up to him a toy, purchased for him by her mother, at her request; she also declared, that a person, answering the description of John Harvey, as well as other persons, came to her, and offered her three doubloons, or as much more as she wanted, if she could swear that her brother was born here; she replied she could not, it being against her conscience, for he well knew he was born at St. Domingo, and had arrived here near two years after her; she also states his age to be from twenty-seven to twenty-eight years of age, and that he must know his mother never had, but him, one. The deponent further swears, he never made use of any threats whatever to her at any period in the course of his examination, the same having been always in the presence of both Mr. and Mrs. Armour, and with their consent. The deponent begged she would be careful as to what she had sworn, and hoped it was the truth, and not with a view of injuring her brother, contrary to her own knowledge of the facts.

James Stewart Innes, A. T. W. & Sr.

Sworn before me this 14th day of October 1823.

W. Hewit, p. Commⁿ.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Personally appeared before me, Eleanor Hinds, of the city and parish of Kingston, being duly sworn, maketh oath and saith, that the deponents came down from Port-au-Prince, in the London ship Mary, captain Cheese, immediately after the evacuation thereof; and that there came down in this same ship, with deponent, Louis Nicholas Lecesne, who, this deponent was informed, was the overseer to one Count Vaudreuil, having in charge several negroes belonging to the said Count Vaudreuil; amongst whom was a slave named Charlotte, who had with her a son, a brown child, about two or three years of age, named Figgé, and that the said Figgé is the same Louis Celeste Lecesne now in custody, under the Alien Act, to the best of this deponent's knowledge and belief.

Eleanor Hinds, ✕ her mark.

Witness to the mark, *James S. Innes.*

Sworn before me, this 18th day of October 1823.

H. J. Ross, p. Commⁿ.

Filed in crown office, 22d October 1823.

Jamaica, fs.—James Stewart Innes, of the city and parish of Kingston, esquire, being duly sworn, maketh oath and saith, that he, this deponent, is the alien officer appointed under the Alien Act of this island; and that in the execution of the powers vested in him, and in obedience to the order of his Grace the Governor in that behalf, he did, on the seventh day of October instant, take up and convey to gaol Lewis Celeste Lecesne and John Escoffery. And this deponent saith, that neither the said Louis Celeste Lecesne and John Escoffery did allege or pretend that they or either of them was or were natural-born subjects, although they did attempt to palliate the circumstances which they must have considered as having led to their being apprehended, but which circumstances this deponent is not permitted to disclose to this honourable court, although they were informed by this deponent they were taken up under the Alien Act, and that they did not disclose the pretended fact of their being natural-born subjects until several days after their being confined in gaol. And this deponent saith he verily believes, from every thing he hath seen and heard in the course of his inquiries as alien officer in this matter, that the scheme of representing the said Louis C. Lecesne and John Escoffery to be aliens, hath been concerted, and is supported by various individuals, all of whom are either themselves aliens, or connected with aliens, natives of St. Domingo, and are themselves implicated in or connected with those implicated in the very circumstances which were the foundation of the order for the apprehension of the said Louis Celeste Lecesne and John Escoffery. And this deponent further saith, that the observations this deponent hath made in this his affidavit apply to certain individuals whose affidavits are filed in support of this motion; but that the same motives which restrained this deponent from divulging the circumstances affecting those persons, also restrain this deponent from specifying the names of the particular persons making such affidavits; for this deponent saith, that since this motion has been entertained by this honourable court, he has experienced every obstacle in pursuing the inquiry in which he was engaged; and various individuals, who had previously given information touching the present matter, as well as of the fact of the said Louis Celeste Lecesne and John Escoffery having been born in St. Domingo, have now declined making their affidavits, alleging for a reason for so doing their apprehension of being exposed to dangerous consequences from the said Louis Celeste Lecesne and John Escoffery, and other persons likely to be affected by such information. And this deponent further saith, that he carefully inspected the affidavits which have been filed in support of the present motion, and hath searched

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searched the Alien Office, but he cannot find that any of the persons making the above affidavits, and several of whom are unquestionably aliens, have obtained their police tickets. And this deponent further saith, the transactions in respect to which the said Lecesne and Escoffery were apprehended are still the subject of inquiry and investigation by this deponent, as such alien officer, under the orders of his Grace the Governor, and are under the consideration of His Majesty's government in this island.

James S. Innes.

Sworn before me this 22d day of October 1823.

William Burge, Attorney General.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Hector Mitchel, of the city of Kingston, makes oath and says, that he has known, about West-street, Louis Celeste Lecesne, since the year 1804, to the best of his recollection and belief, by reason of having frequent occasion to go to the shop of Louis Nicholas Lecesne, the reputed father of Louis Celeste Lecesne. And he has also known John Escoffery about the same street eight years and more, and both these persons, now in gaol, have generally and notoriously been reputed natives of St. Domingo, and he never heard any doubt expressed to the contrary. The deponent says further, that until Lecesne and Escoffery were put in gaol, and whilst fear did not prevent, almost all the French inhabitants, who best knew them, were ready to declare, and many of them did declare, a perfect knowledge of the said Lecesne and Escoffery having been born in St. Domingo. Deponent says further, that several years ago he made inquiry, and did most satisfactorily inform himself that the said Lecesne and Escoffery were born in St. Domingo. Deponent says further, that the mother of the said Escoffery did endeavour, in deponent's hearing, to persuade a person to say that the said Escoffery and his sister, who were born in St. Mark's, were dead, and that John Escoffery was born in this island. Deponent says further, that he believes the mother of the said John Escoffery very well knew, and could not be ignorant of deponent's knowledge, that her son was born at St. Mark's; that she called on deponent to beg him to assist her in getting her son out of prison; and deponent told her he could not, because she well knew that he was correctly informed, and had long known that her son was born at St. Mark's, to which she could not but assent, and she said she hoped then her son would be allowed some time to settle his business. Deponent says further, that he has been informed and believes some persons have been very active in going about to persuade the French people not to give evidence against Lecesne and Escoffery.

H. Mitchel.

Sworn before me this 21st day of October 1823.

Maurice West.

Filed in crown office, 22d October 1823.

Stamp, £. 5.

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Jamaica, fs.—Personally appeared before me Louis Charles Lecesne, a free person of colour, formerly of the city and parish of Kingston, but now resident at Morant Bay, in the parish of Saint Thomas in the East, shipwright, who being duly sworn, maketh oath and saith, that he was resident in the island of Jamaica previous to the arrival of Charlotte Lecesne, mother of Louis Celeste Lecesne, and at the time of her arrival saw her in an advanced state of pregnancy. This deponent further swears, that a short time after she was delivered of the said Louis C. Lecesne, within the city and parish of Kingston, where the said Louis C. Lecesne has been long known to be a constant resident.—So help me God.

Louis Cha. Lecesne.

Sworn before me, this 11th day of October 1823,

Geo. Patten.

Filed in crown office, 22d October 1823.

Jamaica, fs.—James Goffe, of the city and parish of Kingston, in the county of Surrey, and island aforesaid, schoolmaster, being duly sworn, maketh oath and saith, that some time in the month of July 1802, Mr. Louis Lecesne, late of this city, merchant, called upon deponent, and requested him to take under his care his son, named Louis Celeste Lecesne, who was then, as he stated and as deponent verily believes, as far as he can recollect, about four years of age. And deponent further saith, that the said Mr. Lecesne, in a conversation which he had with this deponent some time afterwards relative to his son's education, mentioned to deponent that his said son being an English creole, born in this island, he particularly requested him to give him an entirely English education, to which request deponent attended. And deponent further saith, that the said Louis Celeste Lecesne afterwards boarded with this deponent for three years and upwards; that he, deponent, has never since lost sight of the said Louis Celeste Lecesne for more than a month, and has been with him upon terms of intimacy, and believes that if he ever was off the island, it must have been for a very short time.

James Goffe.

Sworn before me this 10th day of October 1823, in Kingston,

H. J. Hall.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Louis Celeste Lecesne, of the city and parish of Kingston, a free person of colour (now a prisoner in the Surrey gaol), being duly sworn, maketh oath and saith, that he was arrested and imprisoned on Tuesday the 7th inst. under the charge of his being an alien. And this deponent further saith, that as far as he remembers himself, he has always been in this island, and has never heard it said by any one that he was not born in this island, but on the contrary, from the repeated declarations of his father Louis Nicholas Lecesne, and his mother Charlotte Lecesne, and relations, he was always led to believe (which he does in fact most positively believe) that he was born in this island. And this deponent further saith, that to the best of his recollection he was never off this island, except once, which was in the year 1818, when he went to Porto Bello in the schooner Duke of Manchester, captain Ross, under convoy of His Majesty's brig Beaver, captain Popham. And this deponent, in testimony whereof, says that whilst at Porto Bello he was employed by captain Popham as an interpreter between him and the governor of the said town of Porto Bello. And this deponent further saith, that he has heard that a half-sister of his, named Lucille Lecesne, has made an affidavit stating that he, deponent, was an alien; this deponent saith, that the said Lucille Lecesne has repeatedly declared to him that he was born in this island. And this deponent also saith, that in consequence of their father, the said Louis-Nicholas Lecesne, having given deponent a preference in his will, she has ever since his death borne him a great enmity.

Louis C. Lecesne.

Sworn before me this 10th day of October 1823, in the city of Kingston,
Peter Duffno.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Charles Robinson Nelson, of the city and parish of Kingston, a free person of colour, being duly sworn, maketh oath and saith, that he this deponent has known Lewis Celeste Lecesne from his infancy, and always understood and verily believes he was born in the city of Kingston in this island. And this deponent further saith, that on Friday the 10th instant he was in the gaol in Kingston, where Louis Celeste Lecesne is a prisoner, and whither Lucille Lecesne, his half-sister by the father's side, went to see him. That he, the said Louis Celeste Lecesne, in this deponent's presence, asked the said Lucille Lecesne, "How could you, my sister, who knew and have often told me that I was born in this island, swear that I was not born here?" to which she answered, that she knew he was born here, but that she had been prevailed upon to swear to the contrary, and threatened to be imprisoned and put in irons, if she did not so swear.

C. R. Nelson.

Sworn before me, this 10th day of October 1823, in the city of Kingston,
H. J. Hall.

Filed in crown office, 22d October 1823.

Jamaica, fs.—John Cator, of the city and parish of Kingston, carpenter, being duly sworn, maketh oath and saith, that he this deponent recollects perfectly well the arrival in this island, in the year 1798, of Mademoiselle Charlotte, the mother of Louis Celeste Lecesne, of this city, a free person of colour. And this deponent further saith, that the said Charlotte was then pregnant, and was afterwards delivered of that child, whom this deponent saw about five or six weeks after his birth, in Orange-street in this city, where his father lived; that he has known him ever since, and that he is the identical Louis Celeste Lecesne above named. And this deponent further saith, that the said Charlotte, at the time of her arrival as aforesaid, had with her another child, about two years old, the brother of the said Louis Celeste Lecesne, who departed this life some time after the said Charlotte was delivered of the said Louis Celeste Lecesne.

John Cator, his mark.

Sworn before me, this 10th day of October 1823,

H. J. Hall.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Madelaide La Roche, of the parish of Kingston, in the county of Surrey and island aforesaid, a free person of colour, being duly sworn, maketh oath and saith, that in the year 1798 deponent embarked in Port-au-Prince, on board of a ship for this island; that she met, on board of the said ship, Charlotte Lecesne, the mother of the said Louis Celeste Lecesne, who was then big with child, and with whom deponent remained during the night. That the vessel being too small, and too full of people, deponent left her the next morning, and went in another to North America. That two years after she came to this island, where she saw the said Louis Celeste Lecesne, then apparently about two years of age, whom deponent verily believes is the same child of whom the said Charlotte Lecesne was enceint when deponent met her as aforesaid.

Madelaide La Roche.

Sworn before me, this tenth day of October 1823, in the city of Kingston,
H. J. Hall.

Filed in crown office, 22d October 1823.

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Jamaica, fs.—Rose Mandrew, alias Munroe, of the city and parish of Kingston, a free negro woman, being duly sworn, maketh oath and saith, that she was a slave of Mr. Louis Nicholas Lecesne, formerly of Kingston aforesaid, merchant; that she came over to this island from St. Domingo, in the same vessel with Charlotte, the mother of Mr. Louis Celeste Lecesne, now a prisoner in the Kingston gaol. And this deponent further saith, that the said Charlotte had with her on board the said vessel, a son, about two years old, to which son this deponent was the nurse in St. Domingo, on board the vessel, and after its arrival here until it died, in the parish of St. Ann, a short time after coming here. And this deponent further saith, that the said Charlotte, when she came here, had never had any other child but the last above mentioned, but that she was at that time big with child, and was delivered, shortly after her arrival in Orange-street, of a son, which son was nursed by Rosalie Lecesne, and whom this deponent was constantly with, and knew up to the present time, and the above-mentioned Louis Celeste Lecesne is that son.

Rose Mandrew, alias *Munroe*, ✕ her mark.

Sworn before me, this 11th day of October 1823,

Netiam Tory.

Stamp, £. 5.

Jamaica, fs.—Rose Mandrew, of the city and parish of Kingston, a free black woman, being duly sworn, maketh oath and saith, that on Friday the 10th instant she accidentally met Lucille Lecesne of this city, a free woman of colour, the half-sister of Louis Celeste Lecesne, now a prisoner in the Kingston gaol; that she, the deponent, told her that it was a great shame that she, who knew that her brother was a native of this island, should have gone and sworn that she was not born here; that the said Lucille Lecesne thereupon answered to this deponent, that she had been prevailed upon so to swear by Mr. Villegrain, who told her that it was her interest to get her brother shipped off this island, as in that case she would come to half his property, derived from their late father (meaning Louis Nicholas Lecesne), and that if she did not swear against her said brother she should be imprisoned and put in irons.

Rose Mandrew, ✕ her mark.

Sworn before me, this 10th day of October 1823, in the city of Kingston,

H. J. Hall.

Filed in crown office, 22d October 1823.

Stamp, £. 5.

Jamaica, fs.—Charlotte Lecesne, of the city and parish of Kingston, a free black woman, being duly sworn, maketh oath and saith, that she is the mother of Louis Celeste Lecesne, at present of this city, and a prisoner in the gaol in Kingston. And this deponent further saith, that she came over to this island in the year 1798, was then pregnant, and was delivered of that child a few months afterwards, in Orange-street in the said city of Kingston, the then residence of Louis Lecesne, the father of the said Louis Celeste Lecesne, and that the said child is the identical Louis Celeste Lecesne above named. And this deponent further saith, that the said Louis Celeste Lecesne and this deponent have ever since lived together, and that he has never quitted this island, to the best of this deponent's belief, except once for a short time on a voyage to some part of the Spanish Main.

Charlotte Lecesne, ✕ her mark.

Sworn before me, this 10th day of October 1823, in the city of Kingston,

H. J. Hall.

Filed in crown office, 22d October 1823.

Stamp, £. 5.

Jamaica, fs.—Rosalie Lecesne, of the city and parish of Kingston, a free black woman, being duly sworn, maketh oath and saith, that she was the slave of Mr. Louis Lecesne, formerly of this city, merchant, deceased; that she came over to this island with Charlotte, the mother of Louis Celeste Lecesne, who was then pregnant; that she, deponent, was present when the said Charlotte was delivered of that child, a few months after her arrival, and that the said child is the identical Louis Celeste Lecesne, at present of this city and above named. And this deponent further saith, that she was the dry-nurse of the said Louis Celeste Lecesne during his infancy, and was manumised by the said Louis Lecesne the father, in remuneration for her care and attention to the said child. And this deponent further saith, that she has never lost sight of the said Louis Celeste Lecesne since his birth, except once, when the said Louis Celeste Lecesne went off the island for a very short period, deponent believes, to some part of the Spanish Main.

Rosalie Lecesne, ✕ her mark.

Sworn before me, this 10th day of October 1823, in the city of Kingston,

H. J. Hall.

Filed in crown office, 22d October 1823.

Stamp, £. 5.

Jamaica, fs.—John Harvey, Charlotte Lecesne, and Annette Lecesne (the wife of Louis Celeste Lecesne), all of the parish of Kingston, in the county of Surrey and island aforesaid, free persons of colour, being severally duly sworn, make oath and say, that in the afternoon of Tuesday the 7th instant, the day that the said Louis Celeste Lecesne was taken up and imprisoned in the Surrey gaol, which it was believed in Kingston was under an impression that he was an alien, Lucille Lecesne, a free person of colour, a sister on the father's side of the

Stamp, 2/6.

Stamp, 2/6.

the said Louis Celeste Lecesne, came into the house of the said Louis Celeste Lecesne, where these deponents then were, and said in their presence that it was a hard case that the said Louis Celeste Lecesne should have been taken up as an alien, because she knew and was ready to swear that he was not an alien, but was born in this island. And these deponents further say, that they immediately informed the said Lucille Lecesne, that as she knew the fact she ought to prove it, which she declared she should be ready to do. And this deponent, the said John Harvey, further saith, that on Thursday the ninth instant he accidentally met the said Lucille Lecesne, and told her that affidavits were preparing on behalf of the said Louis Celeste Lecesne, and that he expected she would come forward and make her own affidavit that the said Louis Celeste Lecesne was born here, as she had stated before. And this deponent saith, that the said Lucille Lecesne thereupon answered that she had been prevailed upon by two or three white persons to make an affidavit to the contrary, and that she had already done so, and could not therefore make two different oaths; and further said, that she was threatened with being sent off the island as an alien if she did not make such affidavit.

J. Harvey. Annette Lecesne. Charlotte Lecesne, X her mark.

Sworn before me, in the city of Kingston, this 10th day of October 1823,

H. J. Hall.

Filed in crown office, 22d October 1823.

Jamaica, fs.—In the Supreme Court, October Grand Court, 1823, Saturday the 25th: In a matter of habeas corpus on the part of Louis Celeste Lecesne, a free person of colour, a prisoner in the Kingston gaol; on motion of Mr. Rennalls, and on argument, it is ordered that the order nisi made in the above matter, on the 17th day of October instant, be made absolute, and the writ of habeas corpus be made returnable to his honour the chief justice to day, at his chambers in the parish of Kingston.

By the court,

Thos. F. Hill, Cl. Cor.

Jamaica, fs.—George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland King, and of Jamaica Lord, Defender of the Faith, and so forth. To Anthony Davies, of the city and parish of Kingston, in the county of Surrey and island aforesaid, deputy marshal for the parish and precinct of Kingston, and keeper of the gaol of the said county of Surrey, greeting. We command you, that you have the body of Louis Celeste Lecesne, late of the city and parish of Kingston aforesaid, a free person of colour, detained in our prison under your custody, as it is said, under safe and secure conduct, together with the day and cause of his being taken and detained, by whatsoever name he may be called in the same, before the honourable William Anglin Scarlett, chief justice of our said island, at his chambers in the parish of Kingston, on Saturday the 25th day of October instant, to do and receive all and singular those things which our said chief justice shall then and there consider of him in this behalf. Witness the honourable William Anglin Scarlett, chief judge of the supreme court of judicature of our said island, the 25th day of October, in the fourth year of our reign.

W. A. Scarlett.

Thos. F. Hill, Cl. Cor.

Stamp, 2/6.

[L. S.]

Schedule to which the annexed Writ refers.

Jamaica, fs.—I, Anthony Davis, deputy marshal and keeper of the gaol of the county of Surrey in the annexed writ named, do certify and return to our Sovereign Lord the King, that on the seventh day of October instant, Lewis Celeste Lecesne, in the said writ also named, was lodged in the aforesaid gaol by James Stewart Innes, esquire; and that the letter hereunto annexed, dated King's House, 3d day of October 1823, is the only authority I have for the detention of the said Lewis Celeste Lecesne.—Dated the 25th Oct. 1823.

Anthony Davis, D. M.

Sir,

King's House, 3d October 1823.

I AM commanded by his Grace the Governor to desire that you will immediately send out of the island an alien called Nicholas Pinero, now in the gaol of the county of Surrey, and also two other aliens, called Lecesne and Escoffery, whom the magistrates of Kingston have been directed to commit to the said gaol as persons of a dangerous description, agreeably to the provisions of the alien law passed in 1818.

I am, Sir, your obedient servant,

W. Bullock, Secy.

Angus Kennedy, esq. Provost Marshal-general.

The body of the within-named Louis Celeste Lecesne having been brought before me pursuant to the within writ of habeas corpus, and on referring to the return of Anthony Davies, deputy marshal, hereunto annexed, setting forth the cause of the detention of the said Louis Celeste Lecesne, the said Louis Celeste Lecesne was by me discharged from the custody of the said deputy marshal, pursuant to an order of the supreme court made this day in this matter. Given under my hand and seal, this 25th day of October 1823.

W. A. Scarlett (L. S.)

The execution of this writ appears in a certain schedule hereunto annexed.

74.

Anthony Davies, D. M.

Stamp, 2/6.

Jamaica, fs. in the Supreme Court.—In a matter relating to a habeas corpus, at the instance of John Escoffery, a prisoner in the Kingston gaol.—John Escoffery, of the city and parish of Kingston, a free person of colour, being duly sworn, maketh oath and saith, that he, this deponent, was, on Tuesday the 7th instant, taken up by Mr. James Stewart Innes, and carried to the gaol in Kingston, where he has ever since been confined a prisoner. And this deponent further saith, that he has applied to Anthony Davis, esquire, the deputy marshal of the said parish of Kingston, under whose custody this deponent was so placed, for a copy of the charge, commitment, or authority under which this deponent was so put into prison and confined: and that he has been furnished by the said Anthony Davies with the annexed copy, certified by M. Silva, his deputy, and which he states to be the only authority which he possesses for detaining this deponent. And this deponent further saith, that he knows of no other commitment, order, authority or charge against this deponent, or under which he is so detained: that by the order aforesaid, a copy whereof is so annexed, this deponent is regarded as an alien, and subject to the alien law passed in the year 1818. And this deponent further saith, that he has always been informed by both his parents, namely, his father, Jean Escoffery, late of the said city of Kingston, deceased, and his mother, Eulalie Savarie, of the same place, a free woman of colour, that he, this deponent, was actually born in the city and parish of Kingston aforesaid, which this deponent has always believed, and does most firmly believe. And in proof that this deponent is not an alien, but a natural-born subject of His Majesty, this deponent craves leave to refer to the several affidavits about to be filed herewith; namely, the affidavit of his mother, the said Eulalie Savarie, of Eliza Sutherland, a free brown woman, of Solomon Iffa, of the said city of Kingston, gentleman, of William Beckford, of the same place, a free black man, of James Maxwell Norris, gentleman, and of Juliana Bernard, a free person of colour.

John Escoffery.

Sworn before me, this 11th day of October 1823.

D. Hames, p. Commⁿ.

Stamp, 2/6.

Sir, King's House, 3d October 1823.
I AM commanded by his Grace the Governor to desire that you will immediately send out of the island, an alien, called Nicholas Pinero, now in the gaol of the county of Surrey; and also two other aliens, called Lecesne and Escoffery, whom the magistrates of Kingston have been directed to commit to the said gaol as persons of a dangerous description, agreeably to the provisions of the alien law passed in 1818.

I am, Sir, your obedient servant,

W. Bullock, Sec^y

Angus Kennedy, Esquire, Provost Marshal General.

True copy, per *Anthony Davies, D. M.*
M. G. Silva.

Sworn before me, this 11th day of October 1823.

D. Hames, p. Commⁿ.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

Tho. F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs. in the Supreme Court.—In a matter relating to a habeas corpus, at the instance of Jean Escoffery, a prisoner in the Kingston gaol.—Eulalie Savarie, of the city and parish of Kingston, a free person of colour, being duly sworn, maketh oath and saith, that she is the mother, and Jean Escoffery, late of this city, was the father of John or Jean Escoffery, of the said city of Kingston. And this deponent further saith, that she came over to this island with the said Jean Escoffery the elder, in the year 1795, and that in the same year she was delivered, in the said city of Kingston, of a child, who is the identical above-named John Escoffery, now a prisoner in the gaol of Kingston.

Eulalie Savarie, X her Mark,

Sworn before me, this 11th day of October 1823.

W^m Savage, p. Commⁿ.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

Tho. F. Hill, Clk. Cor.

Stamp, 2/6.

Jamaica, fs. in the Supreme Court.—In a matter relating to a habeas corpus, at the instance of John Escoffery, a prisoner in Kingston gaol.—Eliza Sutherland, of the parish of Kingston, in the county of Surrey and island aforesaid, a free person of colour, being duly sworn, maketh oath and saith, that she has known Eulalie Savarie, the mother of John Escoffery, for upwards of twenty-eight years: that she remembers perfectly well seeing her about the year 1795 in West-street, in the city of Kingston, big with child, and that a few months afterwards she saw her in the same place with the said child in her arms, when he was about two or three weeks old. And this deponent further saith, that she hath known

known the said child ever since, and that he is the identical John Escoffery above named, who is now a prisoner in the Kingston gaol.

Eliza Sutherland, ✕ her Mark.

Sworn before me, this 11th day of October 1823.

W^m Savage, p. Commⁿ.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

Thos. F. Hill, Cl. Cor.

N^o 3.
Enclosures
1—17.

Jamaica, fs. in the Supreme Court.—In a matter relating to a habeas corpus, at the instance of Jean Escoffery, a prisoner in Kingston gaol.—Juliana Bernard, of the city and parish of Kingston, a free woman of colour, being duly sworn, maketh oath and saith, that she recollects perfectly well the arrival in this island of Eulalie Savarie, the mother of John Escoffery, in the Maroon war, which she believes was in the year 1795: that the said Eulalie Savarie, on her arrival, was big with child, and came to live in West-street, where deponent was in the habit of visiting her: that having heard of her delivery a few days after it took place, she went to see her, and saw the child of whom she had been delivered at her breast. And this deponent saith, that the said child is the identical John Escoffery above named, whom deponent has ever since known, and who is now a prisoner in the Kingston gaol.

Stamp, 2/6.

Juliana Bernard, ✕ her Mark.

Sworn before me, this 11th day of October 1823.

W^m Savage, p. Commⁿ.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

Thos. F. Hill, Cl. Cor.

Jamaica, fs. in the Supreme Court.—In a matter relating to a habeas corpus, at the instance of Jean Escoffery, a prisoner in the Kingston gaol:—Solomon Iffla, of the city and parish of Kingston, gentleman, being duly sworn, maketh oath and saith, that in the year 1795, Escoffery, the father of Jean Escoffery, at present a prisoner in the Kingston gaol, came from Saint Domingo to this island for change of air, and sent for his wife Eulalie Savarie, who very shortly after arrived in this island: that she was then pregnant, and in a few months afterwards was delivered of a male child, being her first-born child, as this deponent believes, whom this deponent saw a few months after his birth in his mother's arms: that such child is the identical Jean Escoffery above named, with whom this deponent has been acquainted ever since.

Stamp, 2/6.

S^r Iffla.

Sworn before me, this 11th day of October 1823.

W^m Savage, p. Commⁿ.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

Thos. F. Hill, Cl. Cor.

Jamaica, fs. in the Supreme Court.—In a matter of habeas corpus, on the part of John Escoffery, a free person of colour, a prisoner in the Kingston gaol:—William Golding, of the parish of Saint Catherine, a free person of colour, being duly sworn, maketh oath and saith, that about the year 1796, as nearly as deponent recollects, he, deponent, kept a tavern called the Crown and Thistle, in the lower part of West-street in Kingston; and at the same period the father and mother of the above named John Escoffery lived higher up, at the corner of West-street and a cross-street, where they kept a provision shop. And this deponent saith, that he was well acquainted with the father and mother for some months before the birth of the said John Escoffery, whose birth deponent perfectly recollects hearing of at the time it took place. And deponent saith, that some time after the birth of the said John Escoffery, deponent went to live at the adjoining house, and saw him almost daily in his mother's arms and at the breast, and knew him familiarly and intimately for a great many years after, and has known him well up to the present time, although deponent has resided for the last four years in Spanish Town. And deponent saith, that the above named John Escoffery is the same individual whom this deponent hath so known as above described.

Stamp, 2/6.

William Golding, ✕ his Mark.

Sworn before me, this 15th day of October 1823.

Geo. Mills.

Filed in the clerk of the court's office, 15th October 1823. Filed in crown office, 20th October 1823.

Thos. F. Hill, Cl. Cor.

Jamaica, fs. in the Supreme Court.—In a matter relating to a habeas corpus, at the instance of Jean Escoffery, a prisoner in the Kingston gaol:—William Beckford, of the city and parish of Kingston, a free black man, being duly sworn, maketh oath and saith, that he perfectly recollects the arrival in this island, some time in the year 1795, of Eulalie Savarie,

Stamp, 2/6.

N^o 3.Enclosures
1—17.

Savarie, the mother of Jean Escoffery, now a prisoner in the Kingston gaol: that the said Eulalie Savarie was a next-door neighbour of this deponent's, and that in the said year 1795 the said Eulalie Savarie was delivered of a child, whom this deponent saw the day after his birth, and who is the identical Jean Escoffery above named.

William Beckford, ✕ his Mark.

Sworn before me, this 11th day of October 1823.

Wm Savage, p. Comm^r.

Filed

Stamp, 2/6.

DATE.	Time of Arrival in this City.	Place of last-mentioned Arrival.	Name of Vessel.	Name of Captain.	Place or Places of Residence, for three Years before arrival in this Island.
Report of Eulalie Savarié :					
N ^o 18.					
5 Aug. - 1808	1795	- - -	Charlotte	François	St. Mark

James Maxwell Norris, of Kingston, in the county of Surrey and island aforesaid, clerk to Messrs. Stevenson and Whitehorne, being duly sworn, maketh oath and saith, That the above is a correct extract from the book of report of foreigners belonging to the police office at Kingston. And this deponent further saith, that he applied to Robert Smith, the police officer, for a certificate thereof, who replied, that the said books were kept by his predecessor, Mr. Cowgill, and that he knew nothing of them: that this deponent afterwards applied to Mr. Harris, the clerk of the peace, for such certificate, who stated, that deponent might have access to the books, but that he had nothing to do with them, and therefore could not give such certificate; that in consequence thereof this deponent made the above extract, and has carefully compared it with the said book of report, of which it is a true and correct extract.

J. M. Norris.

Sworn before me this 11th day of October 1823.

D. Humes, p. Comm^r.

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

Th. F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court. In a matter of habeas corpus, at the instance of John Escoffery, a prisoner in the Kingston gaol.—Donald Campbell, of the city and parish of Kingston, gentleman, being duly sworn, maketh oath and saith, That he was employed by Thomas Cuming, late of this city, deceased, in writing parochial papers, and that he is well acquainted with the manner and character of the hand-writing of the said Thomas Cuming. And this deponent further saith, that the name, "Thomas Cuming," set and subscribed to the annexed certificate, is of the proper hand-writing of the said Thomas Cuming. And this deponent further saith, that at the time mentioned in the said annexed certificate, the said Thomas Cuming was clerk of the common council of the city and parish of Kingston.

Donald Campbell.

Sworn before me this 16th day of October 1823.

D. Humes, p. Comm^r.

N^o 678. Kingston. Jamaica, fs.—These are to certify, That John Escoffery, mulatto, did, on the 28th day of February, in the year of our Lord 1814, give in his name at a court of common council, holden at the court-house in the city and parish of Kingston, and did then and there produce the certificate of his baptism, and show how he obtained his freedom.

Thomas Cuming, Clerk of the Common Council.

Filed in the clerk of the court's office, 17th October 1823. Filed in crown office, 20th October 1823.

Thos F. Hill, Cl. Cor.

Stamp, 2/6.

Jamaica, fs.—In the Supreme Court. In a matter relating to a habeas corpus, at the instance of John Escoffery, a prisoner in the Kingston gaol.—Edward Escoffery, of the parish of Kingston, in the county of Surrey and island aforesaid, a free person of colour, being

Filed in the clerk of the court's office, 13th October 1823. Filed in crown office, 20th October 1823.

N^o 3.
Enclosures
1—17.

Thos F. Hill, Cl. Cor.

Jamaica, fs.—In the Supreme Court. In a matter relating to a habeas corpus, at the instance of John Escoffery, a prisoner in the Kingston gaol.

Trade, Profession, or Occupation.	Present Place of Residence, what Street and House particularly.	Whether Householder or Inmate, or Inmate of whom.	Property in Land and Slaves in this Island.	Names of such Slaves, and whether some or any of them had been at any time or times, and when and how long at Saint Domingo, or any other Foreign Island or Colony.
Shopkeeper	Woman of colour, corner of Barry and West Streets.	Householder	A house and six slaves.	Louisa, Juliana, Desirée, Adelaide, Mary, Peter, purchased here.

being duly sworn, maketh oath and saith, That the signature, "I. Mann," set and subscribed to the annexed certificate of baptism, is of the proper hand-writing of the reverend Isaac Mann, rector of the parish of Kingston, the said Isaac Mann having signed the same in the presence of this deponent.

Edward Escoffery.

Sworn before me this 17th day of October 1823.

D. Hames, p. Comm^a.

Jamaica, fs.—These are to certify, That John Scuffery, son of Louisa Scuffery, a sambo woman, by John Maria Scuffery, born on the 28th November 1795, was baptized on the 16th day of March, in the year of our Lord 1801, as appears from the register-book of the city and parish of Kingston.

Kingston, 17th October 1823.

I. Mann, Rector.

Filed in the clerk of the court's office, 17th October 1823. Filed in crown office, 20th October 1823.

Thos F. Hill, Clk. Cor.

Jamaica, fs.—In the Supreme Court. October Grand Court, 1823. Friday, the 17th. In a matter of habeas corpus, at the instance of John Escoffery, a free person of colour, a prisoner in the gaol of the county of Surrey.—On motion of M. Rennalls, and on reading the affidavits filed in this matter, It is ordered, that a writ of habeas corpus do issue, directed to Anthony Davies, deputy marshal for the parish and precinct of Kingston, and keeper of the above-mentioned gaol, commanding him to bring into court forthwith the body of the above-named John Escoffery, *ad subjiciendum*, unless cause shown to the contrary by Thursday next.

Stamp, 2/6.

By the Court,

Thos F. Hill, Cl. Cor.

Jamaica, fs.—In the Supreme Court. In a matter of habeas corpus, at the instance of John Escoffery, a free person of colour, a prisoner in the gaol of the county of Surry.—James Maxwell Norris, of the parish of Kingston, in the county of Surry and island aforesaid, gentleman, being duly sworn, maketh oath and saith, That he did, on Saturday, the 18th day of October instant, personally serve Henry John Ross, esquire, as solicitor of the crown, with the annexed order nisi, by delivering unto and leaving with him a true copy thereof, and at the same time showing unto him the said annexed original.

Stamp, 2/6.

Jas M. Norris.

Sworn before me this 20th day of October 1823.

D. Hames, p. Comm^a.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Personally appeared Noel Camoin, who, being duly sworn, maketh oath and saith, That he lived a long time at St. Mari and Port-au-Prince, in St. Domingo, and that he knew the family of Escoffery, of which John Escoffery of this city was one, and that the sister of the deponent was godmother to one of the children of that family, but he does not now recollect which one it was. Deponent further saith, he does not recollect when

Stamp, £. 5.

Stamp, 2/6.

Stamp, £. 5. when the family of Escoffery left St. Domingo, but he thinks that when he arrived from Port-au-Prince, in the month of September 1798, he saw the father and mother keeping shop where the mother does now in West-street: and deponent further saith, that the said John Escoffery is the oldest of the family now living.

N. Camoin.

Sworn before me this 9th day of October 1823.

Jos Barnes.

Stamp, 2/6. I do swear that I truly interpreted to Noel Camoin, in the above affidavit named, the just and true meaning of every sentence and word therein before he was sworn to the truth of its contents.

John Braday.

Sworn before me this 9th day of October 1823.

Jos Barnes.

Filed in crown office, 22d October 1823.

Stamp, £. 5. Jamaica, fs.—Personally appeared William Villegrain, who, being duly sworn, maketh oath and saith, That some time in the year 1815, to the best of deponent's recollection, he was in conversation with Noel Camoin, when he mentioned to deponent, that John Escoffery had applied to him for a certificate of his birth in this island, to enable him to get privilege papers; and the said Noel Camoin replied to him, that he could not do that, because he knew very well that the said Escoffery was born in St. Mari, and that his, Camoin's sister, was his godmother. And deponent further saith, that during the short peace with France, which he believes was about 1802 or 1803, he had frequent occasion to be about a tailor, who lived about the middle part of the town, whose name was Perpignan, and he remembers well to have seen the said John Escoffery often at work as a grown apprentice in the same Perpignan's working shop.

Stamp, 2/6.

W. Villegrain.

Sworn before me this 11th October 1823.

H. Mitchel.

Filed in crown office, 22d October 1823.

Stamp, £. 5. Jamaica, fs.—Personally appeared before me Joseph Candolive, who being duly sworn, maketh oath and saith, that he was an officer in the British service in St. Domingo, and arrived in Kingston from Cape Nicholas Mole in October 1798, and at that time John Escoffery, a person of colour of this city, was then to the best of his recollection, a boy of at least eight or nine years of age; and the deponent further saith that he has known the said John Escoffery ever since that time.

Stamp, 2/6.

Joseph Candolive.

Sworn before me, this 16th of October 1823.

H. S. Mitchel.

Filed in crown office, 22d October 1823.

Stamp, £. 5. Jamaica, fs.—Personally appeared Sauverie Bosch, who has gone by the name of Perpignan, who being duly sworn, saith, that he knows John Escoffery, a person of colour of this place, and that he was bound as an apprentice with deponent, to learn to be a tailor, one or two years after Sao Porter was shot for being a spy, and he supposes that he might have been at that time eight years old. And deponent further saith, that the said Escoffery did not serve all the time for which he was bound, but left him at the end of about three years.

Stamp, 2/6.

Bosch.

Sworn before me, this 16th October 1823.

H. Mitchel.

Filed in crown office, 22d October 1823.

Stamp, £. 5. Jamaica, fs.—William Beckford, of the city and parish of Kingston, a free black man, being duly sworn, maketh oath and saith, that he perfectly remembers the arrival in this island, some time in the year 1795, of Eulalie Savarie, the mother of John Escoffery, now a prisoner in the Surrey gaol; that the said Eulalie Savarie was a next-door neighbour of this deponent, and that in the said year 1795 the said Eulalie Savarie was delivered of a child, whom this deponent saw the day after his birth, and who is the identical John Escoffery above named. And this deponent further saith he has ever since known the said John Escoffery; that he is the eldest of all the children of the said Eulalie Savarie; and that to the best of this deponent's belief the said John Escoffery never quitted this island.

Stamp, 2/6.

William Beckford, X his mark.

Sworn before me, this 10th day of October 1823, in the city of Kingston,

H. J. Hall.

Filed in crown office, 22d October 1823.

Stamp, £. 5. Jamaica, fs.—Eliza Sutherland, of the parish of Kingston, in the county of Surrey and island aforesaid, a free person of colour, being duly sworn, maketh oath and saith, that she has known Eulalie Savarie, the mother of John Escoffery, for upwards of twenty-eight years; that she remembers perfectly well seeing her about the year 1795, in West-street

in the city of Kingston, big with child, and that a few months afterwards she saw her at the same place with the said child in her arms, when he was about two or three weeks old. And this deponent further saith that she has known the said child ever since, and that he is the identical John Escoffery above named, who is now a prisoner in the Kingston gaol.

Stamp, 2/6

Eliza Sutherland, ✕ her mark.

Sworn before me, in Kingston, this 10th day of October 1823.

H. J. Hall.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Juliana Bernard, of the parish of Kingston, in the county of Surrey and island aforesaid, a free woman of colour, being duly sworn, maketh oath and saith, that she recollects perfectly well the arrival in this island of Eulalie Savarie, the mother of John Escoffery, in the Maroon war, which she believes was in the year 1795. That the said Eulalie Savarie on her arrival was big with child, and came to live in West-street, where deponent was in the habit of visiting her; that having heard of her delivery a few days after it took place, she went to see her, and saw the child of whom she had been delivered at her breast. And this deponent saith that the said child is the identical John Escoffery above named, whom deponent has ever since known, and who is now a prisoner in the Kingston gaol.

Stamp, £. 5.

Juliana Bernard, ✕ her mark.

Sworn before me, in Kingston, this 10th day of October 1823.

H. J. Hall.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Eulalie Savarie, of the city and parish of Kingston, a free woman of colour, being duly sworn, maketh oath and saith, that she is the mother, and Jean Escoffery, late of this city, deceased, was the father of John or Jean Escoffery, of the said city of Kingston. And this deponent further saith, that she came over to this island with the said Jean Escoffery the elder, in the year 1795; and that in the same year she was delivered, in the said city of Kingston, of a child, who is the identical above-named John Escoffery, now a prisoner in the gaol of Kingston. And this deponent further saith, that the said John Escoffery the son has ever since his birth lived with this deponent, with the exception of a few months, when he went to North America with his father, Jean Escoffery the elder, when he was about four years of age.

Stamp, £. 5.

Eulalie Savarie, ✕ her mark.

Sworn before me, this 10th day of October 1823, in the city of Kingston.

H. J. Hall.

Filed in crown office, 22d October 1823.

Jamaica, fs.—Solomon Iffla, of the city and parish of Kingston, gentleman, being duly sworn, maketh oath and saith, that in the year 1795, Escoffery, the father of John Escoffery, at present a prisoner in the Kingston gaol, came from St. Domingo to this island for change of air, and sent for his wife Eulalie Savarie, who very shortly after arrived in this island; that she was then pregnant, and in a few months afterwards was delivered of a male child, being her first-born child, as this deponent believes, whom this deponent saw a few months after his birth in his mother's arms; that such child is the identical John Escoffery above named, with whom this deponent has been acquainted ever since.

Stamp, 2/6.

Sⁿ Iffla.

Sworn before me, this 10th day of October 1823, at Kingston, Jamaica,

H. J. Hall.

Filed in crown office, 22d October 1823.

Jamaica, fs.—John Escoffery, of the city and parish of Kingston, a free person of colour, being duly sworn, maketh oath and saith, that he, this deponent, was arrested and imprisoned on Tuesday the 7th instant. And this deponent further saith, that, as far as he recollects himself, he always heard his father, John Escoffery, deceased, and his mother, Eulalie Savarie, say, that he was born in this island, and that he never heard any one speak to the contrary. And this deponent further saith, that he never was off this island, but once in the year 1801, when he went with his father to North America, and was away about ten months, and returned with his father; deponent saith that he was then about six years of age.

Stamp, £. 5.

Stamp, 2/6.

Jⁿ Escoffery.

Sworn before me, this 10th day of October 1823, in the city of Kingston.

Peter Duffno.

Filed in crown office, 22d October 1823.

Jamaica, fs.—In the Supreme Court, October Grand Court, 1823, Saturday the 25th: In a matter of habeas corpus, on the part of Jean Escoffery, a free person of colour, in the Kingston gaol.—On motion of Mr. Rennalls, and on argument, it is ordered, that the order nisi, made in the above matter, on the 17th day of October instant, be made absolute, and the writ of habeas corpus be made returnable to his honour the Chief Justice, to day at his chambers, in the parish of Kingston.

By the Court,

Tho^s F. Hill, Cl. Cor.

Stamp, 2/6.

[L. S.]

Jamaica, ss.—George the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland King, and of Jamaica Lord, Defender of the Faith, and so forth.—To Anthony Davies, of the city and parish of Kingston, in the county of Surrey and island aforesaid, gentleman, deputy marshal for the parish and precinct of Kingston, and keeper of the gaol of the said county of Surrey, greeting: We command you, that you have the body of John Escoffery, late of the city and parish of Kingston aforesaid, a free person of colour, detained in our prison under your custody, as it said, under safe and secure conduct, together with the day and cause of his being taken and detained, by whatsoever names he may be called in the same, before the honourable William Anglin Scarlett, chief justice of our said island, at his chambers, in the parish of Kingston, on Saturday the 25th day of October instant, to do and receive all and singular the things which our said chief justice shall then and there consider of him in this behalf. Witness the honourable William Anglin Scarlett, esquire, chief judge of the Supreme Court of Judicature of our said island, the 25th day of October, in the fourth year of our reign.

W. A. Scarlett.
Thos F. Hill, Clk. Cor.

The execution of this writ appears in a certain Schedule hereunto annexed.

Anthony Davies, D. M.

Schedule to which the annexed Writ refers.

Jamaica, ss.—I, Anthony Davies, deputy marshal, and keeper of the gaol of the county of Surrey, in the annexed writ named, do certify and return to our Sovereign Lord the King, that on the 7th day of October instant, Jean Escoffery, in the said writ also named, was lodged in the aforesaid gaol, by James Stewart Innes, esquire; and that a certain letter, dated King's House, 3d day of October 1823, annexed to a certain writ of habeas corpus, relative to one Louis Celeste Lecesne, bearing date the same day as the writ hereunto annexed, is the only authority I have for the detention of the said Jean Escoffery. Dated the 25th October 1823.

Anthony Davies, D. M.

The body of the within named Jean Escoffery, having been brought up before me, pursuant to the within writ of habeas corpus; and on referring to the return of Anthony Davies, deputy marshal, hereunto annexed, setting forth the cause of the detention of the said Jean Escoffery, the said Jean Escoffery was by me discharged from the custody of the said deputy marshal, pursuant to an order of the Supreme Court, made this day in this matter.

Given under my hand and seal, this 25th day of October 1823.

(True Copy.) (signed) *W. A. Scarlett, (t. s.)*
Thos F. Hill,
Clerk of the Crown.

Enclosure N^o 13.

Report from the Secret Committee to the House of Assembly.

Mr. Speaker,

THE Secret Committee beg leave to report,

That they have taken the examinations of several inhabitants of Kingston, by which it appears communications have been kept up between persons of colour in that city and Hayti; and also, that improper meetings, of a political and suspicious nature, have frequently been held there by the negroes and people of colour, distinctly and separately; and at the head of the latter, some foreigners were conspicuous.

The Committee recommend to the House, that a message be sent to his Grace, the Governor, together with the sealed documents, now presented to the House, in order that he may adopt such measures as he may deem proper.

Enclosure N^o 14.

Copy of a Message from the House of Assembly, to His Grace the Governor.

May it please Your Grace,

WE are ordered by the House to wait on your Grace, and to deliver to your Grace a copy of the report of a Secret Committee of the House, and certain proceedings sealed up, which have taken place before such Committee.

Enclosure N^o 15.

Report from the Secret Committee to His Grace the Governor.

THE Secret Committee, in submitting the preceding documents to his Grace the Governor, beg, at the same time, to express their unanimous opinion, that the evidence which has been adduced before it has most distinctly established that three persons, by the name of
Lecesne,

Lecesne, Escoffery and Valmour, are natives of St. Domingo, and that they are considered persons of a most dangerous description to remain in this colony, from the very active and prominent part which they have severally taken in the communications which are proved to have existed between this island and St. Domingo.

N^o 3.Enclosures
1—17.Enclosure N^o 16.

Extract from the Proceedings of the Council.

In Council, 28th November 1823.

THE Council have also taken into their consideration the report of the Secret Committee of the House of Assembly, submitted to them by your Grace, and they are unanimously of opinion, that Louis Celeste Lecesne, John Escoffery, and Gonville Valmour, should be sent off the island forthwith.

Enclosure, N^o 17.

Copy of the Governor's Order in Council for transporting Lecesne, Escoffery, and Valmour

Jamaica, fs.—By his Grace William duke of Manchester, captain-general and governor-in-chief of His Majesty's island of Jamaica, and the territories thereon depending in America, chancellor, and vice-admiral of the same.

Whereas Louis Celeste Lecesne, John Escoffery, and Gonville Valmour, at present residing in the city of Kingston, have been, by a report of a secret committee of the House of Assembly, founded on the examinations of witnesses taken before them, declared to be aliens, and considered to be persons of a most dangerous description to remain in this colony: And whereas such report has been, by a committee of the House of Assembly, presented to me by order of the house, and I have submitted the same to the consideration of His Majesty's privy council; I now do, by the advice of the council, order, adjudge and direct, that the said Louis Celeste Lecesne, John Escoffery, and Gonville Valmour, be sent out of this island forthwith, and transported to the island of St. Domingo; and that you and every of you do forthwith send off and transport the said Louis Celeste Lecesne, John Escoffery, and Gonville Valmour accordingly. And for that purpose I do hereby charge and command you and every of you forthwith to carry, apprehend and take into your custody the said Louis Celeste Lecesne, John Escoffery, and Gonville Valmour; and thereupon forthwith to carry and convey them, and each of them, on board of His Majesty's ship Serapis, and deliver the said Louis Celeste Lecesne, John Escoffery, and Gonville Valmour, to the care and custody of Lieut. G. V. Jackson commanding, in order that they may be so sent off and transported as aforesaid; and for so doing this shall be your warrant. Hereof fail not, as you will answer the contrary at your peril.

Given under my hand and seal in council, the 28th day of November 1823.

(signed) MANCHESTER.

To Angus Kennedy, Esquire, Provost Marshal General,
or any of his lawful Deputies.

Received from Anthony Davis, deputy marshal, the bodies of the within-named Louis Celeste Lecesne, and John Escoffery, on board His Majesty's ship Serapis, according to the annexed order of his Grace the duke of Manchester, this 29th November 1823.

(signed) Geo. V. Jackson,
Lieutenant and Commander of Serapis.

Received from Anthony Davis, deputy marshal, the body of the within-named Gonville Valmour, on board His Majesty's ship Serapis, according to the annexed order of his Grace the duke of Manchester, this 2d day of December 1823.

(signed) Geo. V. Jackson,
Lieutenant and Commander of Serapis.

Executed.

(signed) A. Kennedy, P. M. G.

N^o 4.

Copy of a Report addressed to the Duke of Manchester, by the Attorney-General of Jamaica.—With one Enclosure.

N^o 4.

Sir,

Spanish Town, 10th August 1824.

His Grace the Governor having been pleased to desire that I would state the nature of the proceedings adopted in the grand court respecting Lecesne and Escoffery, and of the decision pronounced by the court thereon, I beg leave to make the following report to you for his Grace's information.

On the morning of Monday the 13th October, being the second week of the grand court, an attorney at law waited on me a short time before the meeting of the court, for the purpose of giving me notice of an intended motion to the court for writs of habeas corpus

N^o 4.

to bring up the persons of Lecesne and Escoffery, who were in custody under the Alien Act. The shortness of the time at which the notice was given did not afford me the means of perusing the affidavits which were about to be filed in support of the application. The motion was made, but the judges themselves had not seen the affidavits, and desired that it should be deferred until a subsequent day.

The magistrates of Kingston were at this time engaged in investigating the extent of a conspiracy of which Lecesne was the principal, and Escoffery an active member, and the unquestionable object of which was, with the assistance of the chief of the Haytian government, to promote an insurrection of the coloured and slave population of this island. It would appear that the judges were at first impressed with the mischievous consequence of arresting the progress of this investigation by the disclosures to which the application might lead; and it was not until Friday the 17th that an order was made that writs of habeas corpus should issue, unless cause shown to the contrary on the Thursday following, the last day but one of the grand court. I should observe, that even in this stage of the proceeding the court expressed its opinion, which it afterwards repeated, and which I consider to have influenced its decision, that even if the court should be of opinion that writs of habeas corpus might be granted, the question whether Lecesne and Escoffery were aliens would not be decided, but that it would still be open to the Governor in council to investigate that question. I do not deem it necessary to comment on the description and character of the persons who were procured to make affidavits in support of the allegation that Lecesne and Escoffery were born in this island. His Grace is already possessed of the materials by which the weight and credit of these affidavits may be estimated. But those persons who united in practising the grossest imposition on the court were either actual partisans of Lecesne and Escoffery in their conspiracy, or connected with them by relationship; and some of them have since placed themselves beyond the reach of justice, by withdrawing themselves from the island. I ought to observe, that the affidavits which establish the fact of the birth of Lecesne and Escoffery in Saint Domingo, were made, with the exception of that of Mr. Mitchel and Mr. Innes, previously to the motion in the grand court, for the purpose of satisfying the magistrates as to the fact of these persons being aliens. The French inhabitants who had fled from Saint Domingo, and who could have deposed as to the birth of Lecesne and Escoffery, had too strong a recollection of the scenes of horror and devastation which they had witnessed to incur the hazard of rendering themselves obnoxious to those who were conspiring to produce a repetition of them in this island, and they manifested the greatest reluctance to make any affidavits; and as there were no means of compelling them to do so, no other affidavits were made to lay before the court than those which had been previously made for the magistrates, except those of Mr. Mitchell, Mr. Innes, and Mr. Ross. That the apprehensions entertained by these persons of the consequence of deposing to the national characters of Lecesne and Escoffery, and the impressions of Mr. Mitchell and Mr. Innes, as expressed in their affidavits, were well founded, is apparent from the facts disclosed in certain affidavits which have been transmitted to you, and in which is detailed the violent conduct of Lecesne towards those who he supposed had been examined before the secret committee in the house of assembly. On Friday the 24th October, the counsel of Lecesne and Escoffery applied to make absolute the order nisi which had been granted on the 17th. In the course of the argument of counsel on the affidavits, the chief justice repeated the opinion which he had already expressed, that the decision would not preclude the further investigation by the higher tribunal (meaning the Governor in council) of the question, whether the applicants were aliens. The court did not pronounce its judgment until the Saturday. I was unavoidably absent on that occasion, but the counsel who were concerned with me have reported to me their perfect recollection, that the chief justice, in delivering the opinion of the court, expressed himself to the same effect, observing, that there was contradictory and conflicting evidence: that in the number of affidavits there was a preponderance in favour of the application: that the court laboured under the greatest disadvantage from not having means of examining *viva voce* the persons who had deposed to the births of Lecesne and Escoffery: that if they had possessed those means, their conclusion might, and in all probability would, be different: that the higher tribunal to which he had referred the Governor in council, to whom the investigation of the question was still open, had those means.

There could be no doubt that the court in granting the writs of habeas corpus had as little the power as the intention to pronounce a conclusive judgment on the question, whether these persons were or were not aliens. I cannot refrain from expressing my regret that the court should have been so much influenced by this consideration, as to have taken no notice, (according to the information which I have received) of the affidavit of Mr. Mitchel, a gentleman known to the court as a most respectable magistrate, or of that of Mr. Innes, the police officer, or of Mr. Villegrain. The contents of the two former, which from the characters of the deponents, known as they were to the judges, could not be doubted, were calculated, by disclosing the motives and characters of the deponents in support of Lecesne and Escoffery's application to the court, to estimate the degree of credit to which these deponents were entitled, and to have removed the embarrassment under which the court represented itself as labouring. The court however awarded the writs of habeas corpus, which were made returnable in the manner and under the circumstances disclosed in the report made to me by the clerk of the Crown, and which I now transmit to you.

I am, however, now, as I then was, clearly of opinion, that with reference either to the nature of the application, or of the proceedings had thereon, or of the judgment pronounced by the court, the decision was not, nor could be, a conclusive establishment of the fact, that

that these persons were British subjects, but on the contrary, that it was as competent for the Governor in council to take up and to proceed in the investigation of the question, as if no such decision had been made.

Before I close this report, I trust I may be permitted to advert to the subsequent proceedings which took place respecting these persons. Indeed, on an occasion when the conduct of his Grace the Governor has been arraigned in having adopted a measure which was in the strongest manner recommended to his Grace by the unanimous advice of the privy council, I should do the greatest injustice to my own feelings if I did not unhesitatingly avow the full share which I had in giving that advice. After the decision of the grand court had been pronounced, I was confined for three weeks by so severe an illness, as to incapacitate me from all business; this alone prevented me from having urged, as I intended, the immediate investigation of the question. On my recovery I found the subject had been taken up by the House of Assembly. The report of the secret committee, with the examinations taken before that body, having been sent over to the Governor by the House, his Grace referred those documents, and the proceedings in the grand court, to the consideration of the privy council, and asked them for their opinion and advice as to the conduct which he should adopt. The proceedings before the secret committee, as well as those before the grand court, were attentively considered by the council; and there was but one opinion as to the legality and necessity of that measure, which was unanimously recommended to his Grace. I will merely say that I concurred in that measure, because I do not by such expression sufficiently convey the strong sense I entertained of the necessity, and the earnestness with which I should have pressed its adoption, if there had been any hesitation on the part of the council.

With the conviction I entertained of the nature and extent of the conspiracy which then existed of the active parts taken by Lecesne and Escoffery, of the influence which the former had acquired over the French slaves who were frequenting his house, with my knowledge that secret communications were kept up between him and the chief of the Haytian government, which were afterwards imparted at meetings of the conspirators, and with the fullest conviction which man could entertain, that the grossest imposition had been practised on the court, by the representation that they were not aliens, I should have considered that I had betrayed my duty as a member of the council, and had compromised the safety of the island, if I had not in the strongest manner concurred in this measure; and whatever may be the responsibility attaching to the advice, which in the fearless and faithful discharge of my duty I thus concurred in giving, I have the satisfaction of feeling that the removal of these persons from the island arrested the progress of a conspiracy, and averted from the island the immediate evils with which it was menaced.

Those who are unacquainted with the colonial laws of the island, or who do not advert to the nature of its population, are not aware of the insurmountable difficulties in obtaining that proof which would be requisite to bring to trial the persons engaged in such a conspiracy. Before the passing of the treason and sedition bills of the last session it was a subject of grave doubt whether the only British statute respecting treason in force in the island, 25th Edward 3, st. 5, cl. 2, would have reached the case which might have been established against the conspirators; but even if they could have been brought within that statute, there still existed the impossibility of obtaining that evidence which was admissible in our courts. Those who were privy to the meetings were either partisans implicated in the proceedings and objects of those meetings, or they were slaves; the former would not, the latter cannot give evidence; the constitution of society is such that a white person could not, under any pretext or disguise, gain access to their meetings; and the information obtained from slaves is never given in sufficient time to enable the civil power to surprize the persons assembled and take possession of their papers. They have not disclosed meetings intended to be held before they were held, so that the civil authorities might attend; but they have discovered meetings which have been already held. In short, it is an observation, founded on what has occurred in the detection of every conspiracy, that a slave who from attachment to his master has made a discovery of some menaced insurrection, has, from an apprehension of personal consequences to himself, from those whom he might implicate, been silent, whilst the schemes of insurrection were concerting, and has made the discovery only on the eve of their being executed, and when the danger was imminent.

It is not therefore a matter of surprize that the free parties engaged in such a conspiracy should have hitherto escaped the reach of public justice.

I have, &c.
(signed) *William Burge.*

Enclosure.

Report of the Clerk of the Crown.

N^o 4.

Enclosure.

Sir,

Crown Office, 17th July, 1824.

IN answer to your communication to me of the 14th instant, requesting that I should state the time and place when and where Lecesne and Escoffery were discharged, on the discussion of the motion for the writs of habeas corpus, whether I received any intimation from the court, or whether the court gave instructions in passing its judgment of the time and place when and where they should be discharged, and whether I attended at the time they were discharged, as well as the circumstances relating to their discharge, I beg leave to state, that the order absolute made in the cases alluded to directed that the writs of habeas corpus

N° 4.

Enclosure.

corpus should be returnable to his honour the chief justice the same day on which the order was pronounced, viz. the 25th October last, at his chambers in the parish of Kingston; that no time was mentioned in the order, or in the writs of habeas corpus, which issued by virtue thereof; when the parties were to be brought before the chief justice.

That the court on that day having terminated its sittings about two o'clock, P. M. my partner, Mr. Nicol, on my behalf afterwards proceeded from Spanish Town to Kingston, to the residence of his honour the chief justice, where I am informed he arrived shortly after five o'clock in the evening of the same day, for the purpose of ascertaining when the parties were to be brought up, (with the intention of apprising me in Kingston, where I was, of the time appointed by his honour, in order that I might attend on the occasion,) when Mr. Nicol was informed, (as he stated to me,) by his honor the chief justice, that Lecesne and Escoffery had been discharged about a quarter of an hour previously, as five o'clock was the time appointed for that purpose. This was the first notification Mr. Nicol had received of any time having been fixed on, he not having received any previous intimation on my behalf as to the time from any of the parties interested.

I have, &c.
(signed) Thos. F. Hill, Clerk of the Crown.

N° 5.

N° 5.

Commission from the Duke of Manchester, authorizing certain Persons to take Evidence of the Execution of the Will of Louis Nicholas Lecesne.

(Stamp.)

Jamaica, fs.—George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, and of Jamaica Lord, Defender of the Faith, &c. To our trusty and well-beloved Thomas Denniss and Isaac Munt, Esquires; Know ye that we have constituted authorized and appointed, and by these presents do constitute, authorize and appoint ye, or either of ye, to administer an oath unto John Joseph Itter, or any other that are witnesses, and can make oath of the signing, sealing, publishing and declaring of the last will and testament of Louis Nicholas Lecesne, late of the city of Kingston, merchant, deceased; and thereof you, or either of you, are to make a due return, under your or either of your hands and seals, unto our Captain General and Governor in Chief of our said island, or to the Governor in Chief of the same for the time being, with this power annexed, so that such proceedings may be ordered therein as may be according to law.

Witness His Grace William Duke of Manchester, Captain General and Governor in Chief of our said island, at St. Jago de la Vega, the 14th day of August, annoque Domini 1816, and in the fifty-sixth year of our reign.

(L. s.)

(signed) MANCHESTER.

Passed the Secretary's Office,

(signed)

H. Bullock, Secretary.

Jamaica, fs.—In obedience to the within *dedimus potestatem*, to me and another directed, I have administered an oath unto John Joseph Itter, within named, as I am thereby required.

Given under my hand and seal this 29th day of August 1816.

(signed)

I. Munt.

(L. s.)

Jamaica, fs.—In the name of God, Amen. I, Louis Nicholas Lecesne, of the city and parish of Kingston, in the county of Surrey, and island aforesaid, merchant, do make, publish and declare my last will and testament in manner and form following; that is to say, I will and direct, that all my just debts and funeral expenses should be in the first place paid off and discharged as soon as possible after my decease; with the payment whereof I subject and make liable all my estate, real and personal, I give, devise and bequeath all my real and personal property of every description, situate and being in Europe, unto my lawful heir, to hold to him or her, his or her heirs and assigns for ever. I give, devise and bequeath all my real and personal estate and slaves, or of whatever other nature or kind soever, or wheresoever the same may be, either in this island, the island of St. Domingo or elsewhere, in the West Indies or America, of which I may be possessed, or in anywise entitled unto at the time of my decease, either in reversion, remainder or expectancy unto and between my reputed children Lewis Celeste Lecesne, Licisille Dite Lamorotte Lecesne, and Lewis Nicholas Lecesne, equally to be divided between them, share and share alike, their heirs and assigns for ever, as tenants in common, and not as joint tenants; and in case of the death of either of them before coming into possession of his or her respective share of my said property, the share of him or her so dying shall go to and become the property of the survivors or survivor of them, equally, share and share alike. And it is my express will and desire, that my executor hereinafter named shall remain in the full possession of all my property of every description for six years after my decease, in order the better to enable him to get in and settle all my affairs. And it is also my will and desire that my said reputed son Lewis Nicholas Lecesne shall be maintained, clothed and educated at the (L. N. Lecesne) expense of my estate, until he shall attain his age of twenty-one years. And lastly, I hereby nominate, constitute and appoint my said reputed

son

son Lewis Celeste Lecesne to be sole executor of this my will, and guardian of the person and estate of his brother the said Lewis Nicholas Lecesne, until he shall attain his age of twenty-one years, trusting that he will act as a good brother and guardian towards him; and I hereby revoke, annul, and make void, all former wills and codicils by me at any time heretofore made, and declare this only to be and contain my last will and testament. In witness whereof I have to the first side hereof set my hand, and to this side my hand and seal, this first day of August in the year of our Lord one thousand eight hundred and sixteen.

(signed) *L. N. Lecesne.* (L. s.)

Signed, sealed, published and declared by the above-named testator, as and for his last will and testament, in our presence, who, in his presence, at his request, and in the presence of each other, have subscribed our names as witnesses thereto.

(signed) *J. B. Cherrier,*
J. J. Itter,
Hen. Turton.

Jamaica, fs.—In obedience to the dedimus protestatem hereunto annexed, I have administered an oath unto John Joseph Itter, who being duly sworn on the Holy Evangelists, deposes and saith, that he was present, and did see Louis Nicholas Lecesne, the testator in the annexed instrument of writing named, being at that time of sound and disposing mind, memory and understanding, sign, seal, publish and declare the same as and for his last will and testament; and at the same time John Baptiste Cherrier and Henry Turton, were all present, and together with him subscribed their names as witnesses to the same, in the presence of the said testator: and further, that he knows nothing of any will since made by the said testator that can tend to the disadvantage of the will hereunto annexed.

Given under my hand and seal this 29th day of August 1816.

(signed) *I. Munt.* (L. s.)

Vera Copia ext^a

(signed) *Will^m Bullock, Sec^r.*

N° 6.

Extract of a Despatch from his Grace the Duke of Manchester to Earl Bathurst; dated King's House Jamaica, 13th November 1824.—With one Enclosure.

N° 6.

"I AM sorry that the death of Captain Dawkins deprives me of the means of furnishing your Lordship with a detail of what passed on the landing of the two aliens in Saint Domingo; but I enclose an affidavit of Captain Maclean, of His Majesty's ship Bustard, which shows the reception Lecesne and Escoffery met with from the principal authorities there.

"I cannot conclude this letter without offering to your Lordship my particular acknowledgments for the obliging manner in which you express your confidence that I would not have acted harshly by those who had long lived under my government."

Enclosure.

Copy of the affidavit of Captain Maclean, of H. M. S. Bustard.

N° 6.

Rawdon M'Lean, esquire, captain of His Majesty's brig of war Bustard, one of the squadron on this station, being duly sworn, maketh oath and saith, that he, this deponent, on the 10th day of May in the present year, proceeded in the said brig on a cruise; and that in the course of such cruise, that is to say, on the 27th day of July last past, he touched at Jacmel, in the island of St. Domingo, where he landed, and where he remained on shore four or five days; that during this deponent's residence at Jacmel he had frequent communication with the authorities there, and also with other persons at Jacmel aforesaid, and with the white inhabitants, British merchants residing there; that the circumstance of Lecesne and Escoffery having, when they were transported, landed at Jacmel, and of the petition presented by them to the British House of Commons, was made a subject of conversation, and was voluntarily introduced by some of the inhabitants, without any question being asked by this deponent relating to them; that this deponent was told by persons resident there, who were in the confidence of government, that those persons, Lecesne and Escoffery, were most favourably received at Jacmel; that the government at Jacmel had sent them to Port-au-Prince; that the said Lecesne and Escoffery had been supplied by the government at Hayti with money during their stay there, and also with money to defray their expense from thence to England; that from every thing this deponent could collect from the conversation of different persons in St. Domingo, who were well acquainted with the measures of the government, this deponent doth verily believe that the case of Lecesne and Escoffery, as well as their landing at Jacmel as aforesaid, and their sailing from Port-au-Prince to England, was countenanced and supported by the government of Hayti. This deponent further saith, that having seen a statement in the English newspapers that it had been represented, in the petition of Lecesne and Escoffery, that they, Lecesne and

Enclosure.

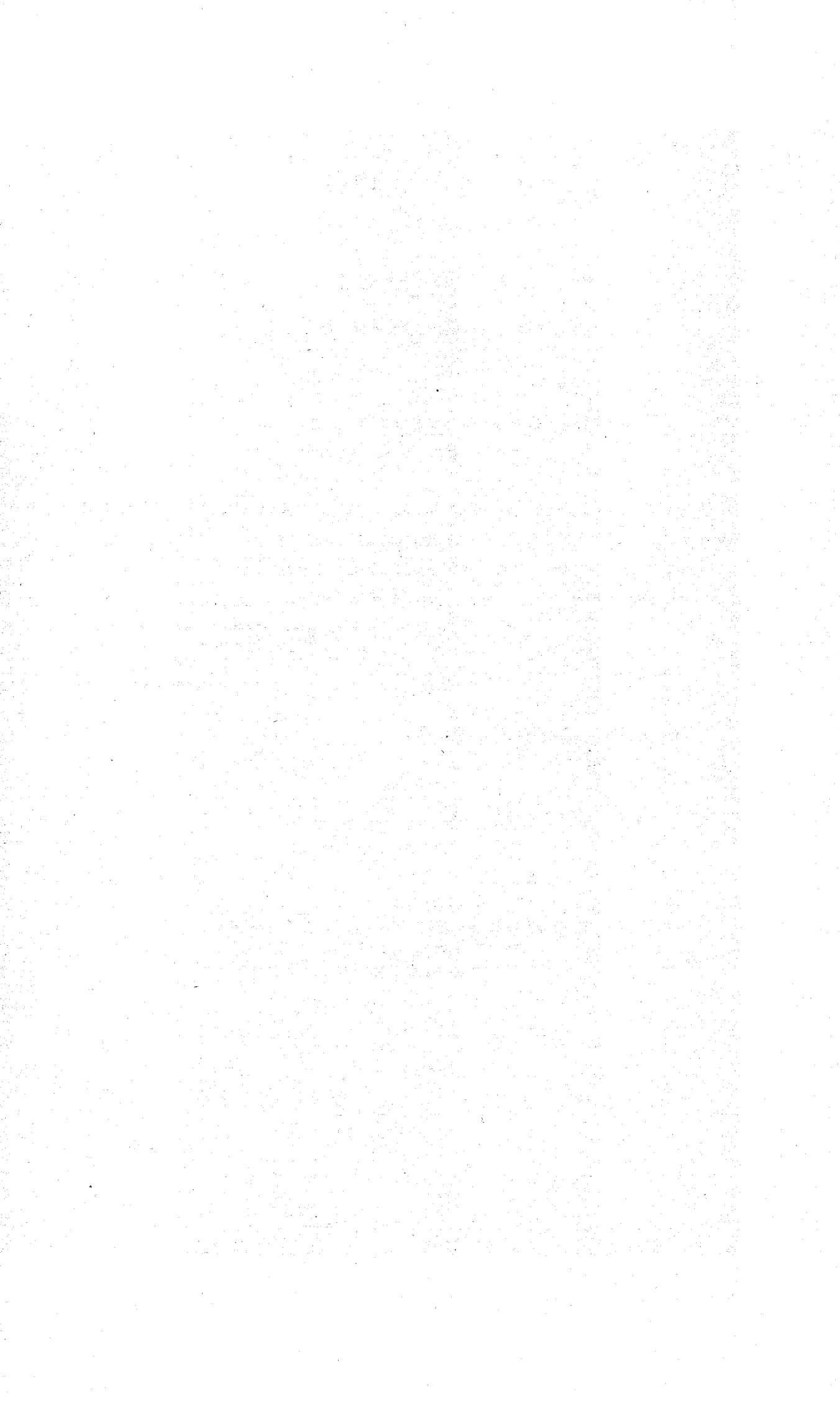
N^o 6.

Enclosure.

Escoffery, had been treated by the government at Hayti as spies, this deponent asked whether there was any truth in such representation, when he was informed by the aforesaid persons that there was no truth in such representations, and that on the contrary they were well received there, and countenanced and supported; and this deponent doth attach full credit to such information, from the character of the persons from whom he received such information.

(signed) *R. M'Lean,*
Captain H. M. S. Bustard.

Sworn before me, this 5th day of August 1824,
(signed) *William Burge,* Attorney General.



II.

FURTHER PAPERS

RELATING TO

SLAVES IN THE WEST INDIES.

*Ordered, by The House of Commons, to be Printed,
4 March 1825.*
