



Center *for* Research Libraries
GLOBAL RESOURCES NETWORK

The Center for Research Libraries scans to provide digital delivery of its holdings. In some cases problems with the quality of the original document or microfilm reproduction may result in a lower quality scan, but it will be legible. In some cases pages may be damaged or missing. Files include OCR (machine searchable text) when the quality of the scan and the language or format of the text allows.

If preferred, you may request a loan by contacting Center for Research Libraries through your Interlibrary Loan Office.

Rights and usage

Materials digitized by the Center for Research Libraries are intended for the personal educational and research use of students, scholars, and other researchers of the CRL member community. Copyrighted images and texts may not be reproduced, displayed, distributed, broadcast, or downloaded for other purposes without the expressed, written permission of the copyright owner.

Center for Research Libraries

Identifier: `abe232e0-a535-45d2-95d4-27fb5a5e1516`

Range: Scans 001 - 008

Downloaded on: 2022-05-24 17:59:19

SLAVE TRADE, MAURITIUS.

RETURN to an Address of the Honourable The House of Commons,
dated 2d June 1829;—*for*,

COPIES of any CORRESPONDENCE which has passed between Sir *Robert Farquhar* and the Colonial Department, upon the subject of certain CHARGES contained in a Publication, intituled, “The Anti-Slavery Reporter, No. 42.”

Colonial Department, }
Downing-street, }
12 June 1829. }

HORACE TWISS.

Ordered, by The House of Commons, to be Printed,
12 June 1829.

SLAVE TRADE, MAURITIUS.

COPIES of any CORRESPONDENCE which has passed between Sir *Robert Farquhar* and the Colonial Department, upon the subject of certain Charges contained in a Publication, intituled, "The Anti-Slavery Reporter, No. 42."

Sir,

Richmond Terrace, 3d February 1829.

HAVING been confined to the house for the last ten days by severe indisposition, I have been prevented from earlier acknowledging the receipt of your letter of the 23d ult. in which you are pleased to state, that "as Sir George Murray conceives that I shall feel the same desire as himself to have contradicted the statements as regards the treatment of Slaves at Mauritius, made in the last Number of the Anti-Slavery Reporter, he forwards me a copy of that paper, and requests me to inform him, whether from my own knowledge, or otherwise, I have reason to believe that the cases brought forward by the Anti-Slavery Society have any foundation on truth, or whether I have even heard, during the time I administered the government of that Island, of any acts of cruelty of the nature of those laid to their charge."

I am always obliged when you afford me the opportunity, upon any question arising, in which my name, my conduct, and my administration of public affairs, are brought to notice, to offer every explanation to the Secretary of State; and it gives me the more pleasure at this time, and on this occasion, when not only my name and character are wantonly attacked by wicked and designing persons, but His Majesty's government at home has been inculpated in a manner so unjustifiable.

I avail myself, therefore, at once, of the earliest moment in my power, not only to contradict generally the statements contained in that false and slanderous production to which your letter alludes, but to pronounce those statements a tissue of atrocious calumnies on myself, on the Minister of State, and on the respectable inhabitants of one of the richest, most populous, and valuable possessions of the Crown.

In the first place, it is not true as stated in the publication above referred to, that the law of Slavery at Mauritius consisted only of two ordinances, nor that the two ordinances quoted, arm the masters with such absolute power over the slave as the author of this "*picture*" represents to the public. So far from these two ordinances forming the only slave code, there are numerous regulations in one continued series, promulgated by the several authorities at Mauritius from time to time, and the government of the mother country at home. These laws are contained in the several collections of laws and regulations in the "*Code de la Leu*," "*Code Decain*," and in the "*Decrees of the Colonial Assembly*," during the French Revolution (which latter, even to this day, it has not been possible entirely to trace and collect together); and the proclamations and orders issued by myself and the British government for ameliorating the condition of the slaves since the conquest. Amongst others I will cite the following; viz. Modifications in the year 1814 for facilitating the liberation of slaves. In March 1811 the public orders issued by me at Mauritius, and republished at Bourbon in April of the same year, diminished the weight of chains one half in all cases of "simple police," when applied to men, and altogether abolish them when applied to women and children. In the year 1817, the public whipping of women was totally prohibited by my orders, as well as the public working in chains of female Maroons. Nor must we pass over in silence the law I made on the 25th January 1813, by which the barbarous practice of paying to the owner the price of a Maroon in the event of his being killed in pursuit when flying from the officers, or resisting them, was totally abolished; and by the same law, the reward to the officer seizing the Maroon was greatly augmented when the Maroon was taken alive: I could cite numberless regulations made for the benefit of slaves, and for their comfort and ease, since the conquest,

4 COPIES OF CORRESPONDENCE RELATIVE TO CHARGES

conquest, by a reference to the archives ; but those few instances will be sufficient to show and prove the illiberality and falsehood of the Anti-Slavery publication before me, as well as my own constant exertions in ameliorating the condition of the slaves by a series of measures at once comprehensive and practically useful, which the narrow minded, grovelling and paltry charletans of the present day are as incompetent to conceive as they are now unwilling to acknowledge.

Independently of these volumes of laws and orders above referred to, in which, on the most superficial observation, will be found numerous slave regulations scattered throughout, I think it right to forward for your perusal a Report made by the Attorney General so far back as the year 1814, in answer to my general orders requiring that law officer to report to me from time to time on this subject, and always to bear in mind, that that part of the jurisprudence of Mauritius was one of *his most sacred trusts, he being by law the ex officio protector of the slave population*, as well as directly responsible for the due enforcement of all the laws. This same Report of the Attorney General would alone afford further evidence, if necessary, that the assertion of the Anti-Slavery Society, that "the fact is unquestionable, that during the whole of my administration I did not adopt any series of measures, nor any one measure, for ameliorating the condition and alleviating the oppressions of the slave population, is a gratuitous, wicked and barefaced falsehood;" and if I were further to particularize any of my *numerous measures* upon this subject, as referred to by the Attorney General in his report, it would be to those in an especial manner which give the most direct contradiction to the assertions put forth by the Anti-Slavery Society on the subject of affranchisement or emancipation, as well as from their being confirmatory of all my former statements, during a long and arduous administration of the French Island (inhabited, let it be remembered, by a foreign and captured population), and my declarations in my place in the House of Commons.

It is true, that the modifications which I thought proper, with every responsibility thrown upon me, to introduce on this point, did not open the door to a system of unqualified emancipation, which would have been the effect of a sudden removal of all those regulations and checks which existed at the time of the conquest, and which would have thrown upon the Colony a multitude of individuals incapable of maintaining themselves, and who, from idleness and consequent profligacy and disease, must have become an intolerable burden to the public, and destructive of the peace of society. But I took care that all persons who could satisfy me by the "*ex officio*" report of the Commissary of Justice and the Attorney General, that they possessed the means, either by property assigned to them by their master, or their knowledge of some art, or any visible means of gaining an honest livelihood, should be admitted to all the rights and privileges of free persons ; and with respect to the pecuniary arrangement which I required to be made, in the absence of a knowledge of any trade or profession in the applicant, as a kind of security to government and the public, it was a mere deposit made by the master who desired to affranchise his slave, which deposit, at the end of any time, when the chief Judge would certify that the *affranchise* had other means of gaining his livelihood, was refunded ; and I do not hesitate to assert, that any deviations from these principles might meet the approbation of incautious enthusiasm, but are not consistent with the views and maxims of a wise and considerate government, nor calculated for the real benefit of the slaves themselves.

Foiled in their wild attempts upon our old established British colonies, they are now pouring forth their venom upon those which, by the fate of war, have submitted to His Majesty's arms, and especially Mauritius, which from its position they think suitable for the trial of those visionary experiments which, if enforced, cannot fail to terminate in the same sad and awful catastrophe which we have witnessed already in other French colonies, and of which Bourbon and Mauritius have not been without symptoms of similar disturbances, but happily subdued since the conquest.

With regard to the slave population, it is easy to argue and make out any story from so notoriously an incorrect return of the numbers, as in this and in every other country has ever been a *capitation return on which a pole tax is to be levied*, for it will be borne in mind, that until His Majesty's order in council of 1814, there was no law at Mauritius requiring a registration of the slaves, except the regulation which was made upon the spot for fiscal purposes ; and, as I stated in the House of Commons, General Decain left a minute in his own hand-writing, in the archives, setting

setting forth that, from his own private knowledge, the slave population at the time of his surrender of the island amounted to upwards of 80,000, although the returns to the collector of taxes stated them to amount to only 60,000; the difference consisting in the aged and the children incapable of work, for whom they were unwilling to pay.

I shall only add upon this point, that the fundamental error in the registration order in council of 1814, as pointed out by the registrar himself, and the Chief Judge Mr. Smith, was an error which I was advised could not legally be remedied in the Colony, and the best proof of which is, that the government at home, after repeated representations to them from the Colony, did afterwards rectify the error by promulgating a new order in council on this subject; and I believe that now 72,000 has been found to be the latest correct return, every slave having been individually counted, and personally inspected by the registrar or his assistant, like a regiment of soldiers, according to the provisions of the new law. This return, making due allowance for the scourge of the cholera morbus, which in 1819 and 1820 suddenly carried off 7,000 slaves, and the disparity of the sexes, *when the island capitulated*, will readily account for the fluctuations in the slave population of the Mauritius, without ascribing it either to barbarity on the part of the inhabitants, or any unfavourable influence of soil or climate upon the general principle of progressive population.

In my letter of 7th November 1822, to the Secretary of State, transmitting the returns to be laid before the House of Commons, I did explain the apparent cause of the discrepancy in the census, at different times in the slave population, and I do therefore retort the observation made by the Anti-Slavery Society, not only of their being wilfully blind, but capable of giving a colour to facts which is equivalent to the asserting of the basest falsehoods.

It surely is not expected from me, at this time of day, neither do I consider it consistent with my own dignity, to attempt to wade in detail through the mass of impure matter contained in the pamphlet in question, the greater part of which refers to periods even when I was not governor in the island. As reasonably might Mr. Peel be called upon to rip up and pass in review the alleged cases of cruelty that have been disposed of at Bow-street, the Mansion House, and the Old Bailey for the last twenty years.

The Colony of Mauritius does not stand in need of any testimony from me, at this time, in support of its character for humanity towards its slaves, nor of its having long since effaced every vestige of slave trading.

That in a population of upwards of 100,000 souls, and in a town, the inhabitants of which amount at least to 20,000, there should be instances of crime, and crime accompanied by some circumstances of cruelty, is surely not matter of much surprise to the mind of any man who is acquainted with the state and condition of society in any country in the world; but to allege that the Mauritius has exhibited, or still exhibits any marks of such a savage character peculiar to itself, is a wilful and malicious falsehood, and can proceed only from the minds of those who measure the characters of others by their own dispositions: and this much I assert from my own knowledge, that in every instance in which, unhappily, there has taken place any event which has been accompanied by cruelty, it has called forth an expression of indignation from the government and the whole population; and every exertion has been made to bring criminals to justice. I would here refer Sir George Murray to the further testimony on this subject of those honourable and distinguished officers Sir Lowry Cole and General Darling, as well as the late Chief Judge Smith, and the present Chief Judge Blackburn; not to discarded public servants and perjured soldiers; (on whose testimony, especially that of *Higginson*, an inquiry was insisted upon with such mock solemnity in the House of Commons, and granted in the year 1826,) not to men who, like inquisitors, work in the dark, and stab men's reputations behind their backs, but to those high-minded and respectable individuals who are entitled to credit, and incapable of perverting the truth from any motives of private pique and personal interest or malice.

These general remarks upon the wilful misrepresentations contained in the pamphlet you have forwarded to me, I will conclude by referring Sir George Murray more particularly to the details contained in my despatches, No. 16 and No. 21, to the Secretary of State in 1823, respecting the cruelties and murder of slaves perpetrated

6 COPIES OF CORRESPONDENCE RELATIVE TO CHARGES

by the Cotterys, Mad^e Neyle, and Prevot ; the only three instances mentioned in the document before me, under my government, and of which I have any distinct recollection at this distance of time, perfectly satisfied with my own inward conviction that no instance of cruelty occurred, in which the most rigorous measures were not used on the part of the competent authorities to bring perpetrators to prompt justice before the courts, and to adopt every legal means of ensuring the punishment due to their crimes ; and finally, I omitted no opportunity of submitting to the competent authorities at home, who alone had the power of altering the fundamental and constitutional laws of the island, and of providing for the better and more perfect administration of justice, my own deliberate opinions upon this branch of the administration, together with the numerous and voluminous reports from all the high law authorities in the Colony, which were transmitted from time to time in my despatches to the Secretary of State.

It must ever be borne in mind, that in a conquered colony, governed under capitulation, like Mauritius, it requires the authority of the Crown, if not of the legislature, legally to make alterations in the laws ; for “ there is not a maxim of the “ common law more certain,” as was observed by my Lord Chancellor Hardwicke, and Lord Chief Justice De Grey, “ than that a conquered people retained their “ ancient customs till the conqueror shall declare new laws ;” and further, that “ to “ change at once the laws and manners of a settled country, must be attended with “ hardship and violence ; and therefore wise conquerors, having provided for the “ security of their dominions, proceed gently ;” and if I were disposed to quote more recent authorities on this subject, I could show that there is no principle the importance of which was more strongly and constantly inculcated than the above, in the despatches and instructions of the Secretary of State to myself. In connection with this subject, I shall merely remark, that the Commissioners of Inquiry have not, as I understand, sent home even a report upon this only really useful and important object of their mission ; viz. the laws and institutions of the colony, though they have been there for more than two years, at an enormous expense to the country, and received on their arrival in the island, from the governor, that mass of preparatory matter for a charter of justice which was got ready by me, and a copy of which was duly forwarded to Lord Bathurst.

To revert to the three instances of cruelty mentioned above, the parties accused also received the extremest punishment which the law could inflict upon them. *Prevot* having been sentenced to death, and beheaded ; *Cottery* also sentenced to death, hanged himself in prison to avoid the ignominy of a public execution, having made a cord out of the texture of his pantaloons ; and Mad^e *Neyle* condemned to close confinement, which she is suffering at this present day, by *a stretch of the law*, on the ground of further evidence being required. Which sentence, if Mad^e *Neyle* had been black instead of white, would have been clamoured against by the party as an unpardonable excess of judicial authority, and as a reflection upon His Majesty’s government for countenancing such a species of oppression.

I shall merely add, that in this last case the magistrate, Mr. Chrestien, for delaying twelve hours only, at night, in proceeding to the execution of his duty, to the spot, at some distance, where the alleged murder had been committed, was summarily and publicly dismissed by me for that culpable neglect which appeared to me to be calculated to frustrate the ends of public justice.

Thus then, let me ask, whether or not it is fit that persons who have completely broken down and failed in their Committee of the House of Commons in the inquiry which they set on foot there three years ago and abandoned, their own witnesses giving the strongest proofs against them, are to be suffered with impunity, in this manner, to drag before the public the character of the government at home, and the names and characters of His Majesty’s representatives abroad, by the most gross and scandalous libels, which the documents I have referred to will sufficiently establish ? or whether such an example should not be made on the present occasion by His Majesty’s Attorney General, as may serve to deter them from the repetition of such unjustifiable conduct in future ; and arrest the progress of that dangerous spirit and blind fanaticism which, if not boldly met by the arm of government, however it may dazzle the understanding and mislead the ignorant, cannot fail, in my judgment, to end, first, in the loss of our colonies, and then, as it has done before, in revolution and anarchy at home, which in my conscience I believe to be the

the tendency of the doctrines preached, and the measures attempted to be enforced, whatever may be the real intentions of the party.

The sneering and insolent remarks on the tenderness of my early friendship for the slave trade, referring to a time when the abolition Acts were not known at the Mauritius, and were not *law there*, though the spirit of them was acted upon by my order, and upon my sole responsibility, merits little or no observation from me; it comes with an ill grace from men, who, if fairness and candour had actuated their principles, must be compelled to acknowledge that I have effectually done at least as much, and by a series of practical measures, to abolish the slave trade, foreign as well as English, as the whole party put together, even their great patriarch himself, and that too without entailing upon the people of England, as they have done, an enormous expense, amounting to many millions sterling, exacted as indemnities and satisfactions to Portugal, Spain, America, &c. &c. which exactions, mark me, is only the beginning of their philanthropic plans for drawing money from the people, in furtherance of their wild and visionary schemes for the general emancipation of the negroes, and their lavishing it on their followers and friends, erecting thereby an "*imperium in imperio*," to influence and overawe the colonial administration in Downing-street!

And here again, before I conclude, I must refer Sir George Murray to the letter I addressed to Lord Goderich in May 1827, transmitting to that noble Lord most incontrovertible proofs of the manner in which a set of conspirators had been occupied in getting up evidence for the Committee of the House of Commons on the Mauritius Slave Trade Inquiry. There is clearly a connection, as Sir George Murray will see, between these papers and the present documents which he has sent to me. The whole system of perjury, and subornation of perjury, for debauching the soldiers for purposes the most wicked and diabolical, are without a parallel since the infamous days when the proceedings of the Star Chamber were tolerated by a British public.

These will also form, I should imagine, abundant matter for the consideration of the law officers of the Crown, and for long and deep deliberation of His Majesty's government; and they will, I trust, at length open the eyes of the public to the delusion attempted to be practised upon by them by persons whose statements I have shown to be utterly unworthy of credit, and whose incessant labours militate against the best interests of the country.

I remain, &c. &c.

(signed) *R. T. Farquhar.*

R. W. Hay, Esq.
&c. &c. &c.

SLAVE TRADE, MAURITIUS.

RETURN to an Address of the Honourable The House of
Commons, dated 2d June 1829;—*for*,

COPIES of any CORRESPONDENCE which has
passed between Sir Robert Farquhar and the
Colonial Department, upon the subject of certain
CHARGES contained in a Publication, intitled,
“ The Anti-Slavery Reporter, No. 43.”

Ordered, by The House of Commons, to be Printed,
12 June 1829.
