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Range: Scans 001 - 006

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## SLAVE TRADE.

Further RETURN to an Address of the Honourable House of Commons,  
dated 12th February 1827 ;—for,

### COPIES OR EXTRACTS

Of any Correspondence respecting the Slave Trade,  
received from the Governor of the *Mauritius*, and not  
already laid before the House.

(MAURITIUS CORRESPONDENCE.)

Colonial Department, Downing-Street,  
22 May 1827. }

R. J. WILMOT HORTON.

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*Ordered, by The House of Commons, to be Printed, 22 May 1827.*

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EXTRACT of Instructions, dated Port Louis, 14 November 1817, delivered by Governor *Farquhar*, on his departure from the Mauritius, to his temporary Successor, Major-General *John Gage Hall*.

Extract of a Letter from Governor Farquhar to Major-General Hall, dated  
Port Lous, Mauritius, 14th November 1817.

—“ I AM anxious also to lay before His Majesty’s Ministers that treaty which, after years of persevering labour, has been obtained from Radama, the King of Madagascar, and by which that vast and populous island is at length rescued by its own municipal regulations from the desolation of the Slave Trade. This is an event of such paramount importance as probably to produce the adoption of adequate measures on the part of His Majesty’s government, and for which they will require that detailed and specific information which can only be furnished by personal explanations of the voluminous documents I carry with me on this subject.

“ It is, of course, of the utmost importance that the conditions of this treaty should be scrupulously observed on the part of His Majesty’s government here, until the pleasure of the Minister shall be known.

“ I cannot, therefore, too strongly recommend your particular attention to this point; any omission in which will give Radama and his people not only a bad impression of the British character, but a fair pretext for the renewal of this abominable traffic.

“ For the more effectual suppression of the Slave Trade in these Colonies, two British courts have been instituted by His Majesty; and it is, I am sure, unnecessary for me to state to you the importance that His Majesty’s Ministers and the country

attach to the adoption of every legal means in the power of the government, to carry the laws of the empire on this head into the fullest effect, and more particularly to the point that in every instance those persons who may be concerned in this crime may be brought to trial for the felony.

“ Mr. Smith sits alone in one of these courts for the trial of the forfeitures and penalties. The other is called the Special Court, for the trial of offences committed on the high seas, which comprehends the felonious part of the offence of slave dealing; and of this court the governor, the chief judge, the chief secretary, and the collector of internal revenue, are members; the technical part and legal proceedings being of course left to Mr. Smith, the chief judge.

“ The Colony is at present permanently fixed in such a state of internal security, and every department of its government is so organized in conformity to the instructions of His Majesty’s Ministers, that nothing is to be apprehended for the tranquillity of the island, or the regularity of its administration during the period of my absence.

“ Agreeably to my general instructions, the powers of government here will be held by you, from the period of my quitting till my return to this island; and as one of the principal objects which I shall immediately attend to, on my arrival in England, is to lay the whole administration of this Colony at one view before the Minister, so as to enable him to make permanent arrangements on all points, I venture to hope that you will, until you hear from England, after my arrival there, continue the administration without change or innovation. The many extraordinary and calamitous events which have occurred in this Colony have rendered it necessary for me to take much upon myself, and as the success of the measures I have adopted in consequence can alone be secured by their continued operation, until the Ministers can finally decide on my representations, I cannot too strongly express my request that you will allow those plans which have appeared to me most salutary, necessary, and expedient for meeting the existing exigencies to have their full effect.

“ The general public grounds, therefore, which require my presence in England are, that I may be enabled to lay before Earl Bathurst such considerations and explanations connected with the prosperity of His Majesty’s possessions in these seas, as a long local experience has furnished me with. These explanations can be more satisfactorily afforded, and objections more speedily and clearly answered, by my being allowed the honour of a personal conference with his Lordship, than by the means of correspondence, however voluminous and minute; and the general peace, which has so lately annexed this conquest as a permanent possession to the British crown, appears to me to indicate the moment as peculiarly favourable for the full investigation of its internal and external affairs, and the settlement of them on such a permanent footing, as will prove at the same time advantageous to the interests of Great Britain and those of these islands.

“ It is also my intention to state to his Lordship, with what confidence, at the present moment, the colonists hope to see the administration of the Colony fixed on such a permanent basis as was held out to them by their own government, and to return to that order of things in which, previously to the Revolution, their government was conducted, and to which the sister island of Bourbon has been restored, since the re-establishment of the legitimate government of France.

“ The government of this island was never considered otherwise than provisional; it was merely temporary, and intended to give an opportunity to the mother country of adapting to the wants and interests of the colony such a system as might be most conducive to their prosperity; and for this purpose a period of ten years was limited as the extent of the provisional government. My own views have invariably been directed so far to the same points, as to obliterate in the public mind the traces of revolutionary government; but, on so important an object, having so many bearings, it becomes essential to be guided by the wisdom of His Majesty’s Ministers in forming any permanent system; and it may, perhaps, be considered useful, that his Lordship’s judgment should be attended by all the lights I have been able to collect, in the course of my long local experience.

“ I intend

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“ I intend also to represent, that the system of law, both civil and criminal, by which the justice of this island is administered, is by no means so regulated as in the other colonies, either British or French. One half of the system only of the Code Napoleon had been put in force when the island was captured, and in this state it has remained ever since. The remainder of the system was subsequently sent out by France; but as we could not adopt the decisions of a foreign legislature for laws, it therefore remains for the British government to reconcile the discordant parts of a system, at present in a degree disjointed and incomplete, and render it consistent and uniform.

“ The measures of taxation I conceive to be also susceptible of revision and amelioration; but the documents connected with these various subjects, which I have lost no opportunity of collecting, will be rendered more intelligible by personal explanation.

“ Independently of various important points, connected with the administration of the government, civil, judicial, commercial and military, the defences of the island, its ports, towns, and public buildings, all involving questions of deep interest to the colony, and of permanent benefit to its revenues and finances, upon which I am desirous of a personal communication with his Lordship. The calamitous effects of the fire, and the measures taken by me in consequence, as well as some considerations connected with the restoration of the French establishments in Madagascar, render the necessity of a personal communication with Lord Bathurst more urgent; for although I have done every thing that it was in my power to do, on the spot, to alleviate the most pressing distresses and miseries arising from the calamitous destruction of Port Louis, and to prevent or remedy the disastrous consequences of that event, which threatened to involve public and private interests in general ruin, it appears to me, that the island could be restored to prosperity solely by the fostering hand of His Majesty's government, and liberal legislative enactments of the Imperial Parliament; and I am fully persuaded, that if the relief be opportunely and judiciously afforded, this might be done without any expense to the Treasury at home.

“ Another ground for my desire of personal communication with Earl Bathurst is, generally, the subject of Madagascar, an island which has always been held indispensably requisite for the provisioning this colony. The reliance upon that source having induced the planters here, to cultivate the richer products of *spices, sugar, indigo* and *coffee*, and the inhabitants and garrison of Mauritius drawing from Madagascar the means of subsistence; it is my intention to submit, that if that source should now be cut off, by a compliance with the unlimited claims and pretensions of the French, the most serious inconveniences and privations might be experienced at Mauritius, while the unfortunate island of Madagascar would no doubt be again exposed to the ravages of the Slave Trade!

“ These inconveniences, I believe, might be obviated, had I an opportunity of laying before Lord Bathurst, and explaining the various and voluminous documents connected with that subject in my possession, by which such arrangements might easily be made, as, without violating the rights of His Most Christian Majesty, would assure to this island and to Great Britain such advantages as they have hitherto enjoyed in Madagascar, which are so indispensably requisite to the well-being of this island, and which alone can prove to Madagascar a guarantee against the renewal of that system which has, for the last century, depopulated one of the largest, most fertile, and most interesting islands, in every point of view, in the world.

“ My desire was, and is, at the expiration of my leave of absence, to return to this island, and having put the orders of his Majesty's Ministers into execution, with regard to the several subjects upon which Earl Bathurst may condescend to enter upon with me, to deliver over this government in eighteen months afterwards, to such successor, as it might please his Lordship to submit to His Royal Highness the Prince Regent for the appointment.

“ I shall not enter here into any voluminous details respecting the measures of my government, as the Secretary's Office contains a general record of all public documents, and the chief secretary, a highly respectable, able and zealous public servant,  
with

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with whom I have been in the habits, as a general rule, of transacting the public business twice a week, and who has possessed my perfect confidence during the last seven years, will be constantly ready to afford you every explanation and assistance you may require. The zeal, assiduity, and abilities of the deputy secretary, with whom the Governor also transacts the public business, in the absence of the chief, have merited my entire approbation.

“ All the official correspondence of the administration is carried on through the channel of the chief secretary's office, with the exception of that of the chief judge and commissary of justice, who corresponds direct with the Governor. Every measure of the government stands upon public grounds, supported by official documents and opinions, and of course open to the fullest scrutiny and investigation.

“ With respect to the law departments, the chief judge is at the head of the courts, and of every thing belonging to them ; his powers and attributions are defined by the law and his commission ; he may be consulted on all questions which are connected with law, especially those of magnitude, or of a general and political nature. I have already stated that his communications are directly with the governor ; and at his particular request, our communications on business have been in writing. He either consults, when it is necessary, the procureur-general, and Mr. Foisy, the government advocate, on all difficult points referred to him, and thus puts the governor in possession of their united judgment ; or, the governor may refer such cases as he thinks proper, direct to the attorney-general or government advocate ; he has the presentations to vacant places in his department. It is almost superfluous to add, that it is of great importance to the good of this branch, that the utmost harmony and confidence should subsist between the governor and the chief judge.

“ The zealous and cordial co-operation and advice I have received from the judge on the important points of the Slave Abolition laws, as well as in every other branch of my government on which I have had occasion to recur to his legal opinion and assistance, have materially contributed to the proper execution of these laws, and to the general good of His Majesty's service.

“ The ordinary courts of this Colony are recognized by His Majesty's government as regular British courts of justice, until it shall please His Majesty to alter them ; and all questions of a civil nature, even where the colonial government itself may be a party are subject to their jurisdiction.

“ It is the same with all criminal cases, with the exception which I have already had occasion to explain, in the case of the military handed over, some time ago, to the military jurisdiction ; and in all cases, civil or criminal, within their jurisdiction, there is no authority which can regularly set aside their proceedings, but the High Court of the Privy Council ; and every interference by the governor or the commissary of justice can only be exercised by either of them, upon their exclusive responsibility ; and experience has shown, that the case must be *very strong indeed* in which they will be borne out in any such interference.

“ The Governor may suspend upon his own responsibility any of the officers of government, stating all the circumstances fully to the minister ; but the right of judging upon the merits of the case is specially reserved by His Majesty's Ministers for the exercise of their discretion.

“ The government causes are, by the commands of His Majesty's Ministers, to be put into the hands of the attorney general or government advocate.

“ The sentiments of His Majesty's government with respect to the employment of the military, in aid of the civil power, are clearly laid down for the guidance of the Governor and of the commander of the forces, in the extract of Earl Bathurst's letter, which forms one of the Appendixes ; and I deem it my duty to advert to this circumstance, from the conviction I feel, that on a strict adherence to the principle therein stated, depends, in a great measure, the tranquillity of the Colony.

“ Subjoined

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“Subjoined are the documents, which comprehend the fundamental rules by which this colony has been governed, in obedience to the commands of His Royal Highness the Prince Regent, in the name and behalf of His Majesty, and I shall only add, that I shall be most happy to give you my sentiments, most fully and frankly, in any points on which, after the perusal of these documents, you may be desirous of more ample communication.

“At the next levee, previously to my departure, I shall have the honour to be present at the swearing you in to the government, in order to your taking upon you the administration of the Colony during my absence.”

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