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## I.

## SLAVE TRADE.

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

Copy of any further REPORTS made to His Majesty's Government by *Thomas Moody*, Esquire, and *John Dougan*, Esquire, or either of them, or by any other Commissioners appointed to inquire into the state of the Slaves, condemned to The Crown, in the different Colonies belonging to His Majesty, under the Acts abolishing the Slave Trade.

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### CAPTURED NEGROES AT TORTOLA.

Mr. *Dougan's* further Report,—and  
Major *Moody's* Remarks thereon.

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Colonial Department,  
Downing-street, 11th June 1827. }

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*Ordered, by The House of Commons, to be Printed,*  
12 June 1827.

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## SLAVE TRADE: PAPERS RELATING TO

THE RIGHT HONOURABLE THE EARL BATHURST,  
&c. &c. &c.

No. 25, Hadlow-street, Burton Crescent,  
Nov. 1826.

MY LORD,

THE inclosed letter from my deceased Father will inform Your Lordship of his having committed to me the care of his Manuscripts, and the task of finishing and presenting to Your Lordship, after his decease, the statements he had drawn up, and which your Lordship promised to lay before the House of Commons in reply to Major Moody's Report respecting the African apprentices. His notes and memoranda contain many more materials than he was able himself fully to employ as he had intended, in vindicating the Report he had made to Your Lordship, and in showing the unfairness of many of the representations of his colleague. These I should most willingly have exerted myself, agreeably to my Father's wish, to reduce into such order as would make them fitter for Your Lordship's inspection; but I feel myself unequal to the task, and have therefore resolved to decline it, and to confine myself to the communicating to Your Lordship such statements and observations as my dear Father himself had prepared before his growing weakness put a stop to their progress. As far as they go they express, I know, his mature and most sincere sentiments; and after anxious deliberation, I think it better to forward to Your Lordship in their present state, with all their imperfections of style and arrangement, than to attempt any improvement or addition of my own. There is not, I am sure, a line in the papers I now transmit, which my dear Father, in the immediate view of his approaching dissolution (an event which, for months, he had in near expectation), was not satisfied with as perfectly correct. It continued to the last to be the subject of his unceasing regret, that he had been unable, before he quitted life, to prove to your Lordship, as he hoped to have done most conclusively, not only the truth of his own statements, but, above all, the injustice that had been done to the unfortunate objects of his mission, and the wrong that had been inflicted on them by means of the opposite views and statements of his colleague.

Permit me to remind Your Lordship, that my Father's first Report, which has been printed by order of the House of Commons, was dated the 20th December 1823, and that the first two Reports of Major Moody, which have since been followed by a third (a), are dated the 2d of March 1825.

No part of these Reports, not even those parts of the first which my Father was assumed (b) to sanction, had ever been submitted to him; and it was not till the month of October 1825 that he accidentally knew of their existence in a printed form.

On the 27th of that month he addressed a letter to Your Lordship, soliciting a copy of Major Moody's Reports, and permission to reply to them. On the 12th of November following he received from Mr. Wilmot Horton a letter accompanying the reports, and signifying that Your Lordship had directed him to lay before Parliament any additional report my Father might think it necessary to make; he taking care, however, in such report, not to introduce any fresh matter. This condition, I believe, has been strictly (c) complied with in the papers I now submit to Your Lordship.

*Major Moody's Remarks.*

(a) Major Moody never wrote a third Report. He had, at one time, intended to submit a third Report, but finding that he had already given reasons sufficiently satisfactory to prove the correctness of his inferences, any farther Report was deemed unnecessary, as regarded Mr. Dougan's Report.

(b) Major Moody is not aware that he ever assumed, that Mr. Dougan sanctioned his Reports.

(c) It will be obvious, on the slightest inspection of Mr. Dougan's papers, that a great mass of "fresh matter" has been introduced. For example, the very first paper which Mr. Dougan has here given, is relative to Mr. Maclean's apprentices, a subject which had not been even noticed in Major Moody's Reports, and is now for the first time to be explained in a public document to be printed.

## CAPTURED NEGROES AT TORTOLA.

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It seems proper that I should add a brief description of these papers, which form the whole of the unfinished Report prepared by my Father in reply to Major Moody, as far as it is in a state sufficiently intelligible to be transmitted to Your Lordship, and laid on the table of Parliament.

I.—Copy of a Letter from my Father to Your Lordship, dated 27th October 1825; and of a Letter to him from Mr. Wilmot Horton, dated 12th November 1825.

II.—A Statement communicated to Your Lordship by my Father, in August 1822, of the facts which obliged him to desist from continuing to act with Major Moody under the Commission, and to return to England; comprising an account of the case of Mr. Maclean's Apprentices, which led to that determination.

To this statement are annexed the following papers:—

1. Copy of the original Minute of the Commission in the case of Mr. Maclean's Apprentices.
2. Copy of a Letter from Mr. Maclean to the Commissioners, dated Tortola, 28th May 1823.
3. Copies of the Affidavits of John Lettsom and others.

III.—The unfinished draft of a letter from my Father to Your Lordship, which the state of his health prevented him from completing. It is accompanied by a solemn declaration, signed by him in the presence of a friend, of his firm belief of the truth of all the assertions and information contained in it.

IV.—Remarks on the testimony afforded by Major Moody, Mr. Crabb, Mr. Isaacs, and other inhabitants of Tortola, respecting the character and conduct of the African Apprentices; with a view of their character and conduct drawn by my Father, from the official records of the Commission.

To these remarks (the accuracy of which is also solemnly attested by my father), is attached one explanatory paper; viz.---

4. Results of the Examinations of the Commissioners into each individual case of 291 African Apprentices in Tortola.

V.—Remarks on Major Moody's Returns of African and Creole Negroes captured in small vessels; similarly attested by my Father.

VI.—Remarks on various Statements made by Major Moody, which appeared to my Father to be unfounded, and not supported by the minutes originally taken by the secretary, or by the facts of the case. This paper is similarly attested; and there is annexed to it, as an illustrative document,—

5. The special case of the Apprentice Adeline Ejogo.

My father was also preparing a list of some mistakes, chiefly clerical, which had crept into his first Report, but he has left it unfinished, and none of them appear to have been very important, consisting chiefly of errors in the numbering of the African apprentices, and in one or two dates of seizures; one statement, however, he was anxious to correct, which occurs in his first Report, p. 35. He had there said that the free black persons, the Nottinghams, "had chiefly intermarried with each other;" but this he afterwards found to be a mistake.

He had entered upon a full vindication of his former account of these Nottinghams, and a refutation of what he conceived to be the very erroneous representation of Major Moody respecting them; but it is in an unfinished state.

He had also collected materials for a list of errors and omissions in the examinations of the Commissioners, drawn from a comparison of the report of them made by Major Moody, with the original minutes, and he was strongly of opinion that the correction of those errors, and the supply of those omissions, would have thrown additional light on the incorrectness of Major Moody's statements, and on the generally unprotected state of apprentices, and of those among them especially who were under masters or mistresses having no proper title to their services, and being bound by no adequate engagements.

I have only now to add my hope that Your Lordship will regard with indulgence the imperfect, though I hope not unfaithful, manner in which I have executed the trust which the affectionate confidence of a dying parent reposed in me.

I have the honour, &c.

(signed) *Mary Stephen Dougan.*

## I.

25, Hadlow-street, 27 October 1825.

MY LORD,

HAVING learnt by accident that the different Reports of Major Moody and myself, in our capacity of Commissioners of Inquiry into the state of Africans liberated from slavery under the Abolition Acts, had been laid on the table of the House of Commons, and having been permitted through the favour of a friend to peruse them, I perceive that they contain statements and remarks on which it is necessary, with a view to the interests of truth and justice, that I should address some observations to Your Lordship.

Had I been favoured with a perusal of these papers previously to their having been laid before Parliament, I should have deemed it my duty to have pointed out the inaccuracy of many of the statements to which I myself am represented as a party, as well as of some which have the sanction only of Major Moody's name; but that opportunity not having been afforded me, I have now only to request that Your Lordship would have the goodness to direct that I may be furnished with a copy of all the printed papers relating to the inquiry in which I had the honour to be engaged, that I may be the better enabled to rectify the errors which they at present contain.

Earl Bathurst, K. G.  
&c. &c. &c.

I have, &amp;c.

(signed) *John Dougan.*

SIR,

Downing-street, 12th Nov. 1825.

I AM directed by Lord Bathurst to inform you, in answer to your letter of the 28th ultimo, that you shall be furnished with copies of all the printed papers relating to the commission to which you belonged; and that his Lordship will direct me to lay upon the table of the House of Commons, at the commencement of the next Session, any additional Report which you may think it necessary to make; you will, however, take care in such Report not to enter into any fresh matter, but to confine yourself to the rectification of those errors which you say appear in the Report of Major Moody.

Your Report was submitted to Major Moody, with the view of ascertaining whether he concurred in it sufficiently to attach his signature thereto. He stated that he felt himself unable to concur in several of your statements and opinions, and you must be aware that there would be no termination to the controversy if each report were to be examined by the other party. Should your intended additional Report contain any observations to which Major Moody may claim a right to reply, he will be restricted (a) from any thing beyond explanation.

I remain, &c.  
(signed) *R. J. W. Horton.*

*Major Moody's Remarks.*

(a) As "fresh matter" has been introduced by Mr. Dougan, and ordered to be printed, Major Moody feels himself entitled to have inserted such correct statements and arguments, as will best serve to correct the misrepresentations of his late colleague, so that the real truth may be made manifest.

MY LORD,

Bath, 12th April 1826.

AS I am very ill, and my recovery very doubtful, I have committed to my dear wife the duty of finishing and presenting to Your Lordship after my decease, if I should not live to do so, the paper Your Lordship promised to lay before the House of Commons, in reply to Major Moody's Report. I leave with her the unfinished statement, notes and observations which I have been preparing for the purpose, till I was too ill and weak to proceed further, and of which I now solemnly protest the sincerity and truth.

I am, with the highest respect, &amp;c.

(signed) *John Dougan.*

## CAPTURED NEGROES AT TORTOLA.

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25, Hadlow-street, June 5th 1826.

Since the preceding letter, dated Bath 12th April 1826, I have continued very ill, and been confined to my bed and to my room.

On further consideration of the subject of the person with whom I should deposit and commit the future disposal of the papers alluded to in the foregoing letter, I have deemed it most advisable, for many considerations, to cancel the authority committed to my dear wife, as to those papers, and to transfer the whole and sole charge of them to my daughter, Mary Stephen Dougan, trusting to her well-known integrity, and the knowledge she has already experienced of the papers alluded to, by having been the person employed in transcribing copies of most of my manuscript notes.

Trusting that God may enable her faithfully to discharge this trust, I have this day committed the papers to her care and disposal.

(signed) *John Dougan.*

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London, 11th June 1827.

SIR,

HAVE the honour to transmit the First and Second Parts of Mr. *Dougan's* posthumous Documents against me, with some REMARKS thereon, explanatory of the real truth of the points at issue between us.

You are well aware, Sir, how much my time is occupied with public business of a different kind, and I trust therefore that you will pardon the very hasty manner in which I have been obliged to write my remarks in defence of myself.

As in the present, and other portions of Mr. *Dougan's* posthumous documents, much new matter is introduced to which no reference had been made in my reports, the explanations necessary to elucidate the real truth require, on my part, reference to documents, and the production of new evidence, to disprove the new assertions which my colleague has been pleased to make, or which at least now appear to be made under his name. This will occasion some little delay; but the moment I have time I shall easily correct the misrepresentations of the truth contained in these documents.

I have the honour to be, Sir,

Your most obedient humble servant,

*Thomas Moody.*

Right Hon<sup>ble</sup>

R. J. Wilmot Horton,

Under Sec<sup>y</sup> of State for

War and Colonies.

## II.

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STATEMENT of the Facts which obliged Mr. *Dougan*, in his own view of his duties as one of the Commissioners of Enquiry into the state and treatment of the Apprenticed *Africans*, to desist from further proceedings with Major *Moody*, under the Commission, and to return to England.

MR. DOUGAN, in defending or explaining his own conduct, has no desire to inculcate his brother Commissioner, who is a pretty near relation to him by marriage, and has claims on his gratitude as a friend. Major *Moody* being bound to act, not on Mr. *Dougan's* views of duty, but his own, is not necessarily in the wrong, supposing Mr. *Dougan* to have been in the right. Yet the differences between them were so great, and were such in their nature and practical tendency, as to make it impossible they should continue to act jointly, and without an umpire on the spot, compatibly at once with Mr. *Dougan's* sense of moral obligation, and with principles and views which Major *Moody* held himself bound to maintain. It became necessary therefore in Mr. *Dougan's* judgment, that one of them should cease to take part in the execution of the Commission, until it should be otherwise constituted, in order that the other might be at liberty to act alone; and as he could not impose the taking this course on his colleague, he determined to take it himself. Hence it becomes necessary to be his own apologist, but not to be, and he expressly disclaims intending to be, the accuser of Major *Moody*.

Several differences and oppositions of views had arisen between the Commissioners before their arrival at Tortola, but as means were found by mutual concessions and approximations, to prevent any discussion, or any practical inconveniences immediately resulting from these differences, they were not, with one exception, reported to Earl Bathurst, nor will Mr. *Dougan* enter into any explanation of them now, unless required by his Lordship to do so.

The exception alluded to, was the question (a) whether the original minutes of the proceedings of the Commissioners should

*Remarks by Major Moody.*

THIS statement of Mr. *Dougan* never was referred to, in any manner, in the reports of Major *Moody*, which contained his reasons for not signing the report of his colleague, when presented to him for that purpose.

This statement was not drawn up in the West Indies, nor was it ever submitted to Major *Moody* as containing a fair statement of the circumstances which induced Mr. *Dougan* to return to England, otherwise Major *Moody* would immediately have corrected the errors into which his colleague has fallen. Major *Moody's* knowledge of this document was obtained from the Edinburgh Review, No. 90: since which he has obtained permission to make his remarks more in detail than perhaps he otherwise would have desired.

(a) Mr. *Dougan's* memory seems, probably from the lapse of time, to have failed him  
in



*Mr. Dougan's Statement.*

should be preserved after their being transcribed by the secretary into the book kept for the purpose. Mr. Dougan held the affirmative, but Major Moody maintained, and persisted in maintaining, that they ought to be destroyed. It became necessary therefore that the question should be decided by his Lordship's authority.

"Mr. Dougan also proposed that the rough originals of all minutes, letters and Reports should also be preserved."

Major Moody could not then, nor can he now, comprehend the utility of such regulations being adopted. He objected to the proposal of Mr. Dougan, because Major Moody thought that after the fair minutes, letters, or reports had been agreed upon by the Commissioners, that the mere brouillon papers, or rough originals, were altogether useless. The respective opinions of each Commissioner in all discussions were preserved in the minutes, by each Commissioner's name preceding the opinion or argument used by him, and this was continued in all stages of the discussion, until the final resolution expressed the joint or final opinion of both. When such a joint opinion did not result from a discussion, the respective opinions or arguments of each Commissioner remained as distinctly recorded in the fair minute as in any brouillon, or "rough original." The same consideration applied to the outside directions of letters. All such superfluous papers became lumber in a well regulated public office in the opinion of Major Moody, and therefore he could not perceive any use in preserving them; and Lord Bathurst, seeing the matter in the same light, decided accordingly.

As it may naturally enough be supposed that a question like that ought to have been decided by the Commissioners themselves, and as their referring to their official supervisors in England may on the one hand seem to imply that a captious and contentious spirit was mutually indulged by them; and on the other hand, that no difference of views more weighty had then arisen between them, Mr. Dougan thinks it due to himself to state, that his insisiting on the preservation of the rough minutes was so far from proceeding from any discordant feelings on his part, that he was actuated in it by the directly opposite motive; viz. by a desire to enable himself with safety to his own principles and credit, and without prejudice to the general interest of the trust reposed in them, to recede from his own opinions and meet those of Major Moody, as far as such sacrifices to unanimity could justifiably be made; for the rough minutes were so formed, as to show, in case of need, in some degree, how far the concurrence of the Commissioners in the fair minutes or reports afterwards agreed upon arose from spontaneous unanimity; and how far it was the effect of alterations or qualifications of statement and language admitted on either side for the sake of harmony and peace. Mr. Dougan therefore felt that his conduct might be more conciliatory, because he might, in particular cases, more safely concede if they followed in that respect the course taken by the Commissioners

of

*Major Moody's Remarks.*

in stating the first question on which he and Major Moody did not altogether agree in opinion.

In the minute of the proceedings of the Commissioners, dated 1st May 1822, it is plainly stated in Mr. Dougan's own words thus:

"Mr. Dougan proposed that the outside directions of all letters on public business to the Commissioners, or either of them, should be preserved.

## CAPTURED NEGROES AT TORTOLA.

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*Mr. Dougan's Statement.*

of West India Accounts (b), which, as he understood, had been approved by His Majesty's government.

distinct, there was no analogy between them: and all that Mr. Dougan professed to have in view was actually accomplished by an easier and simpler mode of proceeding.

Major Moody, instead of the declaration imputed to him, actually recorded on the minutes as follows: "Major Moody never prescribes to himself any other mode of carrying into effect his public duty than what is becoming his character as an officer and a gentleman." After the discussion had finished, Mr. Dougan was told by Major Moody, at dinner, that he should feel it his duty to write a private letter to the Under-secretary of State, and which he did solely to this effect, That Mr. Dougan possessed many estimable qualities to redeem the apparently silly proposals which he had insisted on being transmitted for the decision of Earl Bathurst.

The intended delicacy in preventing Mr. Dougan's own silly conduct injuring him, may be understood by those who feel as Major Moody felt towards Mr. Dougan: he respected his virtues, but had only a very poor opinion of his judgment on some occasions.

The decision of Earl Bathurst, as may easily be conceived, was perfectly satisfactory to Major Moody's view of the case.

Major Moody had reasons, satisfactory no doubt to his own mind, for refusing to follow that precedent, but Mr. Dougan need not state what they were, as Major Moody declared at the time that he would state them in a separate letter to Earl Bathurst or Mr. Wilmot; and Mr. Dougan understood that he had accordingly done so, in opposition to the proposal of Mr. Dougan, that they should mutually concur in an amicable statement of the question, and leave it without a comment for his Lordship's consideration and direction.

As no other difference of views led to any joint communication to his Lordship or any open disunion between the Commissioners, Mr. Dougan will proceed at once to the case of Mr. Maclean's black apprentices at Tortola; the immediate cause of that measure on his part which he is bound to explain and defend.

Among the apprentices, respecting the state and treatment of whom they had to inquire in that island, were four women in the possession of Mr. H. C. Maclean, then comptroller of the customs; who though he claimed (c) and held them as apprentices, had no legal title to them by indenture; they had been indented about seven years and a half before, one of them to a Mr. Pennistown, and the three others to a Mr. Lettsom, the father-in-law of Mr. Maclean, for the purposes of domestic services; but no transfer of the indentures, which were all for the term of ten years, had been made to Mr. Maclean, except an imperfect one of the indenture for Betty, one of the said women.

his defence. Yet many persons, both white and black, besides Mr. Maclean, had employed Africans as apprentices without having a legal transfer of their services.

Those

*Major Moody's Remarks.*

(b) Major Moody has no knowledge how the Commissioners of West India Army Accounts transacted their business. The object of the two commissions being entirely

(c) The schedules will show, that, in Tortola, apprentices were employed by very many black and white persons, who had no legal transfer of their services. This was chiefly to avoid paying the expense of such transfer. The practice, however, though illegal, and prevalent, does not appear to have operated as a bar against the individual from producing witnesses to be examined in his defence, when charges or complaints are preferred against him. In Mr. Maclean's case this was the sole and only difference of opinion between Mr. Dougan and Major Moody at the time; and Mr. Maclean was the only man in Tortola to whom was refused the ordinary privilege of producing his own witnesses to be examined

*Mr. Dougan's Statement.**Major Moody's Remarks.*

Those cases where *black* masters were concerned never were even noticed. This remark is not intended to apologize for Mr. Maclean, but to show that in his case, as in the others, the irregularity was not deemed sufficient to justify the refusal to hear the witnesses which he wished to be examined in his defence, but which Mr. Dougan positively refused to allow: and it was in that respect that Major Moody differed from his colleague, inasmuch as Major Moody thought that the Commissioners ought to have examined those witnesses whom Mr. Maclean produced, or at least *some* of them; whereas Mr. Dougan refused to examine *any*, and proposed a plan which had that effect when acted upon, from the necessity, under which Major Moody was placed, to agree to it.

The plan (*d*) of proceedings adopted in all cases by the Commissioners was to call the master and apprentice both before them; to examine the former as to all the general subjects of inquiry that they deemed expedient, and among others the character of the apprentice, and then to ask the latter whether he or she had any thing to say or any observation to make.

paper presented to him, in an hour or two after receiving it, he determined to return to England. The paper itself is printed in pages 132 and 133 of the Tortola Schedules, and was on Mr. Dougan's return to England transmitted by Major Moody to Earl Bathurst, to show the only cause of Mr. Dougan's retirement which Major Moody could conceive; for it was utterly impossible to imagine the cause to be what Mr. Dougan is here attempting to prove, but which Major Moody denies.

It is necessary to understand that Earl Bathurst disapproved of the plan introduced by Mr. Dougan, and which was unfortunately consented to, for a time, by Major Moody. When Mr. Dougan, on his arrival in England for instructions, discovered that his plan was not approved, he then appears to have endeavoured to assign another cause for his voyage. But in any case, the voyage was unnecessary, as Earl Bathurst stated, so far as Government was concerned.

It is not for Major Moody here to show the necessity which Mr. Dougan was under personally to communicate with his party of friends in England, on the exposure of the system under which he had been acting.

The answers of both, as far as they were thought material, were taken down in writing, with such remarks as the Commissioners (*e*) thought proper to add; and the whole of the examinations were taken in the presence of the master as well as the apprentice, any private examination of the latter being supposed to be invidious in appearance, and likely to excite suspicions and complaints among the masters.

with the broken English used on the occasion. On such occasions he wished patiently to investigate the real meaning of the apprentice, and which sometimes turned out to be very different from that dictated to the secretary by Mr. Dougan, and consequently was generally altered by scoring out one sentence, and interlining the real meaning. This inconvenience was less felt, than the mode in which Mr. Dougan proceeded in putting his questions, when the apprentices of certain persons were to be examined. Major Moody's duty at that time was not only to attend to what was going on, but to draw up any remark which was to be recorded in the column for that purpose. These were not numerous, but that drawn up in the case of Mr. Maclean actually was done by Major Moody, and was altogether approved by Mr. Dougan, although it would appear that Mr. Dougan (from his present statement, and that in the Edinburgh Review), had prevailed on Major Moody to concur in it.

No special notice was sent to Mr. Maclean, but he took his turn with other persons, who had brought their apprentices to be examined, and as none could tell when they would be called in, it was impossible for him, or any one else, to be immediately ready with witnesses to repel allegations against them; and of which it was only fair to suppose them ignorant, until they were preferred.

Mr. Maclean therefore had no witnesses ready, and when he did offer to produce them, Mr. Dougan would not agree to their being examined; but at the same time, as Mr. Maclean professed ignorance how his apprentices were treated at the time they preferred

(*d*) Major Moody does not admit that this is a fair statement of the plan of proceeding adopted by Mr. Dougan in the examination of the apprentices.

It was on the 12th June 1822 that Major Moody, in a special memorandum or paper, pointed out the unfairness of the mode introduced by Mr. Dougan occasionally, and which produced such untoward results. As some particular cases of these results had just occurred at that time, Mr. Dougan could not deny them, and as he could not answer the

(*e*) Mr. Dougan omits here to mention, what he recorded on the minutes dated 6th November 1822, and which was quoted in Major Moody's first report, page 69, by which it appeared that it was Mr. Dougan, who "at first put the questions to the apprentices, and took down their answers, &c." in doing which Major Moody had often great difficulty in ascertaining the real meaning of the apprentices, although well acquainted

## CAPTURED NEGROES AT TORTOLA.

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*Mr. Dougan's Statement.**Major Moody's Remarks.*

preferred their charge, Major Moody did think it was a fair case for the collector's consideration, whether such a person was a proper master to be intrusted with apprentices, more especially where a punishment had been inflicted, which, although it might not have been severe, yet it might have been unjust. The causes assigned by Mr. Maclean for his ignorance, were unfortunately omitted by Mr. Dougan, in taking down the desultory conversation which took place at the time of examination.

It was however under all these considerations, that the minute, or remark, made in page 281, of the Tortola schedules, never was intended by Major Moody to exclude Mr. Maclean from producing witnesses afterwards to be examined for the further elucidation of the truth.

Mr. Maclean having notice to produce the said women, did so accordingly, and attended with them at a meeting of the Commissioners at Road Town, Tortola, on the 24th day of May last. A copy of the minutes of the examination that then took place accompanies this statement, and is marked N° 2.

It appeared that three of the women, Kitty, Betty and Amelia, had been apprenticed after their capture and condemnation, one on the 3d Dec. 1814, and the two others on the 23d Feb. 1815, to the said Mr. Lettsom, and had been so treated by him that they had run away from his service, and continued absent for a long time, until he had tacitly relinquished his claim to them in favour of his son-in-law, Mr. Maclean, six or eight months prior to the examination; and the latter had sent them from Tortola to a small island in its neighbourhood, called Quay Manors, on which he was clearing land to make a cotton estate; there the women had since been kept, together with the other female apprentice, Kilah by name, also indented for domestic service; and all four had been and still were employed as field negroes in clearing the land of the trees and brushwood with which, from having been many years out of culture, it was overgrown. Kilah and Kitty had each a child, the one nine months and the other eighteen months old.

Mr. Maclean gave, in the first instance, as will be seen from the minutes (f), pretty good characters of these women, stating of Kilah that she had behaved pretty well, and was industrious and sober, and that she stole nothing but victuals; an offence for which, if the complaints hereinafter mentioned deserve credit, there was probably too much temptation. To the other three women he gave equal praise, and without any serious exception. The women then being asked if they had any observations to make, Betty alone of the four answered, but in a manner strongly showing reluctance and timidity, that she had nothing

(f) Mr. Dougan means the Tortola schedules of examinations, which were printed, and laid before Parliament. The minutes taken afterward on the 27th May, 28th May, and 31st May 1822, on this matter, had no relation to Mr. Maclean's character of his apprentices. In pages 278, 279, 280, 281, of the Tortola schedules, the examinations of Kitty and Amelia, who complained, are given. In pages 218 and 306 of the same schedules, the examinations of Betty and Adeline are given. These two last apprentices of the same master do not appear to have preferred complaints. Betty was examined by both Commissioners, and Adeline by Major Moody, in the presence of the secretary, the collector, Mr. Bear, and the comptroller,

*Mr. Dougan's Statement.*

nothing to say. How far the punishment she was admitted to have received for what was called being impudent to her mistress might deter her from complaining like the rest, in the master's presence, of being worked in the field, must be left to conjecture. The other three women all complained of the being employed in field work, and two of them described it as being work of severe labour in its kind.

for a negro house," it is fair to say that this was denied by Mr. Maclean at the time. And by stating that the cotton land on which he admitted they had been partly employed, had been eight years only out of cultivation, he distinctly conveyed to the mind of any person practically acquainted with agriculture on such a soil as that on Quay Manors, that the assertion could not be correct, from physical causes. Of this fact Major Moody personally satisfied himself, whilst Mr. Dougan retains the assertion, and appears to believe it, although the proof to the contrary was before his eyes.

They complained also of being very ill fed, stating that their allowance was of corn meal (the cheapest and coarsest of the farinaceous food allowed to slaves in our West India islands), and of this an insufficient quantity. As to animal food, Kitty stated, that in the then week they had received two mackarel (meaning salted mackarel), but never had any fish (*g*) or meat before; and she accounted for the change by saying, that it was in consequence of hearing that they were going away; meaning that they were to be sent to Tortola to be examined by the Commissioners.

appear from the schedules that Kitty received no *kind of fish*. Both Major Moody and Mr. Dougan have given instances of the abundance and cheapness of fresh fish in Tortola, but which, though excellent, is less prized than salted mackarel. In page 119 of Major Moody's second report, it will be seen that the flesh of turtle and *salt fish* sold at the same price per pound in the Tortola market, and that fresh fish sold for only 1  $\frac{1}{2}$  *d.* in town, and was "much cheaper" in the country; and it was from such places as Quay Manors that the town was occasionally supplied with so cheap an article. The obvious meaning of the apprentice Kitty, at the time, was to complain that she had not received *salted mackerel* previously; and by putting "fish" a general term, instead of a particular species, Mr. Dougan gave that turn to the evidence which unfortunately he was too apt to do on similar occasions, during the time he dictated the evidence to the secretary.

It is true the people might not have had much *salt mackerel* allowed to them, but they had abundance of *fresh fish*. Indeed, if the evidence of Kitty and Amelia, as dictated by Mr. Dougan, were to be believed, as to the mode in which they were fed, they ought to have appeared as in a starving condition; yet this very Kitty, in page 279, is reported by Mr. Dougan himself to be in "good health," which certainly was calculated to excite a suspicion that there was at least some exaggeration in the complaints made, in the mind of an unprejudiced commissioner.

The other woman, Amelia, stated that half a hatfull of corn-meal, and a piece of mackarel, was her whole week's allowance. They both added that they had no time allowed to work for themselves except on the Sundays; they could not therefore, by cultivating any ground for themselves, materially supply any deficiency of the master's allowance. In  
respect

*Major Moody's Remarks.*

comptroller, Mr. Snow. How Mr. Dougan can say that Betty alone of the four apprentices said, "in a manner strongly showing reluctance and timidity that she had nothing to say," is incomprehensible to Major Moody. Mr. Dougan was in England when Adeline was examined, and Major Moody was present on both occasions, and confidently denies the correctness of the assertion as to Adeline and Betty having *shown* reluctance in their manner of giving their evidence.

As to the complaints of those who said they had been employed in cutting down trees—"big tree, high enough to make post

(*g*) It is perfectly true that Kitty, in page 278, after saying that on one occasion she had received two mackerel (meaning salted or pickled fish imported from other countries), also said that she "never got any meat or *fish* before." An ambiguity arises here from the use of the term *fish*, by which it would

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*Mr. Dougan's Statement.*

respect of clothing they stated, and to the entire conviction of the Commissioners, a case in which disingenuous and fraudulent artifice was added to an oppressive parsimony.

Both Kitty and Amelia appeared before the Commissioners very well dressed, and in a style beyond their condition; they both wore a white thin striped muslin lady's dress, with sleeves so long as to be tied up with ribands over the arms, and which it would have been preposterous for a field negro to wear. It must have been intended to raise the idea of their being much favoured domestic servants, instead of the field drudges they were found to have been ever since they came into Mr. Maclean's possession; but both the women discovered that these clothes had been provided for them the same day of their appearance before the Commissioners; and both declared that the only allowance of clothing they had was four yards of brown (*h*), *i. e.* brown Holland or Osnaburghs at Christmas, a degree of parsimony equalling or exceeding that with which slaves are treated by penurious masters. Amelia having mentioned that she then had on, as under clothes, her own dress which she wore the day before, being the only clothes she had, the Commissioners thought it right to make her confirm this by lifting up her fine outer garment, and found accordingly a filthy and ragged petticoat below; a shocking though ludicrous contrast with the finery that covered it. This incident was not noticed in the minutes; Mr. Dougan did not think it necessary to load the case with all the discredit that belonged to it; concluding that enough was established without it for every desirable practical purpose. But he is ready to confirm, by his oath if desired, this and every other part of the present statement, that the minutes do not embrace. Kitty also, it will be seen, complained of having been beaten and whipt with severity, in the same way in which slaves are commonly punished; and this not only by the master, but by a driver under whom she had been worked; and the marks on her body confirmed the charge beyond the reach of dispute. Mr. Maclean was heard (*i*) in answer to these complaints of his apprentices; and the minutes will show to what extent only he attempted to repel them. It should be observed, that what he said in explanation or reply is entered in the same column with the character given by him of these apprentices in his original

*Major Moody's Remarks.*

(*h*) Mr. Dougan might have found in the very examination which he himself dictated, that at first Kitty said she "never received any clothes, except what were given her this morning, and she now has on;" and as to the four yards of brown, she maintained that she "never had four yards of brown from one Christmas to another." After the examination was nearly over, Mr. Maclean recollected a circumstance connected with the issuing of the brown linen, and from it he was enabled to cross question the witness, so that at last she admitted she did receive it last Christmas; and which Mr. Dougan was reluctantly obliged to dictate, *omitting* all the circumstances by which the confession was obtained. *Vide* Tortola Schedules, p. 278, in the last line.

Much stress is laid by Mr. Dougan on the gaudy manner in which they were dressed when examined, and the exhibition they were required to make to display their under garments. What Mr. Dougan may have done Major Moody cannot say, further than nothing of the kind was done in his presence, and that the apprentices did not appear to him to be dressed in the exaggerated manner described by Mr. Dougan, who, as well as Major Moody, might have seen common field negroes as gaudily dressed on any Sunday or festival among themselves.

Mr. Dougan's declaration that he did not wish to load the case with more discredit than belonged to it cannot be credited by Major Moody, who was a daily witness of Mr. Dougan's anxiety to load any case, where certain white persons were concerned, with such criminatory matter as he could produce by his mode of examination. When Major Moody brought this part of the conduct of Mr. Dougan under consideration, Mr. Dougan could not deny it, and never attempted even to reply to it. It was the same when Mr. President Porter objected to certain modes of proceeding, and required that his objections should be recorded on the minutes. Mr. Dougan then proposed that all proceedings or memoranda relative to the complaints of Mary should be withdrawn, to which Major Moody agreed. *Vide* Schedules, p. 161.

The death of Mr. Dougan prevents Major Moody from saying any thing on the proposal to confirm the truth of these statements by an oath.

(*i*) This declaration of Mr. Dougan is incomprehensible to Major Moody. The minutes

*Mr. Dougan's Statement.*

original statements, immediately after those statements, and without any express determination between them.

by an examination of them. And it is equally true that Mr. Dougan refused to examine them, and that Major Moody failed in obtaining a hearing of such witnesses as Mr. Maclean might produce, or the Commissioners farther deem proper to be examined on the business, and therefore that matters remained exactly as Mr. Dougan wished, so far as a reference to the collector was concerned.

Mr. Maclean afterwards offered to Earl Bathurst that he would immediately give up the apprentices if his conduct should appear to have been such as it had been represented by two out of his four apprentices; because it was on this condition that other commissioners were directed to examine them. The final result was, that after an examination the apprentices were left with Mr. Maclean; but whether that was a proper decision or not it is not for Major Moody to say: he merely has to state that Mr. Maclean was not allowed by Mr. Dougan to produce witnesses to be examined in his defence, after Mr. Maclean having stated in the first examination, that he was then unable to repel the charges made against him, because he had no reason to believe that any would be made, and circumstances had prevented his residing where the apprentices, except Adeline, were employed.

That Mr. Maclean did not rest his defence on his own testimony on the 24th May is manifest, merely from his application to have other persons examined. It is true these evidences may have produced no effect, but still both the spirit and the forms of justice required that they should have been heard. Major Moody is not prepared to say whether he would have acted as his successors did, but he certainly recommended an examination of some kind, and which Lord Bathurst subsequently ordered to be taken.

This was a clerical inaccuracy, to which the want of any other space in the blanks prepared for the purpose of the examination led; but the words, "*further remarks and statements by Mr. Maclean,*" and "*Mr. Maclean states further,*" mark the commencement of what he said after hearing the complaints; and it is a distinction important to be kept in view for a right appreciation of his defence, as afterwards brought forward.

It will be observed that the master expressly, or by plain implication, admitted almost every subject of complaint; he expressly admitted the improper employment of these four women in field work, the ordinary occupation of slaves, although he had no pretence of title to their service, except their having been indented to other persons, and for terms not yet expired, as domestic servants. Instead of performing the duties of the masters whose rights he assumed, by teaching them the business of female domestics, he admitted having worked them for six or eight months together, the whole term of his possession, in clearing land for planting, and bringing lumber to build his house.

He merely said in respect of Amelia, that he had not worked her beyond her strength. Clearing land is in general the most laborious and unhealthy work in which male slaves are employed; and though pains were taken to extenuate the case in Quay Manors, because the land had

*Major Moody's Remarks.*

minutes subsequent to the examination of the apprentices on 24th May, all prove that Mr. Maclean was constantly entreating the Commissioners to hear his evidences

*Mr. Dougan's Statement.**Major Moody's Remarks.*

had been cleared of its largest timber before, when it had been planted with cotton eight years ago, the work must still have been more than other labours of the field unfit for domestic female servants. It is not denied that they worked with the bill (*k*), the instrument usually employed by male slaves in cutting down large trees: as to the duty of instructing them in the domestic functions, to learn which they were apprenticed, Mr. Maclean appeared to think the neglect of it required no apology. "He was not aware," he said, "of any knowledge that Betty and Amelia had of business as a domestic, as he had them so lately," &c. After profiting by their labour for six or eight months, he had yet to learn whether they knew any thing of the business which it was his duty to teach.

In respect of the allowance of food, Mr. Maclean expressly admitted it had been corn meal, without any meat, and fish only occasionally; he did not attempt to contradict them as to the quantity of corn meal, which he professed he could not ascertain (*l*). He admitted the allowance of clothing to be as stated, viz. only four yards of Osnaburgh at Christmas; nor did he attempt to deny the fact of the women being dressed up with clothes given them for the day, an artifice of which he could not possibly have been unconscious.

allowed, for he did afterwards ascertain it, and offered to prove it by witnesses, whom Mr. Dougan refused to examine. This remark extends to the other parts of Mr. Maclean's evidence.

To the charge of their having no time but Sunday to work their own grounds, he answered only, that he could not then ascertain whether another day was allowed; a statement which, like his ignorance of the stated allowance of food, would imply that he had been, during eight months, regardless of the most material branches of economies on his own small estate.

The whipping was admitted; indeed the marks shown by the woman had made denial impossible; she, notwithstanding the high character he had given her, stated she had been recently whipped by the driver for picking pigeon peas out of her master's ground, a fact which sufficiently indicated her want of food; and Mr. Maclean could find no better way to excuse the whipping of this poor woman, of whom he had said half an hour before that her character was very good, and that she was industrious and sober, than by alleging she had eaten  
part

(*k*) Although Mr. Dougan's mercantile pursuits may apologize for his want of knowledge of a nature purely mechanical, yet the assertion here made for the purpose of drawing an inference from it, is so manifestly founded on an ignorance little anxious to know the truth, that Major Moody cannot help asserting, in opposition to Mr. Dougan, that in the West Indies men do not cut down "a large tree with a bill," if an *axe* can be procured. The bill is used to cut canes, a spungy reed, to trim cotton bushes, an annual plant in Tortola, rarely exceeding the size of an ordinary gooseberry bush, and in similar kinds of work. It is such traits that show the *animus*, in which Mr. Dougan has been conducted to write.

(*l*) Mr. Maclean's words in the schedule, page 278, are only, "he could not tell the quantity of corn meal allowed;" meaning, as his whole evidence showed, he could not tell, *at the moment*, from his not personally residing with his apprentices, at Quay Mansions. But this ignorance, though undoubtedly culpable, did not mean that Mr. Maclean could not "ascertain" the quantity



*Mr. Dougan's Statement.**Major Moody's Remarks.*

part of a dead sheep, and thought he had some undefined causes of suspicion of her having killed it. As he said several sheep had died, it is not easy to guess on what such a suspicion could rest; but at all events, the act, like stealing the pigeon peas, would have indicated a want of food, the small island, a quay, furnishing no means of selling what was stolen, as Mr. Maclean and his slaves were the only (*m*) inhabitants.

very possible for his property to be stolen by his servants, and sold to the trading huxters or neighbouring shops, where it is on evidence in the schedules that stolen goods and poultry were taken for sale. Nor is it correct to say there was no other persons living on the island but Mr. Maclean and his slaves; for there were other families, both white and free coloured, besides the slaves of other persons.

In 1815, it was computed that only about seven thousand pounds of fresh fish were caught at Quay Manors; but in 1823, Major Moody ascertained that upwards of double that quantity was annually caught. Therefore, although the allowance of fresh meat or salted mackarel was certainly very scanty, yet there was the greatest abundance of fresh fish for all classes of the inhabitants.

In addition to all the ill treatment thus admitted or undenied by the master, it was an acknowledged fact, that neither of the four women had ever been baptized except Kilah, who had received baptism while in the possession of Mr. Pennistown. It was not, nor has it since been pretended, that the most important duties of a Christian master have been in any degree fulfilled by Mr. Maclean (*n*) or his father-in-law. It may therefore be safely inferred, that after having been above seven years in the service of this family, under the indentures of which Mr. Maclean claims the benefit, these poor women are still in a state of African barbarism and ignorance; while to prevent their desertion, he has placed, and means to retain them in an island destitute of all public means of Christian instruction and worship.

himself, when speaking of Kitty, who had complained, says, that she, the deponent, "has several times seen Kitty at chapel, as well dressed as any girl there; from deponent's living at Beef Island, she would have known if Kitty was ever badly or cruelly treated, which never has been the case." These statements would at least seem to show that the apprentices went to chapel occasionally, and that they had been sent to be baptized; and so far as Mr. Maclean is concerned, it would appear, that however imperfectly he may have performed the duty of instructing his apprentices in Christianity, he was not altogether so culpable as Mr. Dougan asserts.

Upon such a case, in so great a degree incontestable and undisputed (*o*), Mr. Dougan at first hoped that his colleague would be willing to act with him to the extent at least of delivering the apprentices from the oppression under which they laboured; to this end no strong measure seemed to be immediately necessary, as Mr. Maclean had no legal title to the indentures, and it is understood that they cannot be assigned without

(*m*) As Mr. Maclean himself did not then live on Quay Manors Island, it surely was

(*n*) From a circumstance which will be explained on another occasion the following certificate was entered and recorded on the Minutes of the Commission, and was perused by Mr. Dougan. It was dated 13th December 1822.

"I do hereby certify that Mr. Maclean sent four of his apprentices to me on the 9th of June last for the purpose of being baptized.

"(signed) *Thomas Truscott.*  
"Wesleyan Missionary."

Rose Grimes, a free woman, and a leader among the Wesleyan methodists, in her affidavit annexed hereto by Mr. Dougan

(*o*) On what grounds Mr. Dougan can assert that his statement was "in so great a degree incontestable and undisputed," Major Moody cannot comprehend. Mr. Maclean offered to produce witnesses to disprove the accusations; how far he may have succeeded is a different question; but there is no doubt whatever but that he considered them contestable, and liable to be disputed. Indeed Mr. Maclean always declared his readiness to give up the services of the apprentices, and all that he required was an opportunity to prove

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without the concurrence of the collectors of the customs, it seemed sufficient, in the first instance, at least to call the collector's attention officially to the facts thus established, and submit to his consideration whether any transfer of these apprentices to Mr. Maclean ought to be allowed. This had been done in a previous case of Amanda, a female African, under similar circumstances; and the collector had exercised his authority of taking the apprentice away from Mr. White, the person complained against, and placing Amanda as an apprentice with another person. Mr. Dougan therefore drew up (p) and obtained Major Moody's concurrence in the minute at the foot of the paper already referred to (No. 2), referring to the particular consideration of the collector the case of the Africans Kitty and Amelia, and submitting to him whether it was not such as to preclude Mr. Maclean from receiving a transfer of the indentures.

place from that where his apprentices resided, it seemed fair to submit the case for the collector, on the evidence produced, to prevent any indenture being given, until at least the charges alleged were satisfactorily disproved. In the case of Amanda, the collector immediately acted on the suggestion of the Commissioners, as no future inquiry was necessary; but in the cases of Kitty and Amelia, the collector, who was present and heard all the evidence (much of which favourable to Mr. Maclean is not recorded), did not act on the suggestion of the Commissioners on his own responsibility until he had inquired farther into the case. At that time the Commissioners, not having the power of magistrates, did not think themselves empowered to remove an African serving any master or mistress, and hence they applied to the collector, who in this case acted, as if he thought justice had not been done to Mr. Maclean.

It ought perhaps to be here noticed, that the collector had attended all the examinations; nevertheless such an official communication was deemed to be proper, it being understood that Mr. Maclean was desirous of obtaining from him assignments of the apprentices.

The next (q) proceeding was on the part of Mr. Maclean, and will be best related by referring to a letter he addressed to the Commissioners, dated the 28th May, a copy whereof, marked No. 3, accompanies the present statement, and to the affidavits therein referred to, copies of which are also herewith enclosed, marked No. 4.

which he said he was enabled to produce to disprove the charges preferred against him on the 24th May. He added also that the apprentices when confronted with other evidence, confessed they had told "lies," and that they wished to live in town, which made them do so. On farther conversation the Commissioners discovered that Mr. Maclean had assumed to himself the power of punishing the two who had told lies on him, as he alleged, accompanied with a statement about magistrates not interfering, as the apprentice laws of England were not in force in Tortola; and that he did not punish them more than he would one of his own children for the same offence. To Major Moody it appeared desirable to have the truth upon all these points ascertained by an examination; but Mr. Dougan thought it would be better to obtain Mr. Maclean's statement in writing as to the punishment, with his signature thereto; and therefore, on the 27th May Mr. Dougan inserted on the minutes as follow:—

*Major Moody's Remarks.*

prove that he had been falsely accused; and that opportunity Mr. Dougan would not grant. When Mr. Dougan left Tortola, Major Moody, perhaps erroneously, considered himself bound by the minute of 31st of May 1822, and consequently could not recede from the resolution then come to by Mr. Dougan's refusing to accept of the amendment proposed by Major Moody, which simply consisted in proposing to appoint a day to hear Mr. Maclean's witnesses *in person*, instead of receiving illegal and *ex parte* affidavits, which Major Moody at the time stated did not afford fit evidence to found a satisfactory decision upon.

(p) As both the Commissioners agreed upon the minute referred to, it is of little consequence who drew it up; but the fact was, that it was Major Moody who drew it up, and submitted it for Mr. Dougan's approval; Mr. Dougan himself having been employed in taking down the evidence, and dictating it afterwards to the secretary to be inserted. This minute was drawn up on the same principle as that of Amanda, with this difference only, that Mr. Maclean living in a different

(q) As Mr. Dougan thinks Mr. Maclean could not have offered a greater insult to the Commission than what the letter of the 28th May contains, it is to be regretted, in fair dealing, that Mr. Dougan should have described that letter as the "*next* proceeding on the part of Mr. Maclean;" such not being the fact, as the minutes will prove. On the 27th May Mr. Maclean personally waited on the Commissioners at their office, to request them to appoint a day to hear the evidence

*Mr. Dougan's Statement.**Major Moody's Remarks.*

follow:—"The Commissioners requested Mr. Maclean to make his statement in writing as soon as he possibly could, and which he promised to do to-morrow;" to which Major Moody acceded.

Mr. Maclean's letter of the 28th May was not delivered to the Commissioners till the 29th May; and on the 31st of May the Commissioners discussed what mode of proceeding was to be adopted, and which ended in Mr. Dougan refusing to examine Mr. Maclean's evidences; and as Major Moody had only one voice, he was obliged to submit; nor was the subject ever afterwards directly or indirectly mentioned between Mr. Dougan and Major Moody, prior to Mr. Dougan's departure for England, in consequence of another difference of opinion between him and Major Moody on the 12th June, upon a subject altogether *different*, as will be shown hereafter.

Mr. Dougan, in noticing these papers, is placed in a dilemma of some embarrassment between the respect or tenderness due to the opinion of his late colleague on the one hand, and feelings which such papers naturally excite on the other.

To his own apprehension Mr. Maclean could not have offered a grosser insult to the Commissioners, and to the high authority from which their powers were derived, if he had studied to insult them both, than is contained in the following extracts of his letter, in which, after accusing the women of falsehood in their statements to the Commissioners, he avows having punished them for it. "*I had them whipped with tamarind switches. It is only necessity which obliges me to chastise them; to have omitted it in this instance would surely be doing them injustice.*" Mr. Dougan cannot sincerely impute to the writer a spirit of wanton contumacy, in needlessly declaring to the Commissioners that he had thus treated the hapless proteges of His Majesty's Government for answering their inquiries. His object, as will be seen, was to obtain a re-examination, and however reasonably he might rely on the influence of such punishment on the minds and tongues of the poor examinants (*r*), he no doubt foresaw that ocular evidence of its severity might, as in the former instance, remain, or that the sufferers might possibly be bold enough again to tell the truth, he therefore perhaps thought it best to anticipate the discovery by announcing what he had done.

(*r*) Mr. Dougan here asserts, that Mr. Maclean wished his apprentices, who had complained, to be re-examined, after he had punished them. This is another of those assertions incomprehensible to Major Moody, which is sometimes made by Mr. Dougan. Neither verbally, nor in his letter to Major Moody and Mr. Dougan, did Mr. Maclean ever ask to have the apprentices re-examined, but only that certain *other* persons should

be examined, and the letter incloses the affidavits of some of these other persons. Major Moody thought that the apprentices who had complained, ought to be present when the persons were examined, to repel the charges preferred against Mr. Maclean, because afterwards the Commissioners might obtain from them the names of persons who might be able to confirm their charges, or confute the evidence alleged by the persons to be produced by Mr. Maclean.

Although such were his views at the time, Major Moody does not mean to state, that the Commissioners who succeeded himself and Mr. Dougan, had acted erroneously in following a different course, because their examination was made long afterwards.

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To Mr. Dougan's feelings, and to his coolest and most deliberate judgment, this avowal would alone have sufficed to make it impossible for His Majesty's Commissioners to re-examine the case, with a view to the acquiescing in a transfer of these apprentices to such a master (s), if the testimony and explanations offered to them had been in other respects of the most credible and satisfactory kind. Whereas he humbly submitted to the judgment of Earl Bathurst, on the face of the affidavits themselves, that they were of a very different description, and worthy of no consideration whatever; he regarded taking such affidavits from the wife, father and mother-in-law of the party accused, all of them directly implicated in the imputed misconduct and oppression, and from persons under the influence and authority of Mr. Maclean himself, instead of bringing them forward in the first instance (t) for examination by the Commissioners, as a proceeding highly unfair as well as disrespectful, and such as was destructive of any credit, however slight, that their testimony might otherwise have claimed. He at the same time found their affidavits irreconcilable with the unpremeditated admissions of the master in his examination, and insufficient, even if admitted, for his defence, against the still uncontroverted facts of the case. It would, he conceives, appear like distrust of his Lordship's judgment, as well as a needless trespass on his time, to enter into an explanation of the documents themselves in support of these remarks.

On the 27th May, however, Mr. Maclean requested permission to produce his witnesses, and on the 31st of May it was determined not to grant his request.

Such remarks as these now noticed, are so very unreasonable that they appear to have been suggested by some person exercising an improper influence over Mr. Dougan in England at a time when his mind was strongly excited against those whom he considered as having acted improperly, for in Tortola Mr. Dougan never assigned such silly reasons for his conduct towards Mr. Maclean. Mr. Dougan has entirely misrepresented Major Moody's sentiments, in the following statement.

Widely different, as Mr. Dougan, with unfeigned sorrow, has further to state, were the sentiments of his colleague Major Moody; he resolved to overlook the contumacious conduct of Mr. Maclean, to suspend or retract the reference to the collector already mutually agreed upon, and to enter into a re-examination of the case as between the apprentices and the master.

The accompanying paper, No. 5 (u), will show to his Lordship the propositions that were thereupon made by Mr. Dougan to Major Moody for preventing a final difference between them and

*Major Moody's Remarks.*

(s) It is now impossible to say what the result would have been had Mr. Dougan consented to examine the witnesses produced by Mr. Maclean. It is true the successors of Mr. Dougan, and Major Moody, permitted Mr. Maclean to retain the services of the apprentices, after examining witnesses; but in some respects circumstances were not the same as they were when Major Moody wished to have certain persons examined, and therefore the result in May 1822, might have been different from what it was upwards of a year afterwards. Major Moody agreed that the *ex parte* affidavits were not the best evidence, and he has only referred to them on one occasion, because the deponent was a leader among the Wesleyan Methodists, and a pious free woman living by her talents as a midwife. Mr. Dougan would apparently wish it to be believed, that Major Moody attached importance to these documents, whereas the minutes of the 31st May show that Major Moody considered them as being "in an illegal form, so as not to be received as evidence;" and again, "that the affidavits being *ex parte* statements, have no other force than showing the *probability* of falsehood in the allegations," which the witnesses were to be produced to disprove.

(t) Mr. Dougan appears here to be rather unreasonable, in expecting Mr. Maclean to have brought forward his witnesses in the first instance, *i. e.* on the 24th May 1822.

For it must be obvious he could not tell what charges would be made against him till he heard them; and every one of his witnesses were living in the country, and on the small keys.

(u) Reference is here made to a document not annexed to this statement of Mr. Dougan. In the letter of Miss Mary Stephen Dougan, the papers referred to as being annexed to this statement, are only *three* in number. One is the original schedules of examinations,

*Mr. Dougan's Statement.*

and the answers of Major Moody. Mr. Dougan has much less fear that his Lordship will not think his conduct sufficiently moderate and conciliatory, than that it may be thought not so firm and so well calculated to sustain the authority and credit of the Commission, after the insult that had been offered to it, as upon Mr. Dougan's own view of the case it ought to have been; but he had private reasons of a painful kind, as well as public ones, in regard to the interesting objects of the Commission for shrinking from a breach with Major Moody, while any expedient, consistent with his clear sense of duty, could be found to avoid it; he therefore did not insist on any measure more opposite to Major Moody's views than an adherence to the reference of the collector previously agreed upon, and was willing even to add to it, a communication of that subsequent evidence, if it deserves the name, which had been so improperly taken; but he could not consent to the exposing the unfortunate objects of their trust, and of His Majesty's benevolent consideration, to the cruel dilemma of being obliged either to retract their complaints under the influence of terror, or undergoing again severe corporal punishment, and perhaps long protracted miseries, from the vengeance of a master from whom, without the concurrence (*v*) of his colleague, he had no power to deliver them.

collector, as at that time they had not the power of magistrates. The concurrence of Major Moody, therefore, was useless without the aid of the collector. Afterwards being empowered to act as magistrates, the Commissioners were able to do that which they thought at first they had not the power to enforce. Now the examination of the evidence offered by Mr. Maclean in his defence did not involve any one of the alternatives stated by Mr. Dougan, who altogether misrepresents the nature of the question at issue.

He also felt that in the extensive inquiries which remained to be prosecuted in Tortola and other islands, such a precedent would be fatal to every hope of fair or useful investigation, by making the apprentices afraid to complain, and the masters reckless of any means, however openly contumacious, by which their oppressions might be carried on, and the victims of their avarice retained.

Major Moody nevertheless perseveringly insisted in rejecting the very moderate measure of a reference to the collector, without a re-examination of the case (*w*); and Mr. Dougan in consequence, after a most painful struggle with conflicting feelings, finally concluded that it was his least objectionable course, and

*Major Moody's Remarks.*

tions, called by Miss M. S. Dougan original minutes of the commission, and it is numbered I. The copy of Mr. Maclean's letter is numbered II., and the collection of affidavits is numbered III.

The state of Mr. Dougan's health may satisfactorily account for the omission, which Major Moody will take care to supply on another occasion. It is not a little singular that the first proposal made in the minute of the 31st of May by Mr. Dougan himself, here omitted, distinctly alludes to the "application made to them" (the Commissioners) "on the 27th May, and their reply thereto." It was that minute of the 27th May which requested Mr. Maclean to send the letter of the 28th May to the Commissioners, on which occasion Mr. Dougan thinks so great an insult was offered to the Commissioners by Mr. Maclean's doing that in writing, which *they* had requested him to do.

Major Moody's yielding to the wish of Mr. Dougan to send every thing to the collector, and leave matters as they were on the 24th May, virtually required of the collector to make that investigation, which the Commissioners ought to have made; but as Mr. Dougan insisted upon this mode of proceeding, Major Moody was obliged to acquiesce in the plan, however contrary to his judgment, but having done so, he never introduced that subject again to Mr. Dougan in order to avoid the recurrence of disputes. So that Mr. Dougan's statements respecting Major Moody are unfounded.

(*v*) At the time neither Mr. Dougan nor Major Moody considered themselves as empowered to remove the apprentices from the master without the consent and aid of the

power of magistrates. The concurrence of Major Moody, therefore, was useless without the aid of the collector. Afterwards being empowered to act as magistrates, the Commissioners were able to do that which they thought at first they had not the power to enforce. Now the examination of the evidence offered by Mr. Maclean in his defence did not involve any one of the alternatives stated by Mr. Dougan, who altogether misrepresents the nature of the question at issue.

(*w*) Mr. Dougan's memory appears here to have failed him altogether in making this assertion; it is contrary to the facts of the case. The reference was made to the collector on the 24th of May, by a minute put on

*Mr. Dougan's Statement.*

and therefore his line of duty to retire. Major Moody, on hearing that such was his purpose, made through a third person some vague overtures towards reconciliation, but without intimating any disposition whatever to relax his resolution in the case of Mr. Maclean. He also sent a paper by the secretary, to be read to Mr. Dougan, but instructed the secretary neither to deliver the paper, nor give any copy of it; Mr. Dougan therefore refused to let it be read to him, reasonably conceiving that such a mode of proceeding could have no amicable object, and that it might be dangerous to allow a written document to be thus notified, without his having any means, by the possession of a copy, to ascertain its authenticity, if afterwards brought forwards against him.

and abrupt manner he did, upon the exposure of his mode of proceeding upon a question altogether different from that about Mr. Maclean. Major Moody did all he could to induce Mr. Dougan to remain in Tortola. Major Moody could never imagine that Mr. Dougan went to England on Mr. Maclean's business, for there was on the 12th June no question between Mr. Dougan and Major Moody at issue on that subject, Mr. Dougan having obtained his own way in that business. And it is to be observed that Mr. Dougan does not even say, that he ever, directly or indirectly, gave Major Moody to understand that such was the cause of his going to England. How then could Major Moody ever make any proposals to Mr. Dougan on that subject? Major Moody had not carried any resolution respecting Mr. Maclean, and therefore could not relax it. As an opinion, he thought Mr. Dougan's mode of proceeding was unjust, but he could not prevent it, and therefore was obliged to yield, so far back as the 31st May 1822.

As for Major Moody hearing of Mr. Dougan's purpose to go to England, it is necessary to say, that Mr. Dougan officially conveyed it to the secretary in a letter, dated 12th June 1822, a short time after the exposure of Mr. Dougan's mode of proceeding in exciting the apprentices on certain occasions. On that occasion the secretary wrote thus in reply to Mr. Dougan:—

“ Sir,

Tortola, 13th June 1822.

“ I have had the honour to receive your letter of yesterday, desiring me to make known to Major Moody, that you are under the necessity of declining to act any longer under His Majesty's gracious appointment of 6th November 1821, further than closing transactions up to the date of your letter, by a fair record on the minutes. And further adding that Major Moody will therefore act as sole Commissioner from yesterday.

“ I am desired by Major Moody to express his sincere regret at the resolution you have taken, and wishes you would still reconsider it.

“ I am also instructed by him to say, that he has informed the collector of the suspension of any farther examination of African apprentices for the present.

(signed) J. Barrow.

“ To John Dougan, Esquire.”

It is indeed true, as Mr. Dougan states, that Major Moody employed common friends to induce Mr. Dougan to alter his resolution; and only thinking of the mortification which Mr. Dougan must have suffered by the exposure which took place on the 12th June; and as president Porter's papers were not entered, Major Moody begged the secretary to ascertain what part of Major Moody's remarks of 12th June Mr. Dougan would wish altered, and if softenings of expression would be satisfactory. This last proposal, however, was not to be given in writing, unless Mr. Dougan would first point out to what part he objected, that no important principle might be sacrificed.

Mr. Dougan on this, as on the previous occasions, rejected all Major Moody's overtures, as he has himself stated, whilst he never made any himself in any manner whatsoever, either directly or indirectly, to Major Moody.

*Major Moody's Remarks.*

on the schedules, which minute was drawn up by Major Moody himself; and never afterwards was disturbed by him. Mr. Maclean requested on the 27th May to have certain persons examined in his favour. He was told by the Commissioners to write a letter, which he did, and it was received by the Commissioners on the 29th May. On the 31st May, Mr. Dougan made a proposal, the effect of which was to refuse Mr. Maclean's request to have his evidences examined by the Commissioners in any way; not “re-examined,” for they never had been examined. Major Moody failing in convincing Mr. Dougan of the unfairness of this mode of proceeding, was obliged to submit; so that, in point of fact, Mr. Dougan's proposal was carried as he intended. This is asserted so often by Major Moody that he has to apologize for it; but he wishes to show, that this case here brought forward was not, and could not be the reason for Mr. Dougan determining to go to England on the 12th June, in the sudden

*Mr. Dougan's Statement.**Major Moody's Remarks*

Perceiving that no adjustment of their differences was possible, without compromising his own principles and clear sense of duty, he persisted in his purpose, and accordingly took his passage in a ship then just sailing from St. Thomas's.

It may be thought perhaps that by this measure he needlessly put a stop to the proceedings under the commission; delay in which, after their initiation, is likely much to prejudice its ultimate effects.

If Major Moody in his absence had power to proceed alone, which he conceived to be the case, this consequence would not follow; and it was his opinion that Major Moody, in proceeding upon his own responsibility without a colleague, would be less likely to depart widely from those principles upon which, in Mr. Dougan's judgment, the truth ought to be discharged, than if that responsibility had still been shared by a colleague who could not control him, and who could make no progress jointly with him in the work, without giving in to all his views. But the strong case of Mr. Maclean made it quite impossible that they should longer proceed together, without consequences still worse than delay. Their disunion could no longer be concealed; and if, after such conduct as that of Mr. Maclean, no redress had been administered to the injured apprentices, not even so far as to prevent their oppressor from obtaining a legal transfer of their indentures, under the authority of the Crown, the commission, difficult enough of execution before, from local circumstances that need not be explained, must have fallen into total impotence and contempt; its further attempts at investigation would have been a mere mockery, cruel in their consequences to the unfortunate subjects of them, and fruitless of all the good effects that His Majesty's Government had in view. Mr. Dougan consequently thought, that had he continued in the West Indies, he must have remained in a state of inaction (*x*), because he could not conscientiously proceed to any further investigation, until some remedy should be provided for the irreconcilable differences in principle and practice between Major Moody and himself. The shortest way of obtaining such a remedy, if practicable, seemed to be that of his coming to England, to submit the case to Earl Bathurst, and await his Lordship's decision, which he hopes will not be adverse to him; but if it should, though the private consequences will

(*x*) As Mr. Dougan still did act, and did continue to examine masters and apprentices from the 31st May, when the final minute was made respecting Mr. Maclean's apprentices, up to the 12th June, *when the exposure was made, on a question altogether different*, it is impossible to conceive the reasons which prevented the continuance of Mr. Dougan's services, until at least a case similar to that of Mr. Maclean should occur. It is certain that between the 31st May and 12th June Mr. Dougan discovered no reason to prevent his acting with Major Moody, nor did he *then* discover it, *until an exposure* was

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*Mr. Dougan's Statement**Major Moody's Remarks.*

will be severe, he shall bow to it with the utmost deference and respect.

was made on another subject, when Mr. Dougan immediately determined on going to England, never breathing one word, or indicating in any manner, that his reasons were what he is now anxious should be believed. Major Moody is perfectly able to show why the friends of Mr. Dougan are now anxious to have it believed that it was the case of Mr. Maclean, and *not the exposure of his mode of proceeding in the examinations*, which induced Mr. Dougan to return personally to England for instructions. It is not undeserving of notice, also, that this subject relative to Mr. Maclean, which Major Moody had not noticed in his Reports, forms a prominent feature in the review of these Reports in the Edinburgh Review, the author of which could not have any information on the subject from the works then under examination; but the reviewer particularly referred to this present Report or Statement of Mr. Dougan, which never had been before the public, although it must have been submitted in manuscript to the Reviewer, previous to its being laid before Parliament.

The case stands thus. On the 24th of May 1822, some of the Africans with Mr. Maclean were examined, and then Mr. Maclean distinctly and repeatedly stated, that as his business confined him to town, and he returned to Beef Island at night, where his wife lived with her parents until his own house was finished, he had not an opportunity of knowing in detail how the African apprentices were attended to in Quay Manors Island, where a house was putting up on his little property, and which he only visited occasionally; that during these visits no complaints had been made to him, and therefore he had believed that no cause for complaint existed, which he trusted would account for his being unable to reply, *on the instant*, to the accusations preferred, as to want of food, &c.

Mr. M'Lean, however, might be altogether wrong in this statement, and Major Moody felt it was no apology for the treatment of the apprentices if their statement was true. He therefore proposed, and his colleague concurred in the following minute, recorded in page 28 in the Schedules for Tortola:—

“The Commissioners referred the case of the Africans to the particular consideration of the collector, and whether he deemed it such as to preclude Mr. Maclean from receiving a transfer of the indentures.”

Mr. Dougan and Major Moody at that time had not the magisterial powers of justices of the peace, which afterwards were conferred upon them, and therefore they referred the matter to the collector of the customs in the manner stated.

It was on the 27th of May 1822, or three days after the examination, that Mr. Maclean personally waited on the Commissioners, and verbally stated that he had inquired more fully respecting the treatment of the apprentices from those persons who were most with them, and he stated that the Africans had confessed that they had told falsehoods to the Commissioners for the purpose of getting away from Quay Manors. Mr. Maclean added also, that he had punished them for the false accusations which they had confessed to have preferred against him: and at that time he entered into details of various kinds, and among others, to justify the punishment he had inflicted, because the magistrates of Tortola refused to take cognizance of such complaints between masters and apprentices, from the apprentice laws of England not being in force in Tortola; and he farther maintained that the punishment inflicted was not greater than he would have given to one of his own children for telling a falsehood. This was not deemed by either of the Commissioners to be any justification, and Major Moody proposed to record all that had passed in a minute. Mr. Dougan considered it better in the first place to have an acknowledgment of the punishment inflicted in a letter from Mr. Maclean himself, and therefore, on the 27th May, Mr. Dougan proposed the following minute only should be made, *viz.* “Mr. Maclean called on the Commissioners relative to the complaints of some of his apprentices (or whom he claims as such) preferred against him, on Friday last, and requesting permission to offer proof in opposition to the statements made by them: and that in consequence of the lies which, he says, they admitted having told, he had whipped two of them with tamarind rods. The Commissioners requested Mr. Maclean to make his statement in writing as soon as he possibly could, which he promised to do to-morrow.” To this minute Major Moody acceded finally, and it accordingly stands on the minute for the day.

On the 29th of May 1822 it was recorded on the minutes merely as follows:—

“Received a letter from Mr. Maclean, dated 28th inst. enclosing six affidavits respecting his African apprentices examined on the 24th inst.”

On the 31st of May 1822, all discussion respecting Mr. Maclean's business was finally settled, for Mr. Dougan founded on the letter a proposal which he forbore making on the 27th of May, when Mr. Maclean first made the communication verbally, and much more fully than it is done in the letter which is here given in Mr. Dougan's papers.

Mr. Dougan's proposal on the minutes of 31st May was this:

“Mr. Dougan proposed that the collector of the customs be furnished with copies of minutes taken by the Commissioners, in the inquiry made in the presence of



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of the collector, relative to the Africans produced by H. C. Maclean, esq. comptroller, on the 24th instant; as also the observations noted on such minutes, as addressed from them to the collector, on the subject of those Africans. He further proposed, that copy of a minute of an application made to them by Mr. Maclean on 27th May, and their reply thereto, be furnished the collector, with copy of a letter from Mr. Maclean to the Commissioners, dated 28th May, and certain original affidavits transmitted them therewith. That the secretary be directed to make and retain copies of such affidavits."

In the above proposal nothing was said by Mr. Dougan about Mr. Maclean's application to have certain witnesses examined in defence of himself against the accusations preferred, although such request is specifically mentioned in the minute of 27th May, referred to by Mr. Dougan. Major Moody therefore recorded on the same minutes as follows:—"Major Moody thought it would be more proper to answer Mr. Maclean's letter, acknowledging the receipt thereof, and the affidavits enclosed, which should be sent to the collector of the customs, and a day appointed to enable him to produce witnesses to repel the allegations made against him, when all the parties would be present."

Mr. Dougan adhering to his views, which refused to Mr. Maclean an opportunity to produce his witnesses to be examined, and Major Moody having only one voice, he was of course obliged to submit; and from that day Mr. Dougan and Major Moody never directly nor indirectly spoke on the matter, previous to Mr. Dougan's return to England.

The final result of Mr. Maclean's case was, that Earl Bathurst directed witnesses to be examined by Messrs. Bowles and Gannon, who succeeded Major Moody and Mr. Dougan; and Kitty and Amelia were left in the service of Mr. Maclean, and were not removed, as is asserted by the Edinburgh Review, No. 90, p. 385.

It appeared to Major Moody impossible that Mr. Dougan could have retired from the commission on a disputed point, wherein he had obtained all he wished, viz. a reference of the case to the collector, without any examination of the evidence produced by Mr. Maclean, by the Commissioners.

It was not till the 11th and 12th of June that an entirely new question arose between Mr. Dougan and Major Moody, from the mode of examination recommended by Mr. Dougan, and unfortunately agreed to by Major Moody. By this mode the apprentices were brought before the Commissioners in an excited state against their masters or mistresses.

On the 11th of June 1822, in taking the evidence of Mr. Michael Fraser, a free coloured man, a scene occurred, as stated in the schedules, page 131, which induced both Commissioners to agree in submitting "the insolent and insubordinate conduct of the apprentice Pitt in the presence of the Commissioners," as a fit case to bring before authority competent to try his conduct.

It was on an occasion solely connected with the mode of examining the apprentices that Major Moody submitted, for Mr. Dougan's consideration, the observations recorded in page 132 of the schedules. A similar occurrence had recently arisen from excitement, in the case of a female apprentice of the president of Tortola, on which occasion the president showed, what was obvious to every person, that Mr. Dougan's mode of proceeding was calculated more to excite the complaints of the servant against the master, than to discover the truth. But Major Moody preferred taking the case of Michael Fraser, a free coloured man, hoping thereby better to secure the attention of Mr. Dougan, from the interest he took in Mr. Fraser.

On finding the effect of this system visible to every one, and that the results thereof could not be denied, on the receipt of Major Moody's observations on the 12th of June, Mr. Dougan wrote the following letter, dated on the same 12th of June 1822, when all these defects of the mode of proceeding had been at the moment brought under his notice.

" Sir,

Tortola, Wednesday, 12th June 1822.

" I beg leave, through you, to make known to Major Moody, that I am under the necessity of declining to act any longer under His Majesty's gracious appointment of the 6th November 1821, further than closing transactions up to this day, by fair record on the minutes.

" Major Moody, therefore, will act as sole Commissioner from this day.

" I have the honour to be, &c.

(signed) John Dougan.

" James Barrow, Esq. Secretary to the Commission  
for Captured Africans."

Major Moody, on the 14th June 1822, wrote the following letter to Earl Bathurst:

" My Lord,

Tortola, 14th June 1822.

" It is with the most sincere regret I have the honour to enclose a copy of the resignation of Mr. Dougan, as Commissioner for inquiring into the state and condition of the liberated Africans in the West Indies.

" I have-

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" I have also the honour to enclose the copy of a paper\* (drawn up by me), on the mode which we were at the time (a few days ago), conducting the examinations relative to the objects of our inquiry; and therein I felt it my duty to suggest to Mr. Dougan the propriety of trying another mode of proceeding, to remove the evils which had arisen in our first attempt to exercise a duty so delicate as that of inquiring how the relative duties of master and servant had been performed in a colony where slavery exists sanctioned by law.

" A few hours after the delivery of the above for the perusal of Mr. Dougan, I received, as I have said, with sincere regret, the resignation already referred to, which deprives the Commission of the services of a gentleman, whose zeal, diligence, intelligence and humanity I have often had occasion to witness and admire, which made me the more regret the different views which we occasionally took, on important subjects connected with the due performance of the duties of the Commission.

" *Being ignorant of the reasons which have influenced his resignation, inasmuch as I am left to conjecture*, I still beg leave to express my hope that they will be such as will induce your Lordship not only to approve of them, but to find an occasion to employ his talents for the benefit of His Majesty's service, in some appointment where they will be useful to the country, and honourable to himself.

" If it be your Lordship's pleasure that the system of examination be followed which has been deemed dangerous by the president of the island and myself, perhaps on erroneous principles, I know no person better able to carry it into effect than Mr. Dougan, with as little danger as its defective principle will admit; in which case I would respectfully submit to your Lordship's consideration the propriety of my being relieved, or a third commissioner added.

" I shall, however, as soon as possible, give in more detail reasons in support of the opinion on the necessity of adopting some other system for the examination of the masters and African apprentices, than the one we have begun with, and which I propose to alter, so as to obtain all the objects for which the Commission appears to have been formed; and at the same time remove the objections against the mode of examination adopted in the first attempt.

" I have, &c. &c.

(signed) " Thomas Moody,

To the Right hon. Earl Bathurst, K. G.  
&c. &c. &c.

" Commissioner of Inquiry."

From some circumstances to which Major Moody will not refer, because he may have misunderstood the meaning of his colleague, he was left in doubt, when writing that letter, whether the crimination of the masters by the apprentices was not a point of importance to be established under any circumstances.

On Mr. Dougan's return to England, however, Earl Bathurst disapproved of exciting the apprentices by his mode of examination, the consequences of which had been brought under his Lordship's notice; and hence Mr. Dougan and his friends have now endeavoured to make the matter of Mr. Maclean (which had occurred previously, and wherein he had his own way in every respect) appear to be the cause of his return to England. Mr. Dougan returned to the West Indies, and feeling himself supported by his party, conducted himself in such a manner as induced Major Moody to resign.

The perusal of Major Moody's letter to Earl Bathurst will show in what tone of mind he wrote with respect to Mr. Dougan. Major Moody is, however, obliged to say, that after he had seen more of Mr. Dougan's mode of proceeding, he would not write the same letter again, although in other respects he had a very sincere respect for the benevolence and kind feelings of Mr. Dougan.

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\* This paper is printed in the Tortola Schedules, and was given in at the time, and on the occasion referred to.

## COPY OF THE ORIGINAL MINUTE OF THE COMMISSIONERS,

NAMES.		Males.	Females.	Cargo.	To whom apprenticed in the first instance.	Date of Indenture.	To whom apprenticed in the last instance.	Date of Transfer.	Indentures.		Baptized in the Church.			Baptized by Methodists.	
African.	English.								If perfect.	If not.	Adults.	Infants.	Attending Church.	Adults.	Attending M. Chapel.
Umorio -	Kelah -	-	1	Atrivedo -	William Pen-nistown.	22 Feb. 1815.	in possession of Mr. H. C. Maclean.	no transfer	1	-	-	1	-	-	-
Moquo -	Kitty -	-	1	d° -	Mr. Lettsom	22 Feb. 1815.	- d° -	no transfer	1	-	-	-	-	-	-

## CAPTURED NEGROES AT TORTOLA.

## - IN THE CASE OF MR. MACLEAN'S APPRENTICES.

Craft, Trade, and Employment.				How far the African has acquired a Knowledge of his Trade or Craft.	CHARACTER given by Master or Mistress.	PARTY'S own Account or that given by other Persons.	REMARKS.
Admitted into Society.	If so employed.	If not.	Increase.				
Domestic.	1	-	Frances, a female.	She can cook very well, and is a house servant.	Master says she has behaved pretty well since he had her; only steals victuals; and is industrious and sober.	Kelah objects to be employed in cotton piece work.	
Domestic.	1	-	Joseph, a boy.	She can sow and work, and is a good house servant.	<p>Master says her character has been very good; is industrious and sober.</p> <p>Further remarks on Kitty by her master. Within the last six or eight months she has been employed in cleaning overgrown cotton land, and assisting the labourers in bringing lumber to build his house. She is allowed to cultivate as much land as she pleases; but cannot at present ascertain whether she is allowed a day in the week to work her grounds; but has seen her ground with peas and potatoes in it. Cannot exactly tell the quantity of corn-meal allowed; no meat has been allowed; fish occasionally. Last Christmas she had four yards of Osnaburgh given her. That he has only had her about six or eight months, and has not had an opportunity of employing her in the house, which he has not yet quite finished; when he goes to reside there he has no doubt of being able to make her situation more comfortable. He was under the necessity of chastising her lately, on account of her eating sheep, which she had either killed or the sheep had died; several sheep had died which he had reason to suspect she had killed. The ground had been eight years out of cotton.</p>	<p>Kitty states, that she is employed in cutting bushes, or cleaning land; big, high bushes; big tree, high enough to make posts for a negro-house; and in cotton works. Does not get a hat full of corn-meal for a week; gets nothing else. She is employed the whole of the week, and has only Sunday to work for herself. Has ground as big as the house to work on, and plants potatoes and peas. That this week they received two mackarel, as they heard a wee (all of us) were going away, but never any fish or meat before. She never received any clothes, except what was given her this morning, and she now has on. Never got four yards of brown from one Christmas to another. Her master has licked her with a cow skin; the driver Emmy has licked her with tamarind whips, and she showed marks. Last Saturday driver whipped her for picking peas out of her master's ground. She did not wish to go back again. Party says she did receive four yards of brown last Christmas.</p>	Moquo or Kitty, Adaca or Amelia. The Commissioners referred the case of these Africans to the particular consideration of the collector, and whether he deemed it such as to preclude Mr. Maclean from receiving a transfer of the indentures.

## SLAVE TRADE: PAPERS RELATING TO

NAMES.		Males.	Females.	Cargo.	To whom apprenticed in the first instance.	Date of Indenture.	To whom apprenticed in the last instance.	Date of Transfer.	Indentures.		Baptized in the Church.			Baptized by Methodists.		
African.	English								If perfect.	If not.	Adults.	Infants.	Attending Church.	Adults.	Infants.	Attending M. Chapel.
Imbahon	Betty	-	1	candelain	John Lettsom	3 Dec. 1814.	in possession of Mr. Maclean. Transfer not perfect.	no transfer	1	-	-	-	-	-	-	-
Adaca	Amelia	-	1	Atrivedo	John Lettsom	23 Feb. 1815.	no transfer in possession of Mr. Maclean.	no transfer	1	-	-	-	-	-	-	-

## CAPTURED NEGROES AT TORTOLA.

Craft, Trade, and Employment.				How far the African has acquired a Knowledge of his Trade or Craft.	CHARACTER given by Master or Mistress.	PARTY'S own Account or that given by other Persons.	REMARKS.
Admitted into Society.	If so employed.	If not.	Increase.				
-	-	-	-	Mr. Maclean is not aware of any knowledge she has had of business as a domestic as he had her so lately, and had not a house to employ her in. She is at present employed in cleaning old cotton land, and planting it.	Betty works very hard to whatever she is put to; and behaves very well since he had her. She had run away from Mr. Lettsom for sixteen months, but never run away from him. So far as he knows is honest and sober; has been once or twice impudent to her mistress, and been corrected for it.	Betty—Party nothing say.	
-	-	-	-	Mr. Maclean makes the same remarks as the preceding as to employment, but she has been sickly.	Mr. Maclean states that Amelia is honest; had been a runaway for a very long while from her former master, but never quitted his employ; and now behaves pretty well. Mr. Maclean states further, that Amelia has been in such a sickly state that he never worked her beyond her strength; and that she has the same allowance as the African Betty, who never made any complaint. About six months ago, when she was caught, she had on good clothes; and on producing her to Mr. Clement, in her way to the custom-house, she took off her clothes and hid them, and told Mr. Clement that her master never gave her any clothes; her clothes were searched for, and produced to Mr. Clement. That when he does get into the house he will then be enabled to make her more comfortable.	Amelia.—Does not wish to go back, because she is living very bad, worked hard, too much working in cotton pieces, in cutting bush with bills, big bushes, thick as her arm. She has not a rag at home; what she now has on is all that she has; it was given to her to day, and she never had it before; what she had on yesterday she now has on as under clothes. She gets corn-meal once a week, a hat would be half full for a whole week. On being asked if she got peas or potatoes, says potatoes were there, but not dug for all wee. She has a little piece of ground, but not time to work it: has not got Saturday.	

No. 2.—(in *Miss Dougan's Letter, No. 2.*)

The Commissioners Inquiring into the State of Captured Africans,  
&c. &c. &c.

Tortola, 28th May 1822.

GENTLEMEN,

ON Friday last, the 24th instant, you examined the following African apprentices indented to me: Kilah, with her female child; Kitty, and her male child; Betty and Amelia. Kilah stated to you she did not wish to remain with me on account of her being *kept on an island distant from the town*, and having been made lately to work in the cotton plantation. While I resided in town she was my cook, and so soon as I inhabit my house, which is just finished, at the island of Quay Manors, I intend her to resume that situation; and it is only owing to my not living there, she, as well some of the other apprentices, have been put with my negroes to clear old cotton land, which is but slight employment. Kitty stated to you that she was starved; that she did not get a hat full of corn-meal for the whole week, and no peas, potatoes or other food, and except for a day or two previous to coming to town she never had any fish given her; that she was badly clothed, her mistress having only given her the clothes she had on for the purpose of coming to town; that she was worked very hard, and was made to clear land on which were large trees or bush, sufficient for negro house posts, which she had to cut down with a bill; that she been severely beaten for nothing, and complained generally of hard treatment and cruel usage. Betty made no complaints: I had reason to suppose if any were made, they would have come from her; for previous to my obtaining her, she had been run away from Mr. Lettson sixteen months, and I was under the necessity of ordering her to be kept strict, and not permitted to leave the island, to prevent her absenting herself and being secreted by persons who would keep her in vice and idleness. Amelia had also been run away for a long time, and when discovered, by my directions, was in a very sickly state. Having, as she says, acquainted herself with Kitty's examination by you, and supposing it would be the means of Kitty's being taken from me, she was induced, for the like purpose, to make similar complaints, and also stated that she had been obliged to cut down trees or bush as large as her arm, and that she had no clothes except those on her.

It is almost a year since I have had my negroes working in the island of Quay Manors, having no house there, and business preventing my going but seldom; and not having interfered in the victualling or clothing of my female African apprentices, which Mrs. Maclean attended to, and in her absence Mrs. Lettson, who resides at Beef Island, in the vicinity of Quay Manors, I was quite unprepared to meet the different serious charges those two African apprentices alleged of their treatment. I was certain what they said could not be true; but being unable then positively to contradict them, I thought it best merely to mention what I really was acquainted with, and to make strict inquiry as to the mode they had been fed, clothed and worked, and to submit a statement thereof to you, which I now beg leave to do through the affidavits of Mrs. Maclean and Mrs. Lettson, who have supplied them with clothes and provisions, and by those of other persons, and also by affidavits of their fellow apprentices. When I went occasionally to Quay Manors, those Africans appeared to me to look well and to be *contented*: I knew they would rather be in town, or in the neighbourhood of the town, with persons who had formerly harboured them when runaway; but I had no idea that to effect their purpose of being taken away from me, they would have combined to tell so many infamous falsehoods; on the discovery of which, I had them whipped with tamarind switches: it is only necessity which obliges me to chastise them; to have omitted it in this instance would surely be doing them injustice. It appears they have been clothed and fed as well as, under the circumstances of my not residing on the spot with them, it was possible for them to be; but, as I informed you on Friday last, I make no doubt when I reside in my own house, I will have an opportunity of making them more comfortable, and of employing them in the capacities mentioned in their indentures.

## CAPTURED NEGROES AT TORTOLA.

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indentures. Enclosed are six affidavits, which I trust, Gentlemen, will erase from your minds any unfavourable opinion you may have formed of me from the statements made to you; and convinced that your mission to this country is to make an impartial inquiry into the treatment of the captured Africans,

I am, Gentlemen, your obedient humble servant,

(signed) *H. C. Maclean.*

No. 3.—(in *Miss Dougan's Letter, No. 3.*)

Tortola, 28th May 1822.

APPEARED John Lettsom, senior, who being duly sworn, deposeth, That he has for many years been well acquainted with the island of Quay Manors, and resided for some time in that part now possessed by Mr. Maclean; that he has been there since Mr. Maclean's negroes have been clearing out land, which, to deponent's knowledge, was formerly planted with cotton, but now grown up. Deponent verily believes and declares that he did not see any bush or copse-wood in the ground Mr. Maclean has been working, but what he could easily cut down with a pocket pruning-knife.

(signed) *John Lettsom.*

Sworn to before me this 28th May 1822.

(signed) *Charles Lloyd, Justice of the Peace.*

APPEARED Kirwan, an African apprentice, indented to John Lettsom, senior, esquire, who being informed of the nature of an oath, and appearing perfectly sensible thereof, declares, That he is personally acquainted with all Mr. Maclean's African apprentices, that they have always had plenty of good food, and that he has never known them to be badly or cruelly treated; that Mrs. Maclean has always kept Kitty and the other women in good clothes; that he knows them to have been run away, with the exception of Kilah, when Mr. Lettsom had them; but since Mr. Maclean has had them they have not run away, because they know he can catch them again.

(signed) *Kirwan,* his  
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mark.

Sworn before me this 28th May 1822, being first read, and particularly explained.

(signed) *Charles Lloyd, Justice of the Peace.*

APPEARED Adeline, an African apprentice, indentured to Mr. Maclean, who being informed of the nature of an oath, and appearing sensible thereof, declares, That she has been since after Christmas last in the possession of Mr. and Mrs. Maclean; that she has been mostly during that time at Quay Manors, where she never was made to work too hard, and always got enough victuals from her mistress; that she got flour and fish, corn-meal and potatoes; that every day she got butter, milk, and bonny clubber; that her fellow apprentices have been treated the same way as her; that her mistress had given one suit of clothes since she had her. Before Mr. Maclean had her she was run away for a long time from Mr. Lloyd, and was harboured at the President Hetherington's estate near town, by a slave woman called Bella Martanella.

(signed) *Adeline,* her  
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mark.

Sworn to before me this 28th May 1822, being first read, and particularly explained. And the said African apprentice further declared, that since she had lived with massa she had never been any good, because she was sick.

(signed) *Charles Lloyd, Justice of the Peace.*



## SLAVE TRADE: PAPERS RELATING TO

APPEARED Rose Grimes, free woman of colour, midwife, and for many years one of the leaders of the Methodist Society, who being duly sworn deposeseth, That she has known the African apprentices Adeline, Kitty, Amelia and Betty, since they were first brought from town by Mr. Lettsom; that Kitty has always been under the care of Mrs. Maclean, who taught her to sew and mark, and kept her in very good clothes; that she has several times seen Kitty at chapel as well dressed as any girl there. From deponent's living in Beef Island, she would have known if Kitty was ever badly or cruelly treated, which never has been the case. When Kitty lay in with her male child, the only one she has had, deponent attended her as midwife, for which she got paid by Mrs. Maclean, and that every care was taken of Kitty, and every thing that was necessary given to her. Deponent likewise attended Kilah when she lay in, and whom she was also paid for, and the like care was taken of her as Kitty. She has known Adeline, Amelia and Betty to be run away for a long time, and considered them as bad girls; that Kitty has also run away to town since, when she does not behave so well as formerly. When Kitty was first brought from a board of ship she was very sickly and scroffy; and Mrs. Maclean took as much care of her, and to make her good and healthy, as if she had been a white child.

Deponent hears Kitty has belied her mistress; says it must be to get to town to bad people.

(signed) *Rose Grimes.* her  
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mark.

Sworn to before me this 29th day of May 1822, being first read and explained.

(signed) *Charles Lloyd, Justice of the Peace.*

Tortola, 28th May 1822.

APPEARED Elizabeth Lettsom, who being duly sworn, deposeseth, That she is acquainted personally with all the African apprentices in the possession of Mr. Maclean; that the allowance given to each apprentice residing in the island of Quay Manors by Mrs. Maclean, is a pint measure heaped up of flour or corn, meal daily, and also a sufficient quantity of pickled fish is given to them when to be had, which, in the absence of Mr. Maclean, deponent shared out to them. Deponent has understood, and verily believes, that the apprentices do likewise receive a share of the ground provisions growing at Quay Manors, and that corned fish, sugar, and other articles have been occasionally sent to them; and deponent declares it as her opinion, that the African apprentices are as well fed as it is possible or necessary for them to be. That to deponent's knowledge, Mr. Maclean's apprentices have been well clothed, particularly the apprentice Kitty, who has been longest with Mr. Maclean, whom she has known to have had several suits of clothes at one time in her possession, and was permitted by her mistress to attend divine worship whenever she requested to go, and that she went as well clothed as any free or slave person going to chapel. Deponent has never known Mr. or Mrs. Maclean treat their Africans severely; has known Kitty to run away twice, since when she has not been so good a character, being always desirous of going to town: that the apprentices Adeline, Amelia and Betty were formerly apprenticed to Mr. Lettsom, and although every thing was done to make them good, they were constantly running away; and since Mr. Maclean has had them, they have been behaving better than she has known them since they have grown up. Deponent positively knows, that the apprentice Amelia had other good clothes besides those she wore in town on Friday last; the complaints that the apprentices made to the gentlemen of the Custom-house on Friday last having been recited to deponent, she declares the greater part to be false, for the purpose of being taken away from Mr. Maclean, and getting to some persons in town, who have been enticing them from their duty, both to God and their master and mistress.

(signed) *Elizabeth Lettsom.*

Sworn before me this 28th May 1822.

(signed) *Ch: Lloyd, Justice of the Peace.*

## CAPTURED NEGROES AT TORTOLA.

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Tortola, 28th May 1822.

APPEARED Frances Sullivan Maclean, who being duly sworn, deposes, That she, together with Mrs. Lettsom, has had the sole care of Mr. Maclean's female African apprentices; that the daily allowance given them at the Island of Quay Manors, is one heaped up pint of flour or corn-meal, with a sufficient quantity of either pickled, corn or fresh fish; and also their share of ground provisions, which have been applied to no other purpose than feeding them, and the other negroes at Quay Manors, and the masons and carpenters working there; that the apprentice Kitty has been for a long time under the particular care of deponent, to whom she has given sufficient clothes to appear decent, and to change them at least once a week: that deponent taught Kitty to work with her needle, and to mark clothes with silk; and also taught her prayers; that since she has grown up she has not behaved so well as formerly, and has twice run away to town; that since Kitty, and the other apprentices have been at Quay Manors, all the work they have done has been no more than keeping them from idleness; that deponent has permitted Kitty to go sometimes to town, where they have always been inclined to stay. When deponent wanted corn-meal or flour, fish, or other articles for them and the negroes, she applied to Mr. Maclean, who always got them if to be had. Mr. Maclean, considering them satisfied, never inquired from deponent how they were fed or clothed.

(signed) *F. S. Maclean.*

Sworn to before me this 28th day of May 1822.

(signed) *Ch<sup>s</sup> Lloyd, Justice of the Peace.*

### III.

THE delay of my Observations on Major Moody's Report, which, by Mr. W. Horton's Letter of November last, I was permitted to make, and which he promised your Lordship would direct him to lay on the Table of the House of Commons, demands some explanation.

*Major Moody's Remarks.*

THE duty that I had in this instance to discharge was unavoidably a tedious and laborious as well as a very painful one; for it involved the defence not only of my own conduct and character, but of views and principles important in the highest degree to the unfortunate subjects of the Commission, and indeed to the whole black (*a*) population of the colonies, against the voluminous, elaborate, and I am sorry to add, most unfair and insidious attacks of my late colleague; and in the performance of that task, it was necessary to follow him through numerous details, and to read and compare the various bulky documents to which we have both referred.

(*a*) From this and similar expressions in all Mr. Dougan's communications, it is obvious that he scarcely considered it as his duty to attend to those parts of his instructions, and the act for the abolition of the slave trade, which referred to the probable effect of the immediate and complete liberation of the African apprentices, at the termination of their indentures, upon the interests and prosperity of the other colonists, more particularly that class of colonists which might be ex-

posed "to danger or charge" from the measures contemplated by the introduction of this new class of labourers and colonists.

Major Moody, on the other hand, not being under the patronage of any party, considered himself as a Commissioner appointed by the Crown to investigate carefully and fully all the facts which might serve as a guide to the judgment of others in devising the best plans for promoting the welfare and prosperity of the *capitalists*, as well as the *labourers* in the West India colonies, whether *whites* or *blacks*. And although the capitalists were generally speaking of the white or English race of men, and the labourers of the black or African race of men, yet there was not one word in Earl Bathurst's instructions which directed or sanctioned the Commissioners to assume that the interests of the white or English race of men were of subordinate importance, in the opinion of His Majesty's Government, to the interests of the black or African race.

In the Tortola schedules, ordered to be printed by the House of Commons on the 16th March 1825, at page 133, it will be seen that Major Moody endeavoured to draw Mr. Dougan's attention to this part of their duty, without neglecting any other part. This took place on the 12th June 1822; but instead of meeting Major Moody's views, or endeavouring to point out wherein they were erroneous, Mr. Dougan, a few hours after the perusal of Major Moody's minute, retired from the duties of a Commissioner, that he might return to England to receive farther instructions how to proceed, as Major Moody was led to believe at the time, and he still is of the same opinion.

The first page in Major Moody's first Report, also distinctly refers to that part of the act for the abolition of the slave trade which confirms the correctness of the view he had taken of that portion of his duty.

It is true that Major Moody's view of his duty rendered the task to be performed more difficult. For some of the circumstances which he wished to be carefully investigated were of a nature chiefly *physical*, and others chiefly *moral*; and even of these two sets of causes, producing political consequences, some were only of a temporary nature, whilst others appeared to be more permanent, where the interests of the two races of men were concerned, when considered as capitalists and labourers.

These difficulties certainly were not diminished by Mr. Dougan steadily refusing to join Major Moody in the investigation of *all* these facts, which acted as causes, whilst Mr. Dougan privately adopted a plan of his own in getting secret evidence as to *some* of the facts, the object of which appears to have been to refer to the existence of prejudices, all those consequences which it was wished should have been jointly investigated fully and impartially. The mode of satisfying the doubts which may arise in

*Mr. Dougan.*

*Major Moody's Remarks.*

in the human mind on some subjects, in all ages of the world, has been by attributing opposite opinions to the prejudices of opponents. It is an easy mode of satisfying the mind when investigation and reasoning from facts are likely to be inconvenient to those whose numbers give them the power of enforcing their peculiar dogmas on others who differ from them in mere matters of opinion. Mr. Dougan, therefore, was patronized by the speculative theorists, who were numerous and powerful as a party in England, whilst those whose minds were sufficiently free from bias, or were locally acquainted with the operation of physical causes, have been pleased to approve of the mode in which Major Moody wished to perform his duty. Whilst by one powerful party he has been unjustly abused, he has reason to be perfectly satisfied with the manner in which his Reports have been received by competent and unbiassed judges, although they are without power or influence.

To these considerations it may be right, if necessary, to add, that neither my health nor my circumstances in life, are such as to allow my giving a close and uninterrupted application to those public and gratuitous labours; unlike my opponent, whose mental and bodily energies are yet in their prime, and whose easy, if not affluent circumstances place his time at his own disposal (such part of it as may be employed by the duties of his new situation in the Colonial Office excepted) (b), I have in the decline of life, and while the infirmities of age are advancing rapidly upon me, so to employ my remaining time and strength as may best enable me to provide by my personal exertions, if possible, for the wants of a numerous family. Yet, with all these disadvantages, the present task would have been accomplished weeks ago, if I had not during so long been obliged to suspend it by so severe an illness as rendered all attempts at application to business both dangerous and fruitless.

Mr. Dougan may have had in getting up his reports, it is not necessary for Major Moody to inquire, as it is sufficient for him to declare, that his reports have never been submitted to any party for their previous approval; and the time allowed him to draw up his reports, has been the scanty intervals of leisure withdrawn from rest. Whilst writing these lines it is doubtful when he shall be able to finish these remarks, merely from the want of leisure.

If the delay had been wilful it certainly could not have been objected to me by Major Moody, or in any comparison with him to his advantage, for my former Report was made on the 22d December 1823, and his very elaborate strictures upon it, in what is called his *Separate Report*, bears date the 2d March 1825. He took nearly fifteen months (c), therefore, to prepare that hostile paper, to which I now, five months after I first saw it, reply; for, as I learn from Mr. Wilmot Horton's letter, that my Report was put into the Major's hands, merely to learn whether he would concur in it, I presume this was done without delay, after his return to England, which was in the same month of December 1823. But even that gigantic birth

(b) Mr. Dougan, in his capacity as Secretary to the intended Tropical Free Labour Company, doubtless was much occupied in endeavouring to form it, and consequently he might have had little leisure. But it is not necessary to state here, that Major Moody's time was fully as much occupied with other duties, whilst his pecuniary resources rendered him as little able to purchase assistance as Mr. Dougan. The hurried and careless composition of Major Moody's Reports may prove what little time was allowed to him, whilst it would appear that even these communications of Mr. Dougan had been submitted to an Edinburgh Reviewer before they were laid before the House of Commons. What other help

(c) An attention to dates is often necessary to show carelessness in assertions, given with great solemnity as the words of truth. Mr. Dougan states he gave in his Report to Earl Bathurst on the 22d Dec. 1823, which is very probable; but at that time Major Moody was on his passage from America, and could not therefore possibly know any thing about Mr. Dougan's Report.

It was not till after Mr. Buxton's motion of the 13th April 1824 (Mr. Dougan's Report being then submitted for Major Moody's signature),

*Mr. Dougan.*

birth of fifteen months gestation is, in its parent's estimate, premature and imperfect, for a second and a third Report are, it seems to be added when he can find time enough to prepare them\*.

\* Printed Papers, vol. ii. p. 133.

tation of facts contained in Mr. Dougan's Report. To be perfectly accurate in the statement of these facts, Major Moody was obliged to refer to Tortola, which unavoidably caused delay, but which appears to be a less evil than the misrepresentation of truth. It is with great regret that Major Moody finds his correction of the misrepresentations of truth have given such deep offence to a powerful party in England; but he hopes for some indulgence when it is considered that it was his duty not to suppress any part of the truth, when acting as a commissioner appointed by his Sovereign. Major Moody, with a solemnity as sacred as that of Mr. Dougan, declares that he has uniformly adhered to the correct statement of the truth. Moreover, Major Moody has shown that his colleague, from some failing, has misrepresented it, and which Mr. Dougan has not even attempted to disprove in these communications. Mr. Dougan so far misapprehended the duty of a commissioner, as to consider himself as "an advocate" for one class of persons, instead of exercising the simple duty of ascertaining the real facts connected with the commission, whether physical or moral, which influenced the prosperity and welfare of all the other classes in the colonial communities. Major Moody, in faithfully discharging his public duty, was aware of the enmity and rancour with which he would be attacked by the party who patronized Mr. Dougan; but he did not expect from Mr. Dougan himself the exhibition of such feelings as these posthumous reports display; and Major Moody is inclined to attribute them to that state of mind which often accompanies bodily infirmities, and particularly when aided by the advice of friends piously believing in the same dogmas, whether of a religious or a political nature. Major Moody did expect that Mr. Dougan would have endeavoured at least to explain those assertions in his reports, whose truth had been disproved by Major Moody. But he did not expect that instead of this attempt, other assertions would have been made equally unfounded, and having no apparent object, but to impute unworthy motives for Major Moody's exposure of Mr. Dougan's misrepresentations of the truth.

*Major Moody's Remarks.*

signature), that Major Moody refused to sign it, but consented to give his reasons for such refusal in writing.

Some of Major Moody's reasons for refusing to sign or approve of Mr. Dougan's Report, were founded on the misrepresentation of facts contained in Mr. Dougan's Report.

It may be proper here to remind your Lordship, that this highly censorious commentary on my Report, and on my conduct, was not communicated to me before it was presented to and printed by the House of Commons, nor did I hear of and obtain a sight of it till October last, though printed, as I find, by order of the 16th March preceding. I have, therefore, notwithstanding the causes of unavoidable delay here assigned, annexed Major Moody's voluminous statements, charges and insinuations, in one third part of the time he took to compose them.

Before I proceed to defend my Report, and my conduct in the execution of the commission against the specific charges of my opponent, it is due to your Lordship and myself, and it is due also to the helpless Africans whose future destiny may greatly depend on the confidence given to our respective reports, to remove those grounds of prejudication by which he has artfully attempted to shake my credit, and to establish his own. He represents me, not in the manly way of direct assertion, but by broad insinuations reiterated in almost every page of his long report, as a man heated by religious enthusiasm, and intemperately hostile, not only to the abuses of colonial slavery, but to the necessary means of maintain-

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Mr. Dougan.

Major Moody's Remarks.

ing order and peace in those communities in which the institution exists. He insinuates broadly (*d*), that such was my known character prior to our mission, that I was intimately connected with the African Institution, and a zealot of the anti-slavery cause. If, my Lord, I had been a man of this description, it must have been pretty widely known, especially among the West India merchants and proprietors resident in this country, with many of whom I have for a great part of my life been extensively and intimately acquainted; and yet it must have been a secret to your Lordship, for otherwise I am sure you would not have deemed me an eligible person to be sent to the West Indies as a Commissioner on so delicate a service. I believe your Lordship does not find India gentlemen generally very backward in opposing, by their representations, your reposing confidence in matters connected with slavery in persons obnoxious to them on such accounts.

(*d*) Major Moody did not expect to be accused of not expressing himself with sufficient plainness wherein he differed from his colleague. If Major Moody has "*insinuated broadly*" those things of which Mr. Dougan accuses him, relative to Mr. Dougan's "known character *prior* to their mission," it must be found in some page of Major Moody's Reports, and yet Mr. Dougan does not give *any one reference whatever*. A denial of the allegation, therefore, would be sufficient, had not the circumstance, for other reasons, required further notice, in consequence of the personal attack here made on Major Moody by Mr. Dougan, who was the uncle of Major Moody's wife. In that relation Major Moody certainly knew Mr. Dougan "*prior* to their mission;" but as their respective occupations prevented their seeing much of each other, their occasional communications seldom or never turned on the subjects to which Mr. Dougan has alluded. Major Moody always respected Mr. Dougan as an intelligent, benevolent, charitable and pious man, so far as Major Moody knew.

Major Moody also knew that Mr. Dougan had been born in the West Indies, and had made a fortune there as a merchant and naval agent, but which he had afterwards lost by some imprudent speculations. That Mr. Dougan, when in the West Indies, had bought and sold negro slaves in a lawful manner, was also well known to Major Moody. Indeed Mr. Dougan and Mrs. Moody were co-proprietors of a small sugar estate in Demerary, left to them and others by the father of Mr. Dougan, who was also grandfather to Mrs. Moody. When that estate was sold, "*prior* to their mission," Mr. Dougan received his share of the purchase-money, like the other heirs, the last instalment being paid about the time when they left England. From these circumstances alone, it would have been absurd in Major Moody to have represented Mr. Dougan's character, "*prior* to their mission," as being that which Mr. Dougan himself is pleased to allege.

Farther, when Mr. Dougan failed in business, Major Moody, about the same time, was put on half-pay, whilst serving in the West Indies. Major Moody having a large family dependent on him, finding himself on half-pay, gladly accepted an offer from Mr. Katz to act as his attorney in Berbice, whilst the latter went to England on business, which would occupy him about a year. At the end of that time Mr. Katz accordingly returned, and relieved Major Moody from the trust confided to his care. At this time Mr. Dougan hearing that Major Moody was returning to England, but ignorant of the cause, requested Major Moody to recommend him (Mr. Dougan) to Mr. Katz as a fit person to manage his affairs on Major Moody giving them up.

It was therefore impossible for Major Moody to think of Mr. Dougan "*prior* to their mission" in the manner which Mr. Dougan himself is pleased to represent matters.

It was after their appointment as Commissioners that the first occurrence took place which showed that Mr. Dougan and Major Moody did not entertain the same opinions, as to the value of the free labour of negroes in the West Indies. It occurred in the Wesleyan Methodist Missionary House, in London, upon the occasion of Mr. Taylor, a most exemplary missionary, saying something about the indolent habits some time ago of certain emancipated negroes in Tortola, since often referred to as the Nottinghams. On that occasion Mr. Dougan, wishing to account for what had been stated, induced Major Moody to point out other circumstances which might also have had some influence. The discussion was not long, and was closed by an apology to the missionaries, arising from such a subject never having been before alluded to by Mr. Dougan and Major Moody in their intercourse with each other.

It would have been equally absurd for Major Moody to have reproached Mr. Dougan with being connected with the African Institution, since Major Moody himself occasionally corresponded with gentlemen who were active members thereof, and he certainly never considered his conduct as deserving reproach for such correspondence.

The question how far there was a bias on the mind of Mr. Dougan, *after he had been appointed a Commissioner*, is a different question, and Major Moody will fairly state his opinions on this point.

*Mr. Dougan.**Major Moody's Remarks.*

He certainly intended without any "insinuation" to represent Mr. Dougan as a person coming to important conclusions under the operation of a bias on his mind on the subject of the slavery of negroes. When Mr. Dougan may have adopted the dogmas which produced the "bias" Major Moody cannot tell, farther than he never observed them till after Mr. Dougan had been appointed Commissioner, on the recommendation of Mr. Wilberforce.

Major Moody also intended to represent Mr. Dougan as a pious man, but it does not follow that Mr. Dougan was a "zealot," because he believed slavery to be forbidden by the Almighty in his revealed will to man. Many entertain opinions adverse to slavery, who altogether disagree in their opinions as to the nature of the revealed will of the Almighty. If however either class of men were appointed to investigate facts, from which important inferences were to be drawn, which in their opinion bore on their favourite dogma, there would be a tendency in their minds, under the operation of strong intellectual associations, and feelings, to omit certain considerations in the statement of facts, which again would tend to oppose rational deductions from being drawn by minds in other respects intelligent, and even pious.

Major Moody only reasoned in this manner after having proved, in a manner so conclusively, that Mr. Dougan has not attempted a justification, that in the case of the apprentice Hull, for example, Mr. Dougan, contrary to the evidence of Hull himself, had misrepresented the truth; and moreover that Mr. Dougan in that and similar cases, had drawn inferences, which were opposed to rational deductions, from the facts even as produced by himself; and therefore Major Moody could not sign, or approve of a report having such defects. But as Major Moody believed Mr. Dougan to be a pious man, and in many cases an intelligent one, no fair reason could be assigned for such conduct, unless from the operation of a bias on the mind of Mr. Dougan, arising from some religious or political dogma, which Mr. Dougan entertained on the slavery of the negroes, which he associated with the facts and reasonings that he was using. It may indeed be asserted, that Mr. Dougan was neither pious nor intelligent, but that he was the mere tool of the party who procured him the appointment of Commissioner; but Major Moody could not assert this, whilst he really believed his colleague to be pious, and also intelligent on other subjects. If space permitted, Major Moody could justify the correctness of his opinion by a variety of cases, in addition to those given in the Reports, which he thinks are numerous enough, for such a purpose.

It might have been expected, perhaps, from so ardent and jealous a friend of the colonial system as Major Moody has shown himself to be, that he would have cautioned your Lordship against me, or if he abstained from tenderness to one whom he then regarded as a friend, that he would at least have avoided confirming your Lordship in your error, and exposing himself to inevitable discomfort and discredit by soliciting to be my colleague; yet my designation to the office was known to him before his employing in that way the interest he possessed (e).

(e) Major Moody regrets the necessity for his being obliged to give the strongest denial to the truth of this assertion. Upwards of a year before the formation of the commission, Earl Bathurst had desired Major Moody's opinion on the state of the captured Africans. On seeing Mr. Wilberforce's motion on the 28th June 1821, Major Moody, being on half-pay, immediately applied, and was almost immediately nominated, and accordingly he was appointed *first* Commissioner. It was not for some time afterwards that Mr. Dougan informed Major Moody of his being a candidate on the recommendation of Mr. Wilberforce, and requested Major Moody to unite their interests.

Major Moody however had no objections whatever to Mr. Dougan as a coadjutor until long after their appointment, and then Major Moody sent in his resignation, of which a more detailed account will be given on another occasion.

It is imputed to Major Moody as a crime, that he anxiously watched over that part of the duty of the Commissioners, which from Mr. Dougan's own Reports, it appears would otherwise have been neglected. This may have been inconvenient to Mr. Dougan, and the party who procured his appointment, but it does not necessarily follow that Major Moody's conduct was blameable in submitting for consideration the truth on this part of their duty, in order that nothing might be concealed from His Majesty's Government, although such conduct might expose Major Moody to the abuse of a powerful and influential party, who feel a deep interest in the success of propagating their peculiar views, without any regard to the injury which they may inflict on their countrymen in the colonies.

## BAPTURED NEGROES AT TORTOLA.

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*Mr. Dougan.**Major Moody's Remarks.*

To these insinuations, however, I can make a more direct reply. I never was a member of the African Institution; I remember indeed having once privately made a small pecuniary contribution to its funds, but never had any other connection or communication with that society, or any other association adverse to the colonial system till a very recent period, long after my final breach with Major Moody, and my last return to this country. I never directly or indirectly, prior to that unfortunate mission, took any part in any of the public controversy relating to slavery and the slave trade.

It is not without some abashment, my Lord, that I assert these truths, for I am conscious that neutrality in the question of mitigating West India slavery was not blameless in a man who well knew its nature and effects; but my excuse may be found in the prevalence of early habits. I am a West Indian by birth, and till after my thirtieth year had resided constantly in the sugar colonies. I am the son of a planter, and all my nearest relations and early friends were either planters or owners of slaves. I myself was possessed of that unfortunate species of property till I divested myself of it, chiefly by manumissions, when about seventeen years ago I came to settle in Europe; and from that period to the time of my appointment by your Lordship, and to the close of my labours as a Commissioner, almost all my connections and friends, almost all especially from whose favour I could expect assistance in life, under the sudden reverse of fortune which from mercantile losses I met with a few years ago, were persons closely connected with the West Indies.

While these circumstances may excuse, in some measure, my never having taken any active part adverse to the interests or feelings of the colonists, they render it, as your Lordship's judgment will perceive, highly improbable that I should have entered on the mission with those strong prejudices against the institution of slavery that Major Moody labours to ascribe to me. That I was an enemy to abuses of the master's power I am far from wishing to deny, and hope I may justly lay claim to the credit of never having countenanced them by opinion or example while I was a resident colonist, and an owner of slaves; but if I had any prejudices in regard to the system itself, they were naturally of the same kind, though far less violent in their influence, with those which the Major himself had imbibed by his long administration



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ministration of it, and now so strongly displays (f).

of a bias on the mind of Mr. Dougan. But Mr. Dougan nowhere specifies any fact to prove that a bias existed on the mind of Major Moody. The imputation of a bias is a mere assumption of Mr. Dougan. Had he been able to have specified an instance, as Major Moody has done, Mr. Dougan certainly would have done it.

Major Moody has always considered it a great advantage to him that he had had great experience in the control of labour in different parts of the world, and chiefly in the service of the Crown. It so happened that he never, for even one day, personally directed the labour of slaves, or any other person, upon any plantation wherein he had himself the slightest property. When on half-pay, for about twelve months, as an attorney, he had the management of the affairs of Mr. Katz upon a fixed salary equal to the military pay and allowances which he had received previous to the reduction of the battalion to which he belonged. As attorney of various plantations, it so happened there never was a complaint made by any slave under Major Moody's care to any magistrate, that justice had been withheld from him in the many cases which Major Moody as an attorney had to decide between the slaves themselves, and the overseers or managers, or other persons on the estates. And the same honourable testimony to the impartiality of his conduct occurred, when the Crown estates of Guadaloupe were under his administration, on the recommendation of the late Lieutenant-General Sir James Leith.

It was from the advantages which such situations afforded him that Major Moody was enabled to understand the subject of the control of labour under various circumstances; whilst the previous pursuits of Mr. Dougan rendered him very uninformed on this most important point, as he has himself shown. Indeed the principles which regulate the combined interests of *capitalists* and *labourers* in various states of society, where there is only one race of men concerned, are not perhaps well known. But when two races of men are concerned, endowed by Almighty wisdom with unequal powers to cultivate the soil in the low lands of the torrid zone, the subject can only be fairly investigated after an impartial and philosophical consideration of the operation of physical as well as moral causes in producing consequences affecting labour. The investigation of physical causes was almost an object of horror to Mr. Dougan, lest something should be established which would interfere with certain peculiar dogmas, which he very conscientiously believed. Whether such circumstances proved the operation of a bias on the mind is not worth while again to assert, but it may here be observed that there never has been a complaint made, that Major Moody on any occasion ever shrunk from any kind of investigation which had the discovery of truth for its object, whilst Mr. Dougan did, and of which farther proofs will be given hereafter.

The charge of religious enthusiasm is in its nature one that cannot be so easily refuted, where the accuser imputes that habit of the mind in the abstract, without alleging any overt acts by which it has been shown; and I can find no such allegation in the long arraignment I am pleading to, unless those violations of candour and truth which my accuser so copiously ascribes to me are to be considered as the natural indications of excess in religious feeling. Such is pretty plainly his opinion, or that which he hopes to find in the minds of his readers; for in the very numerous passages wherein he states or insinuates that I have been guilty of reporting to your Lordship wilful falsehoods, he rarely fails to assign religion as my motive; and more than once, with apparent gravity, asserts his belief that a sense of religious duty *only* could have made me capable of such odious crimes. I refer your Lordship, for instance, to p. 76 (g), wherein he says, that *by a sense of religious duty, "I have attained that frame of mind which induced me to make such assertions as he really believes me incapable of making in other*

(g) Here the pages in Major Moody's Report are referred to, and Major Moody is perfectly content to rest his defence upon his own words, *when fairly quoted*. It would therefore have been desirable if Mr. Dougan had quoted the entire sentence in Major Moody's

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other matters." See also pages 80, 90, 105, &c.

Moody's Report, instead of only a part thereof; because the truth is misrepresented, merely by suppressing the part omitted. At

the page quoted by Mr. Dougan, it will be found that Major Moody says: "The general opinion of the dislike of free negroes to agricultural labour in the West Indies seems a barrier against measures intended to benefit the African race, and hence, as I believe, the strong wish of my colleague to destroy the impression of the truth of the fact, and by frequently dwelling on the same subject, associated perhaps with a sense of religious duty, he has attained that frame of mind which induced him to make such assertions, as I really believe him incapable of making in other matters." Only that part of the above entire sentence which is scored, is quoted by Mr. Dougan, and by suppressing the first part, he feels himself justified in asserting that which obviously is not a fair statement of Major Moody's assertion, respecting the cause of the bias on the mind of Mr. Dougan.

From the conversations between Mr. Dougan and Major Moody after their appointment as Commissioners, the latter certainly did think that Mr. Dougan's pious belief in a religious dogma on the subject of slavery had *some* influence in producing a bias on the mind of Mr. Dougan on certain points, although Mr. Dougan possessed a very intelligent mind on other matters. Indeed Major Moody had a very high opinion of Mr. Dougan's judgment in subjects which he understood; but as he had no practical knowledge respecting the application of human labour to certain services, the bias on his mind actually induced him to *avoid all joint investigations connected therewith*, in cases which Major Moody was most anxious to have fairly and fully examined.

Major Moody is very ready to admit, that the same results might have arisen had Mr. Dougan not believed in the religious dogma mentioned, for the reasons stated in the paragraph in Major Moody's Report, which immediately follows the part quoted by Mr. Dougan; but certainly "*some*" religious men are as subject to the influence of bias from belief in dogmas as any other class; otherwise religious disputes and persecutions would not have been so common in the history of mankind. Mr. Dougan however says that Major Moody does not allege "any overt acts" to prove the bias on the mind of Mr. Dougan. Now among many "overt acts" Major Moody need only refer to those pages of his Report connected with the quotation made by Mr. Dougan himself; viz. from p. 72 to 78 in the first Report. There Mr. Dougan is proved to have asserted that which was not true respecting Hull, for example. Mr. Dougan does not even now attempt to deny the charge, or to explain it. Again, in these same pages, Major Moody shows that certain facts produced by Mr. Dougan himself actually prove the truth of inferences directly opposed to those drawn by Mr. Dougan. Neither is this attempted to be confuted by Mr. Dougan. His sole reply is, that Major Moody was libelling religious principle in the case of Mr. Dougan, which is not a satisfactory answer, for Major Moody denies having libelled religious principle; his object being merely to show the effects of bias on the mind of Mr. Dougan, at the same time that Major Moody admits him to have been a pious and worthy man in other respects, where this bias on his mind did not operate.

Respecting the worthy Methodist missionary, Major Moody only showed the probable effect of a bias on such minds, as rendering their *mere opinions of little value*; and in the same Report Major Moody repeatedly stated that his own opinions also were of *no value*, unless considered in connection with a full and fair statement of the facts on which such opinions were founded: in short it was *facts*, and not *opinions* that Major Moody recommended to be considered.

Nor is he content with this libelling religious principle in *my* case: he plainly insinuates that the Methodist Missionaries are guilty of misrepresentations from the same extraordinary motive, and labours through many folio pages on that ground to impeach their testimony. See p. 80, 98, 99, &c.

The Major, among the many exhibitions of metaphysical and logical science with which his volume abounds, reasons profoundly on the "*logical connections between cause and effect*," which, he says, "*religious minds are prone to disregard and thereby oppose rational deductions.*" Page 76, &c. (*h*). I hope, therefore, that in one of the two additional volumes that he is now composing, he will not forget

(*h*) Major Moody's words in this case also, are not fairly quoted. They are as follows:

"In *some* religious men we often see the strong

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forget to show the *logical connection* between the Christian faith and falsehood, and thereby "rationally to deduce" the presumption, that supposing a man to be religious, he is unworthy of credit as a witness or reporter of facts: for it is certainly not very obvious how a religion which commands every man to speak truth to his neighbour, and which defines its divine author as the God of Truth, and the evil being as the Father of Lies, can predispose its votaries to misrepresentation and falsehoods. When my opponent has solved this difficulty, his presumption against the pious Missionaries may be admitted to be just; but he will still have in *my* case to supply another link in his "rational and *logical deduction*," by proving that religious zeal has ever, except for the purpose of his artful insinuations, been regarded as an imputation to which I am fairly liable, or rather let me say, a good quality to which I may justly lay claim. Though no expert logician, I have heard of a species of sophism that is called arguing in a circle, and it seems to me that my learned antagonist has dealt in it, when he contends that my veracity is to be doubted because I am religious, and assumes at the same time that I am religious only because he alleges my assertions to be false. If he could have proved (i) the latter charge, it would have been full enough for the purpose of my discredit. I see not, therefore, why the credit of religious character should have been assailed in the controversy between us, except from an apprehension in the breast of Major Moody, that men who were fairly entitled to that character were not likely to be his partisans. Whether he or I have been most observant of veracity and candour in our Reports to your Lordship will, I hope, clearly appear in the course of this my defence; but should both or either be found wanting in those virtues, I hope that religion will not, as I am sure it ought not to bear the blame.

his reasons, he was very unwilling to represent facts, for Mr. Dougan's party to make use of, as was done in the case of the Nottinghams, although in this very case, it is now acknowledged that Mr. Dougan had misrepresented the truth to Earl Bathurst. Major Moody was more inclined to believe that his colleague's mind was under a bias, which certainly may be the case without involving any moral turpitude, when the opinion is merely speculative. But as Mr. Dougan rejects Major Moody's apology for him, he is now sorry that he should have submitted it.

Whilst Major Moody is thus assiduous to prepossess his readers as to the questions between us by imputing to me prejudices

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strong power of intellectual associations opposing rational deductions, from the force of feelings in engrossing and concentrating the attention on certain objects, and by a necessary consequence withdrawing it from other important considerations, thus excluding sober and rational views, whilst in the mind facts, and inferences from facts, become so blended together as to destroy all logical connection between cause and effect."

Mr. Dougan endeavours to misrepresent the meaning of these words by representing them as implying *generally* that *all* "religious minds are prone to disregard, and thereby oppose rational deductions," which is a proposition altogether different from that of Major Moody, respecting *some* religious men, like Mr. Dougan or the Methodist missionaries, holding peculiar dogmas respecting slavery.

(i) Major Moody contends that he has proved the truth of his allegations; and Mr. Dougan not having attempted to confute the proofs, affords an explicit admission that he was unable, and consequently that Major Moody was justified in not signing or approving the Report of Mr. Dougan, from whatever motive Mr. Dougan may have misrepresented the truth. It may be perfectly true even that the peculiar religious dogma on the subject of slavery entertained by Mr. Dougan after he had disposed of all his property in the West Indies, may have had no influence on his mind, and that Major Moody was entirely unauthorized to assign that particular motive; yet as Major Moody had proved that his colleague had misstated the truth, that alone was a sufficient justification for Major Moody's not signing the Report of his colleague. When Major Moody wrote

represent his colleague as the mere tool of British capitalists in the West Indies, by misrepresenting facts, for Mr. Dougan's party to make use of, as was done in the case of the Nottinghams, although in this very case, it is now acknowledged that Mr. Dougan had misrepresented the truth to Earl Bathurst. Major Moody was more inclined to believe that his colleague's mind was under a bias, which certainly may be the case without involving any moral turpitude, when the opinion is merely speculative. But as Mr. Dougan rejects Major Moody's apology for him, he is now sorry that he should have submitted it.

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prejudices of various kinds, on grounds which his fertile imagination alone has created, he boldly claims for his own part to have embarked in our joint mission without any prejudice or bias whatever. He has told your Lordship that "*he was perfectly conscious he had no bias on his mind.*"—p. 91, &c. (j). If so, his mind must be one of a very superior order, for unless quite exempt from ordinary human frailty, he must have felt a very strong personal bias towards those opinions which he now so zealously maintains against me, namely that negroes are fit only for slavery, and for the coercion of the driving whip; that they will never be industrious in a state of freedom, and that to convert them into free men or apprentices is to entail want on themselves, and create a nuisance in the community they belong to. He must have felt, I beg leave to repeat, a powerful bias towards such opinions, had it been only from the influence of that self-love which induces men to defend partially their own conduct at the bar of their own consciences, and also before the judgment seat of public opinion; for Major Moody had been long and deeply engaged in the administration of the system of slavery, in one of its worst fields, and that not from necessity or accident, but choice. (k) He was not like me a native

maintains there is not. The state of health, and the circumstances under which Mr. Dougan wrote, or rather dictated these unfounded assertions, prevent Major Moody from longer dwelling on them, than merely to give a quotation from his own Reports, which Mr. Dougan appears to have read, to show the view that Major Moody had taken of the case of the African apprentices. In page 87 of the Second Report, it is said, "The leading object being to stimulate *steady industry* by certain privileges and honours among the people," (the captured negroes,) "as well as by the comforts individually arising to the industrious black colonist, and at the same time prevent the abuse of power by the white race, who at first may be employed in forming such an establishment." Major Moody has a right to claim the privilege of being judged only upon what he really has written or spoken, and not upon Mr. Dougan's misrepresentations thereof.

The nature of the restraint and coercion which Major Moody recommended for the captured negroes on being placed under the Crown is expressly referred to in the very last paragraph of his Second Report, which says, "The annexed regulations of Toussaint, Desfourneaux, and Christophe, as well as those of President Boyer, intended for people in circumstances similar to those of the liberated Africans, appear to prove *practically* that SOME SUCH MEASURES are necessary as those which I have submitted as the result of my own personal observation and experience in the control of human labour in different climates and in different circumstances." The question then is, were the measures recommended slavery and the cart-whip? Where are these recommendations to be found? May not Mr. Dougan's ill state of health have affected his memory? For it is certain his assertions are not correct.

The testimony of a signature so respectable as that of Mr. Dicey, from his connection with James Stephen, Esq. may establish the fact that the signature of Mr. Dougan was really put to the papers; but there does nevertheless appear much reason to doubt the state of Mr. Dougan's memory at the time of making some of these charges against Major Moody.

(k) From the relationship between the families of Mr. Dougan and Major Moody, as well as from conversations between themselves, when a friendly intercourse subsisted between them, Mr. Dougan was well acquainted with the pursuits and employments in which Major Moody had been engaged; it is therefore altogether incomprehensible

(j) In the page of Major Moody's first Report quoted by Mr. Dougan, the words are: "It is very natural to suppose that he (Mr. Dougan) thought my mind also was under a bias, and I hope his object was merely to guard your Lordship against the effects of this *presumed* bias on my mind: under this view of the case, my colleague can only be considered to have done his duty; and as I am perfectly conscious that I have no bias on my mind, I trust I have not trespassed too long in defending myself from the imputations preferred." On reference to the pages of Major Moody's Report connected with the quotation referred to by Mr. Dougan, it will be seen that Major Moody had exposed another attempt of Mr. Dougan to misrepresent the truth. And yet Mr. Dougan, after quoting the passage, asserts, Major Moody must have felt a very strong personal bias towards those opinions which he now so zealously maintains against Mr. Dougan, viz. "that negroes are fit only for slavery, and the coercion of the driving whip," &c. &c. It is true Mr. Dougan does not quote any part of Major Moody's Reports to show that Major Moody ever did express such a proposition; and the fair inference is, that there is no such proposition in the Reports of Major Moody, and which he boldly main-

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incomprehensible, how in unimportant matters of fact, as well as in those of importance, Mr. Dougan, on his deathbed, should have so far misrepresented both classes of facts with which he was well acquainted. Previous however to showing their inaccuracy, it is fair to submit the probable influence of bodily infirmity on his memory, as well as in that weak state, the probable increased influence of that peculiar religious dogma in which he believed, on the subject of negroe slavery. These considerations perhaps may tend to explain why Mr. Dougan had adopted the wild opinion, that Major Moody was under some fancied necessity for finding an apology to his conscience and public opinion, for conduct which Mr. Dougan himself points out Major Moody to Earl Bathurst as claiming credit for, in consequence of the experience which such duty had given him, and thereby better qualifying him to discharge that of Commissioner for investigating the truth in matters connected with labour and capital, and the welfare of two different races of men, living together, but endowed by the Almighty with unequal physical powers to cultivate the soil in the low lands of the torrid zone.

Mr. Dougan's insinuations fall to the ground, however, when it is seen that Major Moody does not believe in points which formed dogmas in the mind of Mr. Dougan. Whether the opinions of Major Moody may be correct or not, they saved him from the operation of a biassed judgment; and his opinions are held in common with men eminent for their piety and talents; nor is Major Moody at this moment aware of any circumstance having been adduced that ought to alter his belief.

The impression made on the mind of Mr. Dougan, (whose effect on his conduct as a Commissioner has been proved,) had therefore no existence whatever on the mind of Major Moody, who has only to defend himself against the imputation of self-interest, and the exercise of arbitrary power, in debasing his character as a man of truth and veracity, in a commission where it was his duty to state the truth to his Sovereign, under the heaviest responsibility that can fall upon a British officer, whose character up to that moment had been such as to obtain the confidence of those placed over him in command, without any other recommendation than his own conduct.

As to the personal exercise of arbitrary power for the purposes of self-interest, Major Moody has to observe, that his wife was co-proprietor of a small estate in Demerary, of which Mr. Dougan also was a part owner, with the other heirs of his father. Mr. Dougan knew that Major Moody, whilst the estate belonged to the family, never in his life directed the labour of any person upon the estate; and that he never drew one farthing of income from it during the lifetime of Mr. Dougan's sole surviving sister, for whose sole use and benefit Major Moody's share of the profit in right of his wife was applied. On Miss Dougan's death the estate was sold, and Major Moody's wife, Mr. Dougan, and the other heirs, received each their respective shares of the property. In this case it is impossible that an arbitrary power, which Major Moody never exercised, could have debased him. Mr. Dougan speaks of another estate in Demerary, which he says Major Moody purchased. The circumstance of such estate being stated by Mr. Dougan to have been in Demerary is so far important, that had such been the fact, Major Moody perhaps may have resided upon it, and directed the labour thereof personally. Now Mr. Dougan *knew perfectly well that Major Moody never did purchase an estate in that colony, though this assertion is declared to have been made by him on his deathbed.* It was well known to Mr. Dougan that the small estate alluded to was in another colony, and that Major Moody never resided upon it, nor directed the labour thereon, as he was not living at the time in that colony. The history of Major Moody's having that property was this, and it was well known to Mr. Dougan:—Part of the settlement made on Mrs. Moody, at her marriage, was a claim on an estate upon which there was a prior mortgage. On the death of the proprietor, (to secure the second mortgage being paid,) it was necessary at public auction to bid up the value of the estate beyond the amount of the first mortgage, and hence the estate came into Major Moody's hands. It was a profitable small estate, and soon enabled Major Moody to realize the amount of the claim he had upon it, after which it was immediately sold without any loss. Major Moody could not, (being an officer otherwise employed,) look after it. He never directed the labour upon it for one day; and how far the transaction could possibly debase his character, so as to render an apology to his own conscience and the public necessary, he thinks it perfectly idle to inquire, as he is himself satisfied with his conduct on the occasion.

Major Moody has now to mention his conduct as attorney to Mr. Katz, whom Mr. Dougan represents as a "very eminent Dutch planter of Demerary." Mr. Dougan having personally been in Demerary, ought to have known that Mr. Katz does not own one inch of land in Demerary. The circumstance is not stated as being of farther importance, than to show the state of Mr. Dougan's memory and information at the time he was drawing up these papers. Mr. Dougan had requested Major Moody to recommend him (Mr. Dougan) as a competent person to take charge of Mr. Katz's affairs, when Major Moody was about to return to England.

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Major Moody, when on a tour of military inspection, found on his arrival at Berbice an official letter waiting for him, announcing the reduction of the battalion to which he belonged, by which he was placed on half-pay. Mr. Katz had acted as Major Moody's attorney, when he owned for a short period a small property in Berbice, and Major Moody called on him to express his thanks for his conduct on that occasion; and having mentioned the intelligence he had received that morning, perhaps in a desponding manner, from the large family of his own and others dependent on him, Mr. Katz immediately offered to leave Major Moody his attorney, and advance him money to purchase property on their joint account, if he would take charge of his properties until Mr. Katz could visit England, to do which he was then meditating. He left the salary for Major Moody to determine, and it was fixed only at the amount of his full pay and allowances. That sum therefore he received during the period of Mr. Katz's absence (about twelve months); and at the return of Mr. Katz, Major Moody sailed for England, without availing himself of Mr. Katz's offer of his credit. In this fair and open transaction Major Moody had every motive carefully to attend to the welfare and comfort of Mr. Katz's slaves. The greater or lesser amount of the crops had no influence whatever on Major Moody's interest; as attorney his chief duty was to examine into all complaints, and this he did personally. Indeed during the time that Major Moody had charge of the slaves of Mr. Katz, not one of them ever complained to any other person, probably because they thought justice always was done to them, and they were all convinced that their complaints at least would not be neglected. Whilst this duty added much to Major Moody's experience during the twelve months in question, he denies that in any manner was his character degraded, or any bias given to his mind, as he always administered justice impartially, and had no motive to act otherwise.

Major Moody had stated to Lord Bathurst, that during the period he acted as agent for the Crown estates in Gaudaloupe, he never charged nor received one farthing for his trouble. Lord Bathurst knew this to be true. Self-interest in this case therefore could not influence him; and in every respect he acted under the late Lieutenant-general Sir J. Leith, whose object, as well as that of Major Moody, was to govern the Crown slaves, and direct their labour in the most humane manner, consistent with the welfare of all concerned.

As an officer of engineers, Major Moody also had great experience in the control of labour, both slave and free, both African and European, in garrison, and in the field. In all these cases, the custom and regulation of the service equally prevented him from ill treating any person, nor could any possible interested motive exist to ill treat men serving under him in the service of the Government. Had Major Moody ever treated any of these persons ill it would have been known; but Major Moody denies that he ever treated any person unjustly; and in all these situations, which gave him the necessary experience, he denies that any one of them had produced any bias on his mind to mislead his judgment; whilst the experience gained enabled him to discharge the duty of a Commissioner in a more perfect manner than those who had not the same experience; for their ignorance necessarily led to imperfect descriptions of facts relative to labour employed on services, wherein their want of experience prevented their determining whether the actual results proved industry or not on the part of the labourer. It was to the whole of Major Moody's experience that he specifically alluded, and not merely to a small portion thereof, as Mr. Dougan's expressions would represent it.

Major Moody, during such extensive experience in the control of all kinds of labour, bond and free, wherein no interest of his own was at stake, had the best means of judging how far, in different circumstances, *necessity* governed the *steady labour* of mankind, and what were the various circumstances which modified the action of necessity, in the West Indies, as compared with England, for example, in cases where fixed, or circulating capital was combined with labour in the production of wealth.

Major Moody's duty was to show the effect upon the interests of the other colonists, as capitalists, if Mr. Dougan's ideas were carried into immediate effect on a large scale; and it is this exposure which has drawn upon Major Moody the imputation of unworthy motives, by those who could not deny his facts, or show that his inferences were unfounded; and it ought not to be forgotten that this duty was not a matter of choice with Major Moody. If he could not conscientiously sign Mr. Dougan's Report, it was his duty to assign his reasons for declining. It would have been an act of moral cowardice had he shrunk from this duty from any fear of the abuse, misrepresentations and falsehoods which have been heaped upon him by the party whom his Reports have offended. As regards the abolition of slavery, Major Moody is perfectly ready to give his opinion, whenever His Majesty's Government may be pleased to require it; but as a Commissioner it was his duty to refuse signing the Report of his colleague, whether made by himself or not, when he had proved that it contained facts unfairly stated, and inferences which were not correct.

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*Major Moody's Remarks.*

of the West Indies, or like the generality of the planters connected with the system, either by inheriting colonial property in his early years, or by engagements at his outset in life, from which it was impossible or difficult afterwards to recede. On the contrary, he had quitted his first profession to become a planter, after he was thoroughly acquainted with all the evils of slavery, and he had undertaken and conducted on an extensive scale the management of estates for the benefit of others, on mercenary considerations alone. He truly tells your Lordship in his Report, (p. 102.) "that previous to his appointment as a *Commissioner he had the direction of thousands of the African race and their descendants,*" alluding, I presume, to his situation as the salaried agent of Mr. Katz, a very eminent Dutch planter of Demerara. For his experience in that line, he repeatedly and anxiously takes credit, and contrasts it with my want of practice as a planter, regarding it as a title to your Lordship's confidence in his opinions when in opposition to mine. I humbly conceive, however, that extensive and inveterate practice in the exaction of forced labour does not much tend to enlighten a man's mind and direct his judgment as to the proper treatment of men whose labour is not forced, but still less can such a practice entitle him to be considered as *free from bias* when the defence of that practice on the score of necessity is in question; and it is manifest in every page of Major Moody's Report, that his grand aim is to defend the colonial system, by maintaining that it is the only possible mode in which the culture of our sugar colonies can be maintained, and contending for that purpose that negroes will not work without the coercion of the whip.

But my late colleague has spared me the trouble of demonstrating that he entered on the commission with the strongest prepossessions against free labour, and consequently against the very principles which the commission was designed to promote (*l*). He is even ostentatious of that unfortunate truth. After quoting and condemning the opinion of Mr. Gilgrass, the missionary, as reported by me, viz. "I hesitate not to say, let those Africans be allowed the free rights and privileges of British subjects, they will conduct themselves in an orderly manner,

sign the Report of his colleague, whose object has never been before fully declared; and it is to be regretted that it is now done in a posthumous work, as otherwise Parliament might have ascertained all the circumstances which induced a commissioner of the Crown to act upon other views than those of the minister who nominated him; and which minister obviously wished to know all the truth, and not merely a part thereof.

(*l*) Mr. Dougan's conduct certainly gave reason to suspect that he had formed an interpretation of his instructions different from the plain meaning of the language in which the letters of the Secretary of State for War and Colonies are written, as well as that clause in the Abolition Act which referred to the interests of other parties in those communities of which the captured negroes formed part. Major Moody contends that Earl Bathurst's instructions from time to time do not justify the meaning given to them by Mr. Dougan, who has suppressed all considerations of those parts of the instructions which regarded the interests of the colonists; and this omission led Major Moody to submit his reasons in justification of his declining to

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employing their time and talents in the necessary and useful departments of life." He says the opinion "*nearly coincided with what I had at one period of my life entertained*, until a more profound and careful examination of facts led me to doubt."—(p. 81.) (m). Again (in p. 76,) he says he believes "my judgment on the subject of comparative value of free labour in West India agriculture to be made under that bias, the power of which he knows to be very great from *having been at one time* under its influence himself." Major Moody, then, by his own testimony, had made up his opinions before we embarked together for the West Indies, on that which is the main point of the present controversy between us. He was prepared antecedently to our inquiries to maintain, and with the usual zeal of a convert, that Africans rescued from slavery by our abolition acts were not fit for freedom or capable of being made so, and consequently that the plan of Parliament for giving them in the first instance the rights of free apprentices, and raising them afterwards into perfect freedom, was radically wrong; in other words, that the whole object of our commission, that of protecting them in and securing to them the rights conferred by the Legislature, was an unwise and visionary project. And yet this gentleman strangely lays claim to the credit of having entered on our inquiries with a perfect unbiassed mind (n)!!! My Lord,

missionary informed him of these private examinations, so that Major Moody could have assisted in investigating the facts on which the opinions of his colleague and the missionaries were founded; for in certain states of society, and density of population, the opinion of the missionary would not have been doubted by Major Moody; his doubts were, if facts really had occurred, under the circumstances which the Commissioners were appointed to examine, justifying the inferences of the missionaries as to the captured negroes in Tortola, when liberated from that degree of restraint to which they were at the time exposed, as apprentices. Mr. Dougan and the missionary appeared to think that the man who worked industriously, as an apprentice, would do the same when free from the restraints incident thereto, even under all the physical and moral circumstances which are in action in Tortola. Major Moody once may have thought so also, by reasoning solely from what is seen in England; but on considering the cases of the two countries more carefully, it would appear the analogy between them is not perfect, and therefore that the inference drawn from the one country will not be applicable to the other. When Major Moody says that an "examination of facts led him to DOUBT," Mr. Dougan quotes it as a proof that Major Moody had made up his mind on the main point of the present controversy between him and Mr. Dougan. Such reasoning requires no answer!!!

(n) Major Moody, in common with others much more distinguished than himself, certainly entertained *great doubts* as to the wisdom of the measures which had been adopted respecting the African apprentices, by persons whose good intentions were never doubted, but whose ignorance of local circumstances, influencing the wisdom of the measures recommended, was fully as obvious as the good intentions of the individuals alluded to, as being the special patrons of Mr. Dougan. It is altogether begging the question to allege that Major Moody's mind was biassed, because he did not continue to admire the wisdom of those measures recommended by Mr. Dougan's patrons. Major Moody's reasons for differing in his inferences from facts from those drawn by other persons, cannot be considered as any certain proof that his reasons are unfounded, which is the sole question for consideration.

Major

(m) Major Moody's own sentence is, "I know of nothing, my Lord, that could have afforded me more interest or more pleasure, than the investigation of the facts on which the missionary and my colleague came to this conclusion;—an opinion also which nearly coincided, *as your Lordship may know*, with what I had at one period of my life entertained, until a more profound and careful examination of facts led me to *doubt*." The reference to Lord Bathurst's personal knowledge, *omitted by Mr. Dougan*, had reference to a proposal many years ago from Major Moody, then in the West Indies, through the late Bishop of Durham, offering himself to establish the Crown slaves in the West Indies, upon an island on the coast of Africa, to cultivate cotton and other tropical productions, under a system essentially distinct from slavery. Major Moody required no other salary than that which he was at the moment receiving. Whatever was thought of the plan, it was at least perfectly *sincere* and *disinterested* on the part of Major Moody. Whether he would have succeeded or not, it is now useless to inquire; but it cannot be truly said, that the man who voluntarily, and disinterestedly, offered to conduct such a settlement on the coast of Africa, is an enemy to the negro race. Mr. Dougan, knowing the fact, seems to have avoided any allusion to it, for fear of the inference.

On reference to the preceding paragraphs in Major Moody's Report, it will be seen that he complained that neither his colleague nor the



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Major Moody contends that the principles which regulate the soundness of the measures to be adopted depend on facts of a physical and moral nature, occurring at a distance where the causes in action are totally different from similar causes in England, as to the intensity of their force; in short, that there is no analogy between the two countries.

Others may maintain that the analogy is perfect enough to reason upon, and may deny the influence of physical facts of which they are ignorant, although their operation is so manifest, that Mr. Dougan, dreading the proof of their existence being made apparent, suppresses all mention of them in his Report, and refused to join in their investigation on the spot, when he, the missionaries and Major Moody were assembled together.

Major Moody does himself no injustice as to the state of his mind on this very interesting subject at the time when he solicited your Lordship to be joined in the commission. I knew the fact, for he took no small pains to impress the same harsh opinions on me before our embarkation. I feel it a duty now to say, and I could confirm it if necessary by the most satisfactory evidence, that I then knew him to be a man deeply imbued with the ordinary colonial prejudices against the African race (o).

(o) It is impossible to answer the posthumous charges of this kind in any other manner than by a simple denial. How can Major Moody meet the offer of Mr. Dougan in a posthumous charge to produce evidence to show that he Major Moody was deeply imbued with prejudices against the Africans?

Major Moody's duty as a Commissioner was to investigate the whole truth, and not merely so much as would serve the purpose of a party to delude the Sovereign and the nation. Mr. Dougan, during Major Moody's absence from England, having given in a Report under his peculiar views of his duty, Major Moody, when required to sign it, was obliged to give his reasons for declining; and therefore among these reasons in his Reports are found the statement of circumstances of which Mr. Dougan, in his view of his duty, had been pleased to omit that full detail necessary to *see all the truth*. Such a mode of proceeding, in fairness of reasoning, only proves that Major Moody had extended his inquiries rather farther than his colleague had deemed it necessary to justify his own peculiar views.

If it be asked, why then I did not decline the appointment which your Lordship was pleased to confer upon me, when I found that Major Moody was to be my colleague? I must confess that it was a great error in judgment at least, if not in principle, which I have had abundant reason to repent. I must also confess, that private feelings deterred me from that prudent line of conduct; for I owed to him in my then recent difficulties an interesting obligation, which his family connections with me as the husband of my niece, led him spontaneously to confer. It has been repaid, but is not therefore cancelled in my feelings; nor would I now allege it in my own vindication, if the fact were not creditable to him, or if the interests of the unfortunate fellow beings, whose future fate is in question, did not demand from me, not to narrow to their disadvantage the grounds of this defence. I could not, without ingratitude, or at least the credible imputation of it,

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it, have opposed the appointment of Major Moody to an office of which he was desirous, even if I had possessed any means of opposing it with success. But it is an equally true and perhaps more satisfactory defence, that I hoped my late colleague, notwithstanding his known prejudices, would concur with me in a faithful discharge of our duties as Commissioners; for though he, as it now appears, regarded the defence and maintenance of colonial slavery as (*p*) involved in the result of our inquiries, such were by no means my views. If they had, I should perhaps have shrunk from engaging in functions obnoxious in their tendency to almost all the friends of my former life, and to connections whose good will might have been important to the future welfare of my family. But I did not suppose that the protection of the African apprentices against the opposition of those to whom their destiny had been committed, would be an object of popular odium in the West Indies, at least among the more liberal and respectable classes of my fellow colonists; nor do I yet believe that such would have been the event, if Major Moody had not himself conceived, and *assiduously impressed* (*q*) upon others the opinion that a report favourable to the unfortunate objects of our charge, or adverse to their private masters in respect of their treatment of the black apprentices, would tend to the discredit of the colonial system at large, and to strengthen the opinion so prevalent in this country, that free labour might be advantageously substituted for the forced labour of slaves.

Major Moody plainly considers the question of the practicability of cultivating the sugar colonies by free negroes, as a problem, which it was the main, if not only object of our commission to solve. I need not refer your Lordship to particular passages in his Report, (*see* page 125, &c.) to prove this; for the opinion is either expressed or clearly implied in every page of that much laboured composition (*r*). It is manifest, that in Major Moody's views, the object of our mission was not so much the protection of the liberated Africans, as the defence of colonial slavery, of which he is as zealous an apologist as if he had been the agent, not of His Majesty's government, but of the colonial assemblies.

The plain drift of his arguments is this, that the Order in Council for the benefit of that helpless class of men, and the

(*p*) The unfairness of Mr. Dougan's reasoning is best shown, by observing that he has entirely misrepresented Major Moody's Reports, which he does not here quote, as in other instances, that the injustice of his inference may be seen merely by a reference.

(*q*) For this charge some authority ought to have been given, in fairness to Major Moody. The posthumous character of the document containing it, prevents any other answer being given, than the solemn denial of its truth, in any one instance; whereas Major Moody will hereafter prove that Mr. Dougan was assiduously, but secretly, engaged with the free coloured people, in impressing his peculiar opinions to influence their evidence.

(*r*) Major Moody has carefully perused the page of his report quoted by Mr. Dougan, as more particularly sanctioning the inference which he has been pleased erroneously to draw; and neither in that page, nor in any other, can he find the slightest reason for altering his belief, that the weak state of his colleague's health at the time of drawing up this document must have affected his memory, so as to induce him to misrepresent the truth. Any unbiassed person, taking the trouble of referring to Major Moody's report, and comparing it with this document, will come to the same conclusion.

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the Act of Parliament which authorized it, were radically wrong in their principle, and that instead of being taught to provide for their own well being, as free men, by the medium of apprenticeship, they ought to have been sold as slaves (s) He seems even to hope that His Majesty's Government and Parliament may be induced to retrace their steps, and to consign these rescued captives to the very fate for which they were designed by the contraband slave traders, out of whose hands they were taken; for though he does not expressly recommend their being made slaves in name, I see not how even apprenticeship, for the purpose of agricultural labour, to be enforced by the *cart whip* (t), would differ from slavery except in the appellation, and except that in some of its consequences the nominal freedom would obviously be worse than avowed slavery itself.

to the passages here quoted by Mr. Dougan himself to confute him. The fallacy appears to arise from considering the *cart whip* as the *only* mode of coercing labour or punishing idleness that can be exercised, which is obviously not true.

(s) This charge is preeminently absurd; the paragraphs in Major Moody's Report, which recommend the settlement of these people on the Coast of Africa, under a system of control for their own benefit, are so numerous that it would fill this paper too much to give them in detail; even a simple denial is here useless.

(t) As a mere matter of form, it may be necessary here to observe, that there is not one sentence taken consecutively in any of Major Moody's reports recommending this mode of punishment for the African apprentices; and Major Moody has only to refer

In proof that such are the views and wishes of this gentleman, I beg leave to refer your Lordship to his Report, p. 78, in which he says, "It appears to me to be impossible to make any rapid or reasonable progress in promoting the permanent happiness and civilization of people in a backward state of knowledge in the Torrid Zone, without coercing their labour for their own benefit, in all cases where population bears a low ratio to the extent of a country having fertile land unoccupied, or where the means of subsistence may be obtained by a much smaller period of existence than is represented by the working days of the year." —Major Moody's Second Report, p. 78.

"There are different modes of obtaining the steady labour of man. It may be obtained by a coercion arising from a state of slavery, or by the institution of caste, or from the necessity to obtain subsistence. One of these varieties of coercion operates by the application of brute force, inflicting a degree of pain, the dread of which induces man to encounter the lesser pain of steady labour."

"The liberated African is not practically placed in any one of these three positions, and yet he is influenced by some of the evils of each. The value of the labour of the slave, subsisted at a small expense, governs the reward of the African apprentice when he works for a master, whilst his employer has not that interest in his efficiency for labour, and

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in his good state of health, which is felt for the slave, who in all cases is more likely to remain the property of the master." p. 79. And as neither the institution of slavery nor caste can be recommended, we can only seize upon that kind of coercion which arises from necessity to obtain subsistence, or any thing else which may be desirable, as increased comforts, &c. But these comforts cannot be obtained unless by wealth, and wealth can only be obtained by steady labour; to enforce which we must use persuasion, accompanied by a degree of coercion, which will be so far different from that of the slave, that in every case the liberated African must be able to perceive that his own advantage and increased comfort is the object to be obtained by the coercion to which he may be exposed.

"No man will use harsh or troublesome means of coercion, when the object can be accomplished by those of a more mild and easy nature, and where the person intrusted with the power of coercion will have no interest in the brutal or rigorous exercise of it. If, under such a treatment as that last mentioned, a proper effect should not be produced, then, after an inquiry founded on impartial justice, in the opinion of persons in the same class as the labourer, measures more harsh must be adopted, from the necessity of the case, always preferring confinement and low diet to corporal punishment." p. 80.

"It will, I believe, even be found necessary to ensure success, that the social enjoyments of mankind, particularly in their uncivilized state, should be increased, to induce them to contribute to their own social improvement. This can only be done by means of the labour of man himself, properly directed, and therefore he must *be made to labour steadily*, when ordinary rewards and persuasion fail to procure ordinary exertion. Here religion, it is to be hoped, will greatly assist, by subjecting those passions which lead to vicious and intemperate excesses.

"Hence I draw the inference that it is necessary to give religious knowledge to the liberated African, in order to subdue the power of certain passions; and whilst his weak reasoning powers are cultivated, he must at the same time *be obliged* to endure the pain of moderate, *steady* industry, by sacrificing his natural love of indolence, for which he will be rewarded by enjoying the results of his own labour, until such time as he can be safely trusted

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to the free and unfettered exercise of all his physical and cultivated moral powers." p. 81.

"The liberated African, therefore, must be *forced* to experience the advantage resulting from the enjoyment of the wealth to be created *by his own labour*." p. 85.

Very different indeed were the impressions under which I entered on the duties of the Commission. I had always understood, and still believe, that the sole reason, as well as the only moral justification of not giving immediate and entire liberty to these subjects of a slavery declared and adjudged to be illegal, was the necessity of enabling men newly brought from the African coast, and ignorant in consequence not only of all the modes of industry in the colonies, but of the language spoken there, to provide for their own subsistence (*u*). I have further understood, and from the best authority, that the distinction between Africans and Creole negroes, condemned under the Abolition Acts, was founded on the right presumption that the latter do not labour under the same ignorance and incapacity. But in Major Moody's views, it seems, there ought to be no such practical distinction. The most experienced and intelligent Creole labourer or artificer, if transported from an English or foreign colony, contrary to the prohibitions of the law, and seized for that cause, ought, according to the Major's opinions, not to be enfranchised, but indentured to learn what he already knows, or sent to dig cane holes, under the whip, for superior terms of apprenticeships, ending, I presume, only with his physical capacity for labour, and to become a free man, only when too old or feeble to work for his own support.

In proof that such are the liberal and equitable sentiments of my late colleague, I beg leave to refer your Lordship to his first Report, pages 69. 141, &c. (*v*).

tempted to be drawn by Mr. Dougan, although the part in page 141 is part of a letter written before the completion of the investigations carried on by the Commission. Indeed Major Moody must candidly confess, that his views being always open to the influence arising from the consideration of facts, could not be considered as being matured until he was called upon to approve and sign Mr. Dougan's Report, or give his reasons for declining; because until that moment he could not fairly ascertain wherein they might have differed in opinion, so as to induce him to review the force of the reasoning which influenced Major Moody's judgment on such occasions. On many occasions Mr. Dougan and Major Moody perfectly agreed.

Your Lordship will perceive that Major Moody affects to suppose that the late Act for consolidating the abolition laws purposely abrogated this distinction between African and Creole

(*u*) Major Moody, in his reports, contends that the mode adopted to accomplish the objects stated in the Orders in Council, and Act of Parliament for the abolition of the slave trade, with respect to the captured negroes, was injudicious. Major Moody does not argue against the object of the Act, but against the want of judgment and local knowledge displayed in the measures intended to accomplish the object. The object he maintains has not been obtained, and that some of the causes which have mainly contributed to the disappointment, arose from the ignorance of those who deemed themselves able to legislate on such matters, without the information necessary to qualify them. Those persons were the party who patronized Mr. Dougan; and his mode of defending the want of judgment shown by them, is by imputing unworthy motives to Major Moody for stating the truth to his Sovereign!

(*v*) Major Moody confidently refers to the same pages to confute the inferences at-

*Mr. Dougan.*

*Major Moody's Remarks.*

Creole negroes, and exults in it as a confirmation of his own harsh doctrine, that blacks, however taught or trained, are unfit to be trusted with freedom.

The Major, I am persuaded, is too well informed to be here in earnest; the distinction, as I am well informed, was omitted from mere oversight in the Consolidation Act, the learned and respectable author of which, expressly declared, in bringing in the bill, that it was not to alter any part of the existing law, except by one or two provisions, which he distinctly specified; nor could it be supposed that Doctor Lushington intended, indirectly or covertly, to obtain any alteration adverse (*w*) to the unfortunate class of whom he is a distinguished advocate. I doubt not, therefore, that Major Moody is here practising his usual address. But whether so or not, it is an avowal of opinions and feelings in his breast opposite to the principles which we were bound, as Commissioners, to act upon, and to apply to our inquiries, and would alone be enough to entitle me to some favourable presumption in the differences that ensued between us. It was not likely, that in the upright discharge of my duty, I should preserve harmony with a colleague whose prejudices on this point, as on others were strongly opposed to the main principles and general object of our mission (*x*).

gates the truth, and to report it fully and fairly. Whether Major Moody has done this or not, he leaves it for others, who are unbiassed, to pass a judgment upon his anxious labours to discover the truth.

When it appeared that truth did not appear to be the object that Mr. Dougan was desirous to establish, but that he considered himself "an advocate" for one party, whilst Government did not appear to have appointed the Commission for a party purpose, Major Moody, instead of wishing to continue to act with a colleague so biassed, sent in his resignation voluntarily, and which was accepted: one proof, at least, that he had no object but the discovery of truth in the discharge of his duty.

If, in his judgment, the intelligent and expert Creole negro ought not when delivered from unlawful captivity to be set at liberty as a free man, but delivered over by authority of the Crown to the keeping and government of a master, it can only be, because, in the harsh prejudices of Major Moody, the freedom of that unfortunate race is an evil, and the qualification of them for it, by previous apprenticeships, a visionary project.

Such being his sentiments, the question naturally arises, why did he accept, or rather, why did he solicit for your Lordship's appointment of him as a Commissioner? Why did he not honestly tell your Lordship that the plan, into the

(*w*) The doubt in the case, as stated by Major Moody is, whether it would be "adverse" to the interest of the captured negro, if a proper system were adopted for the care and protection of that class of persons. The system of apprenticing them not being approved, indeed having failed, Major Moody never for one moment imagined it was the intention of Dr. Lushington to make the law more "adverse" to the African or Creole. The question was, whether such consequences might not arise, which were not contemplated by the benevolent framers of the bill, so as to make them "adverse" contrary to the spirit and intention of the Act.

(*x*) This is most unequivocally denied.

The object of the commission was to investi-

*Mr. Dougan.*

the execution of which you wished to inquire, was founded on false and impracticable views (*y*), and that instead of desiring to give it full effect, the sooner you reversed it the better? I lament that he did not act with that sincerity; for if he had, I am sure the poor black apprentices would not have been visited with such a protector as Major Moody, nor I with such a colleague.

might contribute to obtain that object. Major Moody certainly had told Earl Bathurst previous to his appointment, that the system then acted upon for providing for captured negroes was not founded upon sound views. So far therefore Major Moody had acted with perfect honesty.

The Major does not and cannot represent that his opinions on the subject have been since changed. He does not indeed give the precise date of his conversion from a friend to an enemy of negro freedom, though he admits and takes credit for that resolution in his opinions and feelings; but as he ascribes it to his experience in the management of thousands of Africans and their descendants, it must have been long before the date of our commission, and during his previous residence in the West Indies as a planter, or planter's representative. Probably it was after he exchanged the one character for the other, as I have heard that immediately before Major Moody abandoned the estate he had purchased in Demerara (*x*), on account of its hopeless sterility, and sold off his slaves, he offered to sell it and them together to the African Institution, holding out to that society the benefits which its cause might derive by the practical demonstration through the enfranchisement of the slaves, and the employment of them as free labourers; that lands in that country might be advantageously cultivated if slavery were no more. The proposal, I am told, was declined, and no doubt to the great disappointment of the Major; but his making it seems to prove that he had not then adopted his present views of the incompatibility of colonial agriculture with the freedom of the labourers.

agents for the Crown estates in Berbice (to a member of which commission he made the offer) had purchased it, on the terms offered, to secure his debt. The Crown had estates up the river Berbice, but none on the coast, and that part of it on which Major Moody's property lay was remarkably healthy. Major Moody had only very few slaves, and these placed on a jib lot of fine cotton land, consequently had little back land for plantains. The sickly and convalescent slaves of the Crown from the river estates would greatly have benefited by an occasional change of air, whilst the river estates of the Crown would easily have supplied the want of plantain land on a jib lot on the coast. Had the agents accepted Major Moody's proposals, the benefit which accrued to him, beyond securing the sum settled on his wife, would have been for the Crown, instead of which it remained with him.

Indeed the offer itself, on the part of Major Moody, only proves that if the Crown agents had chosen, they might have possessed his land and slaves upon  
advantageous

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(*y*) When Lord Bathurst appointed Major Moody as a Commissioner, he knew that Major Moody had been aide-de-camp, and private secretary to the late Lieutenant-general Sir James Leith, whose matured views were not altogether in unison with the party who patronized Mr. Dougan.

It is not therefore improbable, but Earl Bathurst wishing to know the real truth, thought the appointment of Major Moody thought the appointment of Major Moody

(*x*) In the observations made on note (*k*) the circumstances are stated under which a small cotton estate, with less than twenty-five slaves, came for a few years into the possession of Major Moody. Mr. Dougan has misrepresented the case, and that even in some matters where it is impossible to conceive how his memory could have failed him. The estate itself was not in Demerary, as he says, but in Berbice; it was not "sterile," but at the time was notoriously the most productive cotton land on the coast. Indeed this fact must have been proved to Mr. Dougan by the short time which he knew it was in Major Moody's possession, as during that short period it enabled him to secure, without any loss, the debt for which it had been purchased, in order to vest in England the settlement made on Mrs. Moody at the marriage. The interest on which, at a period of distress, had been useful to the family of Mr. Dougan.

Major Moody certainly would have been glad (as all he wanted was security) if the

*Major Moody's Remarks.*

advantageous terms, if they acted with judgment. This offer certainly is subordinate in importance to the offer by which he wished to go to Africa itself, to establish a colony of liberated negroes from the West Indies, in order to cultivate the productions of the tropics, having value in England, without any reference to his own interest; but in offering his estate, he stipulated for his interest being protected. Many pretended friends of the Africans have talked and written a great deal about their civilization; but Major Moody feels himself justified in considering his offer to settle a colony in Africa, as proving his sincerity to be at least equal to that of those who merely write Reports, and suppress important facts which they might have easily ascertained, had they taken due pains.

Major Moody has now to notice the last personal charge contained in this part of Mr. Dougan's posthumous documents. Mr. Dougan is pleased to state that Major Moody's statements and opinions are influenced by expectations of "considerable patrimonial benefits" from his father-in-law, a planter in Barbadoes. Major Moody has in his Reports repeatedly declared, that his own opinions, or those of any other man, are not worth listening to, unless accompanied by the facts on which they are founded. Mr. Dougan has neither been able to defend his own statements of facts, which Major Moody had corrected, nor to point out where Major Moody had drawn a wrong inference from a fact bearing on the question between them. If, therefore, half the island of Jamaica belonged to Major Moody, he contends that the circumstance would not alter the truth of the facts on which he founds his inferences. But as Mr. Dougan has gravely assigned pecuniary expectations from Major Moody's father-in-law, who is brother-in-law to Mr. Dougan, as an influential motive on Major Moody's mind, the explanation required must be given, notwithstanding the pain it may inflict. Mr. Dougan's sister was the first wife of Mrs. Moody's father; they married in Demerary, then a Dutch colony, and according to the Dutch law of a community of goods. Mr. Dougan knew this fact well respecting his sister's marriage. On that lady's death, Mrs. Moody, then the sole surviving child, became, by the Dutch law, entitled to the "Voor Weezen," or Orphan settlement, in case the surviving parent married again, an event which took place with her father. The Orphan Settlement, in case of a marriage with community of goods, is regulated by the law of Holland, without regard to the sexes of the children, and does not depend on the mere will of the surviving parent; therefore, whatever fortune might be legally the share of Mrs. Moody, it ought to have been settled upon her, particularly in her case, when the surviving parent married again.

When Major Moody married his wife they were not in a country governed by the laws of Holland, therefore the marriage settlement was drawn according to the laws of England, the father and the husband settling equal sums upon her. It was well known to Mr. Dougan, that some years after this marriage, the purchaser of the property in Demerary, sold by Mrs. Moody's father, would not pay the latter instalments, unless Major and Mrs. Moody joined in renouncing their claims for voor weezen, as from the Colonial Registry no such settlement appeared to have been recorded. When Major Moody inquired into the subject, he was informed by the highest legal Dutch authority, that, with reference to the property of his wife's father, her fortune ought to have been larger, had she received the voor weezen, to which by law she was entitled. In consequence of this, as Mr. Dougan knew, a difference of opinion arose between Major Moody and his father-in-law. The latter thinking that he had already settled as much on Mrs. Moody as her claims as a daughter entitled her to, more especially as he had by the second marriage sons also to provide for, and as his second marriage was not made in a Dutch country, that the laws of England ought alone to be regarded.

Being in different countries at the time, Major Moody learned that the probable enforcement of the legal right of Mr. Moody had such an effect on the health of her father, that Major Moody was induced, without the slightest pecuniary consideration, immediately to renounce the right of voor weezen, which was the sacrifice of property, that he could immediately have secured. When Major Moody therefore could legally and fairly have obtained an increase of property from one who conscientiously thought he had done enough for his daughter, and when in that case Major Moody forbore to enforce his claim, as Mr. Dougan well knew; yet, for the base purpose of obtain-

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*Mr. Dougan.**Major Moody's Remarks.*

ing that which he had voluntarily relinquished, does Mr. Dougan represent Major Moody as deliberately attempting to deceive his Sovereign with the certainty of being detected, if he stated one falsehood. What Mr. Dougan's feelings must have been when he wrote those lines, if he really did write them, Major Moody will not inquire. He knew well the reference made could not be refuted as to the inference intended without an explanation, and that such an explanation could only be given by inflicting pain on one person at least who had never injured him. It may be necessary here to add, that every farthing of Mrs. Moody's property has been for many years secured in England, as was well known to Mr. Dougan, from circumstances to which he has referred himself.

In speaking of such matters, Major Moody deems it necessary to say that nothing but the circumstances under which his character and conduct have been so grossly misrepresented, would have induced him to give such details, which too clearly expose the state of mind and feelings of those who have urged the production of such posthumous documents before the Parliament of Great Britain, to serve the views of a party hostile to the colonies of Great Britain in the West Indies. If Major Moody has asserted one falsehood in his Reports, he ought to be exposed; but his exposure of the falsehoods of other persons cannot be answered by falsely imputing to him, in posthumous documents, unworthy motives for submitting the truth to his Sovereign.

This is a reflection which must strike every one who may read these papers.

It would be wronging him to suppose that he was not firm and strong in the opposite creed, for he must have relied on the great advantages of enfranchisement to indemnify the society for the cost of the slaves, and also for the price of an estate, which on the existing system he had found not worth the holding. I beg your Lordship, however, to observe, that I do not state the fact of this offer to the African Institution on my own knowledge, I give it only on credible private information, and am content that it should be disbelieved, if Major Moody shall think fit publicly to deny its truth. It is enough for my present purpose that his conversion to the cause of slavery was clearly, of his own showing, antecedent to his engaging in a public trust, consonant in its principles and objects not to his new but to his old and discarded opinions.

Enough, I trust, has been said to satisfy your Lordship with how little reason Major Moody challenges the superiority over me in respect of impartiality or freedom from bias as to the objects of our mission. I will add, however, that the most ordinary and dangerous source of partiality, self-interest, if it had any action at all in our minds, was certainly adverse to the line of conduct taken by me in the controversies that ensued, and favourable to that taken by my colleague.

In his unsparing labours to make out that negroes can only be made industrious by coercion and slavish discipline, he was sure to conciliate the favour of his

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*Mr. Dougan.**Major Moody's Remarks.*

his West Indian friends and connections and among them of one at least from whom he naturally expects considerable patrimonial benefits, I mean his father-in-law, a planter of Barbadoes; while I, in opposing that doctrine, could expect nothing but ill will from the very many in that country whose friendships I before possessed, and on the assistance of some of whom in future life I might have reasonably relied.

I solemnly declare my firm belief of the truth of all the assertions made by me, and information contained in the preceding Report, consisting of thirty-four pages.

(signed) JOHN DOUGAN.

Witness to the signature of  
John Dougan, April 18, 1826,

(signed) *J. G. Dicey.*

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*The continuation of this Report, and "Remarks" thereon by Major Moody,  
will be presented next Session.*

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