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## III.

SEYCHELLES:  
SEIZURE OF SLAVES.

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RETURN to an Address of The Honourable the House of Commons,  
dated 17 March 1826;—*for*

COPIES OR EXTRACTS

Of all Correspondence relative to the Seizure of any Slaves coming from the Seychelles to the Mauritius, particularly the Seizure made by Mr. Mylius; also, An Account of all Slaves who were not allowed to be admitted at the Mauritius, stating the grounds of their rejection, and the Proceedings of the Tribunals thereon.

Colonial Department, }  
February 1828. }

F. LEVESON GOWER.

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*Ordered, by The House of Commons, to be Printed,*  
*1 April 1828.*

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## PAPERS RELATING TO SEIZURE OF SLAVES

LETTER from Sir G. Lowry Cole to the Right honourable  
the Earl Bathurst, K. G.

Mauritius, 8th July 1827.

MY LORD,

**I**N compliance with your Lordship's Despatch, dated the 20th March 1826, and according to the Resolution of the House of Commons which accompanied it, I have the honour to forward to your Lordship the following Papers and Correspondence; viz.

No. 1 to 5.

- N° 1.—Correspondence relating to Slaves from Seychelles, seized and refused entry at Mauritius.
- N° 2.—Proceedings in the Court of Vice Admiralty relative to the seizure of Slaves coming from Seychelles.
- N° 3.—Proceedings in the Colonial Courts relative to the seizure of Slaves coming from Seychelles.
- N° 4.—Correspondence relating to the seizures made by Mr. Mylius, when holding the situation of Assistant Collector of Customs.
- N° 5.—Proceedings in the Court of Vice Admiralty relating to the seizures of Slaves made by Mr. Mylius.

I have, &c.

(signed) *G. Lowry Cole.*

## COMING FROM THE SEYCHELLES TO MAURITIUS.

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N<sup>o</sup> 1.

## CORRESPONDENCE

Relating to Slaves from Seychelles, seized and refused Entry at Mauritius.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

The Honourable A. W. Blane, Esq. Acting Chief Secretary to Government.

Custom House,  
Port Louis, 29th June 1827.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 16th ultimo, and to return to you the correspondence relating to the seizure, &c. of Slaves from Seychelles therein referred to, with copies of the letters required to complete the same. The enclosures (C.) and (D.) of No. 52 are wanting;\* copies of these documents not being filed in the Custom House.

I have, &amp;c. &amp;c. &amp;c.

(signed) P. Salter, Act<sup>g</sup> Col<sup>r</sup> of Cusoms.

SCHEDULE of Copies of Letters relating to Slaves from Seychelles seized and refused entry, forwarded to the Chief Secretary to Government, in the Acting Collector's Letter, dated 29th June 1827.

FROM WHOM.	TO WHOM.	DATE.	SUBJECT.	N <sup>o</sup> .
Colonel Draper, Acting Collector of Customs.	Mr. Blane, Dep <sup>y</sup> Secretary to Government.	1819: 18 August -	Reporting seizure of the schooner Constance by the senior naval officers Les-couables and Malvoisin.	1
Colonel Draper	Mr. May, King's Proctor.	11 November	Directing proceedings to be commenced against two slaves named "Polidore" and "Caprice," belonging to Madame Rousseau.  ENCLOSURES: (a) Letter from Mr. Blane, deputy secretary to government, to Colonel Draper, dated 10 November 1819. (b) Schedule of the two natives of Africa. (c) Letter from Mr. Madge, government agent, Seychelles, to Colonel Draper, dated 27 June 1819. (d) Copy of the Bill of Sale, dated 7 March 1817. (e) Letter from Colonel Draper to Mr. Blane, 17 August 1819.	2
Mr. Davis, Col- lector of Cus- toms.	Colonel Barry, Chief Secretary to Government.	27 December	Reporting detention of three blacks on suspicion of being newly imported.	3
- Ditto -	- Ditto -	1820: 4 January -	Reporting detention of five blacks from Seychelles, for not corresponding with their registration description, "Fidèle," "Louis," "Augustin," "Fevrier," and "Volage."	4

\* For the Enclosures (C.) and (D.) vide packet, marked, "Proceedings in the Colonial Courts relative to the seizure of Slaves coming from Seychelles."

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

FROM WHOM.	TO WHOM.	DATE.	SUBJECT.	N <sup>o</sup>
Mr. Davis, Collector of Customs.	Mr. Harrison, Assis <sup>t</sup> and Sub Agent, charged with collection of the Customs at Seychelles.	1820: 5 January	On the subject of the above discrepancies, and directing that he clear no blacks whose heights or whose marks are irreconcilably at variance with their registration description.	5
Colonel Barry -	Mr. Davis -	13 - -	Directing the prosecution of the five blacks reported seized in the letter 4th January, N <sup>o</sup> 4, to be commenced.	6
Mr. Davis -	Mr. May -	15 - -	Directing proceedings to be commenced against the three blacks above alluded to in N <sup>o</sup> 3; "Fidèle," "Louis," and "Fevrier."	7
Ditto - -	Colonel Barry	18 - -	In reply to Chief Secretary's letter of 13 January, N <sup>o</sup> 6.	8
Colonel Barry -	Mr. Davis -	28 - -	In reply to preceding letter. Collector, in reporting seizures, to state whether he means to prosecute or not.	9
Mr. Cooper, Standing English Counsel.	Collector of Customs.	1821: 2 July -	On the inconvenience attending the including the description of several blacks in one certificate.	10
Mr. Davis -	Mr. Bradshaw, Reg <sup>t</sup> of Slaves.	16 - -	Forwarding certificate and licenses for blacks admitted to entry, and reporting others refused entry.—Inconvenience attending the including several names in one certificate.—Schedule of nine blacks, being the crew of the Jeune Esther, founded off St. Brandon, whose papers have been lost, to be identified.	11
Mr. Bradshaw -	Mr. Davis -	17 - -	Returning schedules, accompanied by a statement of the disagreements.—Separate certificates.	12
Mr. Davis -	Mr. Bradshaw	- - -	ENCLOSURES: (a) Schedule of nine blacks. (b) Signalement de nine esclaves.	
Ditto - -	Ditto - -	12 October	In explanation of his letter of 16 July, N <sup>o</sup> 18.	13
Mr. Bradshaw -	Mr. Davis -	1822: 25 May -	Forwarding certificates of blacks admitted to entry per brig schooner Antoinette.—Reporting trifling disagreement existing between one of the blacks (Pierre Doro) and his certificate.—And also want of conformity of a black arrived per the brig Courier des Seychelles.	14
Mr. Davis -	Mr. Bradshaw	28 - -	Returning a certificate with which a black had been admitted per Theodore, named "Fidelle Raphael;" it appearing that two blacks have been admitted under the same description.	15
Ditto - -	Colonel Barry	3 June -	Replying to the above.	16
Mr. Davis -	Mr. Bradshaw	28 - -	Respecting the importation of Slaves cleared out at Seychelles for Mauritius into Bourbon instead of Mauritius, and of a black named Azor Lafleur, twice expedited on board the schooner Ninette. Meistre and Pasquier.	17
			ENCLOSURES: (a) Letter from Mr. Madge to Mr. Davis, dated 24 April 1822. (b) List of twenty-one blacks disposed of at Bourbon.	

## COMING FROM THE SEYCHELLES TO MAURITIUS.

5

FROM WHOM.	TO WHOM.	DATE.	SUBJECT.	N <sup>o</sup>	N <sup>o</sup> 1. Correspondence relating to Seizure of Slaves.
Colonel Barry -	Mr. Davis -	1822 : 3 July -	Collector to exercise his discretion whether or not to seize the "Ninette," if the fact of the slaves having been sold at Bourbon can be substantiated.	18	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">           N<sup>o</sup> 1. Correspondence relating to Seizure of Slaves.         </div>
			ENCLOSURE : Opinion of Mr. Cooper, standing English counsel to the Crown, 29 June 1819.		
Mr. Davis -	Colonel Barry	4 July -	Reporting that he has received intelligence of the Ninette having been sold since above transaction, and declining prosecuting at his own responsibility and risk.	19	
Ditto -	Mr. Bradshaw	22 - -	Forwarding certificates of blacks admitted, and refused entry.	20	
Ditto -	- Ditto -	24 August -	- - Ditto - - - Ditto - - -	21	
Ditto -	- Ditto -	19 September -	- - Ditto - - - Ditto - - -	22	
Ditto -	- Ditto -	27 November -	- - Ditto - - - Ditto - - -	23	
Ditto -	Colonel Barry	21 December	Enquiring whether the circumstance of blacks not knowing the names of the persons by whom recensé in 1815 is to be considered legally as a want of conformity.	24	
Colonel Barry -	Mr. Davis -	28 December	Replying to the above opinion of Mr. Cooper, on the above case, 28 Dec. 1822.	25	
Mr. Davis -	Mr. Bradshaw	31 - - -	Forwarding certificates of slaves admitted, and refused entry.	26	
Ditto -	- Ditto -	1823 : 9 January -	- - Ditto - - - Ditto - - -	27	
Col. Draper, Act' Agent Gen. of Police.	Mr. Davis -	18 February	Respecting a black named "Gideon Fontaine," refused entry by collector.	28	
Mr. Davis -	Colonel Draper	- - -	Explaining the grounds on which an entry had been refused.	29	
Ditto -	Mr. Bradshaw	4 June -	Forwarding certificates of slaves admitted and refused entry.	30	
P. Rudelle, Esq. Procureur Gen <sup>l</sup> .	Mr. Davis -	11 June -	Transmitting an order to land from the schooner Marthe a negress named "Nina," fraudulently brought from Seychelles by Dalbarede.	31	
Mr. Davis -	Mr. Rudelle -	- - -	Replying to the above - - -	32	
Mr. Blane, Act <sup>s</sup> Col <sup>l</sup> of Customs.	Mr. Bradshaw	9 August	Forwarding certificates of slaves admitted and refused entry.	33	
Ditto -	- Ditto -	14 - - -	- - Ditto - - - Ditto - - -	34	
Ditto -	Capt. Moorson	23 - - -	Enclosing list of nine blacks refused entry.	35	
Mr. Blane -	Mr. Bradshaw	6 September	Forwarding certificate of slave admitted to entry, who had been refused on 10th ultimo.	36	
Ditto -	Colonel Barry	3 October	Reports refusal to admit to entry three blacks arrived per the Iris, for not knowing by whom they were originally recensé, and enquiring whether the grounds on which refusal is made are sufficient.	37	
Ditto -	Mr. Bradshaw	7 - - - 9 - - -	Forwarding certificates of slaves admitted and refused entry.	38	
Ditto -	- Ditto -	30 - - -	- - Ditto - - - Ditto - - -	39	
Mr. Rudelle -	Mr. Blane -	- - -	Applying for papers relating to three slaves arrived per the Iris, refused entry.	40	
Mr. Blane -	Mr. Rudelle -	- - -	Stating grounds on which the refusal had been made ; has no papers.	41	
Ditto -	Mr. Bradshaw	6 November	Forwarding certificates of slaves admitted and refused entry.	42	

N° 1.  
Correspondence  
relating to Seizure  
of Slaves.

FROM WHOM.	TO WHOM.	DATE.	SUBJECT.	N°
Colonel Barry	Mr. Blane	1823 : 13 November	The three slaves reported in letter, 3d October, N° 37, to be admitted to entry.	43
Mr. Portalis, Subst. du Proc. General.	Ditto	28 -	Enquiring under what law the prosecution, ordered to be instituted against certain blacks refused entry, is to be grounded.	44
Mr. Blane	Mr. Portalis	3 December	Replying to the above	45
Ditto	Mr. Bradshaw	5 -	Forwarding certificates of blacks admitted and refused entry.	46
Ditto	Ditto	11 -	- - Ditto - - - Ditto - - -	47
Mr. Mylius, Ass. Coll. of Customs.	Ditto	1824 : 31 May	Forwarding certificate of blacks admitted and refused entry.	48
Mr. Blane	Ditto	8 June	- - Ditto - - - Ditto - - -	49
Mr. Mylius	Ditto	18 -	- - Ditto - - - Ditto - - -	50
Mr. Blane	Colonel Barry	24 -	Transmitting copy of a legal notice of two sentences of the Court of First Instance, and one of the Court of Appeal in the case of slaves from Seychelles refused entry.	51
Colonel Barry	Mr. Blane	26 July	Respecting certain blacks from Seychelles under charge of the Matricule, to be sent back to Seychelles.	52
			ENCLOSURES : (a) Opinion of Mr. Foisy on the above case, 19th July 1824. (b) Copy of the judgment of the Court of First Instance, dated 2d February 1824.	
			Wanting.* (c) Copy of second sentence of the Court of First Instance, 8th March 1824. (d) Ditto of Court of Appeal, 27th March 1824.	
			(e) Letter from Messrs. Brunet and Fouquereaux to Colonel Barry, 16th July 1824. (f) Copy of the order of the Procureur General for the delivery of the blacks from the Matricule for embarkation, 8th July 1824. (g) Letter from Colonel Barry to Messrs. Brunet and Fouquereaux, 24th July 1824.	
Ditto	Ditto	17 August	Forwarding Letter from Government Advocate on the sentence of the Court of Appeal of the 22d July, in the case of 22 slaves from Seychelles detained at the Bagne, and ordered to be sent back to Seychelles.	53
			ENCLOSURES : (a) Letter from Mr. Foisy, dated 13th August 1824. (b) Sentence of Court of Appeal, 22d July 1824.	
Mr. Blane	Colonel Barry	6 September	Replying to the above	54
			ENCLOSURE : Sentence of the Court of Appeal of 22d July 1824.— <i>Vide</i> No. 53 (b).	
Colonel Barry	Mr. Blane	15 -	Authorizing the return to Seychelles of two blacks belonging to Mr. Lequitte.	55
			ENCLOSURE : Copy of Letter from Mr. Lequitte (without date).	

\* For (C.) & (D.)  
*vide* packet, marked,  
"Proceedings  
of the Colonial  
Courts."

## COMING FROM THE SEYCHELLES TO MAURITIUS.

7

FROM WHOM.	TO WHOM.	DATE.	SUBJECT.	N <sup>o</sup>
Mr. Viret, Private Secretary.	Mr. Blane	1824: 23 September	Communicating Extract of an opinion of standing English Counsel to the Crown.	56
Colonel Barry	Ditto	30 -	Directing that the same engagements may be required from Messrs. Brunet and Fouquereaux, on sending back certain blacks to Seychelles as ordered by the sentences of Court of 8th March and 22d July as on a former occasion.— <i>Vide</i> No. 52.	57
			ENCLOSURES:	
			(a) Letter from Messrs. Brunet and Fouquereaux to Colonel Barry (not dated).	
			(b) Order of the Procureur General for the delivery of the blacks, dated 24th August 1824.	
Mr. Blane	Mr. Bradshaw	11 October	Forwarding certificates of blacks admitted and refused entry.	58
Ditto	Ditto	13 -	- - Ditto - - - Ditto - - -	59
Colonel Barry	Mr. Blane	23 November	Ordering a black detained at the Bagne belonging to Madame Panon to be delivered up, and directing if satisfied, that marks not mentioned in the recensement have subsequently occurred, slaves to be admitted.	60
			ENCLOSURE:	
			Opinion of Mr. Cooper, dated 16th November 1824.	
Mr. Blane	Colonel Barry	26 -	Objecting to the above instructions	61
Mr. Mylius	Mr. Bradshaw	8 December	Forwarding certificates of slaves admitted and refused entry.	62
			- - Ditto - - - Ditto - - -	63
Mr. Blane	Ditto	1825: 21 May		64
Colonel Barry	Mr. Blane	7 June	Authorizing the entry of two slaves, Meda and Eugene, mother and son of V. Amedée, for the purpose of being made free.	64
			ENCLOSURES:	
			(a) Petition of V. Amedée, dated 25th May 1825.	
			(b) Opinion of Mr. Cooper, dated 31st May 1825.	
Mr. Blane	Mr. Bradshaw	9 -	Acquainting him Meda and Eugene have been admitted to entry,	65
Colonel Barry	Mr. Blane	23 -	Authorizing an entry for a slave, Marie Sainte, belonging to Mr. Roubion.	66
Mr. Blane	Mr. Bradshaw	27 -	Reporting to him the entry of the above slave.	67
Ditto	Ditto	1 July	Forwarding certificates of slaves admitted and refused entry.	68
Ditto	Colonel Barry	7 -	Reporting a slave arrived per Zoé corresponding with one already introduced, collector rests satisfied with refusing an entry.	69
Colonel Barry	Mr. Blane	8 -	Enclosing petitions from Messrs. Colomès and Devillaine, praying an entry for certain blacks from Seychelles.	70
Mr. Blane	Colonel Barry	12 -	Reporting on the above	71
Colonel Barry	Mr. Blane	18 -	Authorizing an entry for Mr. Devillainé's black.	72
Mr. Blane	Colonel Barry	23 -	Enquiring whether Government intends seizing slave arrived per the Zoé, reported in letter of 7th July (No. 69).	73

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.



No 1.  
Correspondence  
relating to Seizure  
of Slaves.

FROM WHOM.	TO WHOM.	DATE.	SUBJECT.	No
Colonel Barry	Mr. Blane -	1825: 26 July -	Forwarding application for admitting to entry 15 blacks per Jeune Antoinette.	74
Mr. Blane -	Colonel Barry	27 -	Reporting ground of refusal, provision of Act 5 Geo. 4, c. 113, not having been complied with; enquiring what may be deemed the duty of collector under that Act.	75
Colonel Barry	Mr. Blane -	30 -	The blacks above refused to be admitted.  ENCLOSURE : Opinion of Mr. Cooper, dated 28th July 1825.	76
Mr. Blane -	Mr. Bradshaw	8 August	Forwarding certificates of slaves admitted to entry.	77
Ditto - -	Ditto - -	15 September	Forwarding certificates of slaves admitted to entry, and pointing out certain irregularities existing in the papers produced for two blacks belonging to Mr. Marcy, named, Silvain and Virginie.  ENCLOSURES : (a) Extract, containing remarks of collector inscribed on the certificates referred to. (b) Letter from Mr. Marcy to Mr. Blane, 14th September 1825.	78
Mr. Bradshaw	Mr. Blane -	17 -	Replying to the proceeding - -  Amended certificate of slave Virginie, dated 7th August 1826.	79 80

(No. 1.)—A. W. Blane, Esq. Deputy Secretary.

Sir,

Custom House,  
Port Louis, 18th August 1819.

I HAVE the honour to acquaint you, for the information of the Major-General commanding, that the Constance schooner has been seized by the senior naval officer on this station, upon the declaration of the navigating captain, named Lescouble, against Mr. Malvoisin, the name of the commander when the vessel cleared out from this port for Seychelles, on the 23d of January last.

The information against Malvoisin was, that he intended to embark on board the schooner new negroes. A quarrel between the parties has evidently been the cause of the impeachment, (whether the accusation is true or false); and a confession on the part of Captain Lescouble was made that two blacks were concealed on board in barrels, where they were found, and probably would have been suffocated if this confession had not taken place.

From the best report I can obtain, I am of opinion that the two blacks were embarked by the informant, Captain Lescouble.

At the request of the senior naval officer I have directed, as in the case of the Deux Amis, and upon the authority of your letter of the 19th April 1817, the blacks to be received at the Bagne.

I have the honour to be, &c.

(signed) E. A. Draper, Act<sup>s</sup> Col<sup>r</sup> Customs.

(A true copy.)

P. Salter, Act<sup>s</sup> Col<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 9

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

(No. 2.)—S. N. May, Esq. King's Proctor.

Custom House,  
Port Louis, 11th November 1819.

Sir,

UNDER the authority of the Deputy Secretary's letter of the 10th instant, a copy of which is herewith enclosed, I have the honour to transmit to you the enclosed Schedule of two blacks claimed by Madame Rousseau, and brought to this island from Seychelles, and to request you to institute legal proceedings in the court of Vice Admiralty for their condemnation.

For your further information I also send a copy of Mr. Madge's letter, under date the 27th of June last, and of one I addressed to Government on the subject.

I have the honour to be, &c.

(signed) *E. A. Draper*, Act<sup>s</sup> Coll<sup>r</sup> Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Col<sup>r</sup> of Customs.

(N. 2, a.)—E. A. Draper, Esq. Acting Collector of Customs.

Chief Secretary's Office,  
Port Louis, 10th November 1819.

Sir,

I AM directed by Major-General Darling to inform you, that having had under his consideration your letter under date August 17th ultimo, relative to two blacks brought to this island from the Seychelles by Madame Rousseau, he has been pleased to give directions to secure these negroes, who are now in the custody of the Commissaries of Police. It having appeared by the inquiries which have been made into this case that these negroes are unlawfully detained in slavery, the Registrar of Slaves has been instructed, on his part, to institute such legal proceedings as under the provisions of the Registration Ordinance may appear applicable to the offence; and as it is to be inferred that if these negroes are illegally kept as slaves they were introduced into this colony or the Seychelles, as one of its dependencies, in violation of the Slave Abolition Laws, the Major-General is pleased to desire that you will institute the usual proceedings in the Vice Admiralty Court to obtain their condemnation to the Crown. The Commissaries of Police have been instructed to hand over these negroes to you.

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

(signed) *A. W. Blane*, Dep. Sec. to Govern<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 2, b.)—Schedule of Two Natives of Africa seized on Madame Rousseau's premises.

N <sup>o</sup>	NAME.	Age.	Cast.	Sex.	Height.		MARKS.
					Ft.	In.	
1	Sabouri dit Polidor -	18	Mozambique	male	4	6	O on right shoulder.
2	Missasi dit Caprice -	19	- d <sup>o</sup> -	d <sup>o</sup>	4	7 $\frac{3}{4}$	/// under the left eye, and flat face.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> Customs.

N° 1.

Correspondence  
relating to Seizure  
of Slaves.(No. 2. c.)—E. A. Draper, Esq. Acting Collector of Customs, Mauritius.  
Sir,

I HAVE the honour to inform you, that on the 8th of October 1818, a Madame Rousseau, quitting this colony for Mauritius, in order to join her husband, Nicolas Francois Rousseau, who resides there, applied to me for permission to take with her three slaves, named Nancy, Polydore and Caprice, who had been duly recensed by her husband at these Islands according to law; I accordingly gave her such permission, it being allowable and customary, as well as the usual certificate necessary for this purpose.

On taking the triennial recensement, however, for this year, it appears that two of the above-mentioned slaves, named Polydore and Caprice, had been previously *sold and delivered* to a Monsieur Fauchez, an inhabitant of this colony, as appears by a certified copy of the bill of sale herewith enclosed; consequently the two slaves taken from hence, under the above names, must have been slaves illegally introduced, and imposed upon me as the slaves actually recensed; they being, therefore, liable to seizure, I consider it my duty to give you this information, that you may take such measures on the occasion as to you may appear necessary.

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

(signed) *Edwd. H. Madge,*  
Govt. Agent at Seychelles.Seychelles, }  
27th June 1819. }

(A true copy.)

*P. Salter,* Act<sup>s</sup> Col<sup>r</sup> of Customs.

(No. 2. d.)

Je, soussigné, déclare avoir vendu et livré à Monsieur Fauchez les nommés Polydore, L'Éveillé, Caprice, tous trois Nègres, Mozambiques, portés sur mon recensement, et le nommé Eolè, négre Mozambique, que j'ai acquis de Monsieur Thouvenir, lesquels m'ont été payés comptant.

Mahé, ce 7 Mars 1817.

(signé) *Rousseau.*

Pour copie conforme à l'original entre les mains du Sieur Fauchez.

(signé) *Edwd. H. Madge,*  
Command<sup>t</sup> et Agent Civil aux Seychelles.

(A true copy.)

*P. Salter,* Act<sup>s</sup> Collector of Customs.

(No. 2. e.)—A. W. Blane, Esq. Deputy Secretary.

Sir,

Custom House,  
Port Louis, Aug. 17th, 1819.

I HAVE the honour to transmit, for the information of the Major General Commanding, a copy of a letter from the Government agent at Seychelles, with a copy of a bill of sale of two negroes; and on reference to the passports at this office, I find the names of Polidore and Caprice, Mozambiques, to be inserted in Mr. Madge's certificate and permit of embarkation on board the Six Sisters, under date the 8th of October 1818, being domestic slaves of Madame Rousseau, of this colony.

Under these circumstances, I recommend that the Registrar of Slaves may be instructed to call upon Mrs. Rousseau to produce the blacks in question, and to compare them with his recensement, when such further measures may be adopted as Government may deem expedient and proper.

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

(signed) *E. A. Draper,*  
Act<sup>s</sup> Collector of Customs.

(A true copy.)

*P. Salter,* Act<sup>s</sup> Collector of Customs.

Vide Encl. c. &amp; d.

COMING FROM THE SEYCHELLES TO MAURITIUS. 11

(No. 3.)—To Colonel Barry, Chief Secretary to Government. &c. &c. &c.

N° 1.  
Correspondence  
relating to Seizure  
of Slaves.

Sir,

Custom House,  
Port Louis, 27th Dec. 1819.

I HAVE the honour to inform you, for the information of the Major General Commanding, that I have this day detained three blacks coming from Seychelles, professedly as registered negroes; I have, however, no doubt of their being new blacks.

I have the honour to be, &c. &c. &c.  
(signed) *Hart Davis*, Collector of Customs.

(A true copy.)

*P. Salter*, Actg Collector of Customs.

(No. 4.)—Colonel Barry, Chief Secretary to Government.

Sir,

Custom House,  
Port Louis, 4th Jan. 1820.

I HAVE had the honour to report to you the detention of three blacks, coming from Seychelles, who did not answer the description given of them in a copy of the Seychelles recensement, furnished from the office of the Registrar of Port Louis.

I have in the whole detained five of these blacks, the papers and particulars relating to whom I enclose.

The case stands thus: a proprietor of blacks in one British colony may transfer them to another British colony, upon making a written application to the Governor or Custom House Officer at the head of that department, stating the names and particular designations of the slaves whom he is desirous of transferring to another specified British colony. The license to embark them is then given.

Of course, however, since the passing of the Registration Act, the person so applying for a license to ship his slaves must prove to the Collector of Customs granting him the pass that the blacks are those that have been duly recensed and registered, by producing to him a copy of the registration alluding to them, certified as a true copy by the registrar.

59 G. 3, c. 120,  
s. 11.

Owing probably to the nature of the duty not being fully understood by the custom-house officer at Seychelles, the blacks that have come under his license have not brought with his license the identifying copy of the register, and the blacks that have been brought before me for my permission to enter Mauritius, professing to be those to whom the custom-house officer at Seychelles has granted a license, have in several instances proved in their marks and stature irreconcilably at variance with the copy of the Seychelles register, lying in the Registration Office of Port Louis; after this previous explanation, the enclosed papers will sufficiently speak for themselves as to the nature of the objections taken to the identity of the blacks.

Nos. 1, 2 & 3.  
Nos. 1 & 2 were  
requested to be  
returned; viz.  
Copy of Recense-  
ment & Seychelles  
certificate.

I have to request the orders of Government, (as in other cases of detained negroes,) to guide my conduct with regard to a prosecution or dismissal of the individuals in question.

I have the honour to be, &c.  
(signed) *Hart Davis*, Collector Customs.

NAMES of BLACKS.	According to Registry of Recensement, 1815.		According to measurement in Customs, Dec. 28, 1819.		Deficiency in Height.
	Marks.	Height.	Marks.	Height.	
		Feet. Inches.		Feet. Inches.	Inches.
Fidèle ✓	de son pays -	5 2	- - -	4 6 ½	7 ½
Louis ✓	{ un V au bras droit - - }	5 1 ½	{ no mark on right arm - }	4 10 ½	3
Augustin	de son pays -	4 10	- - -	4 7	3
Fevrier ✓	de son pays -	5 3	- - -	4 10	5
Volage -	de son pays -	5 2	- - -	5 0	2

No. 3.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

As the above blacks are each of them several inches shorter than the men whom they represent were in 1815, they cannot be the same; besides which, one of them, Louis, has not the mark V on his right arm, which is so accurately specified in the registration; the half-inch recorded in the measurement of this black, in the recensement of 1815, shows that the heights were not inaccurately ascertained.

(A true copy.)

*P. Salter*, Act<sup>g</sup> Collector of Customs.

(No. 5.)—Geo. Harrison, Esquire, Assistant and Sub-Agent, charged with  
Collection of Customs, Seychelles.

Sir,

Custom House,  
Port Louis, 5th January 1820.

I HAVE the honour to acknowledge the receipt of several letters addressed by you to the late acting collector of this port, and of several papers signed by you, purporting to have granted to divers slaves permission to embark at Seychelles, and clear out for the Mauritius, the owners having complied with the regulations required by the Act of Parliament, 46 Geo. 3, cap. 52.

See Enclosure  
No. 3, to preceding  
letter, to Chief  
Secretary.

I enclose for your information a paper, by which you will see how little several of the slaves, to whom a permission was granted to Mr. Martinet on the 2d of December 1819, have, on arriving here, answered to the description given of the persons they represent in the copy of the Seychelles registration of the recensement of 1815, lying in the registration office of Port Louis.

I have therefore to request that you will in future, before granting a permission to embark slaves under the 46 Geo. 3, c. 52, require from the person making the demand an extract from the register of Seychelles, referring to the blacks in question, the said extract certified as a true copy by the registrar. You will then compare the marks and the height, and not grant a pass to any whose height or whose marks are irreconcilably at variance with the registration description of them, naturally inferring that they are not the persons whom they are brought to personate.

For instance, if in the registration account of the black he is said to be marked with a large V on his right arm, and in the man brought before you to represent the said registered black no such mark exists, he cannot be the same person.

Again, if in the registered account the black named is recorded as having been 5 feet 2 inches high in 1815, it is clear, that although he might have grown taller in the succeeding years, he could not have become shorter, and consequently, if a black is brought as the one registered, whose height you find by measurement not to exceed 4 feet 6  $\frac{1}{2}$  inches, you will conclude, that as he is 7  $\frac{1}{2}$  inches shorter than the registered man whom he represents, he cannot be the person he personates, and therefore you will not grant him a pass.

I have also to request, that along with the pass granted by you for the embarkation of the blacks, you will send me the extract of the register certified as a true copy by the registrar, which I have before referred to.

I have the honour to be, &c.

(signed) *Hart Davis*.

*P. S.*—The forms which I have requested you to adhere to in permitting the embarkation of blacks at Seychelles for Mauritius, (under 46 Geo. 3, c. 52,) I shall myself carefully attend to in allowing the embarkation of blacks similarly circumstanced in this port for the Seychelles.

Along with the license made out in this department will be sent the certified extract of the registration of the blacks in question, under the latest recensement in Mauritius, with which you will compare the marks and stature of the individuals, and which you will require as the proof that those to whom the license of embarkation has been granted are the same with those presenting themselves before you as such at Seychelles.

(signed) *Hart Davis*, Coll<sup>r</sup> of Customs.

(A true Copy)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 13

(No. 6.)—To Hart Davis, Esquire, Collector of Customs.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

Sir,

Chief Secretary's Office,  
Port Louis, 13th January 1820.

IN reference to your letter of the 4th instant, relative to the five negroes arrived from Seychelles in the schooner *Ninette*, I have now the honour to convey to you the desire of the Major-General commanding, that the cause be prosecuted, as has heretofore been the case, in the name and under the responsibility of the Collector of Customs.

The Major-General at the same time deems it proper that you should apprise the individuals who may persist in claiming these negroes, that they will be proceeded against, and the penalties of the Registration Ordinance enforced, should it be proved that they had endeavoured, in contravention thereof, to retain these blacks in slavery by the production of false recensements.

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

(signed) *G. A. Barry*,  
Chief Secretary to Government.

(A true copy.)

*P. Salter*, Act<sup>g</sup> Coll<sup>r</sup> of Customs.

(No. 7.)—S. N. May, Esquire, King's Proctor.

Sir,

Custom House,  
Port Louis, 15th January 1820.

I HAVE the honour to enclose you the particulars relating to three blacks seized from amongst a number coming from Seychelles to this island, under 46 Geo. 3, c. 52, as in no way agreeing with the description of them in the extract of the registration under which they are cleared out from Seychelles.

I have to request that you will proceed in this case to prosecute in behalf of the Collector of Customs as usual.

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

(signed) *Hart Davis*, Coll<sup>r</sup> of Customs.

NAMES of BLACKS.	According to Registry of Recensement, 1815.		According to measurement in Customs, Dec. 28, 1819.		Deficiency in Height.
	Marks.	Height.	Marks.	Height.	
		Feet. Inches.		Feet. Inches.	Inches.
Fidelle, dit Lau- rent - - }	de son pays -	5 2	several - -	4 6½	7½
Louis, dit Marcy	{ un V au bras } droit - - }	5 1½	{ no mark on } right arm - }	4 10½	3
Février, dit Cote	de son pays -	5 3	several - -	4 10	5

The above blacks are brought from Seychelles, with an accompanying extract from the recensement under which they have been registered.

On landing at Port Louis they have been examined, among several others, to see that they are the persons under whose names they enter, and as they are several inches shorter than the men whom they represent were in 1815, they cannot be these old registered blacks.

Besides the deficit in height, "Louis, dit Marcy" is registered as having a large V on his right arm, his representative has no mark at all on this arm. The half-inch, recorded in the registration of the height of this black, shows that the heights were not inaccurately ascertained.

The above blacks are seized, as having been introduced into this island from Seychelles, under a recensement to which they in no way correspond.

(A true copy.)

*P. Salter*, Act<sup>g</sup> Coll<sup>r</sup> of Customs.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

(No. 8.)—Colonel G. A. Barry, Chief Secretary to Government.

Custom House,  
Port Louis, 18th January 1820.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 13th January, conveying to me the desire of the Major-General commanding, that the cause of the new blacks should be prosecuted, *as had hitherto been the case, in the name and under the responsibility of the Collector of Customs.*

Since I last had the honour to address you on this subject I have had three new blacks brought in to the Custom House, two males and one female, who will be prosecuted as soon as the number on hand is sufficient to defray the expenses; but I presume that it will no longer be necessary to inform the Government of the blacks detained, since it is of course the judgment of the Collector of Customs *alone* that will guide him in determining what cases he may venture to prosecute, and what to consider as only pretended new blacks.

I shall not fail, as the Major-General commanding desires, to communicate to persons claiming new blacks the risk they run in persisting in their claims, since should the blacks be ultimately condemned by the courts, the claimants will be prosecuted, in order to recover the heavy penalty assigned by the law upon all persons illegally detaining such blacks in slavery.

I have the honour to be, Sir, your most obedient servant,

(signed) *Hart Davis*, Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>e</sup> Coll<sup>r</sup> of Customs.

(No. 9.)—To Hart Davis, Esquire, Collector of Customs.

Chief Secretary's Office,  
Port Louis, 28th January 1820.

Sir,

I HAVE now the honour to reply to your letter of the 18th instant, acknowledging a former communication from this office, under date the 13th.

In reference to and in further explanation of the tenor of that communication, I am directed to convey to you the Major-General's more specific and definitive instructions on the subject.

In all cases where blacks may be sent to the Collector of Customs, who have been detained under the presumption of their illegal introduction, the collector will, after the adoption of every proper measure, for the purpose of ascertaining whether the evidence to this effect may be, in his own view of the case, sufficiently strong to induce him to prosecute the same in his own name, and under his own responsibility as to the expenses attending the process, and in making his report of these circumstances for the information of Government, he will distinctly *state whether he means to prosecute or not*, upon which the Governor will then determine whether he will himself prosecute or otherwise as the case may be.

It may be necessary, in the mean while, to explain that the paragraph of my letter of the 13th of January adverted to and quoted in yours of the 18th, is erroneous, in so far as it states, that *heretofore Negroes suspected to have been newly imported have been prosecuted under the responsibility of the Collector of Customs.* The fact is, that although they have been prosecuted in his name, that Government has hitherto ordered the prosecution, and has borne all the expenses incident thereto.

I have the honour to be, Sir,

Your very obedient and humble servant,

(signed) *G. A. Barry*, Chief Secretary to Govern<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>e</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 15

N° 1.  
Correspondence  
relating to Seizure  
of Slaves.

(No. 10.)—To His Majesty's Collector of Customs.

Sir,

I HAVE carefully considered the questions put to me by you on Saturday last, relative to the right interpretation of the 11th section of the Act of the 59th of his late Majesty, c. 120, as also concerning the most convenient method to be adopted in the practical application of that section.

I think the wording of the Act is sufficiently clear of itself, as far as regards the shipping of slaves in one British colony in order to be conveyed to another British colony; and the duty of the person shipping any slaves in one British colony with the view of removing them to another British colony, as also that of the collector of customs of the colony at which they are shipped, are clearly defined and laid down. Some remark seems to be necessary as to the precise manner of making the certified copy of the registration to be presented to the collector of customs at the place where the shipment is made, as required by the Act, and which is to be annexed to the clearance or permit to be given for the shipment and exportation of the slaves: considerable embarrassment might arise, and in a late case has actually arisen, from the circumstance of joining in the same certified copy produced to the acting collector of customs at Seychelles a number of slaves together, inasmuch as in case any of the slaves on their arrival here shall be found not to agree with such certified copy, on personal inspection of the collector at this place, (a proceeding which the said Act requires to be done,) then, such as do not agree shall be refused entry, and must, as left to infer, be sent back with their papers.

Now it may happen, and has happened, that some part of the slaves contained in such certified copy, after proper scrutiny, may be found to be admissible, while others, from the circumstance of their discrepancy, must be rejected. This causes difficulty and embarrassment, when the point of sending them back *with their papers* is considered, inasmuch as the papers ought also to remain with those who are found to be admissible. To obviate this inconvenience, I should venture to advise that directions may be given to the person acting for the Registrar of Slaves at Seychelles to furnish *a separate certificate for each separate black*, and that a separate clearance be also given for each at the Custom House there, so that in case of the rejection of any after this examination here, such as are rejected may go back, each with his own papers. The provisions of the Act would be thus well complied with, and much of the inconvenience mentioned be avoided.

I have perused the draft of a form of permit, which I herewith return, and which I think sufficient to answer all the purposes required.

I have the honour to be, &c.

(signed) *John J. Cooper.*

Port Louis, 2d July 1821.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 11.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 16th July 1821.

I HAVE the honour, according to the requisitions of the Act of the 59 Geo. 3, c. 120, further regulating the transfer of slaves from one British colony to another, to deliver to you the enclosed 20 sets of papers, containing the certificates of registry of slaves, and the permits to transfer such slaves from the Seychelles to this colony.

You will observe, that admission to entry has been refused in this office to some of the slaves, from an apprehended want of identity with the persons described in the certificates of registration, although these certificates are forwarded to you instead of being returned to the owners of the rejected slaves, which last ought evidently to be done when the slaves are not admitted to entry.



N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

In most cases this detention of the certificates accompanying the rejected slaves has been made necessary from the circumstance of one certificate of registry comprising the names of many slaves, so that, although some were admitted to entry and some not, the papers could not be divided, and consequently the papers have not been returned in the case in which, from the admission of none of the slaves described, it might have been given back without inconvenience, in order to avoid the incongruity which might have arisen.

On this subject, Mr. Cooper, the English counsel to Government, has recommended that a separate certificate and permit be given for each slave to be transferred to another British colony, and I have the honour to enclose you a copy of his letter, as interesting to your department as well as my own.

I have also the honour to enclose a schedule taken before me of nine slaves, declared to have been mariners on board the *Jeune Esther*, from Seychelles, foundered off St. Brandon, the captain declaring that he lost on the wreck the certificate of registry of these slaves, which the Act requires that he should have always with the slaves on board the vessel. Having no means of verifying the truth of the statement, I forward to you the Schedule of these nine men, declared by the captain to have been recensed in 1815, by Mr. Constant Dupont.

I have the honour to be, &c.

(signed) *Hart Davis*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 12.)—To Hart Davis, Esq. Collector of Customs.

Sir,

Slave Registration Office,  
17th July 1821.

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, with its several enclosures. I have examined the Schedule, herewith returned to you, of nine blacks, declared to have been recensed by Mr. Constant Dupont, which I find to have been the case, but with considerable variation from the Schedule, as will be seen by the accompanying statement.

I do not clearly comprehend whether you are desirous of having separate certificates for the slaves which you have rejected from a want of identity, to serve as a protection from seizure, to which the absence of certificates would expose them, on their return to Seychelles.

Adverting to the opinion of Mr. Cooper, (of which you have favoured me with a copy,) in reference to the mode of preparing certificates henceforth to be issued at Seychelles to persons transporting slaves thence to this colony; the measure advised by him appears calculated effectually to remedy the inconvenience of which you complain, as well as in other respects, to have a beneficial tendency, and I shall not fail to transmit the necessary instructions to the clerk in charge of the Registration Department at Seychelles as soon as I have obtained the authority of Government.

I have to honour to be, &c.

(signed) *T. Bradshaw*,  
Registrar.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(Schedule, No. 12. a.)

Description taken at the Custom House, Port Louis, before me, this 12th July 1821, of Nine Slaves landed from the *Cheritie*, Captain Macé, from St. Brandon, declared to be the Mariners of the Schooner *La Jeune Esthere*, Captain Tourette, from Seychelles to the Six Islands and the Mauritius, wrecked off St. Brandon, which Nine Slaves are unaccompanied by any Extract and Certificate of Registration required by the Act of 59 Geo. 3, c. 120, to be always on board the Ship or Vessel in which such Mariners are carried or employed; but which Slaves have not been seized, in consequence of a declaration made by Captain Tourette, of the *Jeune Esthere*,

## COMING FROM THE SEYCHELLES TO MAURITIUS. 17

Esthere, that he had this Paper on board, which he had duly received at Seychelles, but that it was lost, with most of his Ship's Papers, when the Vessel was wrecked.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

NAMES.	Caste.	Sex.	Height, July 12, 1821.		MARKS.
			Feet.	Inches.	
Diligent - - -	Mozambique	male -	4	10	scar on left cheek.
Robinson - - -	Ditto -	ditto -	5	-	{ country marks on face and body.
Champagne - - -	Ditto -	ditto -	5	5 $\frac{1}{4}$	{ ditto forehead and temples.
Paulin - - -	Ditto -	ditto -	4	6 $\frac{1}{2}$	ditto forehead.
La Bor <sup>de</sup> - - -	Ditto -	ditto -	5	1	ditto on both temples.
Pierrot - - -	Ditto -	ditto -	4	9 $\frac{3}{4}$	no marks.
Scapin - - -	Ditto -	ditto -	5	1 $\frac{1}{4}$	{ country marks on stomach.
Blondel - - -	Ditto -	ditto -	5	2 $\frac{1}{2}$	ditto on belly.
Azor - - -	Creole -	ditto -	5	1 $\frac{1}{2}$	no marks.

Recensed at Seychelles, in the year 1815,  
by Mr. Constant Dupont.

Custom House, Port Louis, Mauritius, }  
this 12th day of July 1821.

(signed)

Hart Davis,  
Collector of Customs.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 12, b.)—Signalement de Neuf Esclaves recensés, par Mr. Constant Dupont, en 1815.

Noms.	Surnoms.	Couleur.	Emplois.	Age.	Taille.		Castes.	Marques.
					Pieds.	Pouces.		
Diligent -	Lambin -	noir -	pioche -	21	4	8	Doybo -	de son pays.
Robinson -	Rafombé	ditto -	ditto -	20	5	-	Quinguera	- ditto.
Champagne	Isonoié -	ditto -	ditto -	21	5	1	Zanzibar	- ditto.
Paulin -	Lasie -	rougeâtre	petite bande	9	3	9	Créole -	point.
Labonté -	Bosu -	noir -	charpentier	23	5	-	Mongola	petite verette.
Pierrot -	Mucois -	rougeâtre	moulineur -	30	4	9	Mozambique	de sen pays.
Scapin -	Moucaté	noir -	pecheur -	19	5	-	Doybo -	- ditto.
Blondel -	Reprise -	ditto -	charpentier	23	5	2	Mongola	sans marques.
Azor -	Neaman -	ditto -	domestique	13	4	5	Creole -	sans marques.

Port Louis, 17th July 1821.

(signed)

T. Bradshaw, Registrar of Slaves.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 13.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 17th July 1821.

IN reply to your letter of this date, the receipt of which I have the honour to acknowledge, with its enclosures, I have the honour to state that my observations respecting the Slaves not admitted to entry by me, were merely intended in regard to the past, to account to you for the observations on the certificates forwarded to you

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

you by me. In reference to the future, I am happy to find that you approve of the plan recommended by Mr. Cooper for granting certificates of registration at Seychelles.

I have the honour to be, &c.

(signed) *Hart Davis*, Act<sup>s</sup> Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 14.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 12th Oct. 1821.

ENCLOSED I have the honour to forward to you, as required by the Act of Parliament, the papers accompanying the slaves arrived from Seychelles on board the English brig schooner *Antoinette*, and admitted to entry by me this day, after the personal inspection and comparison required by the law.

With reference to one of the certificates, that of *Pierre Doro*, who is registered, according to the corrected certificates, as being "without marks," the black representing the slave appears, on very close examination, to be very slightly tattooed on the forehead. This mark, however, is so very difficult to distinguish, from the very slight manner in which it has been made, that I cannot consider the identity as disproved by this disagreement, since had I myself recensed this slave I should have supposed myself correct in designating him as "without marks."

I yesterday felt obliged to decide differently in regard to a black arrived on board the English brig "*Courier des Seychelles*;" the slave borne on the corrected certificate being registered as having "*marques de son pays*," could not be considered identified with the slave brought as the representative, since on the latter no mark of any kind could be shown by the person most interested in proving the identity.

I have the honour to be, &c.

(signed) *Hart Davis*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 15.)—To *Hart Davis*, Esq. Collector of Customs.

Sir,

Slave Registration Office, May 25th, 1822.

I HAVE the honour to transmit to you one of the certificates, forwarded from Seychelles on board the English brig *Theodore*, this day presented at the Registry Office for verification.

It appears from the certificates filed in this office, that "*Fidelle Raphael*" was admitted to entry at the Custom House on the 7th instant, under a certificate dated Seychelles, 4th April 1822; "*Fidelle Raphael*" again appears upon the enclosed certificate, dated Seychelles, 27th April 1822, described as in the former certificate.

The same circumstance has occurred with respect to another negro borne on the same certificate, named "*François Piton*," who was passed at the Custom House on the 15th of June 1821, under a certificate of registry dated "Seychelles, 20th of April 1821."

In the latter case there is a bare possibility of the black having been reconveyed to Seychelles; but with regard to "*Fidelle Raphael*," the dates show the impossibility of the thing, and it appears evident that the parties intended to practise a fraud.

I have the honour to be, &c.

(signed) *T. Bradshaw*, Registrar.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 16.)—*T. Bradshaw*, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 28th May 1822.

With reference to your letter of the 25th instant, I have the honour to return you the certificates of Mr. *Dugand's* blacks for correction, in the case of *Fidelle Raphael*,

## COMING FROM THE SEYCHELLES TO MAURITIUS. 19

Raphael, who, as you justly observe, has already, as it appears, recently entered from Seychelles. With regard to the other black, François Piton, I find, by reference to the endorsed manifest, that two slaves, Casimir and François, accompanied Mr. Dugand back to Seychelles as domestic servants, on the Courier, Captain Langlois, sailed the 28th August 1821.

It appears probable, therefore, that this François and the present François Piton may be the same person.

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

(signed) *Hart Davis*, Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

(No. 17.)—Colonel G. A. Barry, Chief Secretary to Government.

Sir,

Custom House,  
Port Louis, 3d June 1822.

HAVING received a letter from Mr. Madge, government agent at Seychelles, lately in charge of the Department of Customs, of which the enclosed is a copy, I have the honour to forward it for the information of his Excellency the Governor, and to state, that I am not aware in what way I can act in this matter, except in executing any orders which I may receive from Government on the subject.

I have the honour also to enclose a certificate which has reference to this transaction, inasmuch as it will be seen thereby that a slave named "Azor Lafleur," recensed by a Monsieur Pasquier in 1815, was expedited by Mr. Madge from Seychelles on the 20th October 1820, and was admitted to entry in this colony on the following month of November.

If, then, the expeditions from Seychelles on board the schooner "Ninette," Captain Mestre, of 21 slaves, described in Mr. Madge's enclosed letter of the 24th April last, (amongst whom is one named *Azor Lafleur*, recensed by Mr. Pasquier in 1815,) relate to the "Azor Lafleur" named in the expeditions forwarded to Mauritius by the schooner "Amelina" in October 1820, it would appear that, independent of the question raised by the details of Mr. Madge's enclosed letter of the 24th April last, that officer has fallen into the error of expediting two different slaves at different periods, under the same name and the same recensement.

A reference to Mr. Bradshaw the registrar will, however, be a ready means of ascertaining whether this is the case, or whether there are two slaves of the name of "*Azor Lafleur*" each recensed in 1815 by a Monsieur Pasquier.

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

(signed) *Hart Davis*, Collector of Customs.

To all whom these Presents may concern :

THESE are to certify, That Mr. Hoart has obtained (by virtue of the 46 Geo. 3, c. 52, under date the 23d May 1806,) permission to embark on board the schooner L'Amelina, for Mauritius, the negroes named and numbered as per below, the same having been duly recensed at the registration office at this dependency.

Given at His Majesty's Custom House at the Seychelles Islands, under my hand and seal of office, the 20th day of October 1820.

(signed) *E. H. Madge*,

Agent charged with the Collection of Customs.

The above is a truly copied extract from Mr. Madge's said certificate as regarding "Azor Lafleur."

(signed) *Hart Davis*,

Collector of Customs, Port Louis, Mauritius.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

N <sup>o</sup>	Name.	Surname.	Age.	Caste.	Sex.	Height.		Marks.
						Ft.	In.	
1	Azor	Lafleur	39	Mozam.	male	5	0	of his country.

N<sup>o</sup> 1.Correspondence  
relating to Seizure  
of Slaves.

(No. 17, a.)—Hart Davis, Esq. Collector of Customs, Mauritius.

Sir,

Seychelles Islands, 24th April 1822.

A CIRCUMSTANCE of a very atrocious nature having *but recently* come to my knowledge, I take the earliest opportunity of making you acquainted with it.

The schooner *La Ninette*, Captain B. Mestre, was cleared out from this port on the 10th November 1820, for Mauritius direct, having on board a Mr. Pasquier, an inhabitant of this dependency, as a passenger, and 21 slaves, his property, with regular expeditions as prescribed by the existing regulations.

I understand, however, that Captain Mestre, instead of directing his course for Port Louis, was prevailed upon by Mr. Pasquier to touch first at Bourbon, where, finding an opportunity of disposing of his slaves to better advantage than at Mauritius, he sold them for specie; suppressing the expeditions, with the certificates annexed, in order to conceal from you, on his arrival at Port Louis, his having had slaves on board. Mr. Pasquier afterwards proceeded to France.

I will confess to you, sir, that at the period of clearing out *La Ninette*, having but recently entered on the function of Collector of Customs, and being also charged at the same time with the Slave Registration Department, joined to my own duties as Government Agent, in the hurry and confusion ever attendant on the expedition of so many slaves at the same time, I have since found that the usual caution for their being disembarked at Port Louis was, through forgetfulness, omitted; and from Mr. Pasquier having left a considerable property at these islands, and Captain Mestre being a respectable young man allied to the principal families here, I never supposed it possible that an act, in such defiance of the law, could have been committed.

As the case, however, is not irremediable, having already placed the property of Mr. Pasquier in arrêt, I request you will be so good as to call upon Captain Mestre, now at Mauritius, for his formal declaration of the fact, that upon its being sent to me I may prosecute for the offence, and confiscate Mr. Pasquier's property to the amount of the penalties.

As to Captain Mestre, I leave him to be dealt with by you as you may judge proper.

I herewith enclose a list of the slaves belonging to Mr. Pasquier, embarked on board *La Ninette* at the period alluded to.

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

(signed) *E. H. Madge*, Government Agent,  
lately in charge of the Department of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 17, b.)—A List of Slaves belonging to Monsieur Pasquier, embarked on Board the Schooner *Ninette*, Captain Mestre, bound to Mauritius, the 10th November 1820:

Mahé Seychelles, 24th April 1822.

Azor Laffeur	-	-	-
Babet Claire	-	-	-
Figaro Vincent	-	-	-
Jolicoeur Justin	-	-	-
Jean Etienne	-	-	-
La Rose Printanière	-	-	-
L'Eveille Endormi	-	-	-
Marie Madelaine	-	-	-
Mars Charles	-	-	-
Narcisse Fleur	-	-	-
Pierre le Grand	-	-	-
Paul Françoise	-	-	-
Rosalie Susanne	-	-	-
Therese Christine	-	-	-
Zephir Volant	-	-	-

recensed by Mr. Pasquier, in 1815.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 21

		Recensed, in 1815, by.
La Conouda Figaro	- -	Charles Dantin.
Andoche Didier	- - -	Armand Esparron.
Lubin Pedant	- - -	- Ditto.
Felix Casaca	- - -	Rosalie (femme libre.)
Marie Anemone	- - -	Etienne Dupuy.
Maria Luce	- - -	Jean Loizeau.

N° 1.  
Correspondence  
relating to Seizure  
of Slaves.

(signed) *E. H. Madge*, Government Agent.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 18.)—To Hart Davis, Esq. Collector of Customs.

Sir,

Chief Secretary's Office,  
Port Louis, 3d July 1822.

YOUR letter under date the 3d ultimo, with its enclosures, referring to the importation of certain blacks from Seychelles into the Island of Bourbon, on board the schooner Ninette, Captain Meistre, was duly submitted to his Excellency's attention; and in conformity to his instructions, I have subsequently called upon Mr. Cooper, standing English counsel, for his opinion as to the legal measures or prosecutions that should be resorted to on the occasion.

On his Excellency's return from his tour round the island, I have lost no time in bringing the opinion of Mr. Cooper under his notice; and I have now the honour, in consequence of his Excellency's directions to that effect, to enclose you copy of the aforesaid opinion of the English counsel; and further, to apprise you, that you are, as collector of customs, the officer whom his Excellency supposes to be therein alluded to by Mr. Cooper, and you will of course exercise your discretion as such.

I have the honour to be, &c.

(signed) *G. A. Barry*, Chief Secretary to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(Enclosure of No. 18\*.)

To Colonel Barry, Chief Secretary to Government, &c. &c. &c.

Sir,

I HAVE the honour to acknowledge the receipt of your letter respecting the conduct of Messieurs Pasquier and Le Meistre, in carrying slaves from the Seychelles and disposing of them by sale at Bourbon.

I am of opinion that, as the slaves referred to were legally in a state of slavery at the time they were taken and confined on board *Le Meistré's* vessel, the case cannot well be brought within the purviews of the 51st of his late Majesty, and that no indictment for the felony could with safety be preferred. The remedy then seems to be afforded by the 46th of the late King, c. 52, by which statute it is prohibited to British subjects, or any persons resident in any of His Majesty's dominions, to carry and convey slaves to foreign colonies under the penalties of loss of ship and cargo, and 50*l.* sterling per head for every slave so carried and conveyed. If then the vessel which was employed in this transaction be now here, and there be evidence to prove that fact, it is the duty of the proper officers to seize her; and further, *Le Meistré* may be sued for the penalties as above stated. But it is fit I should observe, that as the penalties are in nature of a debt to the informer and prosecutor, no arrest for their amount can take place till judgment recovered, and it is to be feared that any attempt at success will be fruitless, as, while proceedings are going on, the party will most probably, and according to custom, make his escape. But this is a point on which the prosecutor alone must decide.

I have the honour to be, &c.

Champ de Lore, June 29th 1822.

(signed) *John J. Cooper*.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

(No. 19.)—Colonel G. A. Barry, Chief Secretary to Government.

Sir,

Custom House,  
Port Louis, 4th July 1822.

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, informing me that I am, as collector of customs, the officer supposed to be alluded to by Mr. Cooper, in his legal opinion (of which you enclose a copy), which states that "if the vessel (the Ninette) be now here, and there be evidence to prove the fact, (the landing of the slaves at Bourbon, who were shipped at Seychelles,) *it is the duty* of the proper officers to seize him."

In reply, I have the honour to state that since I forwarded to you, on the 3d June last the letter I had received from Mr. Madge on this subject, the alarm appears to have been taken by Mr. Le Mestre, and a sale, whether real or fictitious, made of the vessel.

I hope, therefore, that it is not necessarily *my duty* to seize the vessel, and incur the heavy costs of a prosecution, when it may probably be proved that the schooner is the property of another individual, and on that account probably not seizable.

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

(signed) *Hart Davis*, Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 20.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 22d July 1822.

ENCLOSED I have the honour to forward, as required by the Act 59 Geo. 3. c. 120, s. 11, one set of papers, accompanying the Negress Clara, belonging to Monsieur Julien Langlois, transferred from Seychelles to this colony on board the English brig Courier, Captain Langlois, whom I have admitted to entry this day.

The other Negress representing "Mélaine," the other name borne on the same paper, has not been permitted by me to land for the purpose of being compared with the description in the certificate of recensement, in consequence of your official signature having applied only to Clara.

I have the honour to be, &c.

(signed) *Hart Davis*, Act<sup>s</sup> Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 21.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, August 24th 1822.

ENCLOSED I have the honour to forward to you, as required by the Act 59 Geo. 3. c. 120, s. 11, eighteen sets of papers, accompanying 39 slaves belonging to different persons transferred from Seychelles on board the brig Theodore; of these 39 slaves only 38 have been admitted to entry, as shown by the observation indorsed on the papers themselves.

I have the honour to be, &c.

(signed) *Hart Davis*, Act<sup>s</sup> Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 23

(No. 22.)—Thomas Bradshaw, Esq. Registrar of Slaves.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

Sir,

Custom House,  
Port Louis, 19th September 1822.

ENCLOSED I have the honour to forward to you, as required by the Act 59 Geo. 3, c. 120, s. 11, fourteen sets of papers, accompanying 42 slaves, belonging to different persons, transferred from Seychelles on board the English brig Courier, Captain Langlois, of whom 40 have been duly admitted to entry, and two rejected, (namely, Victor Armide and L'Espoir Trompé,) belonging to Monsieur Robert Neveu, as not agreeing with the descriptions in the certificate of registration.

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

(signed) *Hart Davis*, Act<sup>g</sup> Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>g</sup> Collector of Customs.

(No. 23.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 27th November 1822.

ENCLOSED I have the honour to forward to you, as required by the Act 59 Geo. 3, c. 120, s. 11, sixteen sets of papers, accompanying 34 slaves belonging to different persons, transferred from Seychelles on board the English brig Courier, Captain Langlois, of whom 33 have been admitted to entry to this colony, the remaining black being rejected.

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

(signed) *Hart Davis*, Act<sup>g</sup> Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 24.)—To G. A. Barry, Esq. Chief Secretary to Government.

Sir,

Custom House,  
Port Louis, 21st December 1822.

IN admitting slaves transferred from Seychelles to this colony, I am required to see that they "agree in description with the slave or slaves mentioned in the certificate or clearance, and if not, refuse to admit the same to entry."

In former letters I have explained the want of agreement which I found between the slaves and the certificates of recensement accompanying them, without my having the means of proving that they are the persons alluded to in the certificate, and by his Excellency's authority on this subject, conveyed through you, I consider this part of the question as set at rest for the moment. Another difficulty has to day arisen on examining a number of blacks arrived from Seychelles on board the Theodore. Many of these blacks, in recounting the names of the masters with whom they have lived, do not in any way recognize the name of the person by whom, according to the certificate of registration, they were recensed in 1815.

This would seem necessarily to imply that the blacks presented are not the blacks to whom the certificate refers as having been recensed in 1815, and I have to beg to know whether this is considered legally as a want of conformity between the slave and the certificate of registration.

I have remanded the slaves on board until Monday, when I hope to receive an answer on this point.

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

(signed) *Hart Davis*, Act<sup>s</sup> Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.



N<sup>o</sup> 1.Correspondence  
relating to Seizure  
of Slaves.

(No. 25.)—To H. Davis, Esq. Collector of Customs, &amp;c. &amp;c. &amp;c.

Sir,

Chief Secretary's Office,  
Port Louis, 28th December 1822.

THE opinion upon the blacks from Seychelles, forwarded to you this morning, not being in form and detail, which the standing counsel had not time to prepare at the moment, I have now received his Excellency the Governor's directions to forward to you a copy of the full opinion on the case by that law officer, which you will be pleased to consider, (as far as his Excellency can interfere,) the instructions for your information and guidance.

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

(signed)

G. A. Barry,  
Chief Secretary to Government.

(A true copy.)

P. Salter, Act<sup>s</sup> Collector of Customs.

(Enclosure of No. 25.)

To Colonel Barry, Chief Secretary to Government.

Sir,

December 28th, 1822.

I HAVE received, through the office of the chief secretary to Government, a letter addressed to you by the Collector of Customs, in which a difficulty is raised on the subject of admitting slaves, coming from Seychelles on board the Theodore, to an entry here, it being found that some of these slaves are not able to give a satisfactory account of the individual who registered them as his own in the year 1815. On my first receipt of your communication, being pressed for a speedy answer, I wrote a short letter to the private office of his Excellency the Governor, containing my opinion on this subject; and I now have the honour to communicate to you that opinion in an official form.

I have examined the Act of Parliament containing regulations on this subject, and I find that the Collector of Customs is required to see that the slave agrees *in name and description* with the certificate which accompanies him from the island whence he comes.

The circumstance of some of these blacks not recognizing the names of the persons who registered them in the year 1815, could hardly, I think, be considered of itself sufficient on which to ground a refusal to admit them at the space of seven or eight years: these slaves may have passed through many hands, they may have been subject to many masters, either by purchase or hiring, which might make it difficult for them to distinguish names, more especially as at the time when the original registration was made the slaves themselves were not, I believe, subjected to any particular examination, or other proceedings, which might otherwise have impressed more deeply on their recollections the particular time when that original registration was made.

At all events, if any serious or weighty reasons exist in the collector's mind, which give him to suspect that there is an attempt at fraud, it must be borne in mind, that an opinion of mine can do no more than help him to decide whether he would be borne out in a court of justice for his refusing to admit these slaves to an entry; I can myself decide nothing: it is a question of evidence, which the courts alone can determine. I am however of opinion, that if Mr. Davis has nothing to rest upon but the single circumstance of the blacks not knowing who registered them in 1815, that is not sufficient on which to refuse them an entry.

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

(signed)

John J. Cooper.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 25

(No. 26.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 31st December 1822.N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

ENCLOSED I have the honour to forward to you, as required by the Act 59 Geo. 3, c. 120, s. 11, eight sets of papers accompanying 20 slaves belonging to different persons transferred from Seychelles, on board the brig Theodore, Captain Pandellé, of whom 18 have been admitted to entry by me, and two have been rejected.

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

(signed) *Hart Davis*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 27.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 9th January 1823.

ENCLOSED I have the honour to forward to you, as required by the Act 59 Geo. 3, c. 120, s. 11, six sets of papers, accompanying 20 slaves, belonging to different persons transferred from Seychelles, on board the brig "Java Packet," Captain B. Mestre, of whom 19 have been admitted to entry in this colony, and one rejected.

With respect to two of the said 19 slaves, viz. Charles Sigismond and Joseph Riminsky, I have the honour to state, that in April last I refused to admit them to entry in this colony, on account of non-conformity with their certificate of registration as to height, and their identity being otherwise doubtful, from these slaves not being in the exercise of the culinary arts attributed to them in the certificate.

These slaves now state, that when very young they were put to these occupations for a short time, and as the difference between their height does not involve the *impossibility* of the identity of the individuals, I have felt obliged to admit to entry on the present occasion, not being authorized by Government to involve it in legal litigation in such a case.

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

(signed) *Hart Davis*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 28.)—Hart Davis, Esquire, Collector of Customs, &amp;c.

Sir,

Police Office, February 18th 1823.

CONFORMABLY to the directions of his Excellency the Governor, I have the honour to refer to you the case of a black, named Gideon Fontaine, disembarked from the Java Packet by the visiting officer of police.

The enclosed papers will explain the cause of his disembarkation, and the orders for the present reference.

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

(signed) *E. A. Draper*, Act<sup>s</sup> Agent General of Police.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 29.)—Colonel Draper, Acting Agent General of Police.

Sir,

Custom House,  
Port Louis, 18th February 1823.

I HAVE the honour to acknowledge the receipt of your letter of the 18th instant, referring to me "conformably to the directions of his Excellency the Governor, the case of a black named Gideon Fontaine, disembarked from the Java Packet 206.

" by

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

“ by the visiting officer of police,” with enclosed papers, No. 1 to No. 4, comprising, copy of a letter from you on this subject to the chief secretary to Government, the report of the visiting officer of police, a certificate of registration, and a copy of a letter addressed to you in reply by the chief secretary.

In reply, I have the honour to state, for the information of his Excellency the Governor and of yourself, that the black in question arrived from Seychelles in the Java Packet on the 7th January last, together with several other slaves, accompanied, as required by the Act of 59 Geo. 3, c. 120, s. 11, by “Clearances or Permits,” and by “copies duly certified by the registrar of slaves, of the name and description by which each slave was registered, and of all other particulars relating thereto in the said registry.” On the arrival of such blacks in this port, the Collector of Customs is required by the same Act to examine the documents, and “ascertain, by personal inspection, whether the slave or slaves brought by such vessel agree in description with the slave or slaves mentioned in such certificate or clearance, and if not, shall refuse to admit the same to an entry; but in case of such agreement, shall endorse such certificate with his name and handwriting, and the said certificate, so endorsed, shall be forthwith delivered by the collector to the registrar of slaves in such last-mentioned colony.”

On comparing the black called “Gideon Fontaine” with the certificate by which he was accompanied, I found that he did not agree in description with the slave mentioned under the name in the certificate, and, as required by the Act under such circumstances, I “refused to admit him to entry.”

I need hardly say, that when called upon by his Excellency the Governor, or by a competent tribunal, I am at all times ready to state the grounds upon which I conceived there was a disagreement between the black and the descriptions; but as in the present case you have yourself pointed out to his Excellency the Governor the variance at which the height of the man is with the record in the certificate, the man measuring *five inches less* than the height recorded some time since; and as this very great discrepancy necessarily implies an entire want of agreement between the black and the description in the certificate, it is unnecessary to offer any other explanation; but as your letter to the chief secretary to Government concludes with “a request to know whether you are authorized to deliver him (the black) to the claimant, provided she is admitted to rectify the error of recensement at the registration office,” which seems to imply that the variation arises from an error in describing the black at the time of his registration, *and not from a want of identity between the black registered and the black now produced as his representative*, I feel it necessary to record that I in no way coincide in such an opinion, and that I cannot doubt, from the circumstances of the case, that the black now produced under the name of “Gideon Fontaine,” is not the slave who was registered under this name, but a black provided with a certificate of registry by being placed in the situation and receiving the name (the height could not be conferred upon him) of the original “Gideon Fontaine,” who may be either dead or lost.

I have merely to add, that the certificate and clearance from Seychelles, with which the black was accompanied, could not be returned by me, on the non-admission to entry of the black, to the owner or the captain of the vessel, because other blacks, *whose names were borne on the same certificate*, were admitted to entry by me, and the Act of Parliament, as already quoted, requires me, with reference to blacks admitted to entry, to indorse the certificate (of registration) with my name and writing, and to deliver it to the registrar of slaves of this colony.

If any inconvenience accrues, either to the proprietors of slaves or to the officers of police, from such a circumstance, it does not appear to arise from me; but I suppose any such difficulty might be prevented, by the Government authorizing the Registrar of Slaves to issue no certificates for embarkation but on a separate paper for each slave, and desiring the Collector of Customs to give a separate clearance for each certificate.

I have the honour to be, &c.

(signed) *Hart Davis*, Coll<sup>r</sup> of Customs.

P. S.—The papers No. 1 to 4 are herewith returned enclosed.

(A true copy.)

*P. Salter*, Act<sup>g</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 27

(No. 30.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

N° 1.  
Correspondence  
relating to Seizure  
of Slaves.

Sir,

Custom House,  
Port Louis, 4th June 1823.

ENCLOSED I have the honour to forward to you, as required by the Act 59 Geo. 3, c. 120, s. 11, nine sets of papers, accompanying 43 slaves belonging to different persons, transferred from Seychelles on board the schooner Marthe, Captain Goumard, of whom 42 have been admitted to entry into this colony, and one rejected.

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

(signed) *Hart Davis*, Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 31.)—A Monsieur H. Davis, Directeur de la Douane.

Monsieur,

Bureau de Procureur-Général,  
Port Louis, le 11 Juin 1823.

LE GREFFIER de l'enregistrement des esclaves m'ayant dénoncé une fraude, au moins apparente, dans l'introduction en ce tte isle, par le Sieur Dalarède, d'une négresse esclave nommé Nina, venue des Seychelles sur la goëlette La Marthe, et le capitaine de ce bâtiment voulant se débarasser de cette négresse et partir incessamment; j'ai dû de suite pourvoir aux moyens de lever cette difficulté, de faire débarquer la négresse et de la faire mettre au Bagne, de manière à ce que elle fût à la disposition immédiate des parties intéressées, ainsi que des autorités compétentes pour décider sur la question. En conséquence, j'ai l'honneur de vous faire parvenir la pièce ci-jointe, par laquelle le débarquement et le dépôt au Bagne de la négresse, sont autorisés.

D'après ce vous voudrez bien avoir la complaisance de faire débarquer et déposer au Bagne la négresse dont s'agit, au moyen de quoi tous les intérêts publics et privés seront suffisamment garantis et mis à couvert, et le Capitaine Toumar, valablement déchargé, pourra partir à sa convenance.

J'ai l'honneur d'être, &amp;c.

(signé) *P. Rudelle*, Procureur-Général.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 32.)—Mr. Rudelle, Procureur-Général.

Sir,

Custom House,  
Port Louis, 11th June 1823.

I HAVE the honour to acknowledge the receipt of your letter of this date, enclosing a judicial order relating to the debarkation of a negress named "Nina" from the schooner La Marthe, to be detained in custody until the supposed fraud can be discovered.

In reply, I have the honour to return you this legal piece, and to observe that I shall not interfere to prevent the orders of the court, in regard to the landing of this negress, being complied with; but certainly no order for her debarkation can be required from the Collector of Customs, when such a proceeding is commanded by the Tribunals. Neither can I order any person at the Bagne under my orders to take charge of this negress, since in that case I should become obviously responsible to the owners or claimants for her safe detention.

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

(signed) *Hart Davis*, Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

N<sup>o</sup> 1.Correspondence  
relating to Seizure  
of Slaves.

(No. 33.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 9th August 1823.

ENCLOSED I have the honour to forward to you, as required by the Act 59 Geo. 3, c. 120, s. 11, ten sets of papers, accompanying 23 slaves belonging to different persons, transferred from the Seychelles to this colony on board the brig Theodore, Captain Pandelé, of whom 20 have been admitted to entry by me on the 7th instant. The number of slaves arrived on board the Theodore was 24, but I have felt obliged to refuse to admit four of these blacks, on account of a want of conformity between them and the descriptions borne on the certificates of registration which accompanied them. The names of those to whom I refuse entry are *Martin Barton*, belonging to Mr. Dugand, this slave is marked with the small-pox, and has a white spot or blemish in the left eye, which are not specified in the registration certificate. *Baptiste André*, to Mr. Devillaine, is recensed with country marks on his forehead, although he is covered with such distinguishing marks on the face, temples and body, of which no mention is made in the registry. *Constant Emanuel*, to Mr. Hugon, is two inches shorter; and the fourth one, *Roclore Louis*, to Mlle. L. Vally, recensed as a Creole of the Isle La Digne, is a Mozambique boy, with country marks on his temples, a large scar on forehead, and the letter L. on his left shoulder. The papers relating to him are returned to the captain, as required by the Act 59 Geo. 3, c. 120.

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

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 34.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 14th August 1823.

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, thirteen sets of papers accompanying 37 slaves, belonging to different persons, and a child in arms accompanying his mother, transferred from Seychelles to this colony on board the brig Courier de Seychelles, Captain Langlois, of whom 36 have been admitted to entry, and one rejected, namely, *Francisque Bender*, belonging to Mr. Maurel, this slave is recensed without marks, but is tatoored on both temples, and lost a toe on left foot.

I have also the honour to forward to you two sets of papers accompanying five slaves belonging to different persons, transferred from Seychelles on board the schooner La Dorade, Captain Saget, of whom three have been admitted to entry by me, and two rejected; viz. *Louis Courtot*, belonging to Mr. Mathieu Guet, who is recensed with country marks, but has no marks except the letter V under the right shoulder blade. *Julien Lafute*, to Mr. Lefevre, does not in any respect accord as to apparent age. I have also been obliged to refuse entry to two other slaves arrived on board the same schooner La Dorade, one belonging to Mr. Renaud, of the name of *Jasmin Maqua*, borne in the registration certificate without marks, but is tatoored on both temples; the other, to Mr. Guet, of the name of *Minos*; with respect to this slave, admission to entry has been refused on account of not having been legally expedited from the Custom House at Seychelles, by a regular license annexed to the certificate of registration.

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

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 29

(No. 35.)—Captain Moorsom, His Majesty's Ship Ariadne, Senior Naval Officer.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

Custom House,  
Port Louis, 23d August 1823.

Sir,

ENCLOSED I have the honour to forward to you a list of nine blacks arrived from the Seychelles on board the three vessels therein specified, and which blacks have not been admitted to entry into this colony, on account of want of conformity between them and the descriptions borne on the certificates of registration which accompanied them.

I have the honour to be, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(Enclosure of No. 35.)

LIST of Slaves not corresponding with their Description in the Registration Certificate.

Name of Vessels.	Name of Slaves.	Caste.	Sex.	Name of Owners.
Brig Theodore - -	Constant Emanuel -	Mozambique	male -	Mr. Hugon.
Ditto - -	Roclore Louis -	Creole -	ditto -	Mlle. L'Vally.
Ditto - -	Baptiste André -	Macoua -	ditto -	Mr. Devillain.
Ditto - -	Martin Baton -	Mozambique	ditto -	- Dugand.
Brig Courier - -	Francisque Benda -	- Ditto -	ditto -	- Maurel.
Schooner Dorade -	Louis Courtot -	- Ditto -	ditto -	- M. Guet.
Ditto - -	Julien Lafute -	Creole -	ditto -	- Lefevre.
Ditto - -	Jasmin Maqure -	Mozambique	ditto -	- Renaud.
Ditto - -	* Minos Juge -	- Ditto -	ditto -	- A. Guet.

\* *N. B.*—The last black has been admitted on the 5th Sept. 1823.

Custom House, August 1823.

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true extract.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> Customs.

(No. 36.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Custom House,  
Port Louis, 6th September 1823.

Sir,

I HAVE the honour to forward you enclosed, as required by the Act 59 Geo. 3, c. 120, s. 12, the copy of the extract and certificate of registration of one slave arrived from the Seychelles as domestic servant, accompanying his master Mr. A. Guet, a passenger on board the schooner La Dorade, Captain Saget.

On the arrival of this vessel on the 10th ultimo, admission to entry was refused to this slave, on account of not having the Custom House license annexed to the registration certificate; but it was afterwards found that this slave was legally borne on the muster roll of the said schooner La Dorade, under the signature of a public officer, and, of course, admission to entry has been granted to him accordingly.

I have the honour to be, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

(No. 37.)—G. A. Barry, Esquire, Chief Secretary to Government.

(Vide Answer, under date 13th November, No. 43.)

Sir,

Custom House,  
Port Louis, 3d October 1823.

I HAVE the honour to request you will submit to his Excellency the Governor, that among the slaves brought from the Seychelles by the schooner *Iris*, Captain Lequitte, which arrived here on the 29th ultimo, I have considered it my duty to refuse to admit to entry three blacks, in consequence either of their disagreeing with their descriptions, or of an evident discordance in their apparent age with that which they ought to be, according to the original returns; and that having found three others among them who disclaim all knowledge of the persons to whom it appears they should have belonged at the time the original returns were given in, I have thought it right to refuse also to pass them, until I should have had time to bring this circumstance to the knowledge of Government, with a view to enable Government to adopt any ulterior measures with regard to them that may be deemed necessary or advisable. There are some slight discrepancies in their personal appearance with the descriptions given of them in the registration returns, in regard to height and apparent age, which would lead me to doubt their identity with the individuals to whom the descriptions given in the return are supposed to apply; but as the difference does not appear sufficiently conclusive to justify my refusing them admittance under the provisions of the 11th article of the Act of the 59 Geo. 3, c. 120, I beg I may be made acquainted for my guidance with the intention of Government at as early a moment as practicable.

I have the honour to be, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 38.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 7th October 1823.

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, two sets of papers accompanying 10 slaves belonging to Mr. C. Dupont and F. Laurent, transferred from the Seychelles to this colony on board the schooner *Iris*, Captain Lequitte, who have been admitted to entry by me. The number of blacks arrived on board the *Iris* was 16; but I have felt obliged to refuse to admit three of these blacks, on account of a want of conformity between them and the certificates of registration which accompanied them, and to refer for the consideration of Government the cases of three others, who disclaim all knowledge whatever of the master by whom the original returns were made in 1815.

I have also the honour to forward to you one set of papers accompanying one slave belonging to Mr. Barbé Marbois, returned from the island of Agalega on board the schooner *Deux Amis*, Captain Fauquer.

I have the honour to be, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 39.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 9th Oct. 1823.

ENCLOSED I have the honour to forward to you, as required by the Act of 59 Geo. 3, c. 120, s. 11, two sets of papers, accompanying four slaves transferred from the Seychelles to this colony, on board the schooner *Iris*, Captain Lequitte, of whom three have been admitted to entry by me, and one rejected, namely, Zacarie

## COMING FROM THE SEYCHELLES TO MAURITIUS. 31

Zacarie Didon, belonging to Mr. Pottier, these forming part of the six who had originally been rejected by me, as adverted to in my letter of the 7th inst.

I have also the honour to forward to you two sets of papers, accompanying five slaves, transferred from the Seychelles to this colony, on board the lugger *Le Brave*, Captain Langlois, of whom four have been admitted to entry by me this day and one rejected, namely *Jasmin Larose*, belonging to Mr. St. Jorre; this black is recensed with country marks only, although he has the letter R. on his left arm, and a scar on his forehead, which are not specified in the certificate of registration.

N° 1  
Correspondence  
relating to Seizure  
of Slaves.

I have the honour to be, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 40.)—A Monsieur le Collecteur des Douanes.

Monsieur,

Bureau du Procureur Général,  
Port Louis, le 30 Oct. 1823.

VOULANT le plus incessamment possible soumettre aux Tribunaux les questions concernant les trois noirs venus sur le vaisseau *L'Iris*, Capitaine Lequitte, et auxquels vous avez refusé l'entrée à Maurice comme manquant de l'identité avec leur recensement, j'ai l'honneur de vous prier de m'envoyer toutes les piécés qui peuvent être à votre office concernant ces trois noirs, afin que je puisse commencer les poursuites en confiscation, s'il y a lieu.

J'ai l'honneur d'être, &c. &c. &c.

(signé) *Rudelle*, Procureur Général.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 41.)—Mr. P. Rudelle, Procureur General.

Sir,

Custom House,  
Port Louis, 30th Oct. 1823.

IN reply to your letter of this day's date, requesting that I will transmit to you such papers as may be in my possession relative to the three blacks brought to this island on the *Iris*, Captain Lequitte, from the Seychelles, whom I refused to admit to an entry, I beg to inform you that I have none.

Agreeably to section 11 of the Act of the 59 Geo. 3, c. 120, my duty is confined to refusing to admit to an entry such blacks as may be transferred to this Island under the provisions of that Act, and do not agree with the descriptions given of them in the certificate or clearance which accompanies them. The only information I can give you respecting these blacks is a detail of their names, of the names of their masters, and of the grounds upon which I refused to admit them. *Lafleur Boncœur*, belonging to Mr. Planeau, was refused in consequence of a marked disagreement in his apparent age with that mentioned in the description return, this black being, to the most common observer, infinitely below the age he must have attained had he corresponded with the return; *Apollon Pluviose*, belonging to Mr. Savy, did not correspond with his description return, inasmuch as he was found to be covered with country marks, whilst none were mentioned in the return; and *Zacarie Didon*, belonging to Mr. Pottier, disagreed also considerably in his apparent age with that which he should have been according to his description return, being evidently considerably older, and was further discovered to have a scar on his right temple of which no notice was taken in the return.

I have the honour to be, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.



N° 1.

Correspondence  
relating to Seizure  
of Slaves.

(No. 42.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 6th November 1823.

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, nine sets of papers, accompanying 42 slaves belonging to different persons, transferred from the Seychelles to this colony, on board the brig Theodore, Captain Pandellé, of whom 27 have been admitted to entry, and 15 rejected, on account of a want of conformity between them and the certificates of registration which accompanied them; among the 15 who have been rejected is a slave of the name of Brutus, recensed by Mr. Loliot in 1815, with the letters C. C. on the right arm, but the letters were found on the left arm instead of being on the right. The papers relating to this slave have been returned to Captain Pandellé.

I have also the honour to forward to you seven sets of papers, accompanying 12 slaves, transferred from the Seychelles to this colony, on board the brig Courier, Captain Langlois, of whom 11 have been admitted to entry. The number of slaves arrived per brig Courier was 15, but I have felt obliged to refuse admission to four of these slaves on account of a want of conformity between them and the certificates of registration.

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

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.(No. 43.)—To *A. W. Blane*, Esq. Acting Collector of Customs.

Sir,

Chief Secretary's Office,  
Port Louis, 13th November 1823.

I HAVE had the honour of submitting to his Excellency the Governor your letter of the 3d ultimo, reporting, for the information of his Excellency, that you had refused to admit to entry three blacks from Seychelles, on the ground of their disclaiming all knowledge of the persons to whom it appears they should have belonged at the time the original returns were given in, as well as from there being some slight discrepancies in their personal appearance with the descriptions given of them in the registration returns.

As it does not appear that the Act of Parliament has made any provision for refusing admittance to entry under circumstances similar to those stated in your letter, I am now to convey to you his Excellency's directions that the three blacks in question may be admitted to entry.

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

(signed) *G. A. Barry*, Chief Secretary to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 44.)—A Monsieur Blane, Collecteur de la Douane.

Monsieur,

Port Louis, le 28 Novembre 1823.

L'ARRESTATION de nombre de noirs esclaves venant des Seychelles, attendu le défaut d'identité avec les certificats d'enrégistrement que les accompagnent et l'envoi que m'est fait des pièces y relatives pour poursuivre la confiscation de ces esclaves, m'ont fait faire une recherche particulière des actes et ordres en conseil sur l'abolition de la traite.

Je vois que l'article onze de l'acte de la 59<sup>me</sup> année du règne de George 3, qui établit de plus amples reglements relativement à la translation des esclaves d'une colonie Britanique dans une autre, ordonne " que toutes les fois qu'un ou plusieurs esclaves seront envoyés d'une colonie qui soit maintenant, ou qui sera par la suite sous la domination de Sa Majesté, ses héritiers ou successeurs, dans l'intention que le dit ou les dits esclaves soient transférés et demeurent dans quelqu'autre colonie, sous la domination de Sa Majesté, ses héritiers ou successeurs, le ou les propriétaires,

ou

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## COMING FROM THE SEYCHELLES TO MAURITIUS. 33

ou autres qui enverront le ou les dits esclaves, présenteront au collecteur, ou autre chef de douane de Sa Majesté, dans le port où le dit ou les dits esclaves seront embarqués, une copie dûment certifiée par le greffier de la dite colonie, du nom ou des noms et du signalement, par lequel tel ou tels esclaves a ou ont été enrégistrés, et toutes les autres particularités qui y auront rapporte, et qui seront marqués dans les dits registres; laquelle copie, ainsi certifiée, sera par le collecteur ou autre chef endossé de son nom, écrit de sa main, et sera annexée à l'acquit ou permission d'embarquer et d'exporter tel ou tels esclaves; et à l'arrivée du dit vaisseau ou navire sur lequel tel ou tels esclaves auront été envoyés, dans le port de toute autre colonie Britannique pour lequel ils auront été destinés, sera aussi montré au collecteur ou chef de douanes de ce même port, qui examinera le dit certificat et s'assurera également par une inspection personnelle si l'esclave ou les esclaves apportés par tel navire ou vaisseau, se rapportent par leurs signalements à l'esclave ou aux esclaves mentionnés dans le dit certificat ou acquit, et dans le cas contraire refusera de donner permission d'entrée aux dits esclaves; mais quand il y aura conformité de rapport, il écrira de sa main son nom sur le dit certificat, et le dit certificat ainsi endossé sera de suite remis par le collecteur au greffier des esclaves de cette dernière colonie."

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

C'est d'après le texte de cette loi, qu'ayant par vous, monsieur, été reconnu que plusieurs esclaves apportés des Seychelles, colonie Anglaise, ne se rapportaient pas par leur signalement aux esclaves mentionnés dans le certificat qui les accompagnait, vous avez refusé la permission d'entrée aux dits esclaves.

J'ai l'honneur de vous prier de m'expliquer comment, après votre refus de laisser entrer ces esclaves dans la colonie, les tribunaux peuvent avoir à s'occuper d'esclaves qui ne sont pas censés, admis dans la colonie; et en vertu de quel article d'Actes sur l'abolition de la traite, je dois requérir la confiscation des dits esclaves ou tout autre peine contre leurs maîtres.

Votre place vous ayant mis dans le cas de faire une étude approfondie des diverses loix sur la matière, vous m'obligerez infiniment de vouloir bien me désigner celle en vertu de laquelle je dois requérir une peine quelconque; ne connaissant jusqu'à présent que l'article onze de l'Acte de la 59<sup>me</sup> année de George 3, qui ordonne que les esclaves venant d'une colonie Britannique, dont l'identité avec leur enrégistrement ne sera pas reconnue, ne seront pas admis à l'entrée dans la colonie, et ce que les maîtres des dits esclaves réclament en demandant que leurs esclaves soient renvoyés aux îles Seychelles avec l'extrait de leur enrégistrement.

Si ma place me fait un devoir de poursuivre les condamnations portées par les loix sur l'abolition de la traite et les recensements, la vôtre vous oblige de me dénoncer les contraventions à ces mêmes loix, et nous devons réunir nos efforts pour atteindre les coupables lorsque la loi est transgressé; je compte d'après ce sur votre complaisance pour me faire connaître les articles des Actes sur l'abolition de la traite applicables aux esclaves amenés d'une colonie Anglaise dans une autre colonie Anglaise, dont le signalement porté dans l'extrait de leur enrégistrement ne se trouve pas conforme aux individus présentés, pour pouvoir requérir avec fondement ce qu'il appartiendra dans les diverses instances poursuivies, soit à ma requête, soit à celle des maîtres des esclaves qui sont soumises à la décision du tribunal.

Agréz d'avance toute ma reconnaissance pour la peine que ma demande pourra vous donner.

J'ai l'honneur d'être, Monsieur,  
Votre très humble très obeissant serviteur,  
(signé) *Portalis*,  
Le Substitut du Procureur Général.

(A true copy.)

*P. Salter*, Acts Collector of Customs.

(No. 45.)—Mr. Portalis, Substitute of the Attorney General.

Sir,

Custom House,  
Port Louis, 3d December 1823.

I HAVE the honour to acknowledge the receipt of your letter of the 28th ultimo, and beg to state in answer, that in conformity to the 11th article of the Act of the 59 Geo. 3, c. 120, I considered it my duty to refuse admission to sundry blacks who have lately been brought to this island from the Seychelles, and I am not aware of any other measure which I am required to adopt according to the provisions of  
206. that

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

that Act. I have in consequence confined myself to the fulfilment of the instructions laid down in the above-mentioned article of the Act of the 59th, for the guidance of the collector of customs; and any steps which may since have been taken with regard to the blacks whom I have refused to admit have not emanated from me. If you are in possession of any other acts or laws, under which it becomes my duty to make the denunciations to you to which your letter alludes, I shall feel obliged by your pointing them out.

I have the honour to be, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 46.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 5th December 1823.

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, eight set of papers, accompanying 15 slaves belonging to different persons, and one male child in arms, whose name is stated to be Jean Louis, accompanying his mother Dorine Moufia, transferred from the Seychelles to this colony on board the schooner *Jeune Antoinette*, Captain Tirant, of whom 13 have been admitted to entry by me and two rejected, on account of a want of conformity between them and the certificate of registration.

I also have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 12, the extract and certificate of registration of a female slave returned from Bombay, as a domestic servant, accompanying her mistress Mrs. Bathfield, a passenger on board the ship *Constance*, Captain Regnaud.

I have the honour to be, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 47.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 11th December 1823.

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, twelve sets of papers, accompanying 19 slaves belonging to different persons, and one female child in arms, whose name is stated to be Merantrive, accompanying her mother Meranthe Lafoi, transferred from the Seychelles to this colony on board the schooner *Iris*, Captain Lequitte, and admitted to entry by me on the 8th instant. I have felt obliged to refuse to admit three other blacks likewise transferred from the Seychelles, on board the same schooner, on account of a want of conformity between them and the registration certificate.

I also have the honour to forward to you one set of papers, accompanying five slaves transferred from the Island of Diego Garcia to the Mauritius, belonging to Mr. Lapotaire, arrived on board the schooner *La Marthe*, Captain Cruvillier, and re-admitted to entry by me on the 9th instant.

I have the honour to be, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 35

(No. 48.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 31st May 1824.N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, twenty-three sets of papers, accompanying 23 slaves transferred from the Seychelles to this colony on board the schooner L'Iris, Captain Lequitte, and admitted to entry into this colony on the 26th instant. The number of blacks on board the Iris was 24; but one negress of the name of Victoire Pantago, belonging to Mr. Constant Dupont, has been rejected for want of conformity with the registration certificate.

I also forward to you 10 sets of papers, accompanying 10 slaves transferred from the Seychelles on board the lugger Le Brave, of whom nine have been admitted to entry on the 26th, and one on the 28th instant; and 10 sets more, accompanying 10 slaves transferred from the Seychelles, on board the brig schooner Lamarthe, Captain Goumard, admitted to entry into this colony on the 29th instant; and I also forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 12, the extract and certificate of registration of one slave returned to this colony as a passenger on board the French ship Quatre Freves, from Nantes, to which place he accompanied his master, Mr. Le Goff, as a domestic servant in the year 1822.

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

(signed) *C. A. Mylius*,  
Assistant Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 49.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 8th June 1824.

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, one set of papers accompanying one slave belonging to Mr. Joineau, transferred from the Seychelles to this island on board the Retch la Victorine, Captain Cauvin, and admitted to entry by me on the 5th instant. I have felt obliged to refuse to admit another slave belonging to the same person, arrived on board the said Retch la Victorine, on account of a want of conformity between the black and the certificate of registration.

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

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 50.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House,  
Port Louis, 15th June 1824.

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, twelve sets of papers, accompanying 12 slaves belonging to different persons transferred from the Seychelles to this colony on board the brig schooner Antoinette, Captain Mestre, who have been admitted to entry by me to-day. I have felt obliged to refuse to admit another slave likewise arrived on board the same vessel, on account of a want of conformity between him and the registration certificate.

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

(signed) *C. A. Mylius*, Assist<sup>t</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

N<sup>o</sup> 1.Correspondence  
relating to Seizure  
of Slaves.

(No. 51.)—G. A. Barry, Esq. Chief Secretary to Government.

Custom House,  
Port Louis, 24th June 1824.

Sir,

\* Vide No. 52,  
dated 2 Feb. 1824  
and 8 March 1824.† Dated 27 March  
1824.

I HAVE the honour to request you will lay before his Excellency the Governor the enclosed legal notice, of two \* sentences of the Court of First Instance, and one † of the Court of Appeal, served upon me at the instance of different proprietors of blacks sent hither from the Seychelles in the course of last year, and refused admittance by me in consequence of their not corresponding with the descriptions given of them in the extracts from the registers of original returns by which they were accompanied.

I beg to observe, that I have not been able to discover in what respect these sentences regard me, having carefully abstained from any other act but that of refusing to admit such slaves as did not correspond with their description, a duty specially delegated to the collector or chief officer of customs by the Act of the 59 Geo. 3; but I feel that Government may deem it proper to take the advice of the Government Advocate thereon, and therefore forward it with request that I may be favoured with instructions, should any be requisite for my guidance.

With reference to the second sentence of the Court of First Instance of the 8th March last, in which I appear as the defendant, I beg incidentally to remark, that when I found I was served with a summons before the Court of First Instance on the prayer of the owners of the blacks, that the court would authorize me to permit the entry of the blacks to whom I had refused entry, I considered it my duty to object to the competency of the courts to entertain the question.

I perceive that in this case the presiding judge came to no decision on the plea of incompetency, but declaring it to be a case absolutely *analogous* to the first, he orders the blacks in this instance, as in the former, to be sent back to Seychelles.

It is, however, to be observed, that in the former case the procureur general prosecuted the proprietors of the blacks to whom entry had been refused in the penalty of 100*l.* for each black so refused; and that in the second the proprietors of the blacks summoned the collector of customs "pour se voir et entendre autoriser à donner l'entré" to the same blacks whom he had already been obliged to reject in consequence of their nonconformity with their description, which I confess has rendered it somewhat difficult to me to discover the analogy which has been alleged to exist between the two cases.

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

(signed) Arch<sup>d</sup> W<sup>m</sup> Blane, Collector of Customs.

(A true copy.)

P. Salter, Act<sup>s</sup> Collector of Customs.

(No. 52.)—To A. W. Blane, Esq. Acting Collector of Customs.

Chief Secretary's Office,  
Port Louis, 26th July 1824.

Sir,

I HAVE His Excellency the Governor's directions to enclose for your information and guidance the accompanying papers concerning certain Blacks from the Seychelles at present under the charge of the Matricule, and I have at the same time to acquaint you that His Excellency has approved of the report of the Government Advocate on this matter, and has directed that report to be acted upon accordingly.

You will be pleased, therefore, in so far as you may be concerned as Collector of Customs, to require the necessary declarations and engagements to be entered into by the parties concerned, as provided for in that Report previous to the re-embarkation of the aforesaid Blacks on their return to Seychelles.

To the documents enclosed I have added copy of my communication to Messrs. Brunet and Fouquereaux, agents for the parties.

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

(signed) G. A. Barry, Chief Secretary to Government.

(A true copy.)

P. Salter, Act<sup>s</sup> Collector of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 37

(No. 52, "a.")

19 Juillet 1824.

Monsieur,

J'AI reçu le jour d'hier les pièces suivantes :

1°. Un ordre expédié par Monsieur le Procureur Général (acting) au Chef de la Matricule, daté du 8 Juillet, de remettre à certains propriétaires ou réclamants, certains noirs transportés des Seychelles en cette isle, lesquels doivent être reportés aux dits lieux, suivant sentence du 2 Février, confirmée par Arrêt de la Cour d'Appel du 27 Mars dernier.

2°. Une lettre du Chef de la Matricule, qui se réfère au Gouvernement, attendu que c'est par un ordre du Gouvernement que les noirs venus des Seychelles ont été remis à sa garde.

3°. Une demande des Sieurs Brunet and Fouquereaux, à l'effèt que le Chef de la Matricule soit autorisé à effectuer la remise des dits noirs pour être renvoyés aux Isles Seychelles.

J'observe qu'il ne s'agit pas de la remise des seize noirs qui ont été transférés et déposés au Bagne, mais seulement de ceux en bien moindre nombre qui sont dénommés en la sentence du 2 Février : il n'a pas encore été prononcé à l'égard des autres noirs transportés des Seychelles sur le même navire; la cause est devant la cour qui statuera au premier jour.

2°. Il est constant que le Chef de la Matricule, tant par la nature de son emploi que d'après l'ordre special émané du Gouvernement, pour qu'il fut chargé de la garde de ces noirs provenant des Seychelles, ne peut répondre et obéir qu'aux ordres et à la direction qui lui sera donné par le Gouvernement.

3°. Dans le cas où le Gouvernement croirait la mesure ordonnée par les cours de justice, de transporter de nouveau, hors de la colonie et aux Isles Seychelles, doit être remplie, encore que cette disposition; soit par là ajoutée à l'Acte de la 59<sup>e</sup> année, qui porte seulement que les noirs transportés, si les rapports ne sont pas trouvés exactement conformes par le collecteur de la douane, ne seront pas admis à l'introduction en cette isle. Je pense que le Gouvernement devrait au moins obliger ceux à qui les noirs seront remis pour être reportés aux Seychelles, à faire ensuite d'une déclaration exacte et descriptive des individus, du navire sur lequel ils seront embarqués, devant le collecteur de la douane; leur soumission cautionnée de rapporter au collecteur de la douane, dans le délai de trois mois, un certificat du préposé en Chef de la douane aux Isles Seychelles, attestant que tous et les mêmes noirs portés en la déclaration visée en cette colonie par le collecteur de la douane, ont été transportés et débarqués au Port de Mahé aux dites Isles.

Lequel certificat sera en outre visé par l'agent du Gouvernement aux dites Isles, à peine dans le cas ou le dit certificat ne serait pas rapporté dans le dit délai (à moins qu'il n'eut été expédié dans l'intervalle des dits trois mois aucun navire pour l'Isle Maurice, ce qui sera duement attesté et certifié par l'agent du Gouvernement,) d'une amende de trois cents piastres pour raison de chaque noir qui aura été embarqué en ce port pour être vendu aux Isles Seychelles; et dans le cas où dans le dit certificat duement délivré et rapporté, comme il est exprimé ci-dessus, il se trouverait un ou plusieurs des noirs renvoyés aux Isles Seychelles qui n'aurait pas été représenté, et dont le retour aux dites Isles ne serait pas attesté, d'une amende de trois cents piastres pour raison de chacun des dits noirs non représentés et dont le retour ne serait pas certifié; aux quels cas l'instruction et le jugement auront lieu ainsi qu'il est réglé pour les affaires de douane.

(signé) Foisy.

(Pour copie conforme.)

(signé) T. A. Barry, Chief Secretary to Government.

(A true copy.)

P. Salter, Collector of Customs.

(No. 52, "b.")

2 Feb. 1824.

D'UNE Sentence rendue à l'Audience des Causes Civiles du tribunal de première Instance de la Colonie de l'Isle Maurice, du Lundi 2 Février Mil huit cent vingt quatre, au matin; Mr. Claude Amable Ange Lefébure de Marcy, juge, tenant le siège; Mr. Hyacinthe Portalis, substitut du Procureur Général du Roi; présent, Mr.

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Vide Encl. "d."

2 February 1824.

Vide Encl. "b."

Vide Encl. "c."

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Mr. François Marguerito Arrighi; commis Greffier juré, tenant la plume. Entre le Substitut du Procureur Général du Roi, contre les Srs. Hugon, Devillaine, Lefevre, représentés par les Srs. Fouquereaux freres, les Srs. Guet, Morel, représentés par le Sieur Brunet, agent de change, et Dugand représenté par les Srs. Pavie et Daussy, tous habitans des Isles Seychelles défendeurs. A été extrait ce qui suit: Vû les pièces et dossiers produits en exécution de notre précédente sentence préparatoire; oui le substitut du Procureur Général du Roi en ses conclusions, après en avoir délibéré: Considérant qu'aucune loi ne prononce la confiscation au profit de Sa Majesté, des esclaves provenant d'une colonie Anglaise, non admis par défaut d'identité avec leur enregistrement; mais seulement dans le cas où les esclaves auront été exportés d'une colonie sous la domination de Sa Majesté, sans une copie certifiée du Greffier de l'enregistrement de la colonie d'où ils proviennent, d'après l'article 12 de l'Acte de la cinquante-neuvième année; que cette vérité a été reconnue par le ministère public, qui a rectifié les conclusions, tendantes à la confiscation, pour requérir l'amende de cent livres sterling pour chaque tête d'esclave, en se fondant par assimilation sur les dispositions de l'Ordre en Conseil du vingt-quatre Septembre mil huit cent quatorze: Considérant que cet Ordre, enregistré dans nos cours, prononce cette amende contre celui qui a inséré de science certaine, dans son recensement, un nom faux et supposé de l'esclave et du propriétaire, ou commis une suppression d'état; qu'il est facile de reconnaître qu'il y aurait fausse application de la loi, dans l'espèce où il y a quelques différences, provenant des marques et défauts plus ou moins apparentes; mais d'ailleurs identité sous les autres rapports de noms, castes, ages et tailles entre les recensements et les noirs représentés: Considérant que prétendre (pour nous servir des expressions du ministère public) qu'un esclave incorrectement enregistré doit être considéré comme non-enregistré ou fausement recensé, c'est porter atteinte au principe sacré et salutaire que les peines mêmes pécuniaires se restreignent et s'appliquent au cas prévu, sans pouvoir les étendre d'un cas à un autre: Considérant que la loi en ordonnant des recensements triennaux a prévu qu'il pourrait survenir, depuis le recensement, des différences ou défauts, et par cette mesure a placé les maîtres dans la position de les signaler et d'en justifier: Considérant enfin que les six esclaves non admis par le collecteur de la douane, auraient comme par le passé retourné sur le même navire dans la colonie Anglaise, d'où ils provenaient; ainsi qu'il résulte au moins implicitement de l'article 11 de l'Acte de la cinquante neuvième année, s'ils n'avaient été compris avec ceux admis sur le même certificat de recensement, dont expédition a été refusée par le Greffier de l'Enregistrement. Par ces motifs vû l'article le onze de l'Acte de la cinquante neuvième année, nous ordonnons que les nommés Francisque Bender à Morel, Louis Courtot à Guet, Constant Emmanuel à Hugon, Martin Baton à Dugand, Julien Laflute à Lefèvre, et Baptiste André à Devillaine, détenus au Bagne, seront renvoyés aux Isles Seychelles à la diligence et aux frais de leurs maîtres ou représentants; à l'effet par eux, chacun en ce qui les concerne, de rendre compte et justifier au préposé de l'enregistrement des irrégularités constatées par le collecteur de la douane; tenu en conséquence le Greffier de l'Enregistrement de délivrer sur leur requisition, expédition du certificat de recensement des dits esclaves non admis, tout depositaire autorisé, même contraint, de leur en faire remise, quoi faisant déchargé sans depens.—A la minute.

(signé) *Lefebure de Marcy et Arrighi.*

Collationné.

(signé) *B. Colin.*

(A true copy.)

(signed)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

(No. 52, "c.")

FOR second sentence of Court of First Instance, dated 8th March 1824, see packet marked "Proceedings in the Colonial Courts relative to the seizures of "Slaves coming from Seychelles."

(No. 52, "d.")

FOR sentence of Court of Appeal, dated 27th March 1814, see packet, marked, "Proceedings of the Colonial Court relative to the seizure of Slaves coming from "Seychelles."

## COMING FROM THE SEYCHELLES TO MAURITIUS. 39

(No. 52, "c.")—Monsieur le Major Barry, Secrétaire en Chef du Gouvernement de l'Isle Maurice, &c. &c.

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Port Louis, 16 Juillet 1824.

LES soussignés représentant divers habitans des Seychelles, dont les noirs non admis par la douane sont détenus dans le Bagne, après avoir obtenu une sentence et arrêt des tribunaux, se sont adressés à Monsieur le Procureur Général sur l'ordre duquel les dits noirs avaient été mis à la police, pour avoir l'autorisation de les retirer et les embarquer pour les Seychelles; Monsieur le Procureur Général leur a délivré l'ordre pour les recevoir de Mr. Salter; ils se sont présentés à ce bureau; il leur a été répondu que ces noirs ayant été mis dans ce lieu par ordre du Gouvernement, il ne pouvait reconnaître celui de Monsieur le Procureur Général, que l'on eût alors à vous présenter une requête à cet effet.

Ils ont donc l'honneur de se présenter à vous, monsieur, pour vous supplier de vouloir bien ordonner à Mr. Salter la remise de ces noirs, pour qu'ils soient embarqués sur le premier bâtiment partant pour Mahé, Isles Seychelles, conformément à la dite sentence et arrêt.

Ils vous remettent ci-joint l'ordre de Monsieur le Procureur Général à Mr. Salter.

Ils ont l'honneur d'être, etc.

(signé) *Brunet,*  
*Fouquereaux, frères.*

(Pour copie conforme.)

(signé) *T. A. Barry,*  
Secrétaire en Chef du Gouvernement.

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

(No. 52, "f.")

AYANT été ordonné par sentence du 2 Février 1824, présente année, confirmée par arrêt du 27 Mars, aussi dernière, que les noirs ci-après nommés seront renvoyés aux Isles Seychelles aux frais et à la diligence de leurs maîtres; Mr. le Chef de la Matricule remettra les dits noirs à Messieurs Brunet et Fouquereaux, fondé des pouvoirs des propriétaires, lesquels sont également ci-après nommés; la dite remise devant être faite au moment de l'embarquement, et cet embarquement opéré sous la surveillance de l'officier de police, qui sera chargé d'expédier et mettre sous voile le navire sur lequel les dits noirs seront renvoyés.

Fait en notre Hotel, au Port Louis de l'Isle Maurice, le 8 Juillet 1824.

Le Procureur Général par intérim,  
(signé) *Ja. Mallac.*

Noms des Noirs dont est mention en l'Ordonnance ci-dessus, et de leurs Propriétaires.

Francisque Barder, au S<sup>r</sup> Maurel,  
Louis Bourlot, au S<sup>r</sup> Guet,  
Constant Emmanuel, au Sieur P<sup>re</sup> Hugon,  
Martin Baton, au Sieur Dugand,  
Julien Laflute, au S<sup>r</sup> Lefevre,  
Baptiste André, au S<sup>r</sup> Devillaine.

La dite liste certifiée conforme à ce qui est mentionné en les sentence et arrêt précités.

(signé) *Ja. Mallac.*

(Pour copie conforme.)

(signé) *G. A. Barry,*  
Secrétaire en Chef du Gouvernement.

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*



N° 1.

Correspondence  
relating to Seizure  
of Slaves.

(No. 52, "g.")—Messrs. Brunet and Fouquereau.

Chief Secretary's Office,  
Port Louis, 24th July 1824.

Gentlemen,

I HAVE had the honour of submitting to his Excellency the Governor your letter of the 16th instant, enclosing an instrument under the hand of the Acting Procureur General, directing that the slaves whose names are therein specified be delivered over to you, as agents to the owners, in pursuance of the sentence pronounced by the Court of First Instance on the 2d February last; and his Excellency having taken the opinion of the Government Advocate on the subject of this communication, I am now to inform you that the Superintendent of Matricule has been directed to hold at your disposal the slaves whose names are specified in the aforesaid order of the Acting Procureur General, in order to their being so delivered over, after the requisite declarations shall have been made, and engagements entered into by you with the Collector of Customs.

I have the directions of his Excellency the Governor at the same time to acquaint you that the blacks in question will be liable to seizure by any of His Majesty's ships, and that his Excellency will not interfere further, whatever may occur.

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

(signed) *G. A. Barry*, Chief Sec<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

*G. A. Barry*, Chief Sec<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> Customs.

(No. 53.)—To A. W. Blane, Esq. Acting Collector of Customs.

Chief Secretary's Office,  
Port Louis, 17th August 1824.

Sir,

I HAVE the honour to transmit to you, for such observations as you may have to offer thereon, the accompanying copy of a letter from the Government Advocate, giving cover to the sentence pronounced by the Court of Appeal on the 22d July last, in the case of certain slaves from Seychelles, at present under detention at the Bagne. I have the honour to request you will be pleased to return the sentence, and to be,

Sir, your, &amp;c.

(signed) *G. A. Barry*, Chief Sec<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(Enclosure "a." of No. 53.)

Monsieur,

13 Août 1824.

J'AI l'honneur de vous adresser, pour être communiqué à M. le Collecteur de la Douane, qui pourrait avoir des observations à proposer sur la matière, une copie de l'arrêt rendu le 22 Juillet dernier, par la cour d'appel, dans l'affaire des noirs transférés des îles Seychelles; il résulte de cet arrêt que d'après les motifs exposés dans le deuxième considérant, la cause ne peut pas toucher le Collecteur de la Douane, "qui n'est ni le depositaire des noirs, ni le mandataire des mesures postérieurement employées pour leur conservation; qu'ainsi sous ce rapport il est à l'abri de toute responsabilité; et les jugements qui ordonnent que tous dépositaires sont autorisés, même contraints, de faire remise des dits esclaves, ne peuvent pas l'atteindre et ne lui font pas grief."

Néanmoins, contre le sentiment et contre les conclusions du Collecteur de la Douane, la cour s'est déclaré compétente pour connaître et juger dans cette affaire.

Cet arrêt a été signifié par les autres parties au Collecteur de la Douane, sans aucune réquisition ni demande qui tende à exiger du Collecteur de la Douane aucune mesure ni execution, en conséquence de ses dispositions.

Le

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Le Collecteur de la Douane n'aurait donc rien à exécuter, ni aucun devoir à remplir, en ce qui concerne la suite de ce jugement.

A l'égard des motifs sur lesquels la cour a fondé l'opinion où elle est, qu'elle a pu étendre sa juridiction et sa compétence; comme aussi à l'égard des dispositions qu'elle ordonne pour le transfer des noirs aux îles Seychelles; ce sont des sujets qu'il appartiendrait peut-être au gouvernement de prendre en considération, et dont il pourrait avoir quelque intérêt de s'occuper.

Il reste je crois, dans cette affaire, un point qui laisse encore les choses interminées; c'est celui de savoir quels sont les moyens que la cour met au pouvoir des réclamans pour exécuter le transport des noirs aux Seychelles.

D'après le silence de l'arrêt à cet égard, il est convenable d'attendre que ces réclamans aient fait quelque acte, ou adopté quelques mesures pour donner aux décisions des tribunaux ordinaires les suites qu'ils se sont proposées.

J'ai l'honneur d'être, &c.

(signé) *Foisy.*

(Pour copie conforme.)

(signé)

*G. A. Barry*, Sec. en Chef du Gouvern<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(Enclosure "b" of Col. Barry's Letter, No. 53.)

D'UN ARRÊT rendu à l'Audience extraordinaire publique des causes civiles et de commerce de la Cour d'Appel de l'île Maurice, le Jeudi vingt-deux Juillet mil-huit cent vingt-quatre, neuf heures et demie du matin.

Séans Messrs. Barbé Marbois, Président; Morin, Pigeot St. Vallery, Delsuc, May, Juges. Mr. Barbés, substitut du Procureur-Général du Roi, présent. Mr. François Margueritte Arrighi, Greffier en Chef.

Entre—Le Sr Archibald William Blane, Collecteur de la Douane en cette île, appelant de la sentence du huit Mars dernier. Mr. Vincent, avoué constitué. Contre—Les S<sup>rs</sup> Jorre, Savy, Devillaine, habitans des îles Seychelles, représentés par les S<sup>rs</sup> Fouquereaux, frères, Dugand, aussi habitant des îles Seychelles, représenté par les S<sup>rs</sup> Pavie et Daussy, et la Dame Panon, suite du Sr Quérel, intimes M<sup>r</sup> d'Épinay, avoué constitué. A été extrait ce qui suit;—La cour après avoir recueilli les voies en exécution de son arrêt préparatoire rendu à l'audience du vingt-un du courant, à laquelle le ministère public a été entendu en ses conclusions: Considérant que le droit de transporter des esclaves d'une colonie en une autre, toutes deux sous la domination de Sa Majesté, est une faculté légale autorisée par des réglemens, qui ont pourvu à ce qu'aucun abus en contravention ne peut dans ce cas résulter de leur déplacement; les précautions sont si soigneusement concertées, qu'il ne peut rester aucun espoir à la cupidité déloyale de s'emparer des circonstances de la dislocation de ces individus, pour frauder la loi abolitive à futur de la traite, et tromper la vigilance des préposés au maintien des formes prescrites; la fraude ne se présume point, et n'est pas même alléguée dans la cause; ainsi point de prévention de délit, et la difficulté réduite à savoir si les divers expéditeurs des négres dont s'agit justifient légalement, qu'ils en sont légitimes propriétaires, et que leur transfer en cette colonie est régulier, ne présente qu'une question de propriété à laquelle est incidente celle de l'état civil des personnes, dont la solution est de la compétence des tribunaux ordinaires: Considérant que le Collecteur des Douanes, prétendant qu'il existe des dissemblances entre le personnes de quelques noirs, résultantes matériellement de leur rapprochement des signalements portés aux certificats délivrés par son délégué aux îles Seychelles, s'est borné à refuser d'office l'entrée dans cette colonie d'individus qui ne lui paroissoient pas dûment caractérisés, en conformité des énonciations d'âge, de taille, marques, mutation, et autres différences sur lesquelles le recensement originaire présentoit quelques disparates de désignation avec leur examen actuel; et c'est à quoi s'est terminée son opération nuement, exclusive d'introduction, sans co-opérer en rien à la réclusion ultérieure de ces hommes, laquelle n'a été ordonnée ni effectuée par lui, ou par son impulsion, là se terminoit sa mission. Il n'est ni depositaire des noirs ni mandateur des mesures postérieurement employées pour leur conservation; ainsi sous ce rapport, il est à l'abri de toute responsabilité, et les jugemens qui ordonnent que tous depositaires sont autorisés

N<sup>o</sup> 1.  
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même contraints de faire remise des dits esclaves, ne pouvant l'atteindre ne lui font pas grief : Considérant que l'équité et cet instinct d'humanité qui nous porte à combattre aux maux de nos semblables commandoient, au cas particulier, quelque soit l'événement, en définitive des dispositions urgentes pour faire cesser le conflit, sur la propriété et l'état civil des personnes intéressées à ce débat, lever les incertitudes et en même temps abrégier la durée des peines, inséparables d'une réclusion nécessairement préjudiciable à des malheureux innocents, et leur résidence forcée dans un bagne, égout des misères humaines, séjour de crime et de malheur ; la découverte de la vérité devrait être la conséquence des explications respectives qui ne pouvoient se donner que sur les lieux aux îles Seychelles, contradictoirement entre ce préposé en cette colonie du Collecteur des Douanes, et les expéditeurs qui se prétendent maîtres et propriétaires des esclaves, transférés à droit apparent sur la foi d'un recensement dont le certificat atteste selon eux, l'identité des noirs qui y sont dénommés avec les individus signalés. Cette considération en un cas nouveau, et sur lequel la loi ne s'expliquoit pas, nécessitait une détermination abandonnée à la prudence consciencieuse des juges ; car, lorsque dans le silence de la législation positive les tribunaux ne trouvent pas aux codes le guide certain qui doit les diriger, leur équité et une raison purement humaine doivent suppléer à l'insuffisance de la loi, ils sont responsables du deni de justice et recherchables à ce titre lorsqu'ils refusent une décision que la loi n'a ni commandée ni préparée. L'art. 4. du Code Civil en contient la disposition précise en ces termes : " Le juge qui refusera de juger sous prétexte du silence, " de l'insuffisance ou de l'obscurité de la loi, pourra être recherché comme coupable de deni de justice." Ainsi c'est pour éviter un délit répréhensible que les tribunaux font l'usage légitime et forcé d'un pouvoir laissé à leur discrétion. Sans doute une décision judiciaire émanée sous forme réglementaire et disposant pour l'avenir rendrait les juges coupables d'usurpation de l'autorité législative. Mais un jugement qui ne produit que sous cette forme vicieuse, n'est qu'un acte isolé de magistrature qui ne lie que les parties intéressées, sans constituer une doctrine immuable dans laquelle les juges se circonscrivent. L'art. 5. qui n'est que la conséquence du précédent, défend aux juges de prononcer par voie de disposition générale et réglementaire sur les causes qui leur sont soumises. L'arrêt de la cour du vingt-sept Mars dernier, est tellement éloigné de la forme réglementaire, obligatoire pour le tribunal même dont il est émané, qu'il ne lui interdit pas pour les cas subséquents la faculté de modifier une disposition spéciale, et toutes fois qu'il sera offert à ses méditations quelques mesures praticables, plus salutaires, plus expéditives que celles qu'elle a concertées, sa raison, sa conscience et l'humanité lui font un devoir de les adopter. Par ces motifs : la cour, déclarant sa compétence, a mis et met au néant l'appellation de la sentence du huit Mars dernier dont est appel, ordonne que la dite sentence sortira effet sans dépens.

A la minute.

(signé) *Barbe Marbois et Arrighi.*

Collationné.

(signé) *Jules Virieux.*

L'an mil-huit cent vingt-quatre, le six Août, à la requête des Sieurs Jorres, Savy, Devillaine, habitans des îles Seychelles, représentés par les Sieurs Fouquereaux, frères, demeurant en cette ville, rue de l'Eglise ; du Sieur Dugand, aussi habitant des îles Seychelles, représenté par les sieurs Pavy et Daussy, demeurant en cette ville, rue Royale ; et de la Dame Panon, aussi habitante des îles Seychelles, représentée par le Sr. Quérel, Juge de la Cour spéciale de cette Colonie, demeurant en cette ville du port Louis ; tous les sus dénommés ayant domicile élu, rue du Gouvernement, dans le Cabinet de Mr. Ad<sup>e</sup> D'Épinay, avoué constitué en cause, j'ai, Antoine Pierre Chasteau, huissier ex-tribunaux de cette île, y demeurant au port Louis, rue de Paris, soussigné, signifié et laissé copie au Sieur Archibald William Blane, Collecteur de la douane en cette île, à son bureau sis en cette ville sur le Port, où étant en parlant à Mr. Milius, employé de l'arrêt, étant des autres parts transcrit, rendu contradictoirement entre parties par la Cour d'Appel de cette Colonie le vingt-deux Juillet dernier ; à ce qu'il n'en ignore : déclarant avoir notifié le dit arrêt à M<sup>e</sup> Vincent avoué constitué par le dit S<sup>r</sup> Blane. Sous toutes réserves et protestations de fait et de droit, je lui ai, parlant comme dessus, laissé la présente copie dont acte.

(signé) *A. P. Chasteau.*

(Pour copie conforme.)

*P. Salter, Act<sup>e</sup> Coll<sup>r</sup> of Customs.*

## COMING FROM THE SEYCHELLES TO MAURITIUS. 43

(No. 54.)—Colonel G. A. Barry, Chief Secretary to Government, &amp;c. &amp;c. &amp;c.

N° 1.

Correspondence  
relating to Seizure  
of Slaves.

Sir,

Custom House,  
Port Louis, 6th September 1824.

I HAVE the honour to acknowledge the receipt of your letter of the 17th ultimo, enclosing a copy of one from the Government Advocate, giving cover to the judgment of the Court of Appeal, under date, July 22d, in the case of certain slaves introduced from the Seychelles and deposited at the Bague, upon which you call upon me to submit such observations as I may have to offer.

A copy of this sentence had already been served upon me on the 6th of August, but, as the government advocate observes, the collector not being affected by any of its provisions or dispositions, it did not occur to me as necessary that I should take any notice of it.

In proceeding however to comply with His Excellency the Governor's commands, as conveyed to me in your letter under acknowledgment, and in doing which I must profess my diffidence, I shall endeavour to confine myself to a review of the facts of the case, and of the conclusions which may thence appear deducible, abstaining from entering on any points of law, on which, if any comment should be necessary, the government advocate will be best able to enlighten Government. I beg leave, in the first instance, to submit, whether the court may not be considered as having misapprehended the question which was brought before them, and, as having unnecessarily departed from the letter of the Abolition Acts, and supposed these Acts to be deficient, where, upon a more careful revision of them, no deficiency will be found to exist.

The case brought before the court was this: the Collector of Customs having, in the course of his examination of a certain number of slaves brought to Mauritius from the Seychelles, with the intention of being permanently transferred to Mauritius, found that some of them did not agree with the description given of them in the extracts from the original returns which accompanied them, the collector considered it his duty, under the 11th clause of the Act of the 59th Geo. 3, to refuse to admit them, and the owners or their representatives, feeling aggrieved by this act of the collector, prayed the court for permission to summon the collector before them, "pour se voir et entendre autoriser à donner l'entrée," to the blacks to whom he had refused it.

This was the object for which the collector was summoned; but as it appeared an incongruity, that he should be condemned by an ordinary tribunal to the performance of an act, which by Act of Parliament would have been illegal, he was induced to think that the court could not entertain the question, and accordingly urged the Government Advocate to plead their incompetency so to do.

If this plea were overruled, as appears to have been the case, the only question in his view of the case which the court could have to decide, was whether the collector was right or wrong in refusing admission to the whole or any of the slaves presented to him; and this decision seemed dependent on whether the discrepancies, between the personal appearance of the slaves and the descriptions given of them in the extracts from the Registration Returns, upon which the collector's refusal to admit them was founded, existed or not.

To this inquiry I expected the attention of the court would have been directed, and in this view I furnished the Government Advocate with a Schedule of the blacks rejected, specifying against the name of each the particular points in which he disagreed with the description given of him in the certificate of registry.

Instead however of this course having been followed, the Court of First Instance, without going into the question of the incompetency pleaded, decreed, by its sentence of the 8th of March, that this case being analogous to one upon which a decision had been given on the 2d February preceding, it must follow the same fate.

In the former case, it is to be observed, that proceedings were instituted ex-officio by the Procureur General, in which the collector, without however his previous knowledge or concurrence, was joined, praying the penalty of 100*l.* per head, on certain other blacks who had been similarly refused entry; whilst in the latter, the collector appeared as the defendant, upon a summons to hear himself condemned to admit to an entry certain blacks to whom he had refused entry.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

The analogy between the two cases did not strike me to be obvious, and upon the sentence of the Court of First Instance being served upon me, I did myself the honour, in forwarding a copy of it for submission to his Excellency the Governor, under date June 24th ultimo, to call the attention of Government to this circumstance.

This sentence of the Court of First Instance has however been confirmed by the judgment given in appeal, and I am hence induced to infer, as well as from the apparent irrelevancy of the considerations upon which the judgment is founded to the expressed object of the summons, that the question has not been justly conceived by the courts. With regard to the doctrines laid down in the considerations on which the judgment professes to be founded, they appear to be irreconcilable with a correct understanding of the Act under which the transfer of slaves from one British possession to another is permitted.

The first consideration states, that such transfers of Slaves are legal, and that regulations under which they are allowed have been drawn up with so much care as to prevent the possibility of any abuse, or the hope of success in any attempt to commit fraud or deceive the vigilance of the authorities intrusted with their enforcement; and that no fraud having been alleged, it was merely necessary to ascertain whether those who had sent the slaves could prove themselves the lawful owners of them, and that their transfer to this colony was regular; and, that as this involved a question of property on which the civil condition of the individual depended, it was one of which the solution belonged to the ordinary tribunals.

The inference, that because no fraud was alleged the question to be decided was changed, does not seem to be borne out. The Act of Parliament does not require that the collector, to be authorized to refuse admittance to a slave presented for his inspection on his transfer from one British possession to another, should prove an intention of fraud; it provides that, in the event of such slave disagreeing with his description in the certificate of registry, the collector shall refuse to admit him to an entry. To this refusal my act was confined, and if the court considered themselves competent to entertain a suit against me for the performance of a duty attributed to the Collector of Customs by Act of Parliament, it might have been supposed that the subject of their inquiry could only have been that of ascertaining whether such duty had been duly or unduly performed.

In the second consideration, mention is made of the collector having refused to admit the slaves in consequence of certain differences discovered on the personal inspection of the individuals with the descriptions, &c. given of them in the certificates delivered by *his delegate* at the Seychelles.

The allusion in this instance to the delegate of the collector is a palpable error, which it might be supposed a reference to the Acts of Parliament or to the certificates themselves would readily have prevented; the former shows that the certificates by which slaves proceeding from one place to another are to be accompanied, are certificates from the registrars of slaves and not from the collectors of customs, and the latter, that those which accompanied the slaves to whom I refused entry on the occasion in question were delivered by the gentleman in charge of the Registration Office at Seychelles, and not by the gentleman charged with the Customs Department.

In the third consideration, the case is represented as one of a novel nature, unprovided for by law, and that it therefore becomes the duty of the court, at the risk of incurring the responsibility of a denial of justice, to pronounce a decision. That the case was either novel or unprovided for I cannot concede; and supposing it to have been so, I am unable to offer any observations on the reasoning upon which the court holds it to be necessary that they should supply the deficiencies of the law; it is however obvious that if, under an erroneous view of a case, judgments should be pronounced having a tendency to counteract the provisions of statute law, much confusion and abuse must be the inevitable result.

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

(signed) *A. W. Blane,*  
Acting Collector of Customs.

(A true copy.)

*P. Salter,* Act<sup>y</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 45

(No. 55.)—To A. W. Blane, Esq. Acting Collector of Customs.

Sir,

Chief Secretary's Office, Port Louis, 15th Sept. 1824.

N° 1.  
Correspondence  
relating to Seizure  
of Slaves.

I HAVE the honour to enclose you copy of a letter addressed by Monsieur Lequitte to his Excellency the Governor, requesting that he may be authorized to send back to Seychelles two Blacks, whose persons do not correspond with their certificates, and to whom admittance has in consequence been refused at the Custom House; and I have at the same time to inform you, that his Excellency approves of the return of these Blacks as solicited by the applicant, provided however that he (Monsieur Lequitte) gives security that the Blacks are really landed at the Seychelles, in proof of which a certificate from Mr. Harrison will be required.

The securities to be taken in the present instance are to be of the same nature and conditions precisely, and to the same pecuniary extent, as those exacted in the case of the Slaves recently sent back to the Seychelles under the instructions conveyed in the report of the Government Advocate as transmitted for your information and guidance in my letter of the 26th of July last.

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

(signed) G. A. Barry, Chief Secretary to Government.

(A true copy.)

P. Salter, Act<sup>e</sup> Coll<sup>r</sup> of Customs.

(Enclosure of No. 55)

A son Excellence Sir G. Lowry Cole, Gouverneur des Iles Maurice et  
Dependances, &c. &c. &c.

Excellence,

J. M. Alexis Lequitte, capitaine de marine marchande, commandant la goëlette Anglaise l'Iris, a l'honneur de vous exposer qu'il est arrivé des îles Seychelles le 27 Août dernier, ayant à bord 28 noirs appartenants à divers, legalement expédiés des dits îles.

Qu'il résulte de la vérification faite par Mr. le Collecteur de la douane, que deux des dits noirs n'ont pu être admis, ne se trouvant pas conformes aux recensements; l'un pour une différence dans la taille, et l'autre pour des marques petite vérole non portées sur son expédition.

Que la dite goëlette l'Iris n'étant plus destinée à faire les voyages des îles Seychelles, ce qui était projeté avant son départ de ces îles, elle a pris un chargement pour l'île Bourbon, et est au moment de faire voile, le soussigné ayant l'intention de renvoyer les dits deux noirs aux îles Seychelles, par le brick goëlette La Marthe, de ce port.

Que Mr. le Collecteur de la douane n'a pas cru devoir expédier l'Iris pour l'île de Bourbon, attendu que l'usage est que les vaisseaux qui ont transporté en cette île des esclaves, qui ne sont point admis, les ont toujours ramenés eux-mêmes aux îles Seychelles.

Mais que la loi étant muette à cet égard, Mr. le Collecteur de la douane a conseillé à l'exposant de consulter les hommes de loi sur cette difficulté.

Que l'exposant a consulté Mr. le Procureur Général et Mr. son substitut près le Tribunal des Première Instance; que tous deux pensent qu'il ne peut y avoir d'inconvénients à ce que les dits esclaves soient renvoyés aux îles Seychelles par un autre vaisseau, sous la responsabilité de l'exposant, et son obligation de justifier dans le délai, prescrit par la loi, de la rentrée des dits noirs aux dites îles par l'acquit de la caution qui y a été fournie lors de leur embarquement; mais qu'attendu que l'usage est que les mêmes vaisseaux ramènent les noirs non admis, il y a lieu à s'adresser à votre Excellence pour la prier d'en accorder la permission.

Pourquoi l'exposant supplie qu'il vous plaise, Excellence, de vouloir bien permettre que les dits noirs soient renvoyés aux dites îles Seychelles par le brick goëlette la Marthe, sous l'obligation sus énoncée de l'exposant, et moyennant telles autres précautions que votre Excellence jugera convenables.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

L'exposant vous supplie, Excellence, de vouloir bien prendre en considération qu'il n'y a aucun inconvenient à ce que sa demande soit admise, que sa goëlette est chargée, et prête à faire voile pour Bourbon, et qu'il resulterait pour son armement les plus grandes pertes et préjudices s'il était forcé de retourner aux dites îles Seychelles.

Ces motifs et l'esprit de justice qui anime votre Excellence font espérer à l'exposant que sa demande sera favorablement accueillie.

Il est avec respect, &c.

(signé) *A. Lequitte.*

(Pour copie conforme.)

(signé) *G. A. Barry*, Secrétaire en chef du Gouv<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 56.)

My dear Mr. Blane,

Rédult, 23d September 1824.

\* No copy preserved in the Records of the Custom House.

I HAVE showed your note of the 22d\*, respecting Mr. Lequitte's blacks, to the Governor, who has desired me to send you the following extract from Mr. Cooper's note on the subject, viz.

" Mr. Blane is not called upon to interfere with the blacks in any way, except to take care that they are not permitted to enter at this place; and if they do, he is bound to seize them."

Believe me, &c.

(signed) *F. E. S. Viret.*

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 57.)—To Archibald William Blane, Esquire, Acting Collector of Customs.

Chief Secretary's Office,  
Port Louis, 30th September 1824.

Sir,

HIS Excellency the Governor having had under consideration the accompanying copy of a letter from Messrs. Brunet and Fouquereaux, enclosing an instrument under the hand of the acting Procureur General, which directs that the slaves whose names are therein specified shall be delivered over to the agents of the owners, for the purpose of being forwarded to Seychelles, in pursuance of the sentence pronounced by the Courts of First Instance, and appeal on the 8th March and 22d July last; I am now to acquaint you that his Excellency has been pleased to signify his approval of the application of Messrs. Brunet and Fouquereaux, and the Superintendent of Matricule has accordingly been directed to hold at their disposal the slaves in question.

You will therefore be pleased, in so far as you may be concerned as Collector of Customs, to see that the necessary declarations and engagements are entered into by the parties concerned, previously to the embarkation of the blacks for Seychelles. And his Excellency having directed that they should be restored on the same conditions as those adverted to in my letter of the 26th July last, I beg leave to refer you to that communication and its enclosures for your guidance.

I have the honour to be, &c.

(signed) *G. A. Barry*, Chief Sec<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 47

(No. 57, "a.")—A Monsieur le Colonel Barry, Secrétaire en Chef  
du Gouvernement.

N° 1.  
Correspondence  
relating to Seizure  
of Slaves.

Monsieur,

LES soussignés représentants de MM. Dugand et Devillaine, habitans des Seychelles, lesquels par sentence du 8 Mars dernier, et arrêt du 22 Juillet dernier, ont obtenu que les noirs non admis par la douane leur fussent retournés, viennent vous supplier, monsieur, de vouloir bien ordonner à Mr. Salter, Chef du Bureau de la Matricule, que les dits noirs leur soient remis, pour être embarqués à bord du première navire qui partira pour Mahé, et par les dits soussignés, se conformant aux ordres déjà donnés par le Gouvernement à cet effet.

Ils ont l'honneur d'être, avec respect, Monsieur, vos, &c. &c.

(signé) *Ed. Fouquereaux*, ff.  
*L. Brunet*.

Pompée	-	-	-	-	} Mr. Dugand.
Dimanche	-	-	-	-	
Hortense	-	-	-	-	
Lundi	-	-	-	-	
Avril	-	-	-	-	
Joachim	-	-	-	-	
Jolicœur	-	-	-	-	
Jupiter	-	-	-	-	
Laopa	-	-	-	-	
Vangassaille	-	-	-	-	
Baptiste	-	-	-	-	
Patience	-	-	-	-	
Brutus	-	-	-	-	
Jupiter	-	-	-	-	à Mr. Devillaine.

(Pour copie conforme.)

(signé) *G. A. Barry*, Sec<sup>re</sup> en Chef du Gouvernement.

(A true copy).

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 57, "b.")

ATTENDU que par la sentence du Tribunal de Première Instance du huit Mars présente année, ultérieurement confirmé par arrêt de la Cour d'Appel, il a été ordonné que les noirs, Pompée, Dimanche, Hortense, Lundi, Avril, Joachim, Jupiter, Jolicœur, Laopa, Vangassaille, Baptiste, Patience, Brutus, esclaves du Sieur Dugand; Jupiter, esclave du Sieur Devillaine; Auguste, au Sieur Savy; et L'Endormi, à M<sup>me</sup> Panon, seraient renvoyés aux Isles Seychelles, à la diligence de leurs maîtres ou de leurs fondés de pouvoirs.

Monsieur Salter, Chef du Bureau de la Matricule, est autorisé par le présent à remettre à Mr. Brunet, Agent de Change de cette colonie, et MM. Fouquereaux, frères, fondés de pouvoir, des habitans des Isles Seychelles, ci-dessus denommés les noirs esclaves dont s'agit, pour être en vertu des jugements précités embarqués sur le navire le Theodore, Capt. Pandelle, en partance pour les dites isles, à la charge par Messrs. Brunet et Fouquereaux, de répondre de leur embarquement quoi faisant, le présent acte servira de décharge à mon dit Sieur Salter, Chef du Bureau de la Matricule.

Fait en notre hotel au Port Louis, Isle Maurice, ce 24 Août 1824.

(signé) *J. Mallac*, Procureur Général par interim.

(Pour copie conforme.)

(signé) *G. A. Barry*, Secrétaire en Chef du Gouvernement.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.



N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

(No 58.)—Thos. Bradshaw, Esq. Registrar of Slaves.

Custom House,  
11th October 1824.

Sir,

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, thirty sets of papers, accompanying thirty-three slaves transferred from the Seychelles to this colony on board the brig *Jeune Antoinette* Capt. Hodoul, whom I have admitted to entry into this colony on the 8th inst. I have felt obliged to refuse to admit nine other slaves for a want of conformity between them and the certificates of registration. They also arrived on board the *Jeune Antoinette*.

I have the honour to be, &c.

(signed) *A. W. Blane*, Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 59.)—Thomas Bradshaw, esquire, Registrar of Slaves, &c.

Custom House,  
13th October 1824.

Sir,

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, thirty-four sets of papers, accompanying 40 slaves transferred from the Seychelles to this colony on board the brig *Theodore*, Captain Pandellé, whom I have admitted to entry on the 11th instant. The number of blacks arrived per brig *Theodore* is 42, but I have felt obliged to refuse to admit two, on account of a want of conformity between them and the certificates of registration.

I have also the honour to forward to you, as required by the same Act, c. 120, s. 12, six extracts and certificates of registration of 15 slaves returned from the island of Bourbon, with their masters, as domestic servants, whom I have re-admitted to entry into this colony.

I have the honour to be, &c.

(signed) *A. W. Blane*, Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 60.)—To *A. W. Blane*, esquire, Acting Collector of Customs.

Chief Secretary's Office,  
Port Louis, 23d November 1824.

Sir,

A PETITION from Mr. Querel on the part of Madame V. Panon, relative to her slave Lendormi, now detained in the Bagne, having been referred to the standing English counsel, I have the honour to transmit to you a copy of Mr. Cooper's opinion, and at the same time to convey to you his Excellency's desire that the black in question be given up to Mr. Querel, and in future, if you should be satisfied that the marks not mentioned in the recensement have subsequently occurred, the slaves should be admitted.

I have the honour to be, &c.

(signed) *G. A. Barry*, Chief Sec<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(Enclosure of No. 60.)

Sir,

Port Louis, 16th November 1824.

I HAVE perused the petition presented to his Excellency the Governor, on the part of Madame Panon, respecting her slave now detained in the Bagne, on whom it has been alleged, that he does not agree with his registration certificate.

The

## COMING FROM THE SEYCHELLES TO MAURITIUS. 49

The petitioner offers to procure a proof that this slave being the same as was registered, from a medical man, and as that would be the readiest and least expensive way of satisfying his Excellency's mind on the matter, I think it should be adopted, when his Excellency might give an order to the Custom House, to pass the slave, and do all those things which are required and are usual in cases where the collector is satisfied of the identity of slaves coming from Seychelles.

There seems, from the papers before me, and from all I have heard of this case, no ground for supposing any fraudulent intention in the parties bringing the slave in question, and the alteration in his appearance being easily and naturally accounted for, would have been, I humbly conceive, sufficient to satisfy Mr. Blane without further reference. As, however, doubts and objections have been raised, I recommend the certificate of the medical man to be called for, on the back of which the Governor can deliver his order.

I am, &c.

(signed) *J. J. Cooper.*

(A true copy.)

(signed) *E. A. Barry, Chief Sec to Gov<sup>t</sup>.*

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

(No. 61.)—Colonel Barry, Chief Secretary to Government, &c. &c. &c.

Custom House,  
26th November 1824.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 23d instant, enclosing copy of one from Mr. Cooper to Mr. Viret, assistant private secretary, relative to a slave who accompanied Madame V. Panon from Seychelles in the month of October 1823, to whom I refused entry, in virtue of the 11th clause of the Act of the 59 Geo. 3, c. 120, in consequence of his not agreeing with his description in the certificate of his registration, and conveying to me his Excellency the Governor's desire that the black in question be given up to Mr. Querel as representing Madame Panon, and that in future, "should I be satisfied that the marks not mentioned in the recensement have subsequently occurred, the slaves should be admitted."

With regard to Madame Panon's slave, I beg to observe that he has never been in my charge, and that my duty as Collector of Customs, with regard to that slave, ceased with my refusal to admit him to entry. I have since been summoned before the courts to hear myself condemned to admit him and others similarly rejected, but so far from any such award having been given, the sentence pronounced not only exonerates me from all concern in the question, but rather tends to confirm my act, by decreeing that the individuals rejected should go back to Seychelles.

With regard to the latter paragraph of your letter, I am not certain that I understand it correctly; but I beg to observe, with regard to the slave of Madame Panon, that I am not aware of ever having expressed myself satisfied that the marks which her black bears, and which are not described in the registration certificate, occurred subsequently to the original or last triennial return, or at any other particular period, and as regards the exercise of such discretion in any cases which may hereafter occur, I should earnestly hope, upon a further consideration of the subject, that his Excellency would not insist upon the collector taking upon himself so heavy a responsibility, which, I humbly submit, appears at the same time strongly opposed to the instructions laid down for the collector's guidance in the Act above adverted to.

I have the honour to be, &c.

(signed) *A. W. Bane, Coll<sup>r</sup> of Customs.*

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

N° 1.

Correspondence  
relating to Seizure  
of Slaves.

(No. 62.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Custom House,  
8th December 1824.

Sir,

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, two sets of papers accompanying two slaves transferred from the island of Seychelles to this colony on board the brig Theodore, Captain Pandellé, whom I have admitted to entry into this colony on the 4th instant: I have felt obliged to refuse to admit a slave girl named Eleonore Dada, belonging to Mr. F. Laurent, on account of a want of conformity between her and the certificate of registration similarly arrived per brig Theodore.

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

(signed) *C. A. Mylius*, Ass<sup>t</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 63.)—To Thomas Bradshaw, Esq. Registrar of Slaves.

Custom House, 21st May 1825.

Sir,

ENCLOSED I have the honour to forward to you, as required by the Act of the 59<sup>th</sup> Geo. 3, c. 120, sec. 11, five sets of papers accompanying 14 slaves, transferred from the Seychelles to this colony, on board the brig Courier des Seychelles, Captain Roland Delisle, whom I have admitted to entry on the 19th instant. I also have the honour to forward to you twelve sets of papers accompanying 12 slaves, transferred from the Seychelles to this island, on board the brig schooner Jeune Antoinette, Captain Tirant, whom I have admitted to entry on the 20th instant; the number of blacks arrived per Jeune Antoinette is 16, but I have been obliged to reject four; three on account of a want of conformity between them and the certificates of registration; and one, a boy, already admitted on the 12th July 1821.

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

(signed) *A. W. Blane*, Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 64.)—To A. W. Blane, Esq., Acting Collector of Customs, &amp;c. &amp;c. &amp;c.

Chief Secretary's Office,  
Port Louis, 7th June 1825.

Sir,

I HAVE the honour to transmit to you the accompanying copy of a letter from Victor Amedé, under date the 25th May 1825, praying, for the reasons therein set forth, that his mother, named Meda, and the boy Eugene, recently arrived from Seychelles, may be admitted to entry. I have at the same time the honour to enclose to you a copy of the opinion of the standing English counsel, with reference to the prayer of the petitioner; and to convey to you his Excellency's directions that the opinion in question may be acted upon.

I have the honour to be, Sir,

Your most obedient humble servant,

(signed) *G. A. Barry*, Chief Secretary.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

N° 1.

Correspondence  
relating to Seizure  
of Slaves.(No. 64, "a.")—A Son Excellence le Lieutenant Général l'Hon.  
Sir Galbraith Lowry Cole, Gouverneur, &c. &c. &c.

Excellence,

EXPOSE avec respect Victor Amédé, homme de couleur, Créole de cette îles, demeurant au Grand Port, à Mahébourg, et y exerçant la profession de tailleur :

Que sa mère, nommée Méda, qu'il a acquise du Sieur Loliot, tailleur, il y a environ cinq ans, fut expédiée pour les Seychelles, où il avait son domicile ; et qu'à cette époque Monsieur Davis était Collecteur des Douanes en cette colonie. L'exposant ayant toujours eu le dessein d'affranchir sa mère a négligé pour cette cause de la recenser, comptant toujours effectuer son projet à son arrivée à Maurice. La même intention existait et existe encore dans son esprit à l'égard du nommé Eugène, Créole, âge de septans, son fils, et son esclave également. Ce dernier a néanmoins toujours été recensé par lui. Ces deux individus viennent d'arriver à Maurice, et l'exposant éprouve les difficultés les plus grandes de la part de Monsieur le Collecteur des Douanes pour leur débarquement en cette colonie, attendu que les irrégularités qui paraissent exister dans la désignation de la taille de la nommée Méda, et dans le défaut de représentation d'un acte justificatif qu'Eugène a été expédié de cette colonie pour les Seychelles.

Quant à Méda, néanmoins elle est régulièrement partie de cette île ; et il serait facile d'en faire la justification comme d'en fournir la preuve, par des recherches à cet égard dans les registres du Bureau de la Douane. Eugène, né aux Seychelles, est déjà venu dans la colonie avec l'exposant ; et il ne peut exister aucune difficulté ou empêchement à son débarquement. Et l'exposant ose espérer que votre Excellence donnera au contraire l'autorisation nécessaire à cet effet, ainsi que celle pour sa mère, qui est Indienne, et âgée de près de soixante ans.

Cette demande, par les motifs qu'il a deduits, ne sauroit lui être refusée ; et il espère au contraire la voir accueillie, et se voir autorisé à la poursuite de leur affranchissement par les voies ordinaires et de droit.

Il est avec respect, &amp;c. &amp;c. &amp;c.

(signé)

Vr. Amédée.

Port Louis, Ile Maurice, le 25 Mai 1825.

(Pour copie conforme.)

(signé)

G. A. Barry, Secre. en Chef du Gouv<sup>t</sup>.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 64, "b.")

Port Louis, 31st May 1825.

Memorandum.

I HAVE read the within petition, and Mr. Blane's note ; under the special circumstances of this case, and particularly that which states and makes appear that the two individuals in question are brought hither, not for the purpose of being disposed of as slaves, but of being made *free*, I think his Excellency the Governor would be fully warranted in allowing them an entry : care should, if possible, be taken, in order both to prevent fraud in this particular instance, as to avoid the laying down an inconvenient precedent that these individuals be really affranchized. The new Act, if I be not mistaken, (though I have not now an opportunity of referring to it,) authorizes the Governor to allow the transfer of slaves from island to island, under the same jurisdiction and government, where to him it shall clearly appear, that such transfer is for the benefit of the slaves themselves ; I speak this from memory only, for I have not the Act itself.

(signed)

J. J. Cooper.

(A true copy.)

(signed)

G. A. Barry, Chief Sec<sup>y</sup>.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

## PAPERS RELATING TO SEIZURE OF SLAVES

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

(No. 65.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House, 9th June 1825.

WITH reference to the last paragraph of my letter of the 21st ult. relative to the non-admittance of four slaves arrived from the Seychelles on board the schooner *Jeune Antoinette*, Captain Tirant, I have the honour to forward to you, copy of a petition from Victor Amédé to his Excellency the Governor, praying the admission of Neda and Eugene; as likewise a copy of a letter from the Chief Secretary to Government, expressive of his Excellency's commands thereon, in consequence of which the two slaves alluded to have been admitted to entry into this colony, as stated on the back of the certificates of registration, which are herewith forwarded to you.

I have the honour to be, &c.

(signed) *A. W. Blane*, Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 66.)—A. W. Blane, Esq. Acting Collector of Customs.

Sir,

Chief Secretary's Office, Port Louis, 23d June 1825.

HIS Excellency having had before him a letter from Mr. Roubion, an inhabitant of Seychelles, recently arrived in this colony, stating that his black, named Marie Saint, had been refused entry at the Custom House, in consequence of some incorrectness in the description given of him on the recensement, and praying, for the reasons set forth in his letter, that the said black be admitted to entry; I am now to acquaint you, that as it appears the black Marie Saint corresponds in all other respects with his recensement description, I have received his Excellency's directions to request that you will be pleased to admit him to entry.

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

(signed) *G. A. Barry*, Chief Secretary to Government.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 67.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House, 27th June 1825.

I HAVE the honour to forward to you, as required by the Act of the 59th Geo. 3, c. 120, s. 11, one set of papers, accompanying one slave, transferred from the Seychelles to this colony, on board the brig *L'Espérance*, Captain Labourette, to whom I had refused admittance into this colony, as alluded to in my letter of the 1st instant; but having received instructions from the Chief Secretary to Government to admit him to entry, I have the honour to state, for your information, that the black in question has been admitted on the 25th instant.

I have the honour to be, &c.

(signed) *A. W. Blane*, Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 68.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House, 1st July 1825.

ENCLOSED I have the honour to forward to you, as required by the Act of the 59th Geo. 3, c. 120, s. 11, seventeen sets of papers accompanying 17 slaves transferred from the Seychelles to this colony on board the brig *L'Étoile*, Captain Tourette, whom I have admitted to entry into this colony on the 28th ult.; the number of blacks arrived on board the *Etoile* is 20, but I have felt obliged to refuse admittance to three, on account of a want of conformity between them and the certificates of registration.

I also

23 June 1825.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 53

I also have the honour to forward to you 18 sets of papers, accompanying 21 slaves transferred from Seychelles to this colony, on board the brig Zoë, Captain Cruvillier, whom I have admitted to entry on the 30th ult.; I was also obliged to refuse to admit three of the blacks arrived on board the Zoë, one for having been already admitted on the 10th December last per schooner Jeune Antoinette, and the two others on account of disagreeing with the description given of them in the certificates of registration.

N° 1.  
Correspondence  
relating to Seizure  
of Slaves.

I have, &c.

(signed) *A. W. Blane*, Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 69.)—G. A. Barry, Esquire, Chief Secretary to Government.

Sir,

Custom House, 7th July 1825.

I HAVE the honour to report, for the information of his Excellency the Governor, that among the blacks brought from the Seychelles by the Zoe, Captain Cruvillier, which vessel arrived at this port on the 27th ultimo, one has been presented, stated to be named Jean Maria Duval, who, according to the records of the Registration Office, corresponds in name and description with one already admitted to entry here on the 10th December 1824, from the Jeune Antoinette. This circumstance authorizes the suspicion, that the black now brought up is another individual, whom it is intended to introduce fraudulently under the same name, and as such I presume he is liable to seizure; but as the expenses of prosecution would considerably exceed the sum awarded by law to the person seizing, I intend to confine myself to a refusal to admit the black to entry, but beg to bring the case under the consideration of Government, in case Government should think proper to adopt any measures on the occasion.

I have, &c.

(signed) *A. W. Blane*, Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

Vide 2d letter on this subject, dated 23d July, (No. 73.)

(No. 70.)—A. W. Blane, Esquire, Acting Collector of Customs.

Sir,

Chief Secretary's Office,  
Port Louis, 8th July 1825.

I HAVE the honour to transmit to you the enclosed petitions of Mr. Colomès and Mr. Devillaine, soliciting the admission to entry of certain slaves from the Seychelles, who do not appear to agree with their returns, and to request that you will be pleased to report on their petitions for submission to his Excellency the Governor.

I have the honour to be, &c.

(signed) *J. Smith*, Ass<sup>t</sup> Secret<sup>y</sup> to Govern<sup>t</sup>,  
in the absence of the Chief Secretary.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 71.)—G. A. Barry, Esquire, Chief Secretary to Government.

Sir,

Custom House, 12th July 1825.

I HAVE the honour to acknowledge the receipt of your letter of the 8th instant, enclosing for my report two petitions, the one from Mr. Colomès, and the other from Mr. Devillaine, praying that his Excellency the Governor will be pleased to authorize the admission to entry of certain blacks lately arrived from Seychelles, to whom

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

whom I have refused it, in consequence of their not agreeing with their descriptions.

Upon the representation of Mr. Colomés, I beg to observe that the black I have refused to admit, on account of the apparent difference of age between him and the individual to whom the description is supposed to apply, cannot at most be above 25 or 30 years of age, whilst the registration certificate describes a black who was 45 years old in 1815, and ought consequently now to be 55. With regard to the other he is stated in the registration certificate to have been 49 years old in 1815, and to be marked with country marks only, whereas the one now presented to me has, besides country marks, a large scar on the left side of his belly, has lost the fourth toe of his left foot, and the use of the forefinger of the left hand, which is much mutilated, besides being two inches taller than the individual to whom the description is supposed to refer.

With regard to the blacks, in behalf of whom Mr. Devillaine solicits the admission, his statement is correct as to his conformity with his description, with the exception of the marks of small-pox; but as these are not mentioned in the registration certificate, and the registration ordinance requiring that all such marks on the person should be distinctly specified in the returns, I have not been able to consider him as corresponding with his description, according to the true spirit and meaning of the Act, and upon that ground I have refused to admit him.

I have, &c.

(signed) *A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 72.)—*A. W. Blane*, Esquire, Acting Collector of Customs, &c.

Chief Secretary's Office.

Port Louis, 18 July 1825.

Sir,

His Excellency the Governor has had before him your letter of the 12th instant, reporting on the petitions of Messrs. Colomés and Devillaine, praying that his Excellency the Governor may be pleased to authorize the admission to entry of certain blacks from Seychelles, to whom such entry had been previously refused in consequence of their not agreeing with their description.

I am now to signify to you in reply, that his Excellency has been pleased to approve of the admission of the black referred to in the petition of Mr. Devillaine; observing, at the same time, that the discrepancies which exist, in regard to those two blacks belonging to Mr. Colomés, must preclude his Excellency from complying with that gentleman's request.

I have the honour to be, &c.

(signed) *G. A. Barry*, Chief Sect<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 73.)—*G. A. Barry*, Esquire, Chief Secretary to Government.

Custom House,

Port Louis, 23<sup>d</sup> July 1825.

Sir,

Nor having as yet been favoured with an answer to my letter of the 7th instant, reporting the case of a black brought on board the *Zoé*, Captain Cruvillier, from Seychelles, to whom I had refused entry; I beg to state that the captain has applied to me for his clearance, and that if it should be the determination of government to seize the black for prosecution, it will be desirable that measures should be taken for that purpose before three o'clock to day, as I shall not feel justified in withholding the clearance without an order to that effect.

I have the honour to be, &c.

(signed) *Arch<sup>d</sup> W<sup>m</sup> Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 55

It does not appear that any reply was made to this letter by the records of the Custom House. The black was refused an entry, and returned to Seychelles on board the *Zoé*.

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

(No. 74.)—A. W. Blane, Esquire, Acting Collector of Customs.

Chief Secretary's Office.

Port Louis, 26 July 1825.

Sir,

I HAVE the honour, by direction of his Excellency the Governor, to transmit to you the enclosed petition from Captain Tirant, praying the admission of 15 blacks arrived from Seychelles in the schooner *Antoinette*, and to request that you will favour me with your report thereon for submission to his Excellency.

I have the honour to be, &c.

(signed) *G. A. Barry*, Chief Sect<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

Returned.

(No. 75.)—G. A. Barry, Esquire, Chief Secretary to Government.

Sir,

Custom House, 27th July 1825.

I HAVE the honour to state for his Excellency the Governor's information, in reply to your letter of yesterday's date, forwarding for my report a representation from Captain Tirant, of the *Jeune Antoinette*, relative to my refusal to admit to entry 15 slaves brought by him from Seychelles; that the Act of the 59th Geo. 3, c. 120, under which the collector or chief officer of customs at the port of arrival was authorized to admit to entry slaves removed from one British island to another, having been repealed by the Act of the 5th Geo. IV. c. 113, published on the 2d instant, I conceive the duties which devolved on the collector by that Act to have ceased from that date.

I beg further to observe, that according to the new Act it does not appear that the collector or principal officer of customs has any other duty to perform on the arrival of slaves from another British colony, or from any other island within the same Government, excepting that of transmitting to the registrar of slaves a copy of the extract and certificate of the registration of such slaves in the colony from which they may have come; but upon this point I shall feel obliged by his Excellency permitting a reference to be made to the law officers of Government, and by my being made acquainted with their opinion for my guidance.

The regulations relative to the removal of slaves from one island to another within the same government, are laid down in the 14th clause of the new Act, and have not, as I understand, been complied with, in the case of those brought from the Seychelles by the *Jeune Antoinette*.

I have, &c.

(signed) *A. W. Blane*, Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 76.)—A. W. Blane, Esquire, Acting Collector of Customs, &c. &c. &c.

Sir,

Chief Secretary's Office,

Port Louis, 30th July 1825.

His Excellency the Governor having referred for the opinion of the Standing English Counsel your letter of the 27th instant, together with the petitions of Captain Tirant, Mr. Colomès and Mr. Latapie; the first praying the admission of 15, the second of two, and the third of one black, all recently arrived from Seychelles on board the *Jeune Antoinette*; I have now received the directions of his



N<sup>o</sup> 1.  
Correspondence  
relating to Seizure  
of Slaves.

his Excellency to transmit to you a copy of the opinion of the Standing English Counsel, under date the 28th instant, and to signify to you his Excellency's desire that the same may be acted upon.

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

(signed) *G. A. Barry*, Chief Secretary.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(Enclosure of No. 76.)—James Smith, Esquire, Assistant Secretary to Government, &c. &c. &c.

Sir,

Port Louis, 28th July 1825.

I HAVE the honour to acknowledge the receipt of your two communications of this day's date relative to the slaves brought by the *Jeune Antoinette* from Seychelles, and enclosing for my perusal and opinion the petitions of Messrs. Latapie and Tirant to his Excellency the Governor.

Under the circumstances set forth in these gentlemen's petitions, I am of opinion that his Excellency the Governor would be considered fully competent in law to grant the prayers of them, if it shall be his Excellency's desire so to do. The petitioners could not know of the new regulations contained in the Act of the 5th Geo. IV. c. 113, at the time they sailed from the Seychelles, or it is presumed they would have made the application for the governor's license to remove their slaves, which they make now; and if his Excellency considers these cases such as he should be disposed to sanction and allow, if the application had been made in time, I conceive his license *nunc pro tunc* quite sufficient.

As, however, these individuals apply for a favour, it should be seen whether they have conformed to such regulations as they really did know of, before they are excused from a compliance with those of which they have alledged their ignorance.

I have, &c. &c. &c.

(signed) *John J. Cooper*.

(A true copy.)

(signed) *J. Smith*, Ass<sup>t</sup> Secretary to Government.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Collector of Customs.

(No. 77.)—Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

Custom House, 8th August 1825.

HEREWITH I have the honour to forward to you the certificates of registry and clearances for 15 slaves brought to the island from the Seychelles on board of the schooner *Jeune Antoinette*, Captain Tirant on the 25th ult.

These slaves having arrived subsequent to the promulgation of the Act of the 5th Geo. IV. c. 113, I did not consider myself any longer authorized to admit them to entry under the provisions of the old Act of the 59th Geo. 3, and referred the owners of the slaves to Government to obtain his Excellency the Governor's license as required in the case of removal of slaves from one island to another within the same government, by the 14th clause of the new Act; the result of which having been an authority from his Excellency to admit them, I beg to transmit to you herewith at the same time for your information copies of the correspondence which has taken place between the Chief Secretary to Government and myself on the subject.

I have, &c.

(signed) *A. W. Blane*, Collector of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 57

(No. 78.)—Thomas Bradshaw, Esq. Registrar of Slaves.

N° 1.

Correspondence  
relating to Seizure  
of Slaves.

Sir,

Custom House, 15th September 1825.

IN pursuance of the provisions of the 17th clause of the Act of the 5th Geo. IV. c. 113, I have the honour herewith to transmit to you copies of five extracts and certificates of registration for five slaves brought as domestic servants from Seychelles by Mr. and Mrs. Marcy and the two Misses Quincy, on board the brig L'Etoile, Captain Tourette. You will perceive by an observation I have made on the certificate of Sylvain and that of Virginie, that some irregularity has occurred either on the part of Mr. Marcy in applying for them, or of the registration clerk in supplying them, which might subject Mr. Marcy and the master of the vessel to very heavy penalties; but as the new law has only just come into operation, and Mr. Marcy intending to return to Seychelles in a few months, I have been induced upon the letter he has addressed me, and of which I forward to you a copy, to postpone, at least for the present, any proceedings which the case might justify, although at the same time I think it desirable to put you in possession of the circumstances, in order that any steps, which it may appear to you necessary intermediately to take, may be taken.

I have, &amp;c.

(signed)

A. W. Blane, Collector of Customs.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 78, "a.")—Extract from the Register of Arrivals of Blacks.

Master's Name.	Name of Slaves.	Regist <sup>on</sup> Height.		Customs Height.		Caste.	Sex.	From whence.	Marks.	Remarks.
		Ft.	In.	Ft.	In.					
Mad. Marcy -	Virginie Didon -	4	0	0	0	Mozambique	female	Seychelles -	country marks	domestic.
Mr. Mestre -	Sylvain Gaspard	4	10½	0	0	Creole	male	Seychelles -	none - -	domestic.

The negress presented as corresponding to the above description is a Creole, daughter to Angelique Lavergne, of about 15 years of age. It appears that an error has been committed by the clerk of the Registration Office at Seychelles, as explained in Mr. Marcy's letter to me of the 14th instant, of which a copy will accompany the present certificate, and that he engages to have it rectified previous to his departure.

This black has been brought up from Seychelles by Mr. A. Lefebure Marcy as his domestic servant, but he has no document to prove that he has been sold to him by Mr. Mestre, nor that he is at this moment the lawful owner of him. He engages, however, to supply these proofs, as appears by his letter to me of the 14th instant, of which a copy is annexed.

Custom House, Port Louis, }  
15th June 1827.

(A true extract.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 78, "b.")—A Monsieur W. Blane, Collector de la Douane.

Monsieur,

Port Louis, Ile Maurice,  
le 14 Septembre 1825.

LES deux irrégularités qui se trouvent dans les expéditions des nommés Sylvain et Virginie, mes domestiques, ne proviennent que d'erreurs de la part de Mr. le Commis de l'Enregistrement des Esclaves aux Iles Seychelles, et en voici l'explication: Le nommé Sylvain, Creole de cette île, a été vendu par Mr. Le Maire à Mr. Mestre, qui l'a amené aux Iles Seychelles où il me l'a vendu, et je l'ai en conséquence porté sur mon recensement triennal de 1822, dont le double, signé de Mr. Knowles, est entre mes mains. Lorsque je demandai à le faire expédier par le brick l'Etoile, Mr. Knowles me dit qu'il lui falloit la première expédition, sur laquelle il mit une apostille sans faire mention du changement de propriétaire; mais je pense que mon recensement suffit pour prouver ma propriété. Quant à la nommée Virginie, cette négresse Créole, fille d'Angélique la Vergne, appartenoit à Mr. Dumont père, au décès, duquel elle est incombée en partage aux enfans mineurs de feu Louis René Dumont, fils, lequel avait aussi recensé une nommée

Virginie,

N° 1.  
Correspondence  
relating to Seizure  
of Slaves.

Virginie, mais qui a pour surnom *Didon*, et qui est mozambique. Il est donc évident que l'identité des noms des propriétaires et des esclaves est cause que Mr. Le Commis de l'Enregistrement des Esclaves a expédié une négresse pour l'autre : ce dont il me sera facile de vous convaincre, si vous jugez convenable, Monsieur, d'accepter mon présent engagement de faire rectifier cette erreur par la première occasion qui se présentera pour les Iles Seychelles, où je ne retournerai que vers la fin de cette année.

J'ai l'honneur d'être, Monsieur,  
Votre très humble and très obéissant serviteur,  
(signé) *A. Lefebur Marcy.*

(A true copy.)

*P. Salter*, Act<sup>e</sup> Collector of Customs.

(No. 79.)—Archibald Wm. Blane, Esquire, Collector of Customs, &c. &c. &c.

Slave Registration Office,  
Port Louis, 17th September 1825.

Sir,

I HAVE the honour to acknowledge the receipt of your letter dated the 14th instant, and its several enclosures; and in returning the extracts and copies of registration certificates, transmitted to me for examination, I have to acquaint you, that the explanation given by Mr. Lefebure de Marcy relative to the negress "Virginie" appears to be quite correct, Mr. Knowles having by mistake given a certificate for a Mozambique negress, named "Virginie," the property of René Dumont, fils; the negress Virginie now brought from Seychelles by Mr. Lefebure de Marcy being a creole, formerly the property of Dumont père, as is attested by his recensement.

In regard to the black named "Sylvain," Mr. Le Maire declares him "sold at Seychelles" on his triennial return of 1822; he is not claimed by Mr. Meistre, who probably sold him again between the periods of census; but he is borne, as appears by the statement of Mr. Lefebure de Marcy, upon his triennial return of 1822; a fact which I have no means of certifying, as the returns of 1822 are still in the hands of Mr. Knowles. Had, however, Mr. Lefebure de Marcy's bill of sale for Sylvain, or other proof of property been required by Mr. Knowles to be produced, I am not aware that there could have been any difficulty on his part to give a certificate in the usual form.

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

(signed) *T. Bradshaw*, Registrar of Slaves.

(A true copy.)

*P. Salter*, Act<sup>e</sup> Collector of Customs.

(No. 80.)—Greffe de l'Enregistrement des Esclaves.

A LA demande de Monsieur Marcy, habitant aux Seychelles, et sur la preuve de propriété qu'il en a fournie, je certifie que l'esclave ci-après dénommé a été recensé audit Greffe par la personne dont le nom est en marge du présent certificat.

*Virginie Lavergne,*

Négresse, âgée 4 ans, Creole des Seychelles, sans Marques, fille d'Angélique.

Note.—The above-named slave having been expedited for Mauritius by error under the name of *Virginie Didon*, this extract is granted for the purpose of annulling the one I delivered to Mr. Marcy for that purpose, under date 15th August 1825.

(signed) *W. Knowles*, Chargé de l'Enregistrement des Esclaves.

Mahé Seychelles, 7th August 1826.

(A true copy.)

*P. Salter*, Collector of Customs.

Recensée par  
Mons<sup>r</sup> Dumont,  
Père, aux Sey-  
chelles en 1815.

N<sup>o</sup> 2.

## PROCEEDINGS

In the Court of Vice Admiralty relative to the Seizures of Slaves  
coming from Seychelles.

N<sup>o</sup> 2.  
Proceedings  
in the Court of  
Vice-Admiralty.

The Honourable A. W. Blane, Esquire, Acting Chief Secretary to Government.

Sir,

Registry of Vice Admiralty,  
Port Louis, 9th May 1827.

IN obedience to the orders of his Excellency the Governor, contained in your letter of the 24th April 1827, I have the honour to forward herewith a copy of the proceedings of the Vice Admiralty Court relative to the Seizure of Slaves coming from Seychelles, including that of Mr. Mylius.

I have, &c. &c. &c.

(signed) C. Telfair, Registrar.

(No. 1.)—IN the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

To the worshipful Edward Berens Blackburn, esquire, barrister at law in the said court, official, principal and commissary general and special, and judge and president thereof :

The humble petition of Cooper, His Majesty's Attorney General, for and on behalf of His Majesty's Collector of Customs,—

Showeth,

That in consequence of information received of a certain French schooner, called the Lys, having disembarked and left several slaves or natives of Africa on a certain island, called Providence Island (one of the dependencies of the Government of Mauritius), it was ordered by Government that the said slaves or natives of Africa so landed on the said Providence Island should be forthwith brought to this said island of Mauritius, and that in consequence 10 of the said slaves or natives of Africa have been so brought, as will appear by the Schedule hereunto annexed, marked (A.)

That two other slaves or natives of Africa have been seized on board a certain vessel called the Theodore, in the harbour of Port Louis, brought hither from the Island of Seychelles, as will appear by the Schedule hereunto annexed, marked (B.)

That the owner or owners, or pretended owner or owners of the said slaves are not known, and have not yet been ascertained or discovered.

Your petitioner therefore humbly prays, that a monition may issue, calling upon all persons having or pretending to have any right, title or interest in the said 12 slaves or natives of Africa, or any of them, within eight days after service of the same if it be a court day, or else on the next court day following, then and there to show and allege, in due form of law, a reasonable and lawful cause, if they have any, why the said 12 slaves or natives of Africa should not be condemned to His Majesty, his heirs and successors. And your petitioner, as in duty bound, shall ever pray.

(signed) John J. Cooper.

Port Louis, 21st February 1827.

Let be as prayed.

(signed) Edward B. Blackburn,  
Comm<sup>r</sup> and Judge in V. Admiralty.

Port Louis, 21st February 1827.

(A true copy.)

Charles Telfair, Registrar.

N<sup>o</sup> 2.  
 Proceedings  
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In the Instance Court of Vice Admiralty at the Mauritius, and Territories thereunto belonging:

Appeared personally James Sanders Reader, deputy marshal of the Vice Admiralty Court at Port Louis in the Isle of France, and made oath, that the Schedule hereunto annexed, and marked (A.) is a true and faithful list of 10 persons, natives of Africa, that were brought here from the Island of Providence, being part of the cargo of the French schooner *Lys*, wrecked on the said island.

(signed) *J. S. Reader*, D<sup>y</sup> Marshal.

Sworn at Port Louis, in the Island of Mauritius, this 21st February 1827.

Before me,

(signed) *Edward B. Blackburn*,  
 Comm<sup>y</sup> and Judge in V. Admiralty.

(A true copy.)

*Charles Telfair*, Registrar.

(A.)—Schedule of Ten Negroes brought from Providence Island, being part of the Cargo of the French Schooner *Lys*, wrecked on that Island.

NAMES.	Caste.	Sex.	Age.	Height.		Distinguishing Marks or Features.
				Ft.	In.	
Auguste - - -	Mozambique	male -	22	5	1 $\frac{7}{2}$	{ country marks on temples and forehead, scars on left side and belly, two scars on left posterior.
Louis Henry - - -	Ditto	ditto -	17	4	10	country marks on both temples.
Bijou Barrack - - -	Ditto	ditto -	20	4	11 $\frac{5}{2}$	- ditto - forehead, belly and stomach.
Calou Zigolle - - -	Ditto	ditto -	14	4	6 $\frac{4}{2}$	- ditto - forehead, arms and temples.
Voley Zigolle - - -	Ditto	ditto -	13	4	3 $\frac{7}{2}$	{ - ditto - forehead, and scar on right shoulder.
Papillon Assouanah - - -	Ditto	ditto -	12	4	1 $\frac{9}{2}$	- ditto - forehead and temples.
Larelache - - -	Ditto	ditto -	24	4	11	- ditto - ditto.
Saint Pierre - - -	Ditto	ditto -	22	4	10 $\frac{3}{2}$	- ditto - ditto.
Maria - - -	Ditto	female	28	4	11 $\frac{5}{2}$	- ditto - ditto.
Hierakham Rahun - - -	Ditto	ditto -	55	4	9 $\frac{3}{2}$	{ - ditto - back forehead and stomach, and hole in upper lip.

(signed) *J. S. Reader*, D<sup>y</sup> Marshal.

Port Louis, 13th February 1827.

(A true copy.)

*Charles Telfair*, Registrar.

In the Instance Court of Vice Admiralty at the Mauritius, and Territories thereunto belonging:

Appeared personally James Sanders Reader, deputy marshal of the Vice Admiralty Court at Port Louis in the Isle of France, and made oath, that the Schedule hereunto annexed, and marked (B.) is a true and faithful list of two persons, natives of Africa, that were brought here from the Island of Seychelles, and detained by order of Government.

(signed) *J. S. Reader*, D<sup>y</sup> Marshal.

Sworn at Port Louis, in the Island of Mauritius, this 21st February 1827.

Before me,

(signed) *Edward B. Blackburn*,  
 Comm<sup>y</sup> and Judge in V. Admiralty.

(A true copy.)

*Charles Telfair*, Registrar.

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Schedule of Two Negroes from the Seychelles, landed by order of the Procureur General,  
and detained by the Government.

NAMES.	Caste.	Sex.	Age.	Height.		Distinguishing Marks or Features.
				Ft.	In.	
Ranquefaure Louis	Mozambique	male	32	5	0 $\frac{3}{4}$	[ scar on forehead, and country marks on right shoulder. country marks on forehead and temples.
Augustine Ribane	- Ditto -	ditto	30	5	3 $\frac{1}{2}$	

(signed) J. S. Reader, D<sup>y</sup> Marshal.

Port Louis, 17th February 1827.

(A true copy.)

C. Telfair, Registrar.

(No. 2.)—In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging:

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth:

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Vice-Admiralty.

To the Marshal of our Vice Admiralty Court at the Mauritius and territories thereunto belonging, or to his lawful Deputy, greeting:—Whereas the worshipful Edward Berens Blackburn, esquire, barrister at law in our said court, official principal and commissary general and special and judge and president thereof, and also to hear and determine all and all manner of causes and complaints, civil and maritime, specially constituted and appointed in a certain business moved and prosecuted before him in our said court, on behalf of Our Sovereign Lord the King, against twelve subjects or natives of Africa, rightly and duly proceeding at the petition of J. Cooper, Esq. His Majesty's attorney general, for and on behalf of His Majesty's Collector of Customs, setting forth that in consequence of information received of a certain French schooner, called the Lys, having disembarked and left several slaves or natives of Africa on a certain island called Providence Island, (one of the dependencies of the government of Mauritius,) it was ordered by Government that the said slaves or natives of Africa so landed on the said Providence Island should be forthwith brought to this said island of Mauritius, and that, in consequence, ten of the said slaves or natives of Africa have been so brought; also that two other slaves or natives of Africa have been seized on board a certain vessel called the Theodore, in the harbour of Port Louis, brought hither from the island of Seychelles, and praying that the usual monition might issue, calling upon all persons in general, hath decreed all persons in general having or pretending to have any right, title or interest in the said twelve slaves or natives of Africa, or any of them, to be monished, cited and called to judgment at the time and place under written and to the effect hereinafter expressed (justice so requiring): We do, therefore, strictly charge and command you, jointly and severally, that you omit not by reason of any liberty or franchise, but that by affixing these presents upon the outside of the Exchange in this town of Port Louis, at the usual time of public resort of merchants thither, and by leaving thereon affixed a true copy hereof, you do monish and cite, and cause to be monished and cited peremptorily all persons in general, having or pretending to have any right, title or interest in the said twelve slaves or natives of Africa or any of them, to appear at the Court House, situate in Government Street at Port Louis, within eight days after service of the same, if it be a court-day, or else on the next court-day following, then and there to show and allege in due form of law a reasonable and lawful cause (if they have any) why the said twelve slaves or natives of Africa should not be condemned to His Majesty, his heirs and successors, and the parties be pronounced to have incurred the several penalties under the statute in that case made and provided; and further, to do and receive in this behalf as to justice shall appertain, and that you duly intimate or cause to be intimated peremptorily unto all persons in general whom

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whom it doth or may concern (to whom by the tenor of these presents we do also intimate) that if they do not appear at the time and place before mentioned, or appearing shall not show cause to the contrary, our aforesaid judge doth intend and may pronounce the said twelve slaves or natives of Africa liable and subject to confiscation and condemnation, to be adjudged and condemned to His Majesty, his heirs and successors, and the parties to have incurred the several penalties under statute aforesaid; the absence or rather the contumacy of the said parties so cited and intimated in anywise notwithstanding. And that you duly certify to us, or our said judge or his lawful surrogate, what you shall do in the premises together with these presents.

Given at Port Louis, Island of Mauritius, in our aforesaid court, under the seal of the same for causes, this 23d day of February in the year of Our Lord 1827, and of our reign the eighth.

(A true copy.)

*Charles Telfair*, Registrar.

(L. S.)

I do hereby certify, that I have executed the foregoing monition, by affixing a true copy thereof on the place resorted to by merchants and others.

Port Louis, 27th February 1827.

(signed)

*J. S. Reader*, Deputy Marshal.

(No. 3.)—In the Instance Court of Vice Admiralty at the Mauritius, and Territories thereunto belonging;

On Thursday, the eighth day of March, in the year of Our Lord one thousand eight hundred and twenty-seven.

His Majesty's Attorney-General, for and on behalf of His Majesty's Collector of Customs; against twelve Slaves, or Natives of Africa, calling themselves August, Louis Henry, Bijou Barrack, Calou Zigolle, Volcy Zigolle, Papillon Assounanah, Larelache, Saint Pierre, Maria, Hierakham Rahan, Rauquelore Louis, and Augustin Ribane, also against the Owner and Owners thereof, or Persons claiming Property therein, and also against all Persons in general.

ON which day the said Attorney-General for and on behalf of His Majesty's Collector of Customs, as well as for His Majesty, by all lawful ways and means, and to all effects in law whatsoever, alleged, pleaded and articulately propounded as followeth; to wit,

First.—That by a certain statute made and passed in the fifth year of the reign of the now King, entitled, an Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade, it is among other things enacted, that it shall not be lawful, except in such special cases as are therein aftermentioned, for any person to deal or trade in, purchase, sell, barter or transfer, or to contract for the dealing or trading in, purchase, sale, barter or transfer of slaves, or to carry away or remove, or to contract for the carrying away or removing of slaves or other persons, as or in order to their being dealt with as slaves; or to import or bring, or to contract for the importing or bringing into any place whatsoever slaves or other persons, as or in order to their being dealt with as slaves; or to ship, transship, embark, receive, detain or confine on board, or to contract for the shipping, transshipping, embarking, receiving, detaining or confining on board of any ship, vessel or boat, slaves or other persons for the purpose of their being carried away or removed, as or in order to their being dealt with as slaves.

Secondly.—That in and by the said statute it is further enacted, that in all and every such case as hereinbefore is set forth and declared to be unlawful the persons so offending and their procurers, counsellors, aiders and abettors shall forfeit and

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and pay for every such offence the sum of one hundred pounds of lawful money of Great Britain, for every slave so dealt with, traded in, transferred, removed, brought, shipped, detained or confined on board, or so contracted for as aforesaid. And further, that all property, or pretended property in such slaves or persons as aforesaid shall also be forfeited.

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Thirdly.—Also, it is in and by the said statute further enacted, that where any slave or slaves that may be lawfully removed shall be sent, removed, carried or conveyed, without observing the regulations, or any or either of them, required by the said Act, such slave or slaves shall be forfeited to His Majesty, his heirs and successors.

Fourthly.—Also, that in and by the said statute it is further enacted, that the several pecuniary penalties and forfeitures imposed and inflicted by the said Act, shall and may be sued for, prosecuted and recovered in any Court of Vice Admiralty, where the said offences may be committed.

Fifthly.—That ten of the said slaves first above enumerated were a long time past shipwrecked and cast upon the island of Providence, the same being an island belonging to His Majesty, and a dependency of the Government of the island of Mauritius: that the said ten slaves have been brought up from the said Providence Island to the port of Port Louis, in the Mauritius, by order of his Excellency the Governor of the said islands, that they the said slaves might be protected and taken care of, they having no owners, and being wholly abandoned upon the said island of Providence: that at the time of the shipwreck of the said slaves they were on a voyage to some place unknown, for the purpose of being illegally, fraudulently and wickedly conveyed, transferred, sold, disposed of, and dealt with as slaves, contrary to the statute in that case made and provided, whereby and by force of the statute, in that case made and provided, the said ten slaves have become forfeited to His Majesty, his heirs and successors, and the persons offending against the said statute, by so conveying and dealing with the said slaves as aforesaid, have rendered themselves liable to the penalty of one hundred pounds sterling money for each and every of the said slaves, but the same are as yet undiscovered and unknown.

Sixthly.—That the two other slaves last above enumerated were seized by His Majesty's Collector of Customs, a long time since, in the harbour of Port Louis, the same having been brought hither from the Seychelles Islands, that the said two last-mentioned slaves were landed at the said port of Port Louis at the time of the seizure, without any legal authority being produced for such landing, and by some person or persons at present wholly unknown, contrary to the statute in such case made and provided, whereby, and by force of the statute in such case made and provided, the said two last-mentioned slaves have become forfeited to His Majesty, his heirs and successors, and the person or persons so landing, the same have rendered themselves liable to the like penalty of one hundred pounds sterling money for each of the said two slaves.

Lastly.—That all and singular the premises were and are true, public and notorious, and thereof there was and is a public voice, fame and report, that the party proponent prays therefore right and justice to be effectually done and administered in the premises by you the worshipful Edward Berens Blackburn, esquire, judge and president of the said court, and that the said owner or owners, and all and every other person or persons engaged in the unlawful importation and carrying off the said negroes, be declared to have rendered themselves liable to the several pains, penalties and forfeitures provided and ordered in the said statute herein recited, and that the said twelve slaves or natives of Africa be adjudged to have become forfeited to His Majesty, his heirs and successors.

(signed) *John J. Cooper.*

(A true copy.)

*Charles Telfair*, Registrar.



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 Proceedings  
 in the Court of  
 Vice-Admiralty.

(No. 4.)—In the Instance Court of Vice Admiralty, and Territories thereunto belonging :

In a cause entitled His Majesty's Attorney-General, for and on behalf of His Majesty's Collector of Customs, against 12 slaves or natives of Africa :

To the worshipful Edward Berens Blackburn, esquire, barrister at law in the said court, official principal and commissary-general and special and judge and president thereof.

The petition of Cooper, attorney-general,—  
 Showeth,

That in the above cause no parties have yet appeared to defend the same, although proclamation hath been made.

Wherefore it is humbly prayed that the second default may be pronounced to be incurred.

And your petitioner, as in duty bound, will ever pray.

(signed) *John J. Cooper.*

Port Louis, 24 March 1827.

Let be as prayed.

(signed) *Edward B. Blackburn,*  
 Co<sup>r</sup> in V. Admiralty.

March 24, 1827.

(A true copy.)

*Charles Telfair*, Registrar.

(No. 5.)—In the Instance Court of Vice Admiralty at the Mauritius and Dependencies thereunto belonging.

On Wednesday, the twenty-eighth day of March, in the year of Our Lord one thousand eight hundred and twenty-seven, before the worshipful Edward Berens Blackburn, esquire, barrister at law, commissary and judge of the said court, in the court house, situate in Government Street, Port Louis, in the island of Mauritius.

Present, *Charles Telfair*, Registrar.

Rex, His Majesty's Collector of Customs, *versus* twelve subjects or natives of Africa.

On which the several defaults having been declared to have been incurred, Cooper prayed the Court for a decree of condemnation of the said 12 slaves or natives of Africa, named Auguste, Louis Henry, Bijou Barrack, Culou Zigolle, Volcy Zigolle, Papillon Assounanah, Larelache, Saint Pierre, Maria, Hierakham Rahan, Rauquilaure Louis, and Augustin Ribane, for having been unlawfully imported into and landed in the Mauritius and the dependencies thereof, and further prayed that the several pecuniary penalties might be pronounced to have been incurred, and decreed to be paid by the person or persons who have so unlawfully imported and landed the said slaves or natives of Africa.

Whereupon the judge pronounced and decreed that the said 12 slaves or natives of Africa were become forfeited to His Majesty his heirs and successors, for the purpose of the statute in that case made and provided, and accordingly by interlocutory decree condemned the said slaves or natives of Africa as scheduled. And further the said judge reserved his decision on the prayer for the said pecuniary penalties, till such time as the person or persons unlawfully importing and landing the said slaves or natives of Africa be discovered and brought to justice.

(signed) *Charles Telfair*, Registrar.

(A true copy.)

*Charles Telfair*, Registrar.

(L. S.)

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In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

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To the worshipful George Smith, esquire, barrister at law, judge and commissary in the said court :

The humble petition of May, His Majesty's procurator general,  
Showeth,

That one native of Africa, calling himself Gensisage, was found in the month of January last by the police at Port Louis.

That three other natives of Africa, calling themselves Fidele Laurent, Louis Marcy, and Fevrier Cote, were brought from the Seychelles Islands and landed at Port Louis in the month of December last.

That five other natives of Africa, calling themselves Andrépihome, Diebencovah, Esoudie, Schehalah, and Malaze, were found, in the month of February last, on certain premises belonging to one Mr. Guillaume Borne, and occupied by one Madlle. Lise, situated in the camp Yolloff at Port Louis.

That two other natives of Africa, calling themselves Dientatarde and Acalah, were found, in the aforesaid month of February, on certain premises occupied by the aforesaid Mr. Guillaume Borne, situated at L'Isle aux Tonneliers.

That two other natives of Africa, calling themselves Dicamroullager and André Avouasé, were found, in the aforesaid month of February, on the premises of Adelaide Goneau à la Nicolière, situated in the district of Pamplémousses.

That two other natives of Africa, calling themselves Dienoarre and Diatsalam, were, in the aforesaid month of February, found at the barracks at Port Louis.

That ten other natives of Africa, calling themselves Diombelle, Layvelle, Rotezoffe, Lahade, Hebapa, Atisse, Fortuné, Coutoumousse, Rellahava, and Roamsa, were, in the aforesaid month of February, found in the district of Black River, by Captain Barrington of His Majesty's 56th regiment of Foot.

That the aforesaid 25 natives of Africa have been seized by Hart Davis, esquire, Collector of Customs at Port Louis, who hath instructed your petitioner to prosecute the same to condemnation.

Your petitioner therefore humbly prays, that a monition may issue, calling upon the said Mr. Guillaume Borne, Madlle. Lise, Adelaide Goneau, and upon all persons in general having, or pretending to have, any right, title or interest in any of the aforesaid 25 natives of Africa, to appear within 20 days after service of the same, if it be a court day, or else on the next court day following, then and there to show and allege, in due form of law, a reasonable and lawful cause, if they or any or either of them have any, why the aforesaid 25 natives of Africa should not be condemned to His Majesty, his heirs and successors, for having been illegally imported into this Island of Mauritius. And your petitioner, as in duty bound, shall ever pray.

(signed) *S. N. May*, King's Proctor.

Port Louis, 16th March 1820.

Be it as prayed.

(signed) *George Smith*, J. V. A.

Port Louis, 16th March 1820.

(A true copy.)

*Charles Telfair*, Registrar.

In the Vice Admiralty Court at the Mauritius and Territories thereunto belonging :

George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth :

To Patrick Salter, gentleman, Marshal of Our Vice Admiralty Court at the Mauritius and territories thereunto belonging, or to his lawful deputy whomsoever, greeting :—Whereas our beloved George Smith, esquire, barrister at law in the said court, official, principal and commissary general, and special and judge and president thereof, rightly and duly proceeding at the petition of May, His Majesty's procurator general, in a certain cause moved and prosecuted before him on behalf

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of Our Sovereign Lord the King, on the prosecution of H. Davis, esquire, Collector of His Majesty's Customs at Port Louis, hath decreed, that a monition do issue, calling upon Guillaume Borne, Miss Lise, Adelaide Goneau, and upon all persons in general, having or pretending to have any right, title or interest in 25 subjects or natives of Africa (one of which said subjects or natives of Africa calling himself Gensisare, was found in the month of January last by the police of Port Louis; three others of the said natives, calling themselves Fidele Laurent, Louis Marcy and Fevrier Cote, were brought from the Seychelles Islands, and landed at Port Louis in the month of December last; five others of the said natives, calling themselves André Pihome, Diebencovah Esondée, Schehalah and Malane, were found in the month of February last on certain premises belonging to one Mr. Guillaume Borne, and occupied by one Miss Lise, situated in the camp Yoloff at Port Louis; two others of the said natives, calling themselves Dientatarde and Acalah, were found in the aforesaid month of February on certain premises occupied by the aforesaid Guillaume Borne, situated at L'Ile aux Tonneliers; two others of the said natives, calling themselves Diennoullager and André Avouasé, were found in the aforesaid month of February on the premises of Adelaide Goneau à la Nicolière, situated in the district of Pamplemousses; two others of the said natives, calling themselves Diensarre and Diatsalam, were in the aforesaid month of February found at the barracks at Port Louis; ten others of the said natives, calling themselves Diombelle, Lazvelle, Rotezaffe, Lahade, Hebapa, Atisse, Fortuné, Coutoumasse, Rellahovah and Roamsa, were in the aforesaid month of February found in the district of Black River by Captain Barrington, of His Majesty's 56th regiment of Foot,) seized by Hart Davis, esquire, collector of our customs at Port Louis, to be monished, cited and called to judgment at the time and place underwritten, and to the effect hereinafter mentioned (justice so requiring); we do therefore authorize, empower, charge and strictly enjoin and command you, that you omit not, but that by serving true copies of these presents upon Guillaume Borne, Miss Lise, Adelaide Goneau, and by affixing these presents upon the outside of the Exchange in Port Louis, at the usual time of transacting business and resort of merchants thither, and by leaving thereon affixed a true copy hereof, you do monish and cite, or cause to be monished and cited, the aforesaid Guillaume Borne, Lise and Adelaide Goneau, and all persons in general having or pretending to have any right, title or interest in the aforesaid 25 subjects or natives of Africa, to appear within 20 days after service of the same if it be a court day, or else on the next court day following, between the usual hours for hearing causes, then and there to show and allege in due form of law a reasonable and lawful cause, if they have any, why the said 25 subjects or natives of Africa should not be pronounced to have been unlawfully carried away or removed from Africa, and brought to the Island of Mauritius and treated and dealt with as slaves, contrary to existing laws and conventions, and as such or otherwise liable and subject to confiscation and condemnation, to the use of His Majesty, his heirs and successors; the absence or rather contumacy of the persons so cited and intimated in anywise notwithstanding. And that you do duly certify us, or our said judge and commissary, what you shall do in the premises, together with these presents.

Given at Port Louis aforesaid, in our said court, under the seal of the same for causes, this 17th day of March, in the year of Our Lord 1820, and of our reign the 60th.

(L. S.)

(signed) *Gustave Deroullède*, Deputy Registrar.

(A true copy.)

*Charles Telfair*, Registrar.

I do hereby certify that I have executed the within monition agreeably to the manner therein expressed.

(signed) *J. S. Reader*, Deputy Marshal.

Port Louis, 28th March 1820.

(A true copy.)

*Charles Telfair*, Registrar.

In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging;

The 1st day of April, in the year of Our Lord 1820.

Our Sovereign Lord the King, on the prosecution of Hart Davis, Esquire, Collector of Customs at Port Louis; against twenty-five natives of Africa, unlawfully carried away or removed from Africa or from some Island belonging to Africa, and imported into the Island of Mauritius, and there sold or disposed of as Slaves, or placed, detained or kept in a state of Slavery; seized by Hart Davis, Esquire, Collector of Customs for the Island of Mauritius; also against the Owner or Owners thereof, and all others concerned therein; and also against all persons in general.

ON which day, May, Procurator General for Our Sovereign Lord the King, by all lawful ways and means, and to all intents and purposes in law whatsoever, did say, allege, and articulately propound as follows; to wit,

First.—That a statute was made and passed in the 46th year of the reign of his present Majesty King George the 3d, intituled, “ An Act to prevent the importation of slaves by any of His Majesty’s subjects into any islands, colonies, plantations or territories belonging to any foreign sovereign, state or power; and also to render more effectual a certain order made by his Majesty in Council, on the 15th day of August, 1805, for prohibiting the importation of slaves (except in certain cases) into any of the settlements, islands, colonies or plantations on the Continent of America, or in the West Indies, which have been surrendered to His Majesty’s arms during the present war; and to prevent the fitting out of foreign slave ships from British ports;” and the party proponent doth allege and propound every thing in this and the subsequent articles contained jointly and severally.

Secondly.—Also, that a statute was made and passed in the 47th year of the reign of his said Majesty, intituled “ An Act for the Abolition of the Slave Trade;” and the party proponent doth allege and propound as before.

Thirdly.—Also, that another statute was made and passed in the 51st year of the reign of his said Majesty, intituled “ An Act for rendering more effectual an Act made in the 47th year of his Majesty’s reign, intituled an Act for the Abolition of the Slave Trade;” and the party proponent doth allege and propound as before.

Fourthly.—Also, that notwithstanding the said statutes, and certain other Acts and statutes in this behalf made and provided, 25 natives of Africa have been unlawfully carried away or removed from Africa and imported into the Island of Mauritius, and there sold as slaves, or placed, detained and kept in a state of slavery, contrary to the provisions of the aforesaid Acts; and the party proponent doth allege and propound as before.

Fifthly.—Also, that one of the said natives of Africa, calling himself Gensisage, was in the month of January, in the year of Our Lord 1820, found at Port Louis by the police guard, and sent to the joint commissaries of police at Port Louis aforesaid; and the party proponent doth allege and propound as before.

Sixthly.—Also, that three other of the said natives of Africa, calling themselves Fidèle Laurent, Louis Marcy, and Fevrier Cote, were in the month of December, in the year of Our Lord 1819, brought from the Seychelles Islands and landed at Port Louis; and the party proponent doth allege and propound as before.

Seventhly.—Also, that five other of the said natives of Africa, calling themselves Andrépithome, Diébencovah, Esoudie, Schehalah, and Malage, were, in the month of February, in the year of Our Lord 1820, found on certain premises belonging to one William Borne, and occupied by one Madame Lise, situated in the camp Yolloffe at Port Louis aforesaid; and the party proponent doth allege and propound as before.

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Eighthly.—Also, that two other of the said natives of Africa, calling themselves Dientatarde and Acabah were, in the aforesaid month of February, found on certain premises occupied by the aforesaid William Borne, and situated at L'Île aux Tonneliers; and the party proponent doth allege and propound as before.

Ninthly.—Also, that two other of the said natives of Africa, calling themselves Dicamvoullager and André Avouasé, were, in the aforesaid month of February, found on the premises of one Adelaide Goneaux, situated à la Nicolière, in the district of Pamplemousses, in the island of Mauritius aforesaid; and the party proponent doth allege and propound as before.

Tenthly.—Also, that two other of the said natives of Africa, calling themselves Diensarre and Diatoalam, were, in the aforesaid month of February, found at the barracks at Port Louis, and sent to the joint commissaries of police at Port Louis aforesaid; and the party proponent doth allege and propound as before.

Eleventhly.—Also, that ten other of the said natives of Africa, calling themselves Diombelle, Lazvelle, Rotezaffe, Lahade, Hébapa, Atisse, Fortuné, Coutoumasse, Rellahova and Roamsa, were, in the aforesaid month of February, found in the district of Black River, by Captain Barrington of His Majesty's 56th regiment of Foot, who sent the said natives to the civil commissary of the said district, by whom they were forwarded to Port Louis, and delivered over there to the joint commissaries of police; and the party proponent doth allege and propound as before.

Twelfthly.—Also, that the aforesaid twenty-five natives of Africa were, in the months aforesaid, delivered over to Hart Davis, Esq. Collector of Customs for the Island of Mauritius, who seized or caused to be seized the said twenty-five natives of Africa as forfeitures; and the party proponent doth allege and propound as before.

Thirteenthly.—Also, that the Schedule hereunto annexed and marked (A.) contains a true and faithful list of the names and descriptions of the aforesaid twenty-five natives of Africa; and the party proponent doth allege and propound as before.

Fourteenthly.—Also, that all and singular the premises were and are true, public and notorious, and thereof, there was and is a public voice, fame and report, of which legal proof being made, the party proponent prays right and justice to be effectually administered in the premises, by you, the worshipful George Smith, Esq. Commissary and Judge in His Majesty's Vice Admiralty Court at the Mauritius and territories thereunto belonging, and also to hear and determine all and all manner of causes and complaints, civil and maritime, according to the civil and maritime laws and customs of His Majesty's High Court of Admiralty, specially constituted and appointed, or your lawful surrogate; and that the said 25 natives of Africa, prosecuted as aforesaid, may be condemned as forfeited to His Majesty, his heirs and successors, for having been illegally imported into this Island of Mauritius; and further, that you, the said Worshipful Commissary and Judge, do and decree in the premises what shall be lawful, the party proponent not obliging himself to prove all and singular the premises, or to the burthen of a superfluous proof, against which the party proponent protests, and saving to himself all benefit of law, prays that, so far as he shall prove in the premises, so far he may obtain in his suit; the party proponent likewise reserving to himself the right of prosecuting all and every person or persons, who, either as owner, factor, agent or otherwise, may or shall have been guilty of carrying away or removing, or assisting, aiding or abetting in the carrying away or removing, or being in any ways concerned in the importing, landing, concealing, purchasing, selling, bartering or transferring of any of the said natives as aforesaid, humbly imploring the aid of your worship in this behalf.

(signed) S. N. May, King's Proctor.

(A true copy.)

Charles Telfair, Registrar.

## COMING FROM THE SEYCHELLES TO MAURITIUS.

69

(A.)—Schedule of Twenty-five Negroes imported into the Island of Mauritius from some Vessel or Vessels unknown, and seized by Hart Davis, Esquire, Collector of Customs at Port Louis.

N <sup>o</sup>	Native Names.	Apparent Age.	Height.		Sex.	Caste.	M A R K S.
			Ft.	In.			
1	Gensisaze	28	4	7	male	Malgache	ML on back of right shoulder.
2	Fidèle Laurent	20	4	6 $\frac{1}{2}$	ditto	Mozambique	several country marks.
3	Louis Marcy	19	4	10 $\frac{1}{2}$	ditto	- - Ditto	no marks.
4	Fevrier Cote	20	4	10	ditto	- - Ditto	several marks.
5	Andrepihome	32	4	11 $\frac{1}{2}$	ditto	Malgache	flat nose, large mouth.
6	Diebiencovah	40	5	2 $\frac{3}{4}$	ditto	- - Ditto	M on right arm, not distinguishable.
7	Esoudie	13	4	1 $\frac{1}{2}$	ditto	- - Ditto	JF on right arm.
8	Schehalah	13	4	2 $\frac{1}{2}$	ditto	- - Ditto	JF on right arm.
9	Malaze	-	-	-	ditto	- - Ditto.	
10	Dientatarde	28	4	11 $\frac{1}{2}$	ditto	- - Ditto	AP on right arm.
11	Acolah	28	4	11	female	- - Ditto	AP on right arm.
12	Dicamroullager	30	5	3 $\frac{5}{8}$	male	- - Ditto	O on left thigh.
13	André Avouasé	30	4	9	ditto	- - Ditto	O on left thigh.
14	Diensarre	22	4	7	ditto	- - Ditto	PC on right arm, BG on right shoulder.
15	Diatoalam	24	5	2 $\frac{9}{16}$	ditto	- - Ditto	FO right arm, ::: on left arm.
16	Diombelle	32	5	5	ditto	- - Ditto	ED on both arms.
17	Lazvelle	22	5	4 $\frac{3}{4}$	ditto	- - Ditto	BCJO on back of right shoulder.
18	Rotezaffe	19	4	10 $\frac{3}{4}$	ditto	- - Ditto	{ BG on back of right shoulder, PC right arm.
19	Lahade	17	4	10	ditto	- - Ditto	no marks, dark copper colour.
20	Hebapa	18	4	9 $\frac{1}{4}$	ditto	Mozambique	tattooed on front and temples.
21	Atisse	16	4	6 $\frac{1}{2}$	ditto	Malgache	BC on back of both shoulders.
22	Fortuné	10	3	8	ditto	- - Ditto	no mark, start hair.
23	Coutoumasse	18	4	10 $\frac{1}{4}$	female	- - Ditto	no marks.
24	Killohova	12	4	2 $\frac{3}{4}$	ditto	- - Ditto	PB on both arms.
25	Roamoa	10	3	8 $\frac{1}{2}$	ditto	- - Ditto	PB on both arms.

(signed) S. N. May, King's Proctor.

(A true copy.)

C. Telfair, Registrar.

In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging:

Our Sovereign Lord the King, on the prosecution of Hart Davis, Esquire, Collector of Customs at Port Louis; against Twenty-five Natives of Africa, &c.

N<sup>o</sup> 2.  
Proceedings  
in the Court of  
Vice-Admiralty.

INTERROGATORY on the part of the Promovent, for James Sanders Reader, Esquire, Deputy Marshal of the Vice-Admiralty Court.

First.—What is your name, age and profession?

Second.—Did you in the month of February last receive a warrant to search for newly imported negroes? If yea; Did you execute the warrant, and where and when did you find any newly imported negroes?

Third.—Do you know who imported these negroes into this colony? If yea; State every thing you know on the subject.

(signed) S. N. May,  
King's Proctor.

(A true copy.)

Charles Telfair, Registrar.

N° 2.

Proceedings  
in the Court of  
Vice Admiralty.

In the Vice Admiralty Court at the Mauritius and Territories thereunto  
belonging :

Our Sovereign Lord the King, on the prosecution of Hart Davis, Esquire, Collector of Customs at Port Louis; against Twenty-five Natives of Africa, unlawfully carried away or removed from Africa, or from some island belonging to Africa, and imported into the Island of Mauritius, and there sold or disposed of as slaves, or placed, detained, or kept in a state of slavery, seized by Hart Davies, esquire, Collector of Customs for the Island of Mauritius; also against the owner or owners thereof, and all others concerned therein, and also against all persons in general.

PERSONALLY appeared before me, George Smith, esquire, barrister at law, judge and president of the said court, to be examined as a witness for the promovent; and upon interrogatories filed by the said promovent, James Sanders Reader, who, being duly sworn upon the Holy Evangelists of Almighty God, to declare the truth the whole truth and nothing but the truth, deposed as followeth :

First.—To the first interrogatory this deponent answereth and saith, that his name is James Sanders Reader, 30 years of age, and deputy marshal of the Vice Admiralty Court.

Second.—To the second interrogatory this deponent answereth and saith, that in the night of the 7th of February last, by virtue of a warrant from his Honour George Smith, esquire, he this deponent, accompanied by Mr. Denis Virieux, chief assistant commissary of police, proceeded to the house of a free woman of colour named Lise, situated in the Camp Yolloff, where he found five negroes, who appeared to be newly imported negroes, and an old negress was left there to the care of the house; that this negress informed him the five negroes belonged to Mr. Borne, who had taken away two others; that he requested the old negress to conduct him to the dwelling of Mr. Borne, which she did; that on his arrival at the house of Mr. Borne, situated near the Trou Fanfaron, he found the two negroes who had been taken away by Mr. Borne, and who appeared also to be newly imported negroes; that on the following day, viz. on the 8th February, he proceeded to the dwelling of another free woman of colour, named Adelaide Goneau, situated à la Nicolière, in the district of Pamplemousses, where he found two other negroes, who appeared also to be newly imported negroes; that he conducted them over to the joint commissaries of police.

Third.—To the third interrogatory this deponent answereth and saith, that the aforesaid nine negroes all informed him they were bought at Madagascar, by a person named Borne, who brought them from Madagascar in the same vessel at the same time, and were landed in this colony about two months prior to their being seized; that this information was corroborated by Mr. William Borne, who declared upon oath, on the 11th February last, before the worshipful George Smith, esquire, that a cargo of negroes, consisting of at least 120, were landed in the district of the Savanne on the 13th December last; that he was on board the vessel that brought the said negroes, and that seven of the said negroes belonged to him the said Mr. Borne.

The above deposition was taken before me the said judge, assisted by the deputy registrar of the said court, this 8th day of April 1820; and being read over to him, the said deponent declares, that it contains the truth; that he persists therein, and has nothing to change or alter therein.

(signed) *George Smith,*  
J. V. A.

(signed) *J. J. Reader,*  
Deputy Marshal.

(signed) *Gustave Deroullede,*  
Deputy Registrar.

(A true copy.)

*Charles Telfair,* Registrar.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 71

N<sup>o</sup> 2.  
 Proceedings  
 in the Court of  
 Vice-Admiralty.

In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

Our Sovereign Lord the King, on the prosecution of Hart Davis, Esq. Collector of Customs at Port Louis ; against Twenty-five Natives of Africa, &c.

INTERROGATORY on the part of the promovent for John Louis Chignard, clerk at the Custom House.

First—What is your name, age and profession ?

Second—Were the several natives of Africa whose names and descriptions are contained in the Schedule now shown you, marked (A), received at the Custom House from the joint commissaries of police ?

Third—Did the Collector of Customs, at the time they were delivered over, seize or cause to be seized the whole of the said natives of Africa ?—If yea ; What was the cause of the seizure being made ?

(signed) *S. N. May*, King's Proctor.

(A true copy.)

*Charles Telfair*, Registrar.

In the Vice Admiralty Court at the Mauritius and Territories thereunto belonging :

Our Sovereign Lord the King, on the prosecution of Hart Davis, Esq. Collector of Customs at Port Louis ; against Twenty-five Natives of Africa, unlawfully carried away or removed from Africa or from some island belonging to Africa, and imported into the Island of Mauritius and there sold or disposed of as slaves, or placed, detained or kept in a state of slavery, seized by Hart Davis, Esq. Collector of Customs for the Island of Mauritius ; also against the owner or owners thereof, and all others concerned therein, and also against all persons in general.

PERSONALLY appeared before me, George Smith, esquire, barrister at law, judge and president of the said court, to be examined as a witness for the promovent ; and upon interrogation filed by the said promovent John Louis Chignard, who being duly sworn upon the Holy Évangélistes of Almighty God to declare the truth, the whole truth, and nothing but the truth, deposed as followeth :

First.—To the first interrogatory this deponent answereth and saith, that his name is John Louis Chignard, thirty-four years of age, and clerk at the Custom House.

Second.—To the second interrogatory this deponent answereth in the affirmative, and that No. 1 was received on the 17th January 1820 ; Nos. 2, 3 and 4 were received on the 28th December 1819 ; Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 were received on the 11th February 1820 ; No. 15 on the 17th February, and the remainder on the 25th February.

Third.—To the third interrogatory this deponent answereth in the affirmative, and that they were seized for having been illegally imported into this colony.

The above deposition was taken before me the said judge, assisted by the deputy registrar of the said court, this 8th day of April 1820 ; and being read over to him, the said deponent declares, that it contains the truth, that he persists therein, and has nothing to change or alter therein.

(signed) *George Smith*,  
 J. V. A.

(signed) *J. L. Chignard*.

(signed) *Gustave Deroullede*,  
 Deputy Registrar.

(A true copy.)

*Charles Telfair*, Registrar.



N<sup>o</sup> 2.

Proceedings  
in the Court of  
Vice-Admiralty.

In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

Rex and Davis, against Twenty-five Natives of Africa.

To the worshipful George Smith, esquire, barrister at law, judge and commissary in the said court.

The humble petition of May, His Majesty's procurator general,—

Showeth,

That the monition in the cause hath been returned by the marshal duly executed.

That the witnesses on the part of the promovent have been examined, and their depositions filed in the registry of this honourable court.

That no claim hath been put in for the said twenty-five natives.

Your petitioner, therefore, humbly prays that publication may be decreed to pass, and that your worship will be pleased to order this cause to be set down for hearing in your worship's paper of causes for next, the day of

And your petitioner, as in duty bound, will ever pray.

(signed) *S. N. May*, King's Proctor.

Port Louis, 24th April 1820.

Be it as prayed. Let publication pass, and let the cause be heard at the close of next session of the Court of Appeal.

(signed) *George Smith, J. V. A.*

Port Louis, 24th April 1820.

(A true copy.)

—, Registrar.

In the Vice Admiralty Court at the Mauritius and Territories thereunto belonging :

On Thursday the 4th day of May, in the year of Our Lord 1820, before the worshipful George Smith, esquire, barrister at law in the said court, official principal and commissary-general and special, and judge and president thereof, in the court-house situate in Government-street in Port Louis, at the Island of Mauritius;—

Present, Gustave Deroullède, Deputy Registrar.

Our Sovereign Lord the King, on the prosecution of Hart Davis, Esquire, Collector of Customs at Port Louis; against Twenty-five Natives of Africa, unlawfully carried away or removed from Africa, or from some island belonging to Africa, and imported into the Island of Mauritius, and there sold or disposed of as Slaves, or placed, detained or kept in a state of Slavery; seized by Hart Davis, Esquire, Collector of Customs for the Island of Mauritius; also against the Owner or Owners thereof, and all others concerned therein; and also against all persons in general.

MAY, His Majesty's procurator general, prayed the Court to condemn the persons as scheduled (in number 25) as having been slaves at the time of the seizure thereof, treated, dealt with, carried, kept and detained as slaves, and seized at Port Louis, in the island of Mauritius, by Hart Davis, esquire, collector of customs, and also to condemn William Borne in the penal sum of 900*l.* of lawful money of Great Britain, being at the rate of 100*l.* of like money for nine of the said natives of Africa, imported into the Island of Mauritius by the said William Borne; and also to condemn a free woman of colour named Lise in the penal sum of 500*l.* of like money, being at the rate of 100*l.* for five of the said natives of Africa found on the premises of the said Lise; and likewise to condemn Adelaide Goneau in the penal sum of 200*l.* of like money, being at the rate of 100*l.* for each of the two natives of Africa found on the premises of the said Adelaide Goneau.

The

## COMING FROM THE SEYCHELLES TO MAURITIUS. 73

The judge, having heard informations thereon, pronounced the said persons as schedulated (in number 25) to have been unlawfully imported into the Island of Mauritius, and to have been slaves, treated, dealt with, carried, kept and detained as such at the time of the seizure thereof, contrary to the provisions of the Slave Abolition Acts, and as such subject and liable to confiscation; and by interlocutory decree condemned the same as forfeited to His Majesty, his heirs and successors, seized by Hart Davis, esquire, collector of customs at Port Louis, and reserved the question of penalties.

N<sup>o</sup> 2.  
Proceedings  
in the Court of  
Vice-Admiralty.

(signed) *Gustave Derolledé*, Deputy Registrar.

(A true copy.)

*Charles Telfair*, Registrar.

(No. 1.)—In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

To the Worshipful George Smith, Esq. Barrister at Law, Judge and Commissary in the said Court.

The humble Petition of May, His Majesty's Procurator General,—  
Showeth,

THAT two subjects or natives of Africa, of the name of Sabouri Polidor and Missasi Caprice, have been brought from the Seychelles Islands by Madame Rousseau, and imported into the Island of Mauritius, and there unlawfully kept and detained in slavery by Nicolas François Rousseau, contrary to the Slave Abolition Acts.

That the aforesaid two subjects or natives of Africa have, by order of the Colonial Government, been delivered to Edward Alured Draper, Esq. Acting Collector of Customs, to be prosecuted for having been unlawfully imported into this colony.

Your petitioner, therefore, humbly prays that a monition may issue, calling upon the said Nicolas François Rousseau to appear within six days after service of the same, if it be a court day, or else on the next court day following, then and there to show and allege, in due form of law, a reasonable and lawful cause, if he hath any, why the said two subjects or natives of Africa should not be condemned to His Majesty, his heirs and successors, for having been illegally imported into this Island of Mauritius; and also calling upon the said Nicolas François Rousseau to appear on the sixth day after service as aforesaid, then and there to show and allege, in due form of law, a reasonable and lawful excuse, if he hath any, why he should not be condemned in the penalty of 100*l.* of lawful money of Great Britain, for each of the aforesaid two subjects or natives of Africa.

And your petitioner, as in duty bound, shall ever pray.

(signed) *S. N. May*, King's Proctor.

Let the monition issue as prayed.

Port Louis, 19th Nov. 1819.

(signed) *George Smith*, J. V. A.

(A true copy.)

*Charles Telfair*, Registrar.

(No. 2.)—In the Vice Admiralty Court at the Mauritius and Territories thereunto belonging :

George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth :

To Patrick Salter, gentleman, Marshal of our Vice Admiralty Court at the Mauritius and territories thereunto belonging, or to his lawful deputy whomsoever, greeting:—Whereas the worshipful George Smith, esquire, barrister at law in the said court, official, principal and commissary-general, and special and judge and president thereof, rightly and duly proceeding at the petition of May, His Majesty's

N<sup>o</sup> 2.  
 Proceedings  
 in the Court of  
 Vice-Admiralty.

Procurator General, hath decreed a monition to issue, calling upon Mr. Nicolas François Rousseau, of Port Louis, to appear within six days after service of the same, if it be a court day, or else on the next court day following, to show cause why two subjects or natives of Africa, of the names of Sabourie Polydore and Messasi Caprice, brought from the Seychelles Islands by Madame Rousseau, and imported into the Island of Mauritius, should not be condemned to His Majesty, his heirs and successors, for having been illegally imported into this Island of Mauritius; and also to show and allege why he the said Nicolas François Rousseau should not be condemned in the penalty of 100*l.* of lawful money of Great Britain, for each and every of the two said subjects (justice so requiring); we therefore authorize, empower, charge and strictly enjoin and command you, that you omit not, but that, by serving a true copy of these presents upon the said Nicolas François Rousseau, you do monish and cite him, or cause him to be monished and cited, to appear before us, or our said judge, in the court-house in the Government-street in Port Louis aforesaid, on the sixth day after service of these presents if it be a court day, or else on the next court day following, between the usual hours for hearing causes, then and there to show and allege in due form of law a reasonable and lawful cause, if he hath any, why the said two subjects or natives of Africa should not be condemned to His Majesty, his heirs and successors, for having been illegally imported into the Island of Mauritius contrary to the Slave Abolition Acts; and further, that you do monish and cite him the said Nicolas François Rousseau to appear on the sixth day after service of the present monition as aforesaid, to show and allege in due form of law a reasonable and lawful cause, if he hath any, why he should not also be condemned in the penalty of 100*l.* of lawful money of Great Britain, for each and every of the said two subjects or natives of Africa.

Given at Port Louis, Island of Mauritius, in our said court, under the seal of same for causes, this 20th day of November, in the year of Our Lord 1819, and of our reign the 60th.

(L. S.)

(signed) *Gustave Deroulled*, Second Deputy Registrar.

(A true copy.)

*Charles Telfair*, Registrar.

I do hereby certify, that I have this day executed the within monition, by serving a copy of the same on Mr. Collin, Mr. Rousseau's advocate.

(signed) *J. S. Reader*, Deputy Marshal.

Port Louis, Mauritius, 27th December 1819.

(A true copy.)

Registrar.

(No. 3.)—In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging:

The 24th day of December, in the year of Our Lord 1819.

Our Sovereign Lord the King, against two Subjects or Natives of Africa, or of the islands belonging to Africa, unlawfully imported into the Island of Mauritius, treated, dealt with, carried, kept and detained as slaves; also against the Owners thereof, and all others concerned therein; and also against all persons in general.

ON which day, May, procurator general for our Sovereign Lord the King, by all lawful ways and means, and to all intents and purposes in law whatsoever, did say, allege, and articulately propound as follows; to wit,

First.—That a statute was made and passed in the 46th year of the reign of his present Majesty King George the 3d, intituled, “ an Act to prevent the importation of slaves by any of His Majesty's subjects into any islands, colonies, plantations, or territories belonging to any foreign sovereign, state or power; and also to render more effectual a certain order made by His Majesty in Council, on the 15th day of August, 1805, for prohibiting the importation of slaves, (except in certain cases) into any of the settlements, islands, colonies, or plantations on the continent of America, or in the West Indies, which have been

“ surrendered

## COMING FROM THE SEYCHELLES TO MAURITIUS. 75

“ surrendered to His Majesty’s arms during the present war ; and to prevent the fitting out of foreign slave ships from British ports ;” and the party proponent doth allege and propound every thing in this and the subsequent articles contained jointly and severally.

Secondly.—Also, that a statute was made and passed in the 47th year of the reign of his said Majesty, intituled, “ an Act for the Abolition of the Slave Trade ;” and the party proponent doth allege and propound as before.

Thirdly.—Also, that another statute was made and passed in the 51st year of the reign of his said Majesty, intituled, “ an Act for rendering more effectual an Act made in the 47th year of His Majesty’s reign,” intituled, “ an Act for the Abolition of the Slave Trade,” and the party proponent doth allege and propound as before.

Fourthly.—Also, that notwithstanding the said statute, and certain other Acts and statutes in this behalf made and provided, two subjects or natives of Africa, or of the islands belonging to Africa, were in the month of November, in the year of Our Lord 1818, unlawfully imported into this Island of Mauritius, by Madame Rousseau, wife of Nicolas François Rousseau, and since that period detained and kept in a state of slavery by the said Nicolas François Rousseau, contrary to the provisions of the aforesaid Acts ; and the party proponent doth allege and propound as before.

Fifthly.—Also, that the aforesaid two subjects have been unlawfully carried away or removed from Africa, and imported into the Island of Mauritius, and there sold as slaves, and placed, detained and kept in a state of slavery contrary to the provisions of the aforesaid Acts ; and the party proponent doth allege and propound as before.

Sixthly.—Also, that the said two subjects have been delivered over to the Acting Collector of Customs at Port Louis aforesaid, to be prosecuted as forfeited to His Majesty, by order of Major General Darling, acting governor of the aforesaid island ; and the party proponent doth allege and propound as before.

Seventhly.—Also, that the Schedule hereunto annexed, marked (A.) contains a true and faithful list of the names and descriptions of the aforesaid two subjects or natives of Africa ; and the party proponent doth allege and propound as before.

Eighthly.—Also, that all and singular the premises were and are true, public and notorious, and thereof there was and is a public voice, fame and report, of which legal proof being made, the party proponent prays right and justice to be effectually administered in the premises by you, the worshipful George Smith, Esq. Commissary and Judge in His Majesty’s Vice Admiralty Court at the Mauritius and territories thereunto belonging ; and also to hear and determine all and all manner of causes and complaints, civil and maritime, according to the civil and maritime laws and customs of His Majesty’s High Court of Admiralty, specially constituted and appointed, or your lawful surrogate, and that the said two subjects or natives of Africa, prosecuted as aforesaid, may be condemned as forfeited to His Majesty, his heirs and successors, for having been unlawfully imported into this Island of Mauritius, contrary to the provisions of the aforesaid statutes ; and also that the said Nicolas François Rousseau may be condemned in the penal sum of 200*l.* of lawful money of Great Britain, being at the rate of 100*l.* of like money for each of the said subjects or natives of Africa, so unlawfully imported into the Island of Mauritius as aforesaid ; and further that you, the said worshipful Commissary and Judge do and decree in the premises what shall be lawful, the party proponent not obliging himself to prove all and singular the premises, or to the burthen of a superfluous proof, against which the party proponent protests, and saving to himself all benefit of law, prays that, so far as he shall prove in the premises, so far he may obtain in his suit ; the party proponent likewise reserving to himself the right of prosecuting all and every person or persons who, either as owner, factor, agent or otherwise, may or shall have been guilty of carrying away or removing, or of assisting, aiding, or abetting in the carrying away or removing, or of being in any ways concerned in the landing, concealing, purchasing, selling, bartering or transferring of the said subjects as aforesaid, humbly imploring the aid of your worship in this behalf.

(signed) *S. N. May,*  
King’s Proctor,

(A true copy.)

*Charles Telfair,* Registrar.

N<sup>o</sup> 2.

Proceedings  
in the Court of  
Vice-Admiralty.

## PAPERS RELATING TO SEIZURE OF SLAVES

(A.)—Schedule of Two Negroes unlawfully imported into the Island of Mauritius, and delivered over to Edward Alured Draper, Esq. Acting Collector of Customs at Port Louis, by order of the Colonial Government.

N <sup>o</sup>	Native Names.	Cro. Names.	Age.	Height.		Sex.	Cast	M A R K S.
				Ft.	In.			
1	Saboiere	- Polidor	- 18	4	6	male	- Mozambique	O on right shoulder blade.
2	Missasi	- Caprice	- 19	4	7 $\frac{3}{4}$	ditto	- Ditto	/// under the left eye, flat face.

(signed) *S. N. May*, King's Proctor.

(A true copy.)

*Charles Telfair*, Registrar.

N<sup>o</sup> 2.  
Proceedings  
in the Court of  
Vice-Admiralty.

(No. 4.)—In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

Our Sovereign Lord the King against two subjects or natives of Africa, &c.  
(Rousseau s.)

INTERROGATORY on the part of the Promovent for Charles Mylius, assistant collector of customs.

First.—Is the document hereunto annexed a true copy of the original certificate deposited at the Custom House at the time of the arrival of the schooner called the Six Sisters, on the 2d November 1818? If Yea; by whom was the said document deposited at the Custom House?

Second.—Were the negroes contained in the said certificate landed from the schooner called the Six Sisters, and imported into this colony from the Seychelles by Madame Rousseau? If Yea; when were they imported?

Third.—Have either, and which of those negroes been belivered over to the Collector of Customs at Port Louis, to be prosecuted to condemnation, and when and by whose order were they so delivered over, and for what cause were t hy ordered to be prosecuted?

(signed) *S. N. May*, King's Proctor.

(A true copy.)

*Charles Telfair*, Registrar.

To all whom these Presents may concern :

This is to certify that Madame Rousseau has obtained permission to embark on board the schooner Six Sisters, Captain Hodaul, bound to the Mauritius, the annexed negroes, who have been duly recensed at these islands according to law.

Given at my office, at the Seychelles Islands, this 8th day of October 1818.

(signed) *Edwd. H. Madge*,  
Gov<sup>t</sup> Agent at Seychelles,  
(L. S.)

(A true copy.)

*Charles Augs. Mylius*, Assist<sup>t</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*Charles Telfair*, Registrar.

N <sup>o</sup>	Names.	Surnames.	Sex.	Caste.	Age.	Profession.	Remarks.
1	Polidore	- Grec	- male	- Mozambique	15	domestic.	—
2	Caprice	- François	- ditto	- ditto	18	ditto.	—
3	Nancy	- Phémi	- female	- ditto	13	servante.	—

(signed) *Edwd. H. Madge*,  
Gov<sup>t</sup> Agent at Seychelles.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 77

In the Vice Admiralty Court at the Mauritius and Territories thereunto belonging :

N° 2.  
Proceedings  
in the Court of  
Vice-Admiralty.

In the matter of our Sovereign Lord the King, against two Subjects or Natives of Africa, or of the Islands belonging to Africa, unlawfully imported into the Island of Mauritius, treated, dealt with, carried, kept and detained as Slaves ; also against the Owners thereof, and all others concerned therein, and also against all persons in general :

PERSONALLY appeared before me, George Smith, Esq. Barrister at Law, Judge and President of the said Court, to be examined as a witness for the Promovent ; and upon interrogatories filed by the said Promovent, Charles Augustus Mylius, who being sworn upon the Holy Evangelists of Almighty God to declare the truth, the whole truth, and nothing but the truth, deposeth as followeth :—

First.—To the first interrogatory answereth in the affirmative, and that the original certificate was deposited at the Custom-House by Captain Hodoul, of the schooner *Six Sisters*.

Second.—To the second interrogatory this deponent answereth in the affirmative, and that they were imported into this colony, on or about the 3d day of November 1818, by Madame Rousseau.

Third.—To the third interrogatory this deponent answereth and saith, that the two negroes that were delivered over to Edward Alured Draper, Esq. at the time he was Acting Collector of Customs, are named Polidore and Caprice ; they were sent to the Custom House by the Joint Commissaries of Police, on the 11th November 1819, by order of Major General Darling, the acting governor, who directed them, by letter of the 10th November 1819, to be prosecuted on suspicion of having been introduced into this colony, or the Seychelles, as one of its dependencies, in violation of the Slave Abolition Laws.

The above deposition was taken before me the said Judge, assisted by the Deputy Registrar of the said Court, this 25th of January 1820 ; and being read over to him, declares that it contains the truth, that he persists therein, and has nothing to change or alter therein.

(signed) *George Smith, J. V. A.* (signed) *C. A. Mylius,  
Gustave Deroullede,  
Deputy Registrar.*

(A true copy.)  
*Charles Telfair, Registrar.*

(No. 5.)—In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

Our Sovereign Lord the King, against two Subjects or Natives of Africa, &c.  
(Rousseau's.)

Interrogatory on the part of the promovent for Thomas Bradshaw, Esquire.

First—What is your name, age and profession?

Second—Look upon the documents hereunto annexed, marked (A.) (B.) (C.) (D.) (E.) and (F.) are they or are they not true copies of a correspondence respecting two negroes, named Polydore and Caprice, who were imported into this colony from the Seychelles in the month of November 1818 by Madame Rousseau?

Third.—Did you, in consequence of the explanation given by Monsieur Rousseau in the document, marked (E.) make a report in writing to the Colonial Government? If yea ; is the document hereunto annexed, marked (G.) a true extract from the original report made by you, and is the signature to that document in your hand-writing?

Fourth.—Are the documents hereunto annexed, marked (H.) and (I.) true copies from the original and triennial returns made to your office by Mr. Rousseau?

(signed) *S. N. May, King's Proctor.*

(A true copy.)  
*Charles Telfair, Registrar.*

N<sup>o</sup> 2.  
 Proceedings  
 in the Court of  
 Vice-Admiralty.

(A.)—Copy of a Letter from the Chief Secretary's Office, dated 9th September 1819, to Thomas Bradshaw, Esq. Registrar of Slaves.

Sir,

I AM directed by Major General Darling to transmit to you the accompanying copies of a letter and enclosures from the Acting Collector of Customs, relative to two blacks brought from the Seychelles in the month of October last by a Madame Rousseau. Orders having been given to the commissaries of police to require the production of these blacks, and to detain them until an inquiry into the case could be instituted, Mr. Rousseau has addressed a memorial to Government, purporting to be an explanation of the apparent imposition which the government agent at the Seychelles complains of having been practised upon him. Of this I am also instructed to forward to you a copy, as likewise of a second letter from Mr. Rousseau, stating that the blacks brought by his wife to this island under the names of Polydore and Caprice were returned, in his original recensement, under the names of Frontin and Muscadin, and am to request that, after having examined these blacks with Mr. Rousseau's original recensement, you will report to me, for the Major-General's information, whether they correspond with the blacks returned under the names of Polydore and Caprice, or with those returned under the names of Frontin and Muscadin, by which it is stated they were originally designated, and generally whether it appears to you that in this case any fraud has been committed, which may subject the parties to any of the penalties provided by the slave registration ordinance.

I have honour to be, Sir, &c. &c. &c.

(signed) *A. W. Blane*, Dep<sup>y</sup> Sec<sup>y</sup> to Govern<sup>t</sup>.

(A true copy.)

(signed) *G. A. Barry*, Chief Sec. to Gov<sup>t</sup>.

(A true copy.)

*Charles Telfair*, Registrar.

(B.)—Copy of a Letter from the Acting Collector of Customs, dated 17th August 1819, to Archibald William Blane, Esq. Deputy Secretary to Government.

Sir,

I HAVE the honour to transmit, for the information of the Major General commanding, a copy of a letter from the government agent at Seychelles, with a copy of a bill of sale of two negroes; and on reference to the passports at this office, I find the names of Polydore and Caprice, Mozambiques, to be inserted in Mr. Madge's certificates and permit of embarkation on board the Six Sisters, under date the 8th of October 1818, being domestic slaves of Madame Rousseau of this colony.

Under these circumstances, I recommend that the Registrar of Slaves may be instructed to call upon Mr. Rousseau to produce the blacks in question, and to compare them with his recensement, when such further measures may be adopted as Government may deem expedient and proper.

I have the honour to be, Sir, &c. &c. &c.

(signed) *E. A. Draper*, Act<sup>g</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

(signed) *E. A. Draper*, Act<sup>g</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*Charles Telfair*, Registrar.

(No. 3.) (C.)—To E. A. Draper, Esquire, Acting Collector of Customs, Mauritius.

Sir,

Seychelles, 27 June 1819.

I HAVE the honour to inform you, that on the 8th of October 1818, a Madame Rousseau, quitting this colony for Mauritius in order to join her husband Nicolas Francois Rousseau, who resides there, applied to me for permission to take with her three slaves, named Nanci, Polydore and Caprice, who had been duly

## COMING FROM THE SEYCHELLES TO MAURITIUS. 79

duly recensed by her husband at these islands according to law. I accordingly gave her such permission, it being allowable and customary, as well as the usual certificate necessary for this purpose.

On taking the triennial recensements, however, for this year, it appears that two of the above-mentioned slaves, named Polydore and Caprice, had been previously *sold and delivered* to a Mr. Fauchez, an inhabitant of this colony, as appears by a certified copy of the bill of sale herewith enclosed; consequently the two slaves taken from hence, under the above names, must have been slaves illegally introduced, and imposed upon me as the slaves actually recensed; they being, therefore, liable to seizure, I consider it my duty to give you this information, that you may take such measures on the occasion as to you may appear necessary.

I have the honour to be, &c.

(signed) *E. H. Madge*,  
Government Agent at Seychelles.

(A true copy.)

(signed) *E. A. Draper*, Acting Collector of Customs.

(A true copy.)

*Charles Telfair*, Registrar.

(D.)

Je, soussigné, declare avoir vendu et livré à Monsieur Fauchez les nommés Polydore, l'Eveillé, Caprice, tous trois négres Mozambiques, portés sur mon recensement; et le nommé Eole, négre Mozambique, que j'ai acquis de M. Thouvenier; lesquels m'ont été payés comptant.

(signé) *Rousseau*.

Mahé, ce 7 Mars 1817.

Pour copie conforme à l'original entre les mains des Sieur Fauchez.

(signé) *E. H. Madge*,  
Com. et Ag<sup>t</sup> Civil aux Iles Seychelles.

(A true copy.)

(signed) *E. A. Draper*, Acting Collector of Customs.

(A true copy.)

*Charles Telfair*, Registrar.

(E.)—Copie de la Requête présentée par Mr. Rousseau à Mr. Blane, Deputé Secrétaire du Gouvernement, sous la date du 6 Septembre 1819.

N. F. Rousseau

A L'HONNEUR de vous exposer qu'on vient d'arrêter par ordre du gouvernement deux noirs nommés Caprice et Polydore, et une négresse nommée Nancy; et qu'il vient de connaître qu'elle est la cause de cette arrestation, par Mr. le Colonel Draper, qui a eu l'obligeance de lui donner communication de la lettre de Mr. l'Agent du Gouvernement aux Seychelles, par laquelle il déclare que Mad. Rousseau, lors de son départ de cette colonie, a emmenée avec elle, d'après sa permission, les négres Caprice, Polydore et Nancy, tandis que les deux premiers ont été vendus aux Seychelles, et il envoie à l'appui la copie des deux billets de vente. L'exposant a l'honneur de vous faire remarquer qu'il n'est pas du tout question de vente de Nancy, et il implore votre équité pour que cette négresse lui soit rendu, en attendant qu'il soit statué sur le sort des deux autres.

Il sera facile à l'exposant de se disculper de ce double emploi apparent, qui au fond n'en est pas un; car en confrontant son recensement on trouvera la même quantité d'esclaves, seulement pour les deux petits noirs, une erreur de nom, qui a été commise par Mad. Rousseau lors de son départ des Seychelles, et on s'est vu forcé par ces circonstances de leur continuer le même nom lors de leur arrivé en cette colonie.

L'exposant comptant sur votre bienveillance, et s'étant toujours fait un devoir de se conformer strictement aux lois, vous prie de lui faire la faveur de ne pas regarder comme un crime, capable d'entraîner la confiscation de noirs depuis long tems



N° 2.  
 Proceedings  
 in the Court of  
 Vice-Admiralty.

tems dans la colonie et parfaitement francises, l'erreur de nom commise par sa femme; et de prendre en grande considération qu'il a été entièrement ruiné par le grand coup de vent de 1818, et qu'il ne lui reste que deux de ces trois sujets, ayant été obligé d'en vendre un par besoin, et que ce sont les seuls esclaves qu'il possède.

Il a l'honneur d'être avec respect, &ca. &ca. &ca.

(signé) *Rousseau.*

(Pour copie conforme.)

*Arch<sup>e</sup> W<sup>m</sup> Blane*, Dep. Sec. du Gouv<sup>t</sup>.

(A true copy.)

*Charles Telfair*, Registrar.

(F.)—Copie de la Lettre adressée à Mr. Blane, Deputé Secrétaire du Gouvernement, par Mr. Rousseau, en date du 10 Septembre 1819.

Monsieur,

EN reponse à la lettre datée d'hier, que vous m'avez fait l'honneur de m'adresser, vous trouverez ci-après les noms par lesquels les noirs étoient designes aux Seychelles, en cela conformément à mon recensement. Ils doivent se nommer Frontin et Muscadin; savoir, Polydore avoit le nom de Frontin, et Caprice celui de Muscadin.

J'ai l'honneur de vous remercier de la remise de ma negresse. Je vous prie d'agréer les sentimens de reconnaissance,

Monsieur, &c. &c. &c.

(signé) *Rousseau.*

(Pour copie conforme.)

(signed) *Arch<sup>d</sup> Wm. Blane*, Dep. Sec. du Gouvernement.

(A true copy.)

*Charles Telfair*, Registrar.

(G.)—Extract of the letter from T. Bradshaw, Esq. Registrar of Slaves, to G. A. Barry, Esq. Chief Secretary to Government, under date 15th September 1819.

“IN reference to the two negroes, Polydore and Caprice, claimed by a Mr. Rousseau, and which are supposed by the Government Agent at Seychelles to have been fraudulently introduced into this colony, I have the honour to state, for the information of the Major General commanding, that the negroes in question, who are very young, correspond with their description, under the names above mentioned in Mr. Rousseau's original recensement, making allowances for their increased age and stature during a period of four years, which has elapsed since the original census. I must also observe, that their language is perfectly intelligible. The description of Frontin and Muscadin, in the recensement of Mr. Rousseau, is very nearly similar to that of the other two; no particular distinguishing mark is mentioned, and in the age and height there is but little variation. Nevertheless, I consider it my duty to remark with respect to the imposition complained of by the Government Agent at Seychelles, that it appears to me to be fully established by the copy of the bill of sale from Mr. Rousseau to Mr. Fauchez, dated 7th March 1817, as I cannot consider the explanation offered by Mr. Rousseau as within the verge of probability, and I will venture to express a decidedly favourable opinion to the immediate commencement of local proceedings against Mr. Rousseau.”

A true extract.)

(signed) *T. Bradshaw*, Registrar of Slaves.

A true copy.)

*Charles Telfair*, Registrar.

## COMING FROM THE SEYCHELLES TO MAURITIUS.

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(H.)—Recensement Original Des Esclaves,  
 ETAT fourni par Nicholas François Rousseau à Mahé, Isle Seychelles, des Esclaves lui appartenant.

Noms.	Surnoms.	Couleur.	Emplois.	Age.	Taille.		Pays.	Marques.	Parents.	Mutations.
					Esclaves Males :		Pieds.	Pou <sup>s</sup> .		
Muscadin	Jean Louis	négre -	domestique	13	4	3	Mozambique	de son pays.		
L'Eveillé -	L'Endorme	ditto -	blanchisseur	12	4	2	- ditto -	- ditto.		
Lafleur -	Despois -	ditto -	pioche -	20	4	8	- ditto -	- ditto.		
Polidore -	Grec -	ditto -	domestique	12	4	2	- ditto -	- ditto.		
Frontin -	Pierre -	ditto -	pioche -	14	4	4	- ditto -	- ditto.		
Caprice -	François -	ditto -	ditto -	15	4	5	- ditto -	- ditto.		
					Esclaves Femelles :					
Gertrude	Marie Siraphine	négress	servante -	30	4	6	Indienne			
Marie -	Jeanne -	ditto -	ditto -	22	4	7	Mozambique	un trou à la lèvre supérieure.		
Nancy -	Phémie -	ditto -	couturière -	10	4	-	- ditto -		- ditto.	

Le nombre total des esclaves est de neuf.  
 Pour copie conforme extrait des Registres.

(signed)

T. Bradshaw, Greffier de L'Enregistrement des Esclaves.

(A true copy.)

Charles Telfair, Registrar.

## (I.)—Recensement Triennal des Esclaves.

ETAT fourni par Nicolas François Rousseau, habitant au Port Louis, des Esclaves lui appartenant.

Noms.	Surnoms.	Couleur.	Emplois.	Age.	Taille.		Pays.	Marques.	Parents.	Mutations.	
					Liste Générale des Esclaves Mâles :		Pieds.	Pou <sup>s</sup> .			
Muscadin	Jean Louis	negre -	domestique	17	-	-	Mozambique	de son pays	-	vendu à Mr. Fauché, habitant de la Digne, une des Seychelles.	
L'Eveillé -	L'Endormi	ditto -	blanchisseur	16	-	-	- Ditto -	- ditto -	-		- ditto.
Lafleur -	Despois -	ditto -	pioche -	24	-	-	- Ditto -	- ditto -	-		- ditto.
Polydore -	Grec -	ditto -	domestique	16	-	-	- Ditto -	- ditto -	-	vendu à Thomé et Fragnaux, habitans de Maurice.	
Frontin -	Pierre -	ditto -	pioche -	18	-	-	- Ditto -	- ditto -	-		vendu à Mr Fauché, habitant la Digne, aux Seychelles.
Caprice -	François -	ditto -	domestique	18 $\frac{1}{2}$	4	$\frac{6}{8}$	- Ditto -	- ditto.			
					Liste Générale des Esclaves Femelles :						
Gertrude -	Marie Josephine	negress	servante -	-	-	-	Indienne	- - -		morte en cloués aux Seychelles.	
Marie -	Jeanne -	ditto -	- ditto -	26	-	-	Mozambique	un trou à la lèvre supérieure -			vendue à Mr. Desbras, habitant de Mahé, principale des Seychelles.
Nancy -	Phemie -	ditto -	couturière -	13 $\frac{1}{2}$	4	5 $\frac{1}{2}$	- Ditto -		- ditto.		

Le nombre total des esclaves personnels à moi appartenant pour l'année 1819, se monte à deux.

Port Louis, Ile Maurice,  
 le 6 Mars 1819.

Je certifie le présent état sincère et véritable.

(signé)

Rousseau.

Pour copie conforme à l'original déposé au Greffe de l'Enregistrement des Esclaves,

(signed)

T. Bradshaw.

(A true copy.)

Charles Telfair, Registrar.

N° 2.

Proceedings  
in the Court of  
Vice-Admiralty.

In the Vice Admiralty Court at the Mauritius and Territories thereunto  
belonging;

In the matter of Our Sovereign Lord the King, against two subjects or natives of Africa, or of the islands belonging to Africa, unlawfully imported into the Island of Mauritius, treated, dealt with, carried, kept and detained as slaves; also against the owners thereof and all others concerned therein, and also against all persons in general. Personally appeared before me, George Smith, esquire, barrister at law, judge and president of the said court, to be examined as a witness for the promovent; and upon interrogatories filed by the said promovent, Thomas Bradshaw, who being sworn upon the Holy Evangelists of Almighty God to declare the truth, the whole truth and nothing but the truth, deposed as followeth:

First.—To the first interrogatory this deponent answereth and saith, that his names is Thomas Bradshaw, 31 years of age, and registrar of slaves.

Second.—To the second interrogatory this deponent answereth in the affirmative.

Third.—To the third interrogatory this deponent answereth and saith, that in consequence of the letter addressed to him by the deputy secretary to Government, (marked A.) he sent in a written report to Government, from which the document (marked G.) is a true extract, and bears his signature.

Fourth.—To the fourth interrogatory this deponent answereth in the affirmative.

(signed) *T. Bradshaw.*

The above deposition was taken before me the said judge, assisted by the deputy registrar of the said court, this 28th of January 1820; and being read over to him, declares that it contains the truth; that he persists therein, and has nothing to change or alter therein.

(signed) *Gustave Deroullede,* (signed) *George Smith,*  
Deputy Registrar. J. V. A.

(A true copy.)

*Charles Telfair.*

(No. 6.)—In the Vice Admiralty Court at the Mauritius and Territories  
thereunto belonging.

Rex, against two subjects of Africa, &c. (Rousseau's.)

TO the Worshipful George Smith, esquire, barrister at law, judge and commissary in the said court.

The humble Petition of May, His Majesty's procurator-general;  
Showeth,

That the monition in this cause hath been returned by the marshal duly executed.

That the witnesses on the part of the promovent have been examined, and their depositions filed in the registry of this honourable court.

That no claim hath been put in for the said two negroes.

Your Petitioner therefore humbly prays that publication may be decreed to pass, and that your Worship will be pleased to order this cause to be set down for hearing in your Worship's paper of causes for Tuesday, the 14th day of March 1820.

And your Petitioner, as in duty bound, shall ever pray.

(signed) *S. N. May,* King's Proctor.

Be it as prayed.

(signed) *George Smith,* J. V. A.

4th March 1820.

(A true copy.)

*Charles Telfair,* Registrar.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 83

N<sup>o</sup> 2.  
 Proceedings  
 in the Court of  
 Vice-Admiralty.

(No. 7.)—In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging;

Our Sovereign Lord the King, against two subjects or natives of Africa, or of the islands belonging to Africa, unlawfully imported into the Island of Mauritius, treated, dealt with, carried, kept and detained as slaves; also against the owners thereof and all others concerned therein, and also against all persons in general.

TO the Worshipful George Smith, esquire, barrister at law, judge and commissary in the said court.

The humble Petition of May, His Majesty's procurator-general;

Showeth,

That a sentence of this honourable court was pronounced in the above cause on the 14th day of March in the year of Our Lord 1820, whereby Nicholas François Rousseau was condemned in the penal sum of 200*l.* of lawful money of Great Britain, for a violation of the Slave Abolition Acts.

Your Petitioner therefore humbly prays, that the usual writ of execution may issue against the body, lands, goods, chattels and effects of the said Nicholas François Rousseau, to compel the execution of the said sentence.

And your Petitioner, as in duty bound, shall ever pray.

(signed) *S. N. May*, King's Proctor.

Port Louis, 1st April 1820.

Let the writ issue as prayed.

(signed) *George Smith, J. V. A.*

Port Louis, 1st April 1820.

(A true copy.)

*Charles Telfair.*

(No. 8.)—In the Vice Admiralty Court at the Mauritius and Territories thereunto belonging.

On Tuesday the 14th day of March, in the year of Our Lord 1820, before the worshipful George Smith, esquire, barrister at law in the said court, official principal and commissary-general, and special and judge and president thereof in the court-house, situate in Government-street in Port Louis at the Island of Mauritius;

Present, Gustave Deroullède, Deputy Registrar.

Our Sovereign Lord the King, against two subjects or natives of Africa, or of the islands belonging to Africa, unlawfully imported into the Island of Mauritius, treated, dealt with, carried, kept and detained as slaves; also against the owners thereof, and all others concerned therein; and also against all persons in general.

MAY, His Majesty's procurator-general, prayed the Court to condemn the persons as scheduled, in No. 2, as having been slaves at the time of the seizure thereof, treated, dealt with, carried, kept and detained as slaves, and seized at Port Louis, in the Island of Mauritius, by Edward Alured Draper, esquire, acting collector of customs, by order of Major-General Darling, commanding at the Island of Mauritius aforesaid; and also to condemn Nicolas François Rousseau, in the penal sum of 200*l.* of lawful money of Great Britain, being at the rate of 100*l.* of like money for each of the said persons.

The judge having heard informations thereon, and no person appearing for the defendant, pronounced the said persons as scheduled (in No. 2.) to have been unlawfully imported into the Island of Mauritius, and to have been slaves, treated, dealt with, carried, kept and detained as such at the time of the seizure thereof,

contrary

N° 2.  
Proceedings  
in the Court of  
Vice-Admiralty.

contrary to the provisions of the Slave Abolition Acts, and as such subject and liable to confiscation; and by interlocutory decree, condemned the same as forfeited to His Majesty, his heirs and successors, seized by Edward Alured Draper, esquire, by order of Major-general Darling, commanding at the Island of Mauritius; and also pronounced, decreed, and declared Nicolas François Rousseau to have been the importer of the said two persons, and as such condemned him in the penalty of 200*l.* of lawful money of Great Britain, being at the rate of 100*l.* of like money for each of the said persons.

(signed) *Gustave Deroullede*, Deputy Registrar.  
(A true copy.) *Charles Telfair*, Registrar.

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No. 3.

PROCEEDINGS

N° 3.  
Proceedings  
in the  
Colonial Courts.

In the Colonial Courts relative to the Seizure of Slaves coming from Seychelles.

A l'Honorable A. W. Blane, Secrétaire en Chef du Gouv'.

Monsieur,

Port Louis, le 27 Avril 1827.

J'AI l'honneur de vous transmettre les expéditions que vous m'avez demandées par votre lettre du 24 du courant, des jugemens rendus par les tribunaux de cette colonie, à l'occasion de la saisie d'esclaves venant des Iles Seychelles.

J'ai l'honneur, &c. &c. &c.

(signé) *Virieux*, Procureur Général.

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Extrait des Minutes du Greffe du Tribunal de Première Instance de l'Ile Maurice.

Du Lundi deux Fevrier mil huit cent vingt quatre, au matin.

Audience des Causes Civiles du Tribunal de Première Instance de la colonie de l'Ile Maurice.

Monsieur Jacques François Lefevre, président, tenant le siege.

Monsieur Hyacinthe Portalis, substitut du procureur général du Roi, présent.

M<sup>e</sup> François Marguerite Arrighi, commis greffier juré, tenant la plume.

Entre :— Le substitut du procureur général du Roi.

Contre :— Les Sieurs Hugon, Devillaine, Lefevre, représentés par les Sieurs Fouquereaux, frères; les Sieurs Guet, Morel, représentés par le Sieur Brunet, agent de change, et Dugand, représenté par les Sieurs Pavie et Daussy, tous habitans des Iles Seychelles, défendeurs.

Monsieur le Président s'est retiré; Monsieur Lefebure de Marcy a tenu le siege.

Vu les pièces et dossiers produits en exécution de notre précédente sentence préparatoire; ouï le substitut du procureur général du Roi en ses conclusions, après en avoir délibéré.

Considérant qu'aucune loi ne prononce la confiscation au profit de Sa Majesté des esclaves provenant d'une colonie Anglaise, non admis par défaut d'identité avec leur enrégistrement, mais seulement dans le cas où les esclaves auront été exportés d'une colonie sous la domination de Sa Majesté, sans une copie certifiée du greffier de l'enrégistrement de la colonie d'où ils proviennent, d'après l'art<sup>e</sup> 12 de l'Acte de la cinquante neuvième année :

Que

Que cette vérité a été reconnue par le ministère public, qui a rectifié ses conclusions tendantes à la confiscation, pour requérir l'amende de cent livres sterling par chaque tête d'esclave, en se fondant, par assimilation, sur les dispositions de l'Ordre en Conseil du 24 Sept. 1814.

Considérant que cet Ordre, enregistré dans nos cours, prononce cette amende contre celui qui a inséré de science certaine, dans son recensement, un nom faux et supposé de l'esclave et du propriétaire, ou commis une suppression d'état :

Qu'il est facile de reconnaître qu'il y aurait fausse application de la loi dans l'espèce où il y a quelques différences provenant de marques et défauts plus ou moins apparentes, mais d'ailleurs identité sous les autres rapports, de noms, caste, d'âges et tailles, entre les recensements et les noirs représentés :

Considérant que prétendu (pour nous servir des expressions du ministère public,) qu'un esclave incorrectement enregistré doit être considéré comme non enregistré, ou faussement recensé ; c'est porter atteinte au principe sacré et salutaire, que les peines même pécuniaires se restreignent et s'appliquent au cas prévu, sans pouvoir les étendre d'un cas à un autre :

Considérant que la loi, en ordonnant des recensements triennaux, a prévu qu'il pouvoit survenir depuis le recensement des différences ou défauts, et par cette mesure a placé les maîtres dans la position de les signaler et d'en justifier :

Considérant enfin que les six esclaves, non admis par le Collecteur de la Douane, auraient, comme par le passé, retourné sur le même navire dans la colonie Anglaise d'où ils provenaient ; ainsi qu'il résulte, au moins implicitement de l'art<sup>e</sup> 11. de l'Acte de la 59<sup>e</sup> année, s'ils n'avaient été compris avec ceux admis sur le même certificat de recensement, dont expédition a été refusée par le greffier de l'enregistrement :

Par ces motifs, vû l'art<sup>e</sup> 11. de l'Acte de la 59<sup>e</sup> année, nous ordonnons que les nommés de Francisque Bender à Morel, Louis Bourlot à Guet, Constant Emmanuel à Hugon, Martin Bâton à Dugand, Sullien La Flûte à Lefevre, et Baptiste André à Devillaine, détenus aux Bagnes, seront renvoyés aux îles Seychelles à la diligence et aux frais de leurs maîtres ou représentans, à l'effet par eux, chacun en ce qui les concerne, de rendre compte et justifier au préposé de l'enregistrement des irrégularités constatées par le collecteur de la douane ; tenu en conséquence, le greffier de l'enregistrement de délivrer sur leur réquisition expédition du certificat du recensement des dits esclaves non admis, tout depositaire autorisé, même contraint, de leur en faire remise ; quoi faisant dechargé. Sans dépens.

A la minute. (signe) *Lefebure de Marcy et Arrighi.*

Collationné, *A. Brunet*, Greffier en Chef par intérim.

Extrait des Minutes du Greffe du Tribunal de Première Instance de l'île Maurice.

De Lundi huit Mars mil huit cent vingt-quatre, au matin.

Audience des Causes Civiles du Tribunal de Première Instance de la Colonie de l'île Maurice.

Monsieur Jacques François Lefevre, Président, tenant le siège.

Monsieur Hyacinthe Portalis, substitut du procureur-général du Roi, présent.

M<sup>e</sup> François Marguerite Arrighi, commis greffier juré, tenant la plume.

Entre,

Les Sieurs St. Torre, Felix Savy, Devillaine, le Sieur Dugand, la Dame Panon, tous habitans aux îles Seychelles, ayant domicile élu rue du Gouvernement, dans le cabinet de M<sup>e</sup> E. Deroullède, avoué constitué en cause ;

Et,

Le Sieur Blanc, Collecteur des Douanes, défendeur ; M<sup>e</sup> Vincent, avoué constitué ; M<sup>e</sup> Foisy, avocat plaidant.

Monsieur Lefevre retiré ; Monsieur Lefebure de Marcy a tenu le siège.

M<sup>e</sup> Deroullède pour ses parties a conclu à ce qu'il plût au tribunal attendu que les nommés Pompée Rome, Dimanche Pierre, Hortense Nonne, Lundi Fanga, Avril Egésipe, Joachim Murat, Jolicœur Hausse-cou, Jupiter Pacifique, Laopa Dirpide, Vangasaille Julipano, Baptiste Lafleur, Patient George, et Brutus Auguste,

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Auguste, appartenans au Sieur Dugand ; que le nommé Lendormi Soulanges, appartenant à la Dame Panon ; que le nommé Jasmin, appartenant au Sieur St. Torre ; le nommé Appollon Pluviose, appartenant au Sieur Savy, et Jupiter Eclair, appartenant au Sieur Devillaine, sont tous légalement recensés, conformes à leur recensement, et légalement expédiés des îles Seychelles ; le Collecteur de la Douane sera autorisé à délivrer le permis d'introduction des dits noirs, sinon et faute par lui de ce faire, dire que la sentence à intervenir vaudra autorisation pour les demandeurs, qui seront autorisés à se faire mettre en possession des dits noirs par toutes voies de droit, condamner le défendeur aux dépens.

M<sup>e</sup> Vincent, pour le Collecteur des Douanes, a conclu à ce qu'il plût au tribunal le déclarer incompétent attendu que la matière dont s'agit est hors de ses attributions, en conséquence renvoyer les demandeurs à se pourvoir, ainsi qu'ils aviseront sans dépens.

Faits :

Par exploit de l'Huissier Chasteau, en date du douze Novembre dernier, les demandeurs ont formé demande contre le Collecteur des Douanes, aux fins de leurs conclusions ci-devant rapportées.

Sur cette demande, les parties venues à l'audience et entendues, la cause a été mise en délibéré.

Droit :

Les demandeurs justifient-ils suffisamment que les noirs ci-dessus dénommés sont légalement recensés, conformes à leur recensement et légalement expédiés des îles Seychelles ?

Y a-t-il lieu d'ordonner qu'ils seront remis aux propriétaires nonobstant le refus du Collecteur des Douanes d'en permettre l'entrée dans la colonie ?

Y a-t-il lieu de faire droit aux conclusions du Collecteur des Douanes ?

Qui doit supporter les dépens ?

Vû les pièces et dossiers respectifs des parties, produits en exécution de notre sentence préparatoire, en date du quatorze Novembre dernier ; ouï le substitut du procureur-général du Roi en ses conclusions, après en avoir délibéré :

Attendu qu'il y a parité absolue entre l'espèce présente et celle jugée par notre sentence du deux Février dernier, rendue entre le substitut du procureur-général et les propriétaires des esclaves y dénommés.

Par les motifs énoncés en notre dite sentence, nous ordonnons que les nommés Pompée, Dimanche, Hortense, Lundi, Avril, Joachim, Jolicœur, Jupiter, Laopa, Vangassay, Baptiste, Patient et Brutus, à Dugand ; Jupiter à Devillaine, Augustin à Savy, et Lendormi à Dame Panon, détenus au Bagne, seront renvoyés aux îles Seychelles à la diligence et aux frais de leurs maîtres ou représentans, à la charge par eux, chacun en ce qui les concerne, de justifier des différences constatés par le Collecteur de la Douane. En conséquence, tenu le Greffier de l'enregistrement de leur délivrer expédition du certificat de recensement tous depositaires autorisés, même contraints, de faire remise des dits esclaves ; quoi faisant déchargés.

A la minute.

(signé)

*Lefebure de Marcy et Arrighi.*

En exécution de l'ordonnance de Monsieur de Marcy, juge suppléant, du quatorze Décembre mil huit cent vingt-quatre, étant ensuite d'une requête en rectification présentée par le Sieur Fouquereaux, au nom et comme procureur fondé du Sieur Savy, habitant aux îles Seychelles ; la dite requête demeurée jointe à la minute du jugement ci-contre ; laquelle ordonnance dit : que c'est par erreur, d'après les pièces du procès que le nom d'Augustin au Sieur Savy a été inséré en la sentence ci-contre, et qu'il y sera substitué le nom d'Appollon Pluviose, au Sieur Savy ; j'ai, greffier en chef, fait mention de la dite rectification aux termes de la dite ordonnance.

(signé)

*Prieur.*

Suivent les annexes :

A Monsieur Lefebure de Marcy, Juge au Tribunal de Première Instance.

Le Sieur Savy, représenté dans la colonie par le Sieur Fouquereaux aîné, a l'honneur de vous exposer :

Que par sentence du huit Mars dernier, vous avez ordonné le renvoi de plusieurs noirs importés des Seychelles, et illégalement détenus par le Collecteur des Douanes.

Que

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Que rien ne s'oppose à la remise de ces noirs, mais que dans la rédaction de la sentence il s'est glissé une erreur qui porte sur le changement de nom du nommé Appollon Pluviose, à qui l'on a donné celui d'Augustin.

Comme cette erreur est la cause de quelques difficultés, qui portent préjudice à l'exposant, et qu'il est si facile de lever, il supplie qu'il vous plaise, Monsieur, vouloir bien autoriser la substitution dont s'agit, et ferez justice.

Au Port Louis, île Maurice, le treize Décembre mil huit cent vingt-quatre.

(signé) *E. Deroullède.*

Vû, attendu que c'est par erreur, d'après les pièces du procès, que le nom d'Augustin au Sieur Savy, a été inséré dans notre sentence du huit Mars dernier, autorisons à substituer au nom d'Augustin, celui d'Appollon Pluviose, au Sieur Savy.

Port Louis, ce quatorze Décembre mil huit cent vingt-quatre.

(signé) *Lefébure de Marcy.*

Monsieur Foisy.

Mon cher Monsieur,

IL n'existe aucune objection à relever l'erreur qui existe dans la sentence concernant les noirs des Seychelles, surtout dès le moment que MM. les avocats y consentent.

Votre dévoué serviteur,  
(signé) *C. Mylius.*

Douane, 13 Décembre 1823.

Collationné.

*R. Brunet*, Greffier en Chef par intérim.

Extrait des Minutes du Greffe de la Cour d'Appel de l'île Maurice.

DU Samedi vingt-sept Mars mil huit cent vingt-quatre, neuf heures du matin.

Audience extraordinaire publique des Causes Civiles and de Commerce de la Cour d'Appel de l'île Maurice.

Séans Messieurs Barbé Marbois, president; Morin, Pigeot, S<sup>t</sup> Vallery, Delsuc, de la Chenardière, May, juges.

Mr. Jaques Mallac, juge, procureur-général par intérim, présent.

M<sup>e</sup> Arrighi, greffier en chef, tenant la plume.

Entre,

Le Procureur Général appelant de sentence en date du deux Février dernier;

Contre,

Les Sieurs Hugon, Devillaine, Lefevre, habitans aux îles Seychelles, représentés en cette colonie par les Sieurs Fouquereaux, frères; Guet and Morel, aussi habitans aux dites îles, représentés en cette colonie par le Sr. Brunet, agent de change; et le Sieur Dugand, aussi habitans aux dites îles Seychelles, représenté en cette colonie par les Sieurs Pavie et Daussy; tous intimés, et aussi appelans de la dite sentence du deux Février dernier. M<sup>e</sup> Adrien d'Epinaï, avoué constitué.

La cour, après avoir recueilli les voix, en exécution de son arrêt préparatoire, en date du jour d'hier;

Considérant que le Gouvernement Général des îles Maurice et Archipel des Seychelles, étant centralisé dans Maurice, les localités géographiques, ont nécessité la délégation de certains pouvoirs dans les parties du service qui ne pouvaient être administrées dans la colonie métropolitaine.

Le Sieur Harrisson, confondant en sa personne les fonctions de Greffier de l'enregistrement et de collecteur des Douanes à Mahé, doit compte à ses supérieurs, commettans de la forme dans laquelle sont tenus ses registres dans l'exercice des pouvoirs à lui départis. Sous ce rapport de responsabilité il est dans leur



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dépendance immédiate ; mais quant aux actes spéciaux d'un service journalier actif et incommunicable, qui ne peuvent être supplées ni critiqués, à raison des distances maritimes qui s'y opposent, il est, par la nature des choses, dans la plénitude des attributions auxquelles il est subrogé.

Le public, avec lequel il traite habituellement, serait abusé si, après avoir subi avec cet officier une vérification d'identité dont il a jugé l'épreuve complète et satisfaisante, il fallait subir, à la volonté de l'officier délégué, devant les tribunaux de Maurice, une procédure dont les élémens sont à six cents lieues de la colonie où s'agit la question préjudicielle d'identité d'aucuns des individus dont le signalement ne paraîtrait pas conforme aux recensemens triennaux.

Les contestations à ces relatives ne peuvent recevoir leur dénouement définitif que sur les éclaircissemens préparatoires, déduits d'explications contradictoires entre les parties que concerne le débat.

C'est après ce préalable que les tribunaux arriveront à une solution définitive, qui ne doit être prononcée qu'en grande connaissance de cause, en conformité des lois positives sur les contraventions à cet égard aux réglemens. Cette fraude à la loi étant un délit commun du ressort de la justice ordinaire.

Par ces motifs, et ceux exprimés en la sentence du deux Février de cette année, la cour, sans s'arrêter aux appels du ministère public et des intimés, a mis les appellations au néant, ordonne que la dite sentence sortira son plein et entier effet. Sans dépens.

A la Minute. (signé) *Barbé Marbois et Arrighi.*  
Collationné. *L. de la Chenardière, Commis Greffier Juré.*

Extrait des Minutes du Greffe de la Cour d'Appel de l'île Maurice.

DU Jeudi vingt-deux Juillet mil huit cent vingt-quatre, neuf heures et demie du matin.

Audience extraordinaire publique de Causes Civiles et de Commerce de la Cour d'Appel de l'île Maurice.

Séans, Messieurs Barbé Marbois, président ; Morin, Pigeot, St. Vallery, Delsuc, May, juges.

M. Barbés, substitut du procureur-général du Roi, présent.

M<sup>e</sup> François Marguerite Arrighi, greffier en chef.

Entre,

Le Sieur Archibald William Blane, collecteur de la douane en cette île, appelant de la sentence du huit Mars dernier. M<sup>e</sup> Vincent, avoué constitué ;

Contre,

Les Sieurs Torre, Savy, Devillaine, habitans des îles Seychelles, représentés par les Sieurs Fouquereaux, frères ; Dugand, aussi habitant des dites îles, représenté par les Sieurs Pavie et Daussy, et la Dame Panon, suite du Sieur Guérel, intimés. M<sup>e</sup> d'Épinay avoué.

La cour, après avoir recueilli les voix, en exécution de son arrêt préparatoire, rendu à l'audience du vingt-un du courant, à laquelle le ministère public a été entendu en ses conclusions :

Considérant que le droit de transporter des esclaves d'une colonie en une autre, toutes deux sous la domination de Sa Majesté, est une faculté légale, autorisée par des réglemens, qui ont pourvu à ce qu'aucun abus ou contravention ne pût dans ce cas résulter de leur déplacement.

Les précautions sont si soigneusement concertées, qu'il ne peut rester aucun espoir à la cupidité déloyale de s'emparer des circonstances de la dislocation de ces individus pour frauder la loi abolitive à futur de la traite, et tromper la vigilance des préposés au maintien des formes prescrites.

La fraude ne se présume point, et n'est pas même alléguée dans la cause ; ainsi point de prévention de délit, et la difficulté réduite à savoir si les divers expéditeurs des négres dont s'agit justifient légalement qu'ils en sont légitimes propriétaires, et que leur transfer en cette colonie est régulier, ne présente qu'une question de propriété à laquelle est incidente celle de l'état civil des personnes, dont la solution est de la compétence des tribunaux ordinaires.

Considérant que le collecteur des douanes, prétendant qu'il existe des dissemblances entre le personnel de quelques noirs, resultantes matériellement de leur rapprochement

rapprochement des signalemens portés aux certificats délivrés par son délégué aux îles Seychelles, s'est borné à refuser d'office l'entrée dans cette colonie d'individus qui ne lui paraissaient pas dûment caractérisés, en conformité des énonciations d'âge, de taille, marques, mutilation et autres différences sur lesquelles le recensement originaire présentait quelques disparates de désignation avec leur examen actuel; et c'est à quoi s'est terminée son opération nument exclusive d'introduction sans co-opérer en rien à la réclusion ultérieure de ces hommes, laquelle n'a été ordonnée ni effectuée par lui, ou par son impulsion. Là se terminait sa mission; il n'est ni dépositaire des noirs ni mandateur des mesures postérieurement employées pour leur conservation: Ainsi sous ce rapport il est à l'abri de toute responsabilité, et les jugemens qui ordonnent, "que tous dépositaires sont autorisés même contraints de faire remise des dits esclaves," ne pouvant l'atteindre, ne lui font pas grief.

Considérant que léquité et cet instinct d'humanité qui nous porte à compâtrir aux maux de nos semblables, commandaient, au cas particulier, quelque soit l'évènement en définitive des dispositions urgentes pour faire cesser le conflit sur la propriété et l'état civil des personnes intéressées à ce débat, lever les incertitudes et en même temps abréger la durée des peines inséparables d'une réclusion nécessairement préjudiciable à des malheureux innocents, et leur résidence forcée dans un bagne, égout des misères humaines, séjour du crime ou du malheur.

La découverte de la vérité devait être la conséquence des explications respectives qui ne pouvaient se donner que sur les lieux, au îles Seychelles, contradictoirement entre le préposé en cette colonie du collecteur des douanes et les expéditeurs, qui se prétendent maîtres et propriétaires des esclaves transférés à droit apparent sur la foi d'un recensement dont le certificat atteste, selon eux, l'identité des noirs qui y sont dénommés avec les individus signalés.

Cette considération en un cas nouveau et sur lequel la loi ne s'expliquait pas, nécessitait une détermination abandonnée à la prudence consciencieuse des juges; car lorsque dans le silence de la législation positive, les tribunaux ne trouvent pas au code le guide certain qui doit les diriger, leur équité et une raison purement humaine doivent suppléer à l'insuffisance de la loi. Ils sont responsables du déni de justice et recherchables à ce titre, lorsqu'ils refusent une décision que la loi n'a ni commandée ni préparée.

L'article 4. du Code Civil en contient la disposition précise en ces termes:

"Le juge qui refusera de juger sous prétexte du silence, de l'insuffisance ou de l'obscurité de la loi, pourra être recherché comme coupable de déni de justice."

Ainsi c'est pour éviter un délit reprobable, que les tribunaux font l'usage légitime et forcé d'un pouvoir laissé à leur discrétion.

Sans doute une décision judiciaire émanée sous forme réglementaire, et disposant pour l'avenir, rendrait les juges coupables d'usurpation de l'autorité législative; mais un jugement qui ne se produit pas sous cette forme vicieuse, n'est qu'un acte isolé de magistrature qui ne lie que les parties intéressées, sans constituer une doctrine immuable dans laquelle les juges se circonscrivent.

L'article 5. qui n'est que la conséquence du précédent, défend aux "juges de prononcer par voie de disposition générale et réglementaire sur les causes qui leur sont soumises."

L'arrêt de la cour du vingt-sept Mars dernier est tellement éloigné de la forme réglementaire obligatoire pour le tribunal même dont il est émané, qu'il ne lui interdit pas pour les cas subséquents la faculté de modifier une disposition spéciale; et toutes fois qu'il sera offert à ses méditations quelques mesures praticables, plus salutaires, plus expéditives que celles qu'elle a concertées, la raison, la conscience et l'humanité lui font un devoir de les adopter.

Par ces Motifs:

La cour, déclarant sa compétence, a mis et met au néant l'appellation de la sentence du huit Mars dernier dont est appel, ordonne que la dite sentence sortira effet, sans dépens.

A la minute. (signé) *Barbé Marbois et Arrighi.*  
 Collationné. *L. de la Chenardière, Commis Greffier Juré.*

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N° 4.  
Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

## CORRESPONDENCE

Relating to the Seizures made by Mr. Mylius, when holding the situation of Assistant Collector of Customs.

SCHEDULE of Letters, &c. relating to the Seizures of the Three Slaves from Seychelles, by Mr. Mylius, Assistant Collector of Customs, transmitted to the Chief Secretary to Government, with Letter from Collector of Customs of June 1827.

FROM WHOM.	TO WHOM.	DATE.	SUBJECT.	N°
Mr. Mylius, Assis <sup>t</sup> Coll <sup>r</sup> of Customs	Mr. Bradshaw, Reg <sup>r</sup> of Slaves.	1824: 11 December	Forwarding certificates of slaves admitted and refused entry, and reporting seizure of two belonging to Mad. Maurel.	1
Ditto	Ditto	17 - -	D° - D° - and reporting seizure of one belonging to Mr. Julien Langlois.	2
Ditto	Col. Barry, Chief Secretary to Government.	28 - -	Soliciting permission to employ the King's proctor for the prosecution of the above blacks.	3
Col. Barry	Mr. Mylius	- - -	Calling upon him to state the grounds on which the seizure has been made.	4
Mr. Mylius	Col. Barry	29 - -	In explanation - - - - -	5
Col. Barry	Mr. Mylius	- - -	Calling for a more detailed explanation	6
Mr. Mylius	Col. Barry	30 - -	In further explanation - - - -	7
Col. Barry	Mr. Mylius	1825: 7 January	The application to be made through the head of his department.	8
Ditto	Mr. Blane, Coll <sup>r</sup> of Customs.	10 - -	Forwarding copy of above correspondence to be reported on.	9
Mr. Mylius	Mr. Blane	- - -	Forwarding copy of above correspondence for his information.	10
Mr. Blane	Mr. Mylius	11 - -	Calling upon him to explain his reasons for proceeding in the matter without previous reference to him.	11
Mr. Mylius	Mr. Blane	12 - -	In explanation - - - - -	12
Mr. Blane	Mr. Mylius	17 - -	Explanation given not satisfactory—has submitted the subject for the consideration of his Excellency the Governor.	13
Ditto	Col. Barry	- - -	In reply to his letter of the 10th—with remarks on Mr. Mylius's conduct in the above affair.	14
Col. Barry	Mr. Cooper, Standing Engl. Cou <sup>l</sup> to the C <sup>w</sup> <sup>n</sup>	24 - -	Forwarding extracts of above correspondence for his opinion.	15
Mr. Cooper	Col. Barry	25 - -	In his opinion Mr. Mylius had a right to seize and prosecute for his own benefit the shares in question.	16
Col. Barry	Mr. Blane	11 February	Acquainting him that his Excellency has no objection to Mr. Mylius employing the King's proctor at his own cost.	17
Mr. Blane	Mr. Mylius	12 - -	Forwarding him copy of the preceding	18
Ditto	Col. Barry	18 - -	Forwarding letter and enclosures from Mr. Mylius in vindication of his conduct—accompanied by remarks in elucidation.	19

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FROM WHOM.	TO WHOM.	DATE.	SUBJECT.	N <sup>o</sup>	N <sup>o</sup> 4. Correspondence relating to the Seizures made by Mr. Mylius.
Mr. Blane -	Col. Barry -	1825 : 18 February	ENCLOSURES : (a) Transcript of a note from Mr. Mylius to Mr. Blane, marked A., dated 3 Dec. 1824. (b) Copy of a note from d <sup>o</sup> to d <sup>o</sup> , 9 Dec. 1824. (c) Extract from d <sup>o</sup> , from d <sup>o</sup> to d <sup>o</sup> , 12 Dec. 1824. (d) Copy of a note from Mr. Blane to Mr. Mylius, marked B., dated 7 Jan. 1825. (e) Copy of d <sup>o</sup> , from d <sup>o</sup> to d <sup>o</sup> , marked C., dated 8 Jan. 1825. (f) Letter from Mr. Mylius to Mr. Blane, 14 Feb. 1825. (g) Letter from Mr. Mylius to Col. Barry, 12 Feb. 1825.	20	
Col. Barry -	Mr. Blane -	22 March	ENCLOSURES : N <sup>o</sup> 1. Letter from Mr. Mylius to Mr. Blane, 10 Jan. 1825. N <sup>o</sup> 2. Letter from Mr. Davis to Col. Barry, 23 Oct. 1821. N <sup>o</sup> 3. Letter from Col. Barry to Mr. Davis, 8 Dec. 1821. N <sup>o</sup> 4. Letter from Mr. Cooper to Col. Barry, 27 Nov. 1821. N <sup>o</sup> 5. Warrant empowering Mr. Mylius to administer oaths, 8 Aug. 1820.	21	
Mr. Blane -	Col. Barry -	26 - -	Acquainting him that Mr. Mylius has been appointed to the Audit Office.	22	
Col Barry -	Mr. Blane -	28 - -	Forwarding letter from Mr. Mylius declining prosecuting at his own responsibility, and soliciting the expense attending the victualling, &c. of the three blacks may be carried to the public account.	23	
Col Barry -	Mr. Blane -	28 - -	ENCLOSURES : Letter from Mr. Mylius to Col. Barry, 24 March 1825.	24	
Mr. Blane -	Col. Barry -	2 April -	To acquaint Mr. Mylius Government cannot interfere with the prosecution as it was commenced by him—the victualling of the blacks to be at the expense of Government.	25	
Ditto -	Ditto -	- - -	Requesting an order may be issued to the civil storekeeper to issue the necessary rations on his indent.	26	
Col. Barry -	Mr. Blane -	9 - -	Forwarding letter from Mr. Mylius on the subject of his removal to the Audit Office.	27	
Ditto -	Dit.o -	- - -	ENCLOSURES : (a) Letter from Mr. Blane to Mr. Mylius, 23 March 1825. (b) Letter from Mr. Mylius to Mr. Blane, 24 March 1825.	28	
Col. Barry -	Mr. Blane -	9 - -	Acquainting him the civil storekeeper has been ordered to issue rations for the blacks on his indent.	27	
Ditto -	Dit.o -	- - -	Forwarding copy of a letter addressed to Mr. Mylius in reference to the correspondence passed between him and the collector.	28	
			ENCLOSURE : Letter from Col. Barry to Mr. Mylius, 8 April 1825.		

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Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

(No. 1.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Custom House,  
11th December 1824.

Sir,

ENCLOSED I have the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, twenty-two sets of papers accompanying 22 slaves, transferred from the Seychelles to this colony on board the brig schooner *Jeune Antoinette*, Captain Tirant, whom I have admitted to entry. I have felt obliged to seize two slaves belonging to Mad. Maurel, likewise arrived per *Jeune Antoinette*, on account of two having already been admitted and sold in this colony under the names of *l'Esperance Tout Court* and *Mary Jubin*. I also have the honour to forward to you 26 sets of papers accompanying 26 slaves, transferred from Seychelles to this colony on board the brig *Antoinette*, Captain Cruvillier, whom I have admitted to entry. The number of slaves arrived per brig *Antoinette* was 28, but I was obliged to refuse to admit two on account of a want of conformity between them and the certificates of registration, namely *Gideon Rouge* belonging to Mlle. J. Masse, and *Lubin Vilain* to Mr. Arnaud, fils.

I have the honour, to be, &c.

(signed) C. A. Mylius,  
Assistant Collector of Customs.

(A true copy.)

P. Salter, Collector of Customs.

(No. 2.)—Thomas Bradshaw, Esquire, Registrar of Slaves.

Custom House,  
17th December 1824.

Sir,

I HAVE the honour to forward to you, as required by the Act of the 59 Geo. 3, c. 120, s. 11, 131 sets of papers accompanying 143 slaves, transferred from the Seychelles to this colony on board the ship *Jeune Laure*, Captain C. Langlois, whom I have admitted to entry into this colony, viz. 135 on the 14th instant, and eight children on the 15th. I have felt it my duty to seize one slave belonging to Mr. Julien Langlois, named *Pidami Gabriel*, in consequence of the remark made by you at the bottom of his certificate of registration, that this black was reported "dead" in the triennial return of 1819, by his original master *Dantin*, an inhabitant of the Seychelles. I also forward to you, as required by the above-cited act, four certificates of registration, and one from the authorities at Bourbon, for seven domestic servants returning to this colony with their masters; *Maurice Apollon* belonging to Mr. Dumat from Seychelles, on board the *Jeune Laure*, *Alexis* and *Henry* to Mr. Coquevel, *Volsy Isabelle* to Mr. Dureau, aîné, and *Guillaume Augustin* to Mr. Cordé, from Bourbon on board the French brig *Confiance*. *Zépher Réporée* and *Louis Marie Jeanne* of Mad. *Francoise Dubuy*, per ship *Ann* from Bourbon, all re-admitted to entry.

I have the honour to be, &c.

(signed) C. A. Mylius,  
Assistant Collector of Customs.

(A true copy.)

P. Salter, Collector of Customs.

(No. 3.)—Colonel Barry, Chief Secretary to Government, &c. &c. &c.

Custom House,  
Port Louis, December 28th 1824.

Sir,

HAVING found it my duty to seize three blacks lately imported from the Island of Seychelles, I have the honour to request that you will be pleased to obtain his Excellency the Governor's authority for my employing the King's Proctor for the prosecution

## COMING FROM THE SEYCHELLES TO MAURITIUS. 93

prosecution and condemnation of the same, and the recovery of the several penalties against the individuals concerned in their illegal introduction.

I have the honour to be, &c.

(signed) *C. A. Mylius*, Ass<sup>t</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

N<sup>o</sup> 4.  
Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

(No. 4.)—To *C. Mylius*, Esquire, Assistant Collector of Customs.

Chief Secretary's Office,  
Port Louis, 28th December 1824.

Sir,

IN acknowledging the receipt of your letter of this day, I think it desirable to request that you will be pleased to afford me, with the least possible delay, more particular information with regard to the facts and considerations under which you state yourself to have made a seizure of three blacks from the Seychelles, that I may be enabled to bring the matter more circumstantially under his Excellency's consideration.

I have, &c.

(signed) *G. A. Barry*, Chief Secretary to Gov<sup>t</sup>.

(A true copy.)

(signed) *S. Smith*, Ass<sup>t</sup> Sec<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 5.)—Colonel Barry, Chief Secretary to Government, &c. &c. &c.

Custom House,  
Port Louis, December 29th, 1824.

Sir,

IN reply to your letter of yesterday's date, I have the honour to state, for his Excellency the Governor's information, that the three blacks have been seized by me in consequence of their importation being illegal, and in open violation of the Slave Abolition Acts.

I have the honour to be, &c.

(signed) *C. A. Mylius*, Ass<sup>t</sup> Collector of Customs.

(A true copy.)

(signed) *Arch<sup>d</sup> W<sup>m</sup> Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 6.)—Charles Mylius, Esquire, Assistant Collector of Customs.

Chief Secretary's Office,  
Port Louis, 29th December 1824.

Sir,

I do not consider the communication you have just made me, of this day's date, in any way satisfactory, as an answer to mine, calling for more circumstantial explanation regarding the seizure stated to be made by you of two blacks from the Seychelles; and if I am not now favoured with more perfect explanation on the subject, I shall deem it my duty to send your letter to the head of the department for his report thereon, previous to bringing the matter to his Excellency's notice.

I have the honour to be, &c.

(signed) *G. A. Barry*, Chief Sec<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

(signed) *S. Smith*, Ass<sup>t</sup> Sec<sup>y</sup> to Gov<sup>t</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

N<sup>o</sup> 4.  
Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

(No. 7.)—G. A. Barry, Esquire, Chief Secretary to Government, &c.

Custom House,

Port Louis, 30th December 1824.

Sir,

IN reply to your letter of the 29th instant, I beg leave to state, that two of the blacks have been detained in consequence of a similar number corresponding in description, &c. having already been some months ago admitted in the colony on account of, and by the same owner. The third one having been reported dead in 1819, and now making his appearance, was likewise detained under such strong grounds, and clear evidence of intention at fraud, I hope I could not act otherwise than I have done.

In confining my explanation of the subject under reference to this short statement, I beg to assure you that I have been actuated by no other motive, but the one of giving as little publicity of the case as possible previous to its coming in court.

I have the honour to be, &c.

(signed) *C. A. Mylius.*

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

(No. 8.)—Charles Mylius, Esquire, Assistant Collector of Customs.

Chief Secretary's Office,

Port Louis, 7th January 1825.

Sir,

I HAVE now the honour to inform you that your application under date the 28th ultimo, (requesting that you may be authorized to employ the King's Proctor in prosecuting to condemnation three blacks latterly introduced from the Seychelles,) has been submitted to his Excellency the Governor, together with your two subsequent letters of the 29th and 30th of the same month, and that his Excellency requests that this application may come through the Collector of Customs, who will make any remarks he may deem it proper to offer on the subject.

I have the honour to be, &c.

(signed) *G. A. Barry, Chief Sec<sup>y</sup> to Govt.*

(A true copy.)

(signed) *S. Smith, Ass<sup>t</sup> Sec<sup>y</sup> to Gov<sup>t</sup>.*

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

(No. 9.)—A. W. Blane, Esquire, Acting Collector of Customs.

Chief Secretary's Office,

10th January 1825.

Sir,

I HAVE the honour to enclose to you a correspondence that has passed between this office and Mr. Mylius, Assistant Collector of Customs, arising out of an application made by that officer for the assistance of the King's Proctor, in the prosecution of certain blacks whom he states to have seized upon the grounds of their illegal introduction.

You will observe that the expression of his Excellency's desire that the application should come through the Collector, in order that he might make his remarks, if he had any to offer on the subject, has already been intimated to Mr. Mylius himself, who, I presume, has made you duly acquainted therewith.

I have the honour to be, &c.

(signed) *G. A. Barry, Chief Secretary.*

*P. S.*—I have to request you will be pleased to return Mr. Mylius's letter, being an original.

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

## COMING FROM THE SEYCHELLES TO MAURITIUS. 95

(No. 10.)—A. W. Blane, Esquire, Acting Collector of Customs.

My dear Sir,

Champ de Lort,  
10th January 1825.N<sup>o</sup> 4.  
Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

I BEG leave to enclose you the correspondence that has taken place between Government and myself on the subject of the three Seychelles blacks, the seizure of which I acquainted you with on the 11th or 12th December last, and explained to you the grounds on which I had done so, some days after, when you came to the office.

I regret that I was so totally barred from entering upon this subject yesterday, when I called at Bonair; the more so, as I feel convinced, that with the assistance of the Acts of the 4 Geo. 3, c. 15; the 46 Geo. 3, c. 52; the 47 Geo. 3, c. 36; the 59 Geo. 3, c. 120, and the Order in Council 24th September 1814, I would have been enabled to give you satisfactory explanation.

Believe me, &amp;c.

(signed) C. A. Mylius.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 11.)—C. A. Mylius, Esquire, Assistant Collector of Customs.

Sir,

Custom House,  
11th January 1825.

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, accompanied by a correspondence which has taken place between you and the Chief Secretary to Government, upon an application, made by you to him, that he would obtain his Excellency the Governor's authority for you to employ the King's Proctor in the prosecution to condemnation of three blacks lately imported from the Seychelles, whom you had found it your duty to seize; which application I perceive, by the Chief Secretary's letter of the 7th instant, his Excellency has desired should come through me, with any remarks I might deem it proper to offer on the subject.

Previous however to forwarding it, or submitting my remarks, I request you will be pleased to inform me of the authority under which you have felt justified to proceed in this matter without any reference to me, and that you will also explain the motives which may have induced you to depart from the established regulation of addressing Government through the head of your department on a subject connected with the duty of that department.

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

(signed) A. W. Blane, Collector of Customs.

(A true copy.)

P. Salter, Coll<sup>r</sup> of Customs.

(No. 12.)—To Archibald William Blane, Esquire, Acting Collector of Customs.

Sir,

Custom House,  
Port Louis, 12th January 1825.

I HAVE the honour to acknowledge the receipt of your letter in answer to my note of the 10th instant, transmitting to you the correspondence that has taken place between the Chief Secretary to Government and myself on the subject of three blacks lately imported from Seychelles, seized by me on the 11th ult. and of which I had the honour to give you notice on the 11th or 12th of the same month, I think.

The Acts of Parliament under which I have felt myself justified in making this seizure do not constitute it a part of the immediate general duties of the Customs department, but, on the contrary, appear to consider it an individual transaction, and leave to any officer of any rank in the Custom House the power and right of making such seizures; for by the 46 Geo. 3, c. 52, and 47 Geo. 3, c. 36, it is laid down that any officer of customs may seize and prosecute at his own suit in the



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Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

the same way as pointed out in the 4 Geo. 3, c. 15, and may proceed at his own election, in any colonial court of record, or that of Vice Admiralty.

Acting under such an impression I thought myself authorized in deviating from the established practice of addressing Government through you, as the immediate superior head of the department to which I have the honour of belonging.

I beg to add that it was my intention to have proceeded in the case without troubling Government on the subject, and I should have done so, had I not been advised that it would be more proper in me to apply officially for authority to employ the King's Proctor.

And I beg leave, in conclusion, further to observe, that in not forwarding my application of the 28th ultimo through you, it arose from no disrespect or neglect of what, I trust, I am aware is due to my chief, but simply from the conviction that it was a personal matter which, under the circumstance, related to myself personally and individually, and in which I had no right to call for your interference in my behalf.

I have the honour to be, Sir,

Your most obedient servant,  
(signed) C. A. Mylius, Ass<sup>t</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 13.)—C. A. Mylius, Esquire, Assistant Collector of Customs.

Sir,

Custom House,  
17th January 1825.

I HAVE the honour to inform you, that having attentively perused your letter of the 12th instant, in reply to mine of the 11th, I have not been able to discover in the explanation you have offered any satisfactory motives for the line of conduct you have deemed it proper to pursue, in the case of the three blacks lately arrived from the Seychelles, and seized by you, and that I have therefore felt it my duty, in requesting that the application made by you to the Chief Secretary on the 28th ult. may again be brought under his Excellency the Governor's attention, to submit with it certain observations which the consideration of the subject has suggested, and of which you will herewith receive a copy.

I have the honour to be, &c.  
(signed) A. W. Blane.

The correspondence forwarded to me with your letter of the 10th inst. is herewith returned.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 14.)—G. A. Barry Esquire, Chief Secretary to Government.

Sir,

Custom House,  
17th January 1825.

I HAVE the honour to acknowledge the receipt of your letter of the 10th inst. enclosing to me a correspondence which has passed between your office and Mr. Mylius, Assistant Collector of Customs, upon application made by that officer for the assistance of the King's Proctor in the prosecution of certain blacks, whom he had seized upon the grounds of their illegal introduction, and informing me that the expression of his Excellency's desire, that the application should come through me, in order that I might make any remarks I might have to offer on the subject, had been intimated to Mr. Mylius himself.

Previous to the receipt of your communication Mr. Mylius had forwarded to me the correspondence he had been engaged in with you, and on the perusal of it, two questions appeared to present themselves; firstly, upon what authority he had felt justified to proceed in the matter without any reference to me; and secondly, what  
his

his motives might have been for deviating from the established regulation of addressing Government through the head of his department, on a subject connected with the duty of that department. I, in consequence, begged to be favoured with the explanation he might have to offer on these points, and now have the honour of transmitting to you copy of my letter, and of Mr. Mylius's answer. With reference to the first point, it appears that the grounds upon which Mr. Mylius felt justified in acting in this matter independently of me, rest on the construction of certain clauses in particular Acts of Parliament, the validity of which being a question of law, in which I did not anticipate being engaged with my assistant, I am neither prepared, nor able to argue upon them.

I shall merely observe with regard to this, or more properly these seizures, (for I should mention that two of the blacks were seized at one time on the schooner *Jeune Antoinette*, and one at another, on the ship *Jeune Laure*,) that they are cases arising out of the performance of a duty laid down in the Act of the 59th Geo. 3, and specially delegated to the collector or chief officer of customs, but which, in these instances, Mr. Mylius undertook to perform for me, in consequence of my confinement to the house by indisposition. In both cases, they were slaves in the course of transfer from Seychelles to Mauritius, under the authority of the above-mentioned Act of the 59th of his late Majesty, and who were undergoing by Mr. Mylius the examination prescribed by the 11th clause of that Act, to be performed by the collector or chief officer of customs at the port of arrival, but which, for the reasons above stated, I was prevented from going through in person. It was a duty forming no part of the ordinary duties of the assistant collector, or of the Customs Department in general, and one in which he could not have interfered without the authority of the collector. It was in the course of this examination that he discovered that two of the blacks presented for inspection on board the *Jeune Antoinette* corresponded in name and description with two others admitted at an antecedent period, purporting to belong to the same owner, and that one of those brought on the *Jeune Laure* corresponded in name and description with one who had been declared dead, belonging also to the same owner. Mr. Mylius appears, however, to have considered the matter as an individual transaction, and one in which any officer of any rank in the Custom House possessed the power and right to make the seizure. I own I am surprised at the expression of this opinion, since, if the examination which led to the discovery of the irregularity or fraud should only have been entered upon by Mr. Mylius, under the authority and with the permission of the collector, I cannot understand how he should have conceived that he, or, as he says in his letter, an officer of Customs of any rank, possessed an inherent power and right in virtue of their office to make the seizure.

As I have before observed, this question seems to involve a point of law, which I am not competent to determine. I am very far, however, from admitting either the justice or legality of the view adopted by Mr. Mylius; but, if he is right in it, his conduct betrays, at least, a considerable want of candour in return for the trust which I confided to him, independently of having perhaps exposed him to the reproach of having only partly done his duty; since, if the slaves were seizable under the authority of the Acts which he cites, the vessels, I apprehend, ought to have been seized likewise; if, on the other hand, his view has been erroneous, I respectfully submit that his conduct on the present occasion is wholly without apology, it being the first instance, I believe, which has occurred in this Government of a junior officer acting independently of his superior, and strongly indicative of a disposition to throw off that control which, for the good of the service, I humbly conceive should be maintained, in the relation of an assistant to the head of his department; in either case, I regret to add, it must tend in future to destroy all confidence on my part towards him in the transaction of the duties of the department, without which his Excellency will, I trust, see the impossibility of the public service being conducted with that efficiency which is desirable in so important a branch as that of the Customs.

With reference to the second point, his having addressed Government direct, instead of having forwarded his application through me as the head of his department; I confess, I have not been able to discover, in the explanation he has offered, any motives of sufficient weight to justify his having done so. It is immaterial whether it was his intention or not to have proceeded in the case without troubling Government; but as he determined on addressing Government, he must have known that he was acting in violation of the oldest regulations of this Government

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when he did so in any other way than through the head of his department; and, however sincere Mr. Mylius's declaration may be of no disrespect or neglect on his part having been intended in so doing, I shall leave it to his Excellency to judge of the construction of which it might be susceptible when viewed in its connections with the whole proceeding.

In returning you the original letters which accompanied your communication of the 10th inst. it only remains for me to add, that not coinciding with Mr. Mylius in the view he has taken of the subject, and it appearing to me to be a case coming more immediately within the provisions of the Registration Ordinance of the 24th September 1814, and as such cognizable by the ordinary tribunals of the island I beg to be considered, in now requesting that Mr. Mylius's application may be again brought under his Excellency the Governor's attention, as doing so only in compliance with his Excellency's commands to that effect, but as in nowise countenancing or sanctioning it.

(signed) *A. W. Blane*, Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

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(No. 15.)—*J. J. Cooper*, Esquire, standing English Counsel.

Sir,

Port Louis, January 24th, 1825.

I HAVE the honour herewith to enclose two extracts from the correspondence of Mr. Blane, acting collector of customs, and Mr. Mylius, assistant collector; his Excellency having directed that they should be referred to your opinion, as standing English Counsel, on the points of law stated in the said extracts.

It must be considered, that although Mr. Blane was confined to the house when the seizures were made by Mr. Mylius, yet his illness was not of that description to prevent his attending to business at home,

I have, &c.

(signed) *G. A. Barry*, Chief Sec<sup>r</sup>.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

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(No. 16.)—Colonel Barry, Chief Secretary to Government &c. &c. &c.

Sir,

Port Louis, 25th January 1825.

I HAVE perused with care the letter which you have done me the honour to address to me under yesterday's date, and the extracts enclosed, from a correspondence which seems to have taken place between the Collector and Assistant Collector of His Majesty's Customs; the whole relating, as it should seem, to a seizure made by the latter of certain negroes considered by him to have been illegally imported.

What particular circumstance attending this seizure may have happened to create a misunderstanding I am not informed; whether Mr. Mylius had received instructions from Mr. Blane to seize these blacks for him, and on his account, during his confinement to his house, and Mr. Mylius having chosen to act otherwise; or whether Mr. Blane is of opinion that there is no pretence for supposing any illegal importation at all, and therefore, out of a motive of justice to the parties claiming these slaves, his Excellency the Governor may have been applied to, to interpose his protection, or what else may be the case I am not in any way made acquainted; but it appears that some objections to the seizure made have been urged by Mr. Blane, and that such as involve in them questions of law are directed to be submitted to me for a legal opinion.

The point in which turns mainly the issue of the correspondence is the assertion on the part of Mr. Mylius, that he had, by the Acts of Parliament cited by him, authority to seize and prosecute; and this is denied by Mr. Blane.

The Acts of the 46 Geo. 3, c. 52, and 47 Geo. 3, c. 36, after enacting their several prohibitions, and the penalties and forfeitures to be inflicted upon such as  
disregard

disregard them, and after directing the authority and jurisdictions by which offences under those Acts shall be tried and determined, go on, in nearly the same words, to declare, that all ships and vessels, *slaves* and goods, that may become forfeited for any offence against the said Acts, shall and may be seized by *any* officer of His Majesty's Customs or Excise, who in making and prosecuting any such seizures shall have the benefit of all the provisions made by the Act of the 4th year of his then Majesty, or any other Act for *the protection* of *officers* seizing and prosecuting for any offence against the said Act, or any other Act relating to the trade and revenues of the British Colonies. It appears manifest therefore from these Acts, and clear to every the most simple understanding, that Mr. Mylius, if an officer of the Customs, had a full right to seize, and to be the prosecutor of that seizure independent of any control by any superior officer, and this he might do, not only from a sense of duty to the Public but with the view of his own private benefit, and to obtain the penalties and forfeitures given by the law. This will appear still more strong when we turn to the Act 4 Geo. 3, c. 15, to which the above-mentioned two Slave Acts refer us expressly. In the 42d section of that Act, there is a pointed distinction made of the Collector of Customs from the individual seizing and prosecuting, and the same is made to apply to the case in question by the Slave Acts, for it is there said, that all penalties and forfeitures recovered under that Act shall be divided and paid as follow:—"after deducting the charges of prosecution from the gross produce thereof, *one third* part of the net produce shall be paid to the Collector of His Majesty's Customs at the port or place where such penalties shall be recovered for *the use of His Majesty*; one third part to the Governor of the said colony; and, the other third part to the *person* who shall seize and sue for the same; any *law, customs, or usage* to the contrary notwithstanding." And further, as a direct inducement to persons to be active in the seizure and prosecution of illegal importations, and to stimulate by every possible means to vigorous exertion, it is by the 43d section of the same Act provided, that if the produce of any seizure made shall not be sufficient to answer the expenses of condemnation, or if upon a seizure made, a sentence of the court shall *be given for the claimant*; in either of those cases, the charges attending the seizing and prosecuting shall and may (with the consent of any four of the Commissioners of His Majesty's Customs) be paid out of any branch of the revenue of Customs arising in the colonies. It seems clear therefore, by these Acts, that Mr. Mylius was fully authorized and empowered by the Acts themselves to make the seizures in question; and almost doubtful, whether the Collector himself entered at all into the contemplation of the Legislature in passing those Acts, except to make him an agent, *propter honorem*, for receiving the King's share of the penalties when they should be recovered.

Mr. Blane next urges the Act of the 59 of Geo. 3, c. 120, and considers that nothing could be done under that Act by Mr. Mylius without the authority of the collector. If the decision of that point could at all tend to elucidate and settle the matter in discussion, it appears to me that by the admission of Mr. Blane himself, in the former part of the extract before me, an authority did exist in Mr. Mylius; for he says, that Mr. Mylius (and I may be permitted by the bye to observe, that for many purposes Mr. Mylius would be held to be a chief officer of Customs, and perhaps for the purpose alluded to) undertook to perform a duty for him in consequence of his confinement to the house, and I suppose a duty which as deputy collector naturally, if not necessarily, would devolve upon him as such in the absence at any time, or under any circumstance of the chief. But it is seen, that by the Act itself, 59 Geo. 3, c. 120, s. 12, that any slaves imported into the island under the circumstances therein stated shall be seized, sued and confiscated in all respects as slaves illegally imported under the Act 47 Geo. 3, which leaves Mr. Mylius independent of those considerations set forth by Mr. Blane, at full liberty to seize and prosecute any negroes which he considers and believes to be illegally brought into the island; nay more, I have no hesitation in saying, that even if Mr. Blane, as chief officer of Customs, had passed those negroes upon their certificates produced, and had admitted them to an entry, as corresponding fully with the same; yet Mr. Mylius might, did he believe he had good ground and substantial evidence to go upon, seize them after such passing, and prosecute them in a court of justice for his own benefit.

The next, and I believe the last point of law raised by the correspondence, from which extracts have been furnished me, is that wherein Mr. Blane appears to be of opinion that the case is one coming more immediately within the provisions

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of the Registration Order in Council. I am not furnished with sufficient matter to enable me to judge whether it is so or not, but from the tenor of the whole I should be disposed to think, that the parties owning the negroes in question must have rendered themselves also liable to the penalties inflicted by that law; but I am not going the length of Mr. Blane, when he says, that as such it is a case cognizable by the ordinary tribunals of the island, if he means to say by that, that it is exclusively so. That point underwent formerly very much discussion. I, among others, entertained doubts whether the Instance Court of Vice Admiralty could take cognizance of cases arising out of that Order in Council; and I had occasion once, both in the court itself and in correspondence with Government, to state my humble views on the subject; but on the prosecution of one Lavoipierre for a fraudulent evasion of the Order in Council, Mr. Smith, the late able judge of the Court of Admiralty, held and decreed, after hearing much argument, *that he* had, concurrently with the ordinary tribunals, jurisdiction in the matter; and that decision, whatever may be our private opinions, is law for us in this island, to which we must submit, until it be set aside upon appeal to a higher tribunal at home.

I believe I have left no part unnoticed which it was intended I should consider of the papers sent to me.

I have the honour to be, Sir,  
Your most obedient and most humble servant,  
(signed) *John J. Cooper.*

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

(No. 17.)—To A. W. Blane, Esq. Acting Collector of Customs.

Sir,

Chief Secretary's Office,  
Port Louis, 11th February 1825.

REFERRING to the request made in the letter of Mr. Mylius, assistant collector of customs, as forwarded in your's of the 17th ult. and submitted to his Excellency the Governor; I have now the honour to state, that his Excellency, in consequence of the opinion given by the standing English Counsel upon the matters therein adverted to, has no objection to Mr. Mylius employing the King's proctor at his own cost.

I have, &c.

(signed) *G. A. Barry, Chief Sec<sup>r</sup> to Gov<sup>r</sup>.*

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

(No. 18.)—C. A. Mylius, Esq. Assistant Collector of Customs.

Sir

Custom House, 12th February 1825.

I HAVE the honour to transmit to you herewith the copy of a letter which I have received from the Chief Secretary to Government, in reply to your application for the assistance of the King's proctor in the prosecution of certain blacks you had considered it your duty to seize.

I have the honour to be, &c.

(signed) *A. W. Blane, Coll<sup>r</sup> of Customs*

(A true copy.)

*P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.*

(No. 19.)—G. A. Barry Esq. Chief Secretary to Government.

Sir,

Custom House,  
Port Louis, 18th February 1825.

I HAVE the honour to transmit to you a letter and enclosures from Mr. Mylius to your address, which he has requested me to forward, as tending to justify and vindicate his conduct in the late seizure of blacks from Seychelles.

I should

14 and 12 Feb.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 101

I should have wished to have abstained from intruding any further remarks from myself on this subject on his Excellency the Governor's attention, but as Mr. Mylius's present communication embraces points on which some elucidation from me is unavoidable, I find it again pressed upon me, and trust I shall stand excused with his Excellency should I appear importunate.

On the second paragraph of Mr. Mylius's letter I beg to observe, that the inference which he draws from the circumstances of his having reported the seizure of the blacks to me appears altogether unimportant; although not by a formal official report, I never intended to imply that he did not inform me of the seizure, both by note and in person, but he left me quite ignorant that he had made the seizure and intended to prosecute it in his own name, having considered me absent, and himself to have been acting as chief officer of Customs in my absence. I beg to annex the copy of a postscript to a note I received from him, dated December 8th, copy of one (Enclosure A.) dated 9th December, and an extract from another dated December 12th, all of which refer to the examination of the blacks from among whom the seizure was made; from these I felt authorized to conclude, that although he undertook to do the duty for me, yet that he did it in my name; since, if he had been qualified to act in virtue of his own situation, no such reference to me would have been necessary; and if I deferred taking any steps in the matter myself, between the date of the seizure and the date of Mr. Mylius addressing you, it was owing to my confinement to the house, and to a doubt which I entertained as to whether it was a seizure that should be made and prosecuted by the Customs, or the Slave Registration Department; respecting which, I could not satisfy myself without seeing Mr. Mylius again, or obtaining some further written information from him on the subject. It was during this interval, and without any further communication with me, that Mr. Mylius proceeded in the matter in his own name and addressed you, and it is of this conduct on the part of Mr. Mylius that I have felt cause to complain.

On the third paragraph of Mr. Mylius's letter, I shall merely observe, that considering he had no character to act in the matter from his own impulse, I could not avoid viewing his application to the King's proctor without my knowledge as irregular and improper. With reference to the 4th, 6th, 7th and 8th paragraphs, which are intended to justify his having addressed Government direct, instead of through the head of his department, I conceive the principle upon which every communication with Government in matters connected with the duties of the several public departments has hitherto, almost without an exception, gone through the heads of those departments to be so strikingly obvious, that it would only be a waste of time to enter into any detailed exposition to show the fallacy of the grounds upon which Mr. Mylius endeavours to defend his having acted in a contrary sense; I shall therefore only generally observe, that if no written or printed regulation on the subject is extant, it has become law (if I may use the expression) by established practice and usage, and that if Mr. Mylius has occasionally addressed either the Government, or any of the public departments here or at home without my objecting to it, it has only been because the nature of the communication has been of comparatively minor importance, and that having been permitted to make them under former collectors I was reluctant to withdraw the permission so long as it was not abused; but I must distinctly protest against any attempt that may be made to construe my forbearance in this respect into a recognition on my part of the right of the assistant collector to make such communications; assuming however such a right to exist in the absence of the collector, I am at a loss to know how Mr. Mylius can reconcile his having constituted me absent in the present instance, when he was in the habit of communicating with me daily on every other subject, and of sending me papers for my instructions on them and letters for my signature. Although confined to the house, I have been quite able, and indeed have attended regularly since my confinement to all matters of business that he has communicated to me.

With regard to the opinion of the standing English Counsel, as to the duties of the Assistant Collector, which Mr. Mylius now forwards, his Excellency will perceive that it arose out of a reference made by Mr. Davis (likewise annexed) on a specific point, and although the opinion is not confined to the particular case on which Mr. Davis wished to be informed, yet it supposes the absence of the collector as necessary to qualify the assistant to act. If the simple fact of the collector not being on the spot in his office is sufficient to constitute him absent

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Mr. Mylius.

in the true spirit and meaning of the term, and to qualify the assistant to act at such times as chief officer of Customs, according to his own judgment, I respectfully submit that there appears an incongruity in holding the collector solely responsible for the duties of the office, and an injustice in making the pecuniary security which the collector is obliged to find bear solely upon him. To this point, as one of great moment to me, I earnestly request his Excellency's particular attention.

As Mr. Mylius has referred, in the 5th paragraph of his letter, to my having declined holding any verbal communication with him relative to the transaction, although a circumstance apparently irrelevant to the subject matter at issue, I must beg leave to explain what preceded Mr. Mylius's visit to my house.

On the 7th of January, the date of your letter, directing Mr. Mylius to make his application through the head of his department, I received a note from Mr. Mylius, enclosing me two official letters, which he had written, for my signature. The one was to request the appointment of a searcher, and the other to request his Excellency's sanction for the issue of rations to the three Seychelles blacks in question. The former I signed and returned; the latter I withheld, and wrote Mr. Mylius a note, of which I enclose a copy (Letter B.) He did not reply to this; but, in a second note I received the same day from him, he informed me he intended calling upon me early the next morning. He, however, acquainted me, in the course of the forenoon of the 8th, that he had been prevented from doing so; and mentioned, in the same note, "that he had been driven into a correspondence with Government about the three blacks seized, which he would lay before me the next day." To this I sent the reply marked C; and, in consequence, when Mr. Mylius did call upon me the next day, I told him that I must decline entering into any personal explanation on the subject, but that if he still considered it necessary to make any communication to me regarding it, I begged that it might be official, and in writing, and upon this ground I could view his letter to me of the 10th of January in no other light than as an official letter.

I have the honour to be, &c.

(signed) *A. W. Blane.*

(A true copy.)

*P. Salter, Act<sup>s</sup> Collector of Customs.*

(Enclosure "a" of No. 19.)

(A.)—Postscript to a Note from the Assistant Collector of Customs to the Acting Collector, dated December 8th, 1824.

I beg your instructions for the 24 blacks; I rejected one out of the three the other day, a negress recensed at four feet four, and actually measuring four feet eight inches. Do you wish the examinations always to take place on board?

*C. A. M.*

(A true copy.)

*P. Salter, Act<sup>s</sup> Collector of Customs.*

(Enclosure "b" of No. 19.)

Copy of a Note from the Assistant Collector to the Acting Collector of Customs, dated December 9th, 1824.

My dear Sir,

If you see no objection I will examine the blacks on board, at three, when I leave the office. We have nothing new in town.

Yours faithfully,

(signed) *C. A. Mylius.*

*A. W. Blane, Esq. Acting Collector.*

(A true copy.)

*P. Salter, Act<sup>s</sup> Collector of Customs.*

## COMING FROM THE SEYCHELLES TO MAURITIUS. 103

(Enclosure "c" of No. 19.)

Extract of a Note from the Assistant to the Acting Collector of Customs, dated December 12th, 1824.

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Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

THE Jeune Laure has come in ; I believe she has a number of blacks on board. Should you not be well enough by Tuesday, I will go on board at six in the morning and get over the examination.

(A true extract.)

P. Salter, Act<sup>s</sup> Collector of Customs.

(Enclosure "d" of No. 19.—B.)

My dear Mylius,

January 7th, 1825.

I RETURN you the letter recommending Homer to succeed Chery, but I have not signed that applying for the rations for the three blacks, as I think it would be right to report the circumstance of the seizure to Government, and the causes which led to it, before we ask for rations.

I think you mentioned in some of your notes that you proposed making your report to me, but from my confinement it has escaped my recollection. Some steps should, I conceive, be taken in this case ; but I am not clear whether it is a case in which the Custom House should prosecute, or the Registrar of Slaves. If you will make your report on the subject to me, I will forward it to Government, that we may have a law opinion upon it.

Believe me yours sincerely,  
(signed)

A. W. Blane.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(Enclosure "e" of No. 19.—C.)

My dear Mylius,

January 8th, 1825.

I CONFESS I learn with some surprise that you have been engaged in a correspondence with Government without my knowledge ; but since you have been driven into it, I presume the Government has had good reasons for departing from the general rule, and I would therefore prefer not interfering.

I forward to you Madame Blaize's letter, and will thank you to have copies of the correspondence prepared, and I will send in a letter to accompany it on Monday.

Yours sincerely,  
(signed)

A. W. Blane.

(A true copy.)

P. Salter, Act<sup>s</sup> Collector of Customs.

(Enclosure "f" of No. 19.)

A. W. Blane, Esq. Acting Collector of Customs.

Sir,

Custom House,  
Port Louis, 14th February 1825.

I HAVE the honour to request that you will do me the favour of forwarding the enclosed letter I have taken the liberty of addressing Government.

I have the honour to be, &c.  
(signed) C. A. Mylius, Assistant Collector of Customs.

(A true copy.)

P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.



N° 4.  
Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

(Enclosure "g" of No. 19.)

Colonel Barry, Chief Secretary to Government.

Sir,

Port Louis, Mauritius, 12th February 1825.

HAVING had the honour of an interview with his Excellency the Governor, on Tuesday, and in which I requested leave to lay before his Excellency some documents tending to justify and vindicate my conduct in the late seizure of the blacks from Seychelles, I now beg to forward to you, for the purpose of being laid before Sir Lowry Cole, the accompanying documents.

I beg however to premise, that on the 11th or 12th of December 1824, the very day, or the following one, on which I made the seizure of the blacks in question, I acquainted Mr. Blane with it by note, and on the first day afterwards that he came to office, I again explained the matter to him verbally. Neither on the one occasion or the other did Mr. Blane make any remark of disapprobation, or manifest the slightest dissatisfaction, and in consequence I naturally conceived I was doing right.

In writing the letter which I had the honour of addressing you on the 28th December last, I acted entirely by the advice and opinion of the King's Proctor, to whom I applied as the law officer of the Crown, who has always conducted such proceedings, and who was thence best qualified to direct me in the steps to be taken in such a case.

Under such a sanction I humbly conceive that I was following the plain and regular course of duty, and nothing was farther from my intention than to deviate from the established regulations of Government, with which Mr. Blane has so freely charged me in his letter to you of the 17th January 1825.

On receiving his Excellency's orders to send my application of the 28th December through the chief of my department, I went out to Mr. Blane's house, in order to explain to him personally the grounds on which I had acted; but I was not allowed to enter on the subject, and directed to forward any communication I had to make in writing, which I accordingly did next day in the Enclosure No. 1, which is the letter alluded to in Mr. Blane's answer to me of the 11th January, and is in the usual form of correspondence between the Acting Collector and myself, since ill health has rendered him unable to attend to duty in office.

In the ordinary business of the department, I have for years past been in the habit, when the collector was not in town, of corresponding with different departments of Government here, and of addressing the Commissioners of Customs in England through their secretary. The letters written on these occasions were entered regularly in the Letter Book with those of the collector for his perusal, and in no instance has a doubt been entertained, or at least expressed to me, by either Mr. Davis or Mr. Blane, until now, of the propriety and regularity of such conduct.

A similar practice prevails, I understand, in other offices, and that no disapprobation has ever been expressed when the assistant, in the temporary absence of the chief, has addressed himself direct to Government, and by Enclosures, No. 2, 3, 4, and 5, his Excellency will perceive, that when the collector is not present, the duties of the Assistant Collector of Customs have been acknowledged by the Colonial Government itself.

Mr. Blane alludes to a regulation of Government, which he charges me with a breach of, in communicating direct with you, which I should be glad to see, as neither in the Custom House nor in any other office have I been able to find it. I am perfectly well aware, when the collector is present, that it would be inconsistent with the first principles of official subordination were any inferior officer to write to Government on the duty of it, and I should never have dreamt of so doing; but having shown that in the ordinary business of the department, (as the official letter book will demonstrate should his Excellency think necessary to refer to it,) that I have been in the habit of acting in his absence, and with his knowledge, and in the present case, which is stated by Mr. Blane to be out of the usual routine, to have been guided by the opinion of the King's Proctor, I trust it will appear sufficiently plain, that neither in spirit or letter have I contravened the regulations of Government, on the principles on which it is conducted, although not written or published.

I could lay before his Excellency the Governor testimonies of my conduct in  
the

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the various departments to which I have had the honour of being attached in this colony; this, however, I beg to reserve for a future occasion; but, in consequence of what fell from his Excellency the Governor on the subject of Mr. Davis, I respectfully beg to enclose extracts from letters written to me by that gentleman. These notes, although on official business, being in the form of private letters, I should not have felt justified in alluding to them, except in an extreme case like the present, where reports of an opposite tendency have been made to his Excellency so much to my prejudice.

In conclusion, I beg to add, that bowing with the utmost submission and deference to any decision his Excellency the Governor may be pleased to take, I humbly beg to express my hope that his Excellency will do me the justice to believe, that no individual under his Excellency's government feels more anxiously desirous of performing his duty with strict correctness and assiduity, attended by a due and respectful submission to all his superiors, than myself.

I have the honour to be, &c.  
(signed) C. A. Mylius, Ass<sup>t</sup> Collector of Customs.

(A true copy.)  
P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(Enclosure, No. 1 of No. 20.)

A. W. Blane, Esq. Acting Collector of Customs.

My dear Sir, Champ de Lort, 10th January 1825.

I BEG leave to enclose you the correspondence that has taken place between the Government and myself on the subject of the three Seychelles blacks, the seizure of which I acquainted you with on the 11th or 12th of December last, and explained to you the grounds on which I had done so some days after when you came to the office.

I regret that I was so totally barred from entering upon this subject yesterday, when I called at Bonair; the more so, as I feel convinced that, with the assistance of the Acts of the 4th Geo. 3, c. 15; the 46 Geo. 3, c. 52; the 47th Geo. 3, c. 36; the 59 Geo. 3, c. 120, and the Order in Council 24th September 1814, I would have been able to give you satisfactory explanation on the subject.

Believe me yours sincerely,  
(signed) C. A. Mylius.

(A true copy.)  
(signed) C. A. Mylius, Ass<sup>t</sup> Coll<sup>r</sup> of Customs.

(A true copy.)  
P. Salter, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(Enclosure, No. 2 of No. 20.)

To G. A. Barry, Esq. Chief Secretary to Government.

Sir,

Custom House,  
Port Louis, 23d October 1821.

THE Act of the 46th Geo. 3, c. 52, s. 13, appears to require that if any slave or slaves employed in navigation, or any fishermen, or domestic slave or slaves, shall be so employed, embarked, or carried in any ship or vessel on a voyage from any foreign colony, plantation, or territory, or to any other British island or colony, &c. &c. the names and occupation of such slave or slaves shall be inserted in, or indorsed upon the clearance or permit to depart of such ship or vessel, by, or in the presence of the collector, comptroller, or other chief officer of customs of the port or place from which such ship or vessel shall clear outwards on any such voyage, who shall, without fee or reward, certify under his hand that the slave or slaves so embarked and carried were reported and described to him as seamen, fishermen, or domestic servants, as the case may be.

I have the honour to request to be informed, for my guidance, whether the Act absolutely requires that, as collector and chief officer of customs, I should necessarily

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sarily always certify to the foregoing points myself, or whether the Assistant Collector is competent to do so.

I have not applied directly to the law officer of Government on this point, having understood that it is not considered right for the departments to apply for legal opinions but through the Government.

I have the honour to be, &c.

(signed) *Hart Davis*, Collector of Customs.

(A true copy.)

(signed) *C. A. Mylius*, Assist<sup>t</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>t</sup> Coll<sup>r</sup> of Customs.

(Enclosure No. 3 of No. 20.)

Hart Davis, Esq. Collector of Customs.

Chief Secretary's Office,  
Port Louis, 8th December 1821.

Sir,

HIS Excellency the Governor having directed a reference to be made to the standing English Counsel for the Crown on the subject of your letter of the 23d October, ultimo, I have now the honour, by His Excellency's instructions, to forward to you a copy of that officer's opinion thereon, bearing date the 27th ultimo, for your guidance.

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

(signed) *G. A. Barry*, Chief Secretary to Govt.

(A true copy.)

*P. Salter*, Acting Coll<sup>r</sup> of Customs.

(Enclosure No. 4 of No. 20.)

Colonel Barry, Chief Secretary to Government.

Sir,

Champ de Lort, Nov. 27th 1821.

I SHOULD have to apologize for the delay which has intervened between the receipt of your letters of the 24th and 29th of October, if occupations of importance were not the cause, which I must be permitted to allege; and since I have been more at leisure, the nature of the subjects themselves to which your letters refer obliged me to pause before I answered.

Respecting the extent of the authority and powers of the Assistant Collector of Customs, I have only to observe, that in my opinion, that officer if approved and appointed by competent authority to act in the absence of the Collector, to the same effect as if the Collector were present, must be understood *to do so in all matters* in which the Collector himself might act if present, unless there be some reservation made to the contrary; and as the words of the Act referred to in the Collector's letter are expressed in the *disjunctive*, it only remains to be decided whether or not the Assistant Collector is a Chief Officer of Customs, for if so, no doubt can exist as to his competency to perform the duty of certifying for the departure of slaves in the several capacities mentioned in the same Act. My own opinion, if worth any thing, is certainly that the Assistant Collector has such powers and authority; but as this opinion is but that of a private individual, inasmuch as there is no law, either statute or common, to which I can refer you for any decisive line of conduct, if the Collector of Customs entertain any doubts, and these doubts give rise in his mind to any serious apprehensions, the only effectual method of removing them, as it humbly appears to me, is by making application in the quarter whence the appointment of Assistant Collector shall have emanated, for the purpose of ascertaining what the intention was respecting his powers, their extent and efficacy.

I have the honour to be, &c.

(signed) *John J. Cooper*.

(A true copy.)  
(signed) *G. A. Barry*,  
Chief Sec<sup>y</sup> to Govt.

(A true copy.)  
(signed) *C. A. Mylius*,  
Assistant Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Acting Collector of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 107

(Enclosure No. 5 of No. 20.)

WHEREAS it is necessary, on the entry and clearing of all merchant vessels at the Custom House, that the captains or supercargoes should make oath to the truth of the manifests of the said vessels: and whereas in case of absence from any cause of the Collector of Customs, who has been appointed a port magistrate for the purpose of being enabled to administer such oaths, much inconvenience is experienced from the necessity of referring the said captains for the purpose to some other magistrate, residing in some distant part of the town;

It appears desirable that the Assistant Collector for the time being should be authorized to administer such oaths in the absence of the Collector of Customs the port magistrate.

I do therefore hereby authorize Charles Augustus Mylius, so long as he shall continue to fill the situation of Assistant Collector of Customs at this port, to administer such oaths in the absence of the Collector of Customs the port magistrate.

Given under my hand and seal, at the Government House, Port Louis, Island of Mauritius, this 8th day of August 1820.

(signed) *R. F. Farquhar.*

(A true copy.)

*P. Salter*, Acting Coll<sup>r</sup> of Customs.

(Enclosure No. 6 of No. 20.)

EXTRACTS of Letters addressed by Hart Davis, Esq. Collector of Customs, to Mr. C. A. Mylius, from the year 1819 to 1823.

“ WITH regard to your proposition about an allowance for arrears brought up by you in the arrangements of the Custom House records, arrears of work which ought to have been done before you entered the situation, and which you have since completed after a fair opportunity for doing so; and I need hardly say however that I shall be most happy to forward any memorial from you on this subject, with an accompanying statement from myself of the state of the records in the office, which it seems you have yourself wholly compiled from a time even before you were in the office.”

“ The Governor is very anxious to have Mr. Cooper’s final opinion upon what can be legally done with prohibited goods arriving here. I shall therefore be much obliged by your preparing for me a fair copy of your legal references, that I may submit them to Mr. Cooper.”

“ I send you the draft of my intended letter on the subject of the bonds, for your perusal; if you have any observations to make, pray add it at the bottom of my draft.”

“ I enclose a procès-verbal received from Mr. Reader, on which I shall have to deliberate with you the first day I see you.”

“ I should not have hesitated, had I known your opinion with regard to the manifest, to have conformed to it.”

The above extracts have been taken from letters having no date, but merely the day of the week; they were however written between 1819 and 1821.

4th August 1821.—“ I am desirous, before entering the enclosed regulations in the books, to have it gone carefully over by you, and if there are any parts that you conceive would be attended with evil in the practice, I shall be obliged by your mentioning them.”

11th April 1822.—“ Had a permanent vacancy occurred in the place of deputy auditor general, which some time ago there was every reason to expect, I thought Colonel Barry might in such a case have found no great difficulty in getting you appointed deputy auditor; and I am perfectly ready to aid any such application, by bearing testimony to your ability and good conduct in my department.”

21st April 1822.—“ If an official recommendation is wanted to strengthen your claims, I can, on reference to me officially, give as satisfactory report of your zeal and ability in my department as you could wish.”

26th May 1822.—“ With regard to the duties of the assistant collector, I desire, as I said before, to infringe on them in no way; I conceive, that in the collector’s absence, it is the duty of the assistant collector to supply his place. With regard to the other periods when the collector is present, the assistant collector’s opinion, as  
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Mr. Mylius.

that of a person long conversant with the department, must always be valued by the collector."

15th July 1822.—" I thank you for the alacrity with which you have furnished me with the plan of the statement, by which you conceive the requisition of Government, under the 5th article, may be met with, and I quite agree with you on the minimum of time which you conceive such a work would demand."

25th April 1823.—" Out of collision of opinions arises truth. You need therefore never apologize for differing from any of mine; and as in the length of time during which you have been in the Customs you have had full opportunity of studying its laws, you need not imagine, as you modestly do, that your opinion can be formed on any point upon ignorance."

True extracts.

(signed)

*C. A. Mylius*, Ass<sup>t</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 21.)—A. W. Blane Esq. Acting Collector of Customs.

Sir,

Chief Secretary's Office,  
Port Louis, 22d March 1828.

I HAVE the honour, by direction of his Excellency the Governor, to state for your information and guidance, that his Excellency has been pleased to desire that the following arrangements are to take place from the first of next month, viz. Mr. Mylius, assistant collector of customs, to act as Deputy Auditor General, receiving the half salary in both departments. Mr. Helsey, junior, chief clerk in the treasury, to act as Assistant Collector of Customs, receiving half the salary of the latter situation, and half his present salary on the Treasury Abstract.

I have, &c.

(signed)

*G. A. Barry*, Chief Secretary.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 22.)—Colonel Barry, Chief Secretary to Government.

Sir,

Custom House,  
Port Louis, 26th March 1825.

I HAVE the honour to transmit to you a letter from the Assistant Collector of Customs to your address, which he has requested me to forward to you, and to be,

Sir,

Your most obedient servant,

(signed)

*A. W. Blane*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 23.)—Colonel Barry, Chief Secretary to Government.

Sir,

Custom House,  
Port Louis, 24th March 1825.

I HAVE had the honour duly to receive your letter of the 11th ultimo, conveying the permission of his Excellency the Governor, as applied for in my letter of the 28th December last, for me to employ the King's Proctor, at my own expense, in the prosecution of three blacks, seized by me for contravention of the Slave Trade Abolition, and Slave Registration Laws.

I was yesterday also honoured by a notification from the Acting Collector of Customs, that his Excellency the Governor had been pleased to appoint me temporarily to the Audit Office, to officiate as Deputy Auditor General.

Under

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Under all the circumstances of the case, I have the honour to acquaint you, for the information of his Excellency the Governor, that it is my intention to forego further personal proceedings with regard to these men; and I have deemed it my duty to make this communication to the Government, as it is possible his Excellency might wish to consult the Crown lawyers, and to order the prosecution to be continued on account of Government.

N<sup>o</sup> 4.  
Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

By the Chief Secretary's letter of the 24th March 1819, all blacks, detained as these are, are allowed to be maintained and treated when sick at the public expense, and I therefore humbly hope his Excellency will be graciously pleased to authorize the provisions of three blacks, from the 1st January inclusive, to be passed in the public accounts, as well as their hospital expenses for the periods during which they have been patients in the civil hospital, from the time of seizure to the 31st Dec. Their provisions were received from the Government stores; it is only since that date, that the expense of feeding them, &c. has been thrown upon me.

I have, &c.  
(signed) C. A. Mylius.

(A true copy.)

P. Salter, Acting Coll<sup>r</sup> of Customs.

(No. 24.)—A. W. Blane, Esq. Acting Collector of Customs.

Sir,

Port Louis, 28th March 1825.

I HAVE laid before his Excellency the Governor your letter of the 26th inst. enclosing one from the Assistant Collector of Customs, Mr. Mylius, on the subject of the two blacks from Seychelles seized by him; and I have the honour, by his Excellency's directions, to request that you will inform Mr. Mylius that, as he detained these blacks on his own responsibility, without previous communication with Government, he must act accordingly; but, as his Excellency finds it has been customary, the blacks may be victualled by Government.

I have, &c.  
(signed) G. A. Barry, Chief Secretary.

(A true copy.)

P. Salter, Acting Coll<sup>r</sup> of Customs.

(No. 25.)—Colonel Barry, Chief Secretary.

Sir,

Custom House,  
Port Louis, 2d April 1825.

AGREEABLY to the instructions conveyed to me in your letter of the 28th ult. relative to the feeding of the three Seychelles blacks, seized in December last by Mr. Mylius, I have the honour to request that instructions may be given to the Civil Storekeeper to issue on my indents, from the 10th Dec. 1824, the same rations for these three negroes as are granted to the other detained blacks landed from H. M. brig Delight.

I have, &c.  
(signed) A. W. Blane, Coll<sup>r</sup> of Customs.

(A true copy.)

(signed) P. Salter, Acting Coll<sup>r</sup> of Customs.

(No. 26.)—G. A. Barry, Esq. Chief Secretary.

Sir,

Custom House,  
Port Louis, 2d April 1825.

UPON the receipt of your letter of the 22d ult. acquainting me with the arrangements his Excellency the Governor had been pleased to direct should take place in  
this

N<sup>o</sup> 4.  
Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

this department, from the 1st inst. I transmitted a copy of the same to Mr. Mylius, and beg leave to enclose, for his Excellency's information, a copy of my letter to him, and his reply.

I have, &c.

(signed) *A. W. Blane*, Coll<sup>r</sup> of Customs.

(A true copy.)

(signed) *P. Salter*, Acting Coll<sup>r</sup> of Customs.

(Enclosure "a" of No. 26.)

C. A. Mylius, Esq. Assistant Collector of Customs.

Sir,

Custom House,  
Port Louis, 23d March 1825.

I HAVE the honour to transmit to you, for your information, copy of a letter addressed to me by the Chief Secretary to Government, bearing date the 22d inst. and to request, in consequence of the arrangements therein adverted to, that at the period fixed for their taking place, you will be pleased to deliver over to Mr. Kelsey, junior, such official books and documents belonging to the Customs Department as may be under your charge, or in your possession.

I have, &c.

(signed) *A. W. Blane*, Coll<sup>r</sup> of Customs.

(A true copy.)

(signed) *P. Salter*, Acting Coll<sup>r</sup> of Customs.

(Enclosure "b" of No. 26.)

A. W. Blane, Acting Collector of Customs.

Sir,

Custom House,  
Port Louis, 24th March 1825.

I DO myself the honour of acknowledging the receipt of your letter of yesterday's date, giving information of his Excellency the Governor having been pleased to promote me to the situation of Acting Deputy Auditor General.

I have, &c.

(signed) *C. A. Mylius*, Ass<sup>t</sup> Coll<sup>r</sup> of Customs.

(A true copy.)

(signed) *P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(No. 27.)—To A. W. Blane, Esq. Acting Collector of Customs.

Sir,

Chief Secretary's Office,  
Port Louis, 9th April 1825.

I HAVE the honour to inform you, that orders have been issued to the Civil Store Keeper, to issue the same rations from the 10th December last to the three blacks seized by Mr. Mylius as are issued to those landed from the Delight.

I have, &c.

(signed) *G. A. Barry*, Chief Sec<sup>y</sup>.

(A true copy.)

(signed) *P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 111

(No. 28.)—A. W. Blane, Esq. Acting Collector of Customs.

N° 4.

Correspondence  
relating to the  
Seizures made by  
Mr. Mylius.

Sir,

Chief Secretary's Office,  
Port Louis, 9th April 1825.

HAVING been desired by his Excellency the Governor to make a communication to Mr. Charles Mylius, Acting Deputy Auditor General, in reference to the correspondence that has latterly passed between yourself and that gentleman, I consider it proper to enclose for your satisfaction a copy thereof.

I have, &amp;c.

(signed) *G. A. Barry*, Chief Sec<sup>y</sup>.

(A true copy.)

(signed)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.

(Enclosure of No. 28.)

Charles Mylius, Esq. Acting Deputy Auditor General.

Sir,

Chief Secretary's Office,  
Port Louis, 8th April 1825.

His Excellency the Governor has had before him a letter from the Acting Collector of Customs, under date the 2d instant, giving cover to copies of a communication addressed by him to you, of the 23d ult. and of your reply of the 24th.

His Excellency has been pleased to observe that in notifying the arrangements lately made, he had hoped that the matter in question should have been set at rest.

His Excellency had already stated his opinion of the discussion which led to these arrangements personally to you, and his Excellency cannot help expressing his infinite surprise, that you should have been so injudicious as to write the answer which you have written to Mr. Blane's communication, and his Excellency regrets that you should now compel him to cause it to be officially intimated to you, that in acting with the leniency he has done towards you in the occasion in question, it was not from a change of opinion on the impropriety of your conduct towards the chief of your department, but from a feeling of delicacy towards others, and, in some degree, from a consideration for your long services.

His Excellency, therefore, wishes you distinctly to understand (and he wishes you had had judgment enough to have felt it before), that in the arrangement made it was very far from his Excellency's intention to promote you.

I have, &amp;c.

(signed) *G. A. Barry*, Chief Sec<sup>y</sup>.

(A true copy.)

(signed)

*P. Salter*, Act<sup>s</sup> Coll<sup>r</sup> of Customs.



N<sup>o</sup> 5.

## PROCEEDINGS

N<sup>o</sup> 5.  
 Proceedings  
 in the Court of  
 Vice-Admiralty.

In the Court of Vice-Admiralty relating to Seizures of Slaves made by  
 Mr. Mylius.

In the Instance Court of Vice-Admiralty at the Mauritius and Territories  
 thereunto belonging.

In the case of three Natives of Africa, named Mars Jubin, L'Esperance Tout  
 Court, and Pidami Gabriel.

CHARLES MYLIUS, of Port Louis, in the Island of Mauritius, Esq. late Assistant Collector of Customs at the said island, maketh oath, and saith, that in the month of December, in the year of Our Lord one thousand eight hundred and twenty-four, two slaves, calling themselves Mars Jubin, and L'Esperance Toutcourt, arrived at the said island of Mauritius, from the island of Mahé, one of the Seychelles Islands, on board a certain brig schooner called La Jeune Antoinette, the said two slaves purporting to have been shipped at the said island of Mahé by Madame Maurel, and registered in the Slave Registration Office by Antoine Maurel; that on the arrival of the said two slaves at the said island of Mauritius, he this deponent sent the permit and certificates of registration which accompanied the said two slaves to the Slave Registration Office at Port Louis, for the purpose of examination. And this deponent further saith, that he received back the said permits and certificates of registration, with information that two slaves named Mars Jubin, and L'Espérance Toutcourt, had already been introduced into the said island of Mauritius from the Seychelles; to wit, Mars Jubin on the 22d day of October, in the year of Our Lord 1822, on board the brig Theodore; and L'Esperance Toutcourt, on the 13th day of August 1824, on board the schooner Iris, as by the permits and certificates hereunto annexed, marked A. B. C. and D. doth more fully appear; and this deponent further saith, that on receiving such information, he searched the books kept at the Custom House, and found that the said two slaves had really been admitted into the said island of Mauritius as aforesaid, and that the said Antoine Maurel had, by means of a false and fraudulent return and entry by him made in the registry of slaves, kept and held in slavery the said two slaves so unlawfully imported as aforesaid; and this deponent further saith, that he seized the said two slaves brought last from the Seychelles, on board La Jeune Antoinette, as having been unlawfully carried away and removed from Africa, and imported into the said island of Mauritius. And this deponent further saith, that in the said month of December in the year last aforesaid, one other slave, calling himself Pidami Gabriel, arrived at the said island of Mauritius, from the said island of Mahé, on board a certain ship called La Jeune Laure, the said last-mentioned slave purporting to have been shipped at the said island of Mahé by Julien Langlois, and registered in the Slave Registration Office by one François Dantin; that on the arrival of the said last-mentioned slave at the said island of Mauritius, he this deponent was informed by the Registrar of Slaves, that the said François Dantin had, in his Triennial Return in the year 1819, declared the slave named Pidami Gabriel dead, as by the permit and certificate hereunto annexed, marked E. and F., doth more fully appear. And this deponent further saith, that in consequence of such information he seized the said last-mentioned slave as having been unlawfully carried away and removed from Africa, and imported into the said island of Mauritius. And this deponent further saith, that the papers and certificates which were delived at the Seychelles for two slaves, named Mars Jubin and L'Esperance Toutcourt, in the year 1822 and 1824, were deposited in the Slave Registration Office in Port Louis aforesaid, at the time the  
 said

## COMING FROM THE SEYCHELLES TO MAURITIUS. 113

said two slaves were legally introduced into the said island of Mauritius, and that the said papers and certificates are now in the keeping of the Registrar of Slaves, as this deponent is informed and verily believes, and that the papers hereunto annexed, marked A. B. C. D. E. and F. are the same that were presented at the Custom House at Port Louis, at the time of the arrival of the brig schooner *La Jeune Antoinette*, and ship *La Jeune Laure*, in the said month of December in the year of Our Lord 1824.

(signed) *Ch. Mylius.*

Sworn at Port Louis, Island of Mauritius, this 13th day of September 1825.

Before me,

(signed) *Edward B. Blackburn*, Judge in Vice Adm<sup>y</sup>.

(A true copy.)

*Charles Telfair*, Registrar.

(L. s.)

(A.)

AGREEABLY to the provisions of the Act of the 59 Geo. 3, c. 120, further regulating the provisions of the 46 Geo. 3, c. 52, in regard to the mode of transfer of slaves from one British island to another, Madame Maurel is hereby permitted to transport from Mahé, Seychelles, to the Mauritius, on board the brig schooner *La Jeune Antoinette*, Captain Tirant, slave named and described in the annexed certificate of registration, which is certified by the Registrar of Slaves and countersigned by me.

(signed) *G. Harrison*,

Ass<sup>t</sup> and Sub-Agent charged with the Customs.

Mahé, Seychelles, 10th of November 1824.

(A true copy.)

*Charles Telfair*, Registrar.

(B.)

Greffé de l'Enregistrement des Esclaves.

A LA demande de Madame Maurel, habitant aux Seychelles, et sur la preuve de propriété qu'elle en a fourni, je certifie que l'esclave ci-après dénommé a été recensé au dit greffe par la personne dont le nom est en marge du présent certificat.

For embarkation for Mauritius.	}	<i>Mars Jubin</i> , nègre employé aux batteaux, âgé 17 ans, taille 4 pieds	Recensé par Mons <sup>r</sup> Antoine Maurel, en date du 28 Oc- tobre 1815.
		6 pouces, Mozambique, marques de son pays.	
		Fo. 2390.	

(signed) *W. Knowles*,  
Chargé de l'Enregistrement des Esclaves.

Mahé, Seychelles, 9th Novembre 1824.

The above-named slave, "*Mars Jubin*," was brought up from Seychelles to this colony under a certificate, dated 22 October 1822, on the brig *Théodore*; and no record exists in this office of his having been re-embarked for Seychelles.

(signed) *T. Bradshaw.*

Port Louis, 8th December 1824.

(signed) *G. Harrison*,

Ass<sup>t</sup> and Sub-Agent charged with the Customs.

(A true copy.)

*Chales Telfair*, Registrar.

(L. s.)

(C.)

AGREEABLY to the provisions of the Act of the 59 Geo. 3, c. 120, further regulating the provisions of the 46 Geo. 3, c. 52, in regard to the mode of transfer of slaves from one British island to another, Madame Maurel is hereby permitted to transport from Mahé, Seychelles, to the Mauritius, on board the brig schooner *La Jeune Antoinette*, Captain Tirant, slave named and described in

## 114 PAPERS RELATING TO SEIZURE OF SLAVES

N<sup>o</sup> 5.  
Proceedings  
in the Court of  
Vice-Admiralty.

the annexed certificate of registration, which is certified by the Registrar of Slaves and countersigned by me.

(signed) *G. Harrison,*  
Ass' and Sub-Agent charged with the Customs.

Mahé, Seychelles, 10th November 1824.

(A true copy.)

*Charles Telfair,* Registrar.

(D.)

Greffé de l'Enregistrement des Esclaves.

A LA demande de Madame Maurel, habitant aux Seychelles, et sur la preuve de propriété qu'elle en a fourni, je certifie que l'esclave ci-après dénommé a été recensé au dit greffe par la personne dont le nom est en marge du présent certificat.

Recensé par Mons<sup>r</sup>  
Antoine Maurel,  
en date du 28 Oc-  
tobre 1815.

For embarkation  
for Mauritius.

*L'Espérance Tout Court,* nègre, Pioche, âgé de 12 ans, taille de 3 pieds 11 pouces, Mozambique, marques de son pays.

(signed) *W. Knowles,*  
Chargé de l'Enregistrement des Esclaves.

Fo. 2386.

Mahé, Seychelles, 8 Novembre 1824.

The above-named slave, "L'Espérance Tout Court," was brought from the Seychelles to this colony under a certificate, dated 30th August 1824, in the schooner L'Iris, and no record exists in this office of his having been re-embarked for Seychelles.

(signed) *T. Bradshaw.*

Port Louis, 8th December 1824.

(signed) *G. Harrison,*  
Ass' Agent charged with the Customs.

(A true copy.)

*Charles Telfair,* Registrar.

(L. s.)

(E.)

AGREEABLY to the provisions of the Act of the 59 Geo. 3, c. 120, further regulating the provisions of the 46 Geo. 3, c. 52, in regard to the mode of transfer of slaves from one British island to another, Mr. J. Langlois is hereby permitted to transport from Mahé, Seychelles, to the Mauritius, on board the ship *La Jeune Laure*, Captain Clement Langlois, one slave named and described in the annexed certificate of registration, which is certified by the Registrar of Slaves and countersigned by me.

(signed) *G. Harrison,*  
Ass' and Sub-Agent charged with the Customs.

Mahé, Seychelles, 25th November 1824.

(A true copy.)

*Charles Telfair,* Registrar.

(F.)

Greffé de l'Enregistrement des Esclaves.

A LA demande de Monsieur Julien Langlois, habitant aux Seychelles, et sur la preuve de propriété qu'il m'a fourni, je certifie que l'esclave ci-après dénommé a été recensé au dit greffe par la personne dont le nom est en marge du présent certificat.

Recensé par Mons<sup>r</sup>  
François Dantin,  
homme libre, en  
date de 27 Octobre  
1815.

For embarkation  
for Mauritius.

*Pidami Gabriel,* nègre de Pioche, âgé de 29 ans, taille de 5 pieds 4 pouces, Mozambique, marques de son pays.

(signed) *W. Knowles,*  
Chargé de l'Enregistrement des Esclaves.

Mahé, Seychelles, 23 November 1824.

## COMING FROM THE SEYCHELLES TO MAURITIUS. 115

Port Louis.

THIS negro was declared "dead" on the Triennial return in 1819 of François Dantin, by whom he was returned at the original census in 1815.

(signed) *T. Bradshaw.*

Port Louis, 14 December 1814.

(signed) *G. Harrison,*  
Charged with the Customs.

(A true copy.)

*Charles Telfair, Registrar.*

N<sup>o</sup> 5.  
Proceedings  
in the Court of  
Vice-Admiralty.

In the Instance Court of Vice Admiralty at the Mauritius and Territories  
thereunto belonging :

To the Worshipful Edward Berens Blackburn, Esquire, Barrister at Law in the  
said Court, Official, Principal and Commissary General, and Special and  
Judge and President thereof.

The humble Petition of May, His Majesty's Procurator-General, and the law-  
ful Proctor of Charles Mylius, Esquire, Assistant Collector of Customs at  
Port Louis, in the said Island of Mauritius ;

Showeth,

THAT one slave or native of Africa named Pidami, otherwise called Gabriel,  
hath been seized by the said Charles Mylius, for having been unlawfully imported  
from the island of Mahé, (one of the dependencies of the Government of Mauri-  
tius,) into the said island of Mauritius, and is now in charge of the Acting Col-  
lector of Customs.

Your petitioner therefore humbly prays, that a monition may issue calling  
upon Julien Langlois, and all persons in general having, or pretending to  
have, any right, title or interest in the said slave or native of Africa,  
named Pidami, otherwise Gabriel, to appear within forty days after  
service of the same, if it be a court day, or else on the next court day  
following, then and there to show and allege in due form of law a reason-  
able and lawful cause, if they have any, why the said slave or native  
of Africa should not be condemned to His Majesty, his heirs and suc-  
cessors.

And your petitioner, as in duty bound, shall ever pray.  
(signed) *S. N. May, King's Proctor.*

Let a monition issue as prayed.

(signed) *Edward B. Blackburn.*

Port Louis, 11th May 1825.

(A true copy.)

*Charles Telfair, Registrar.*

In the Instance Court of Vice Admiralty at the Isle of France and Territories  
thereunto belonging :

Two Natives of Africa, named Mars Jubin and L'Esperance Toutcourt, to the  
worshipful Edward Berens Blackburn, Esquire, Barrister at Law, Deputy  
Judge and Commissary of the said Court.

The humble Petition of May, His Majesty's Procurator-General, and the law-  
ful Proctor of Charles Mylius, Esquire, Assistant Collector of Customs at  
Port Louis, in the said Isle of France ;

Showeth,

THAT two natives of Africa, named Mars Jubin and L'Esperance Toutcourt, have  
been seized by the said Charles Mylius, for having been unlawfully imported into  
the said island, contrary to the statute in that case made and provided.

That the said two natives of Africa have been unlawfully imported by one  
Antoine Maurel, a resident of the island of Mahé, the said island of Mahé being  
one of the dependencies of the said Isle of France, and belonging to His Majesty,  
whereby

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N<sup>o</sup> 5.  
 Proceedings  
 in the Court of  
 Vice-Admiralty.

whereby and by force of the said statute he, the said Antoine Maurel, hath for each of the said natives incurred the forfeiture of 100*l.* lawful money of Great Britain.

That the said Antoine Maurel hath, by means of certain false and fraudulent returns and entries of and by him, and by his procurement, consent and knowledge made in the registry of the slave population of the said Isle of France and its dependencies, kept and held in slavery divers slaves, or pretended slaves; to wit, the said Mars Jubin and the said L'Esperance Toutcourt, whereby and by force of a certain Order in Council, bearing date the 24th day of September in the year of Our Lord 1814, he the said Antoine Maurel hath also incurred the forfeiture for each of the said slaves the sum of 300*l.* sterling money.

Your petitioner therefore humbly prays that a monition may issue, calling upon the said Antoine Maurel to appear within forty days after service of the same, if it be a court day, or else on the next court day following, then and there to show and allege in due form of law a reasonable and lawful cause, if he hath any, why the said two natives of Africa should not be condemned to His Majesty, and why he the said Antoine Maurel should not be condemned to pay the sum of 800*l.* lawful money of Great Britain, being the amount of the said forfeitures.

And your petitioner, as in duty bound, shall ever pray.

(signed) *S. N. May*, King's Proctor.

Port Louis, 30th December 1824.

Let a monition issue as prayed.

(signed) *E. B. Blackburn.*

(A true copy.)

*Charles Telfair*, Registrar.

George Harrison, of the island of Mahé, sub-agent and collector of customs, maketh oath and saith, that he, this deponent, did, on the 8th day of July in the year of Our Lord 1825, serve a monition issuing out of the Vice Admiralty Court at the island of Mauritius, upon Julien Langlois, a resident of the island of Mahé, by leaving with him a copy of the said monition, whereby he the said Julien Langlois was monished and cited peremptorily to appear before the worshipful Edward Berens Blackburn, Esquire, Commissary and Judge of the Vice-Admiralty Court, at the Court-House in Government-street, at Port Louis, in the Island of Mauritius, within forty days after service of the said monition, then and there to show and allege in due form of law a reasonable and lawful cause, if he hath any, why one slave or native of Africa named Pidami, otherwise Gabriel, should not be condemned to His Majesty, for having been unlawfully imported into the island of Mauritius; and that he, this deponent, did by the said monition intimate to the said Julien Langlois, that if he did not appear at the time and place aforesaid, and show a reasonable and lawful cause to the contrary, the said commissary and judge did intend to proceed to adjudication of the seizure, and would pronounce the said slave or native of Africa as forfeited to His Majesty.

(signed) *G. Harrison*,  
 Assistant and Sub-Agent at Seychelles,  
 charged with the Customs.

Sworn at Mahé, this 9th day of July, in the year of Our Lord 1825.

Before me,

(signed) *Quincy*, Juge de Paix.

(A true copy.)

*Charles Telfair*, Registrar.

In the Vice Admiralty Court at the Mauritius and Territories thereunto belonging:

George the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth;

To Patrick Salter, gentleman, Marshal of our Vice Admiralty Court at the Mauritius and territories thereunto belonging, or to his lawful deputy, greeting:—  
 Whereas

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Whereas the worshipful Edward Berens Blackburn, esquire, barrister at law in our said court, official, principal and commissary-general, and special and judge and president thereof; and also to hear and determine all and all manner of causes and complaints, civil and maritime, specially constituted and appointed, rightly and duly proceeding at the petition of May, His Majesty's Procurator-General, and the lawful proctor of Charles Mylius, Esquire, Assistant Collector of Customs at Port Louis, in the said island of Mauritius; setting forth, that one slave or native of Africa named Pidami, otherwise called Gabriel, hath been seized by the said Charles Mylius for having been unlawfully imported from the island of Mahé, (one of the dependencies of the government of Mauritius,) into the said island of Mauritius, and is now in charge of the Acting Collector of Customs; hath decreed, that a monition may issue, calling upon Julien Langlois, and all persons in general having, or pretending to have, any right, title or interest in the said slave or native of Africa, named Pidami, otherwise Gabriel, to be monished, cited and called to judgment at the time and place underwritten, and to the effect hereafter expressed (justice so requiring): we do therefore strictly charge and command you, jointly and severally, that you omit not by reason of any liberty or franchise, but that by serving a true copy of these presents upon the outside of the Exchange, at the usual time of the public resort of merchants thither, and by leaving thereon affixed a true copy thereof, you do monish and cite, or cause to be monished and cited peremptorily, the said Julien Langlois, and all persons in general having, or pretending to have any right, title or interest in the said slave or native of Africa, named Pidami, otherwise Gabriel, seized as aforesaid, to appear within forty days after service of the same, if it be a court day, or else on the next court day following, then and there to show and allege in due form of law a reasonable and lawful cause, if they have any, why the said slave or native of Africa should not be condemned to His Majesty, his heirs and successors, for having been unlawfully imported from the said island of Mahé, into the said island of Mauritius, and further to do and receive in this behalf as to justice shall appertain; and that you duly intimate, or cause to be intimated peremptorily, unto the said Julien Langlois, and all persons in general, (to whom by the tenor of these presents we do also intimate,) that if he or they do not appear at the time and place above mentioned, or appearing, shall not show cause to the contrary, our aforesaid judge doth intend and will proceed to adjudication on the said seizure, and may pronounce the said one slave or native of Africa a lawful seizure, and as such or otherwise liable and subject to confiscation and condemnation to be adjudged and condemned to His Majesty, his heirs and successors; the absence, or rather the contumacy of the persons so cited, and intimated in anywise notwithstanding. And that you duly certify to us or our said judge, or his surrogate, what you shall do in the premises, together with these presents.

Given at Port Louis, Island of Mauritius, in our aforesaid court, under the seal of the same for causes, this 12th day of May, in the year of Our Lord 1825, and of our reign the sixth.

(L. s.) (signed) *Geo. Aug. Wantzloeben*, Deputy Reg<sup>r</sup>.

I do hereby certify that I have caused the within monition to be duly executed, as per the annexed affidavit doth more fully appear.

(signed) *J. S. Reader*, Deputy Marshal.

Port Louis, 1st Sept. 1825.

(A true copy.)

*Charles Telfair*, Registrar.

In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging:

In the case of three slaves or natives of Africa, named Mars Jubin, L'Esperance Toutcourt and Pidami Gabriel.

Charles M'Carthy, Esq. assistant registrar of slaves in the said Island of Mauritius, maketh oath and saith, that the papers hereunto annexed, marked H. and I. are the original papers, which were transmitted by the Collector of Customs at Port Louis at the time of the arrival of the slaves named Mars Jubin and L'Esperance Toutcourt in this colony, as required by the Act of the 59th Geo. 3, c. 120; and

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that the said papers were deposited at the Slave Registration Office by the Customs Department at Port Louis; and this deponent further saith, that the certificate hereunto annexed, marked K. is true in every particular, and that François D'Antin did, in his triennial return furnished the 12th day of February 1819, declare the slave named Pidami Gabriel, dead.

(signed) *Chs M'Carthy.*

Sworn at Port Louis, Island of Mauritius, this 22d day of September 1825, before me,

(signed) *Edward B. Blackburn,*  
Judge in Vice Adm<sup>y</sup>.

(A true copy.)  
*Charles Telfair,* Registrar.

(L. s.)

(H.)

AGREEABLY to the provisions of the Act of 59 Geo. 3, c. 120, further regulating the provisions of 46 Geo. 3, c. 52, in regard to the mode of transfer of slaves from one British island to another, Monsieur Maurel, having complied with the necessary forms and regulations ordered by the said two Acts, is hereby permitted to transport from Mahé, Seychelles, to Mauritius, on board the English brig Theodore, one slave named and described in the annexed extract of registration, which is certified by the Registrar of Slaves and countersigned by me.

(signed) *G. Harrison,* Ass<sup>t</sup> and Sub-agent,  
charged with the collection of Customs.

Mahé Seychelles, 28th September 1822.

(A true copy.)  
*Charles Telfair,* Registrar.

Greffe de L'Enregistrement des Esclaves.

A LA demande de Mons. Maurel, habitant aux Seychelles, et sur la preuve de propriété qu'il en a fourni, je certifie que l'esclave ci-après dénommé a été recensé au dit Greffe, par les personnes dont les noms sont en marge du présent certificat.

Recense par Mons<sup>r</sup>  
Antoine Maurel,  
sous la date du  
28 Octobre 1815.

For embarkation  
for Mauritius.

*Mars Jubin,* négre, employé aux bateaux, âgé 17 ans, taille de 4 pieds 6 pouces, Mozambique, marques de son pays.

Mahé, Seychelles, 28 Septembre 1822.

(signé) *W. Knowles,*  
Chargé de l'Enregistrement des Esclaves aux Seychelles.

Fo. 2,383 Plant.

Port Louis, 21st October 1822.

(signed) *T. Bradshaw,* Registrar.

(A true copy.)

*Charles Telfair,* Registrar.

(signed) *G. Harrison,* Ass<sup>t</sup> and Sub-agent,  
charged with the collection of Customs.

Admitted to entry 22d October 1822. *H. D.*

(signed) *Ch. Mylius,* Assistant Collector of Customs.

N° 316, Brig Theodore, Custom House, date 22d October 1822.

(A true copy.)  
*Charles Telfair,* Registrar.

(L. s.)

(I.)

AGREEABLY to the provisions of the Act of 59 Geo. 3, c. 120, further regulating the provisions of 46 Geo. 3, c. 52, in regard to the mode of transfer of slaves from one British island to another, Monsieur Goumard is permitted to transport from

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from Mahé, Seychelles, to Mauritius, on board the English schooner L'Iris, Captain Lequitte, one slave named and described in the annexed certificate of registration which is certified by the Registrar of Slaves and countersigned by me.

(signed) *E. H. Madge*, Agent in charge of the Customs.

Mahé, Seychelles, 23d of July 1824.

(A true copy.)

*Charles Telfair*, Registrar.

N° 5.  
Proceedings  
in the Court of  
Vice-Admiralty.

## Greffe de L'Enrèglement des Esclaves.

A LA demande de Monsieur Goumand, habitant aux Seychelles, et sur la preuve de propriété qu'il en a fourni, je certifie que l'esclave ci-après denommé a été recensé au dit Greffe par la personne dont le nom est en marge du présent certificat.

*L'Esperance Toutcourt*, nègre, Pioche, agé 12 ans, taille de 3 pieds 11 pouces, Mozambique, marques de son pays.

(signed) *W. Knowles*,  
Chargé de l'Enrèglement des Esclaves.

Mahé, Seychelles, 21 Juillet 1824.  
Fo. 2,386 Ver. Hon.

Port Louis, 28 Août 1824. (signed) *T. Bradshaw*, Greffier.

Recensé par Mons<sup>r</sup>  
Antoine Maurel,  
en date du 28 Oc-  
tobre 1815.

For embarkation  
for Mauritius.

(A true copy.)

*Charles Telfair*, Registrar.

(signed) *E. H. Madge*, Agent in charge of the Customs.

Admitted to entry the 30th August 1824.

(signed) *Arch<sup>d</sup> W. Blane*, Acting Collector of Customs.

(A true copy.)

*Charles Telfair*, Registrar.

(K.)

Je certifie que le nommé Pidami, dit Gabriel, a été dûment recensé en 1815, par François D'Antin, et qu'il l'a déclaré mort sur son recensement fourni le 12 Fevrier 1819.

(signed) *T. Bradshaw*, Greffier de l'Enreg<sup>t</sup> des Esclaves.

Port Louis, 1 September 1825.

(A true copy.)

*Charles Telfair*, Registrar.

In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

George the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland, King Defender of the Faith, and so forth :

To Patrick Salter, gentleman, marshal of the Vice Admiralty Court at the Mauritius and territories thereunto belonging, or to his lawful deputy whomsoever, greeting : Whereas the worshipful Edward Berens Blackburn, Esquire, Barrister at Law, Deputy Judge and Commissary of the said Court, rightly and duly proceeding at the petition of S. N. May, Esquire, His Majesty's Procurator General, and the lawful proctor of Charles Mylius, Esquire, Assistant Collector of Customs at Port Louis in the said Island of Mauritius, hath decreed, that a monition do issue calling upon Antoine Maurel, a resident of the island of Mahé, for having unlawfully



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unlawfully imported into this Island of Mauritius two natives of Africa, named Mars Jubin, and L'Esperance Toutcourt, seized by the said Charles Mylius, contrary to the Statute in that case made and provided, to be monished, cited and called to judgment at the time and place underwritten, and to the effect hereinafter expressed (justice so requiring); we do therefore strictly charge and command you jointly and severally, that you omit not by reason of any liberty or franchise, but that you monish and cite, or cause to be monished and cited, peremptorily the said Antoine Maurel to appear before our said judge or his surrogate in the court house, situate in Government-street in Port Louis aforesaid, within forty days after service of the same if it be a court day, or else on the next court day following, then and there to show and allege, in due form of law, a reasonable and lawful cause (if he hath any) why the said two natives of Africa should not be condemned to His Majesty, and why he, the said Antoine Maurel, should not be condemned to pay the sum of 800*l.* lawful money of Great Britain, being the amount of forfeitures incurred by the said Antoine Maurel; and further, to do and receive as to justice shall appertain; and that you intimate moreover, or cause to be intimated peremptorily to the said Antoine Maurel (to whom by the tenor of these presents we do also intimate), that if he shall not appear at the time and place above mentioned, or appearing, shall not show a reasonable and lawful cause to the contrary, our said judge or his surrogate doth intend, and will proceed to adjudication on the said seizure and forfeitures, and may pronounce that the said two natives of Africa aforesaid have been unlawfully imported into the said Island of Mauritius, and as such, subject and liable to condemnation and confiscation, to be adjudged and condemned to His Majesty, his heirs and successors; and may further pronounce that the said Antoine Maurel hath thereby, and by reason of the premises, forfeited the said sum of 800*l.* being the amount of such forfeitures aforesaid; the absence, or rather contumacy of the persons so cited and intimated in anywise notwithstanding. And that you duly certify to our said judge, or his surrogate, what you shall do in the premises, together with these presents.

Given at Port Louis, Island of Mauritius, in our aforesaid court, under the seal of the same for causes, this 30th day of December, in the year of Our Lord 1824, and of our reign the fifth.

(L. s.)

(signed)

*C. Telfair*, Registrar.

(A true copy.)

*C. Telfair*, Registrar.

I do hereby certify that I have caused the within monition to be duly executed, as per the annexed affidavit doth more fully appear.

(signed)

*J. S. Reader*, Deputy Marshal.

Port Louis, 1st September 1825.

George Harrison, of the Island of Mahé, Sub-agent and Collector of Customs, maketh oath and saith, that he this deponent, did on the 8th day of July, in the year of Our Lord 1825, serve a monition issuing out of the Vice Admiralty Court, at the Island of Mauritius, upon Antoine Maurel, a resident of the Island of Mahé, by leaving with him a copy of the said monition, whereby he the said Antoine Maurel was monished and cited peremptorily to appear before the worshipful Edward Berens Blackburn, Esquire, Commissary and Judge of the Vice Admiralty Court, at the court-house in Government-street at Port Louis, in the said Island of Mauritius, within forty days after service of the said monition, then and there to show and allege, in due form of law, a reasonable and lawful cause, if he hath any, why two slaves or natives of Africa, named Mars Jubin and L'Esperance Toutcourt, should not be condemned to his Majesty, for having been unlawfully imported into the Island of Mauritius, and why he the said Antoine Maurel should not be condemned to pay the sum of 800*l.* lawful money of Great Britain, being the amount of forfeitures incurred by him the said Antoine Maurel, and that he, this deponent, did by the said monition intimate to the said Antoine Maurel, that if he did not appear at the time and place aforesaid, and show a reasonable and lawful cause to the contrary, the said commissary and judge did intend

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to proceed to adjudication of the seizure and forfeitures, and would pronounce the said two slaves or natives of Africa as forfeited to his Majesty, and condemn the said Antoine Maurel to the payment of the said sum of 800 *l.*

(signed) *G. Harrison.*

Ass<sup>t</sup> and Sub-agent at Seychelles,  
charged with the Customs.

Sworn at Mahé, this 9th day of July, in the year of Our Lord 1825, before me.

(signed) *Quincy, Juge de Paix.*

(A true copy.)

*Charles Telfair, Registrar.*

In the Instance Court of Vice Admiralty at the Mauritius and its Dependencies,  
the 5th day of September, in the year of Our Lord 1825 :

Our Sovereign Lord the King, on the prosecution of Charles Augustus Mylius, esquire, assistant Collector of Customs at Port Louis, against three natives of Africa, named Mars Jubin, L'Esperance Toutcourt and Pidami Gabriel, seized by Charles Augustus Mylius, esquire, Assistant Collector of Customs, at Port Louis, Island of Mauritius; also against the owner or owners thereof, and particularly against Antoine Maurel, a resident at the Island of Mahé, Seychelles; and also against all persons in general.

ON which day May, procurator-general for Our Sovereign Lord the King, and the lawful proctor of the said Charles Augustus Mylius, and under that denomination, and by all lawful ways and means, and to all intents and purposes whatsoever in law, which may be most beneficial for his said party, did say, allege, and articulately propound as follows; to wit,

First.—That a statute was made and passed in the 47th year of the reign of his late Majesty, King George the 3d, intituled, “ an Act for the Abolition of the “ Slave Trade;” by which it was enacted, that if any subject or inhabitant, subjects or inhabitants of Africa, or of any island, country, territory, or place, not being in the dominion, possession or occupation of His Majesty, who should at any time from and after the 1st day of May 1807, have been unlawfully carried away or removed from Africa, or from any island, country, territory or place in the West Indies or America, not being in the dominion, possession, or occupation of His Majesty, contrary to any of the prohibitions or provisions in the said statute contained, should be imported or brought into any island, colony, plantation or territory in the dominion, possession or occupation of His Majesty, and there sold or disposed of as a slave or slaves, or placed, detained or kept in a state of slavery, such subject or inhabitant, subjects or inhabitants, so unlawfully carried away or removed, and imported, should and might be seized and prosecuted, as forfeited to His Majesty by such person or persons, in such courts, and in such manner and form, as any goods or merchandize unlawfully imported into the same island, colony, plantation or territory, might now be seized and prosecuted therein by virtue of any Act or Acts of Parliament now in force for regulating the navigation and trade of His Majesty's colonies and plantations, and should and might, after his or their condemnation, be disposed of in manner as in the said statute is mentioned and provided; and this was and is true, public and notorious; and the party proponent doth allege and propound every thing in this and the subsequent articles contained, jointly and severally.

Secondly.—Also, that by the same statute it was further enacted, that if any of His Majesty's subjects, or any person or persons resident within the united kingdom of Great Britain and Ireland, or any of the islands, colonies, dominions or territories thereunto belonging, or in His Majesty's occupation or possession, should from and after the said 1st day of May, in the said year 1807, by him or themselves, or by his or their factors or agents, or otherwise howsoever, deal or trade in, purchase, sell, barter or transfer, or contract or agree for the dealing or trading in, purchasing, selling, bartering, or transferring of any slave or slaves, or any person or persons intended to be sold, transferred or used or dealt with as a slave or slaves, contrary to the prohibitions of the said statute, he or they so offending should forfeit and pay for every such offence the sum of 100*l.* of lawful money of Great Britain for each and every slave so purchased, sold, bartered or transferred,

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transferred, or contracted or agreed for as aforesaid; the one moiety thereof to the use of His Majesty, his heirs and successors, and the other moiety to the use of any person who shall inform, sue, and prosecute for the same; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Thirdly.—Also that by the same statute it was further enacted, that the several pecuniary penalties and forfeitures imposed and inflicted by the said statute, should and might be sued for, prosecuted, and recovered in any court of record in Great Britain, or in any court of record or Vice Admiralty in any part of His Majesty's dominions wherein the offence was committed, or where the offender might be found after the commission of such offence; and that in all cases of seizure, any ships, vessels, slaves or pretended slaves, goods or effects, for any forfeiture under the said statute, the same should and might respectively be sued for, prosecuted and recovered in any court of record in Great Britain, or in any court of record or Vice Admiralty in any part of His Majesty's dominions in or nearest to which seizures might be made, or to which such ships or vessels, slaves or pretended slaves, goods or effects (if seized at sea or without the limits of any British jurisdiction) might most conveniently be carried for trial; and all the said penalties and forfeitures, whether pecuniary or specific (unless where it is expressly otherwise provided for by the said statute) should go and belong to such person and persons, in such shares and proportions, and should and might be sued for and prosecuted, tried, recovered, distributed and applied in such and the like manner and by the same ways and means, and subject to the same rules and directions as any penalties or forfeitures incurred in Great Britain, and in the British colonies or plantations in America respectively by force of any Act of Parliament relating to the trade and revenues of the said British colonies or plantations in America, now go and belong to, and may now be sued for, prosecuted, tried, recovered distributed, and applied respectively in Great Britain or in the said colonies or plantations respectively under and by virtue of a certain Act of Parliament made in the fourth year of his said late Majesty, intituled, "An Act for granting certain duties in the British colonies and plantations in America for continuing, amending and making perpetual an Act passed in the sixth year of the reign of his late Majesty, King George the Second, intituled, An Act for the better securing and encouraging the trade of His Majesty's sugar colonies in America, for applying the produce of such duties to arise by virtue of the said Act towards defraying the expenses of defending, protecting and securing the said colonies and plantations; for explaining an Act made in the twenty-fifth year of the reign of King Charles the Second, intituled, An Act for the encouragement of the Greenland and Eastland trades, and for the better securing the plantations trade, and for altering and disallowing several drawbacks on exports from this kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said colonies and plantations, and improving and securing the trade between the same and Great Britain;" and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Fourthly.—Also, that by the same statute it was further enacted, that all ships and vessels, slaves or natives of Africa, carried, conveyed or dealt with as slaves, and all other goods and effects that should or might become forfeited for any offence committed against the said statute, should and might be seized by any officer of His Majesty's Customs or Excise, or by the commanders or officers of any of His Majesty's ships or vessels of war, who in making and prosecuting any such seizures should have the benefit of all the provisions made by the said Act of the fourth year of his late Majesty, or any other Act of Parliament made for the protection of officers seizing and prosecuting for any offence against the said Act, or any other Act of Parliament relating to the trade and revenues of the British colonies or plantations in America; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Fifthly.—Also, that a statute was made and passed in the fifth year of the reign of our Sovereign Lord King George the Fourth, intituled, "An Act to amend and consolidate the laws relating to the abolition of the Slave Trade," by which it was enacted, that from and after the 1st day of January, in the year of Our Lord 1825, all the acts and enactments relating to the slave trade and the abolition thereof, and the exportation and importation of slaves, should be, and the same were thereby repealed, save and except in so far as they may have repealed any prior acts or enactments,

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enactments, or may have been acted upon, or may be expressly confirmed by the said Act; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Sixthly.—Also, that by the said statute it was further enacted, that (except in such special cases as are in and by the said statute permitted) if any persons should deal or trade in, purchase, sell, barter or transfer, or contract for the dealing or trading in, purchase, sale, barter or transfer of slaves, or persons intended to be dealt with as slaves, or shall carry away, or remove or contract for the carrying away or removing of slaves or other persons, as or in order to their being dealt with as slaves, or shall import, or bring or contract for the importing or bringing into any place whatsoever slaves or other persons, as or in order to their being dealt with as slaves, or shall ship, tranship, embark, receive, detain, or confine on board or contract for the shipping, transshipping, embarking, receiving, detaining or confining on board of any ship, vessel or boat, slaves or other persons, for the purpose of their being carried away or removed, as or in order to their being dealt with as slaves, or to ship, tranship, embark, receive, detain or confine on board or contract for the shipping, transshipping, embarking, receiving, detaining or confining on board of any ship, vessel or boat, slaves or other persons, for the purpose of their being imported or brought into any place whatsoever, as or in order to their being dealt with as slaves, then and in every such case the person so offending, and their procurers, counsellors, aiders and abettors, should forfeit and pay for every such offence the sum of 100*l.* of lawful money of Great Britain for each and every slave so dealt or trade in, purchased, sold, bartered or transferred, carried away, removed, imported, brought, shipped, transhipped, embarked, received, detained or confined on board, or so contracted for as aforesaid, the one moiety thereof to the use of His Majesty, his heirs and successors, and the other moiety to the use of any person who should inform, sue and prosecute for the same; and all property or pretended property in such slaves or persons as aforesaid should also be forfeited, and the said slaves or persons, should and might be seized and prosecuted as thereafter is mentioned and provided; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Seventhly.—Also, that by a certain Order in Council, bearing date the 24th day of September 1814, made and passed for providing more effectually for the prevention of the illegal and clandestine importation of slaves into the Isle of France and its dependencies, there was established in the said island a public registry for the enregistration and enrolment of all negroes and others, who then were or at any time thereafter should be held in a state of slavery within the said island and its dependencies; and it was by the said Order in Council among other things ordered, that for every slave or pretended slave falsely returned, any person or persons so offending should forfeit the sum of 100*l.* sterling money, to be recovered in such manner as any other penalty or forfeiture might be recovered in the said island by any law thereof, or any statute of the United Kingdom then in force therein, the one moiety thereof to the use of the Governor, Lieutenant-Governor, or civil Commander-in-Chief within the said island for the time being, and the other moiety thereof to the use of such person as should inform, sue and prosecute for the same; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Eighthly.—Also, that by the said Order in Council it was further ordered, that if any person or persons should by means of any false or fraudulent return or entry of him, her or them, or by or with his, her or their procurement, consent, privity or knowledge, made in the said registry, keep or hold, or attempt to keep or hold, in slavery any African or other negro, or mulatto, or other coloured person which should have been illegally imported or brought unto the said island, and should be thereof lawfully convicted, he, she or they should forfeit and pay for every African or negro, mulatto, or other coloured person, the subject of any such offence, the sum of 300*l.* sterling money, the one moiety to the Governor, Lieutenant-Governor, or civil Commander-in-Chief within the said island, and the other moiety thereof to such person as should sue, inform and prosecute for the same, with full costs of suit, to be recovered as aforesaid; and that this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Ninthly.—Also, that Antoine Maurel, being a person resident at the island of Mahé, which is an island belonging to His Majesty, did in the month of December, in the year of Our Lord 1824, by himself and his agents, unlawfully transfer from

Africa

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Africa to the said Isle of France two persons, named Mars Jubin and L'Esperance Toutcourt, being natives of Africa, the said two persons, purporting to be slaves, and intended to be sold, transferred, used and dealt with as slaves, contrary to the prohibitions of the said in part recited statutes, whereby and by force of the said statutes the said two persons or natives of Africa have become forfeited to His Majesty, and the said Antoine Maurel forfeits and is become liable to pay the sum of 100*l.* of lawful money of Great Britain for each of the said two persons so transferred as aforesaid; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Tenthly.—Also, that the said Antoine Maurel did, by means of a certain false and fraudulent return and entry of, and by him, and by his procurement, consent and knowledge, made in the registry of the slave population of the said Isle of France and its dependencies, keep and hold in slavery the said two persons, natives of Africa, so illegally imported and brought into the said Isle of France, whereby and by force of the said in part recited Order in Council he forfeits, and hath become liable to pay for each of the said two persons the sum of 300*l.* sterling money, together with full costs of suit; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Eleventhly.—Also, that one other person or native of Africa, calling himself Pidami Gabriel, was on the day and year aforesaid unlawfully brought, carried and conveyed from Africa, and imported into the said Isle of France by some person or persons at present unknown, contrary to the form and provisions of the Statutes, and in contempt of the penalties thereby inflicted, whereby and by force of the said Statutes the said last-mentioned person or native of Africa hath become forfeited to His Majesty, his heirs and successors; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Twelfthly.—Also, that the said three persons, or natives of Africa, have been seized by Charles Augustus Mylius, Esquire, Assistant Collector of Customs at Port Louis in the said Isle of France, for having been unlawfully imported into the Island of Mauritius; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Thirteenthly.—Also, that the Schedule hereunto annexed, marked A. contains a true and faithful list of the names and descriptions of the said three persons or natives of Africa; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Fourteenthly.—Also, that the said May, His Majesty's procurator general, and the lawful proctor in this cause, hath rightly and duly complained of the premises to this honourable court; and this was and is true, public and notorious, and the party proponent doth allege and propound as before.

Fifteenthly.—Also, that all and singular the premises were and are true, public and notorious, and thereof there was and is a public voice, fame and report; of which legal proof being made, the party proponent prays right and justice to be effectually administered in the premises by you the Worshipful Edward Berens Blackburn, esquire, commissary and judge in His Majesty's Vice Admiralty Court at the Mauritius and territories thereunto belonging; and also to hear and determine all and all manner of causes and complaints civil and maritime, according to the civil and maritime laws and customs of His Majesty's high court of Admiralty, specially constituted and appointed, or your lawful surrogate; and that the said three natives of Africa may be condemned to His Majesty, his heirs and successors, as persons illegally imported into the Island of Mauritius, the same being a territory of His Majesty, and as having been treated, carried, kept, detained, and dealt with as slaves at the time of their seizure; and also, that the said Antoine Maurel may be condemned in the penal sum of 800*l.* of lawful money of Great Britain, as in and by the said statutes and Order in Council is directed and ordained; and further, that you the said Worshipful Commissary and Judge do and decree in the premises what shall be lawful, the party proponent not obliging himself to prove all and singular the premises, or to the burthen of a superfluous proof, against which the party proponent protests; and craving to himself all benefit of law, prays that so far as he shall prove in the premises, so far he may obtain in his suit, humbly imploring the aid of your Worship in this behalf.

(signed) S. N. May, King's Proctor.

(A true copy.)

C. Telfair, Registrar.

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In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

In the case of the King  $\times$  Mylius, against three slaves, and against Antoine Maurel.

James Saunders Reader, deputy marshal of the Vice Admiralty Court, maketh oath and saith, that the Schedule hereunto annexed, and marked A. is a true and faithful list of three slaves or natives of Africa which were seized by Charles Augustus Mylius, esquire, assistant collector of customs at Port Louis, as having been illegally imported into the Island of Mauritius.

(signed) *J. S. Reader*, Deputy Marshal.

Sworn at Port Louis, Island of Mauritius, this 7th day of September 1825, before me,

(signed) *Edward B. Blackburn*, Judge in Vice Adm<sup>y</sup>.

(A true copy.)

*Charles Telfair*, Registrar.

(A.)

SCHEDULE of Three Slaves seized by Charles Mylius, Esq. Assistant-Collector of Customs at Port Louis, for having been unlawfully imported into this Island of Mauritius from the Seychelles Islands.

No.	N A M E.	Apparent Age.	Sex.	Caste.	Height.		MARKS and DESCRIPTION.
					Ft.	In.	
1	Mars Jubin - - -	27	male -	Mozambique	4	10 $\frac{1}{2}$	{ scars on both arms, and one on right of belly.
2	L'Esperance Toutcourt -	26	ditto -	- Ditto -	4	10 $\frac{1}{4}$	{ two scars on left foot, and one on outside of right foot.
3	Pidami Gabriel - - -	27	ditto -	- Ditto -	5	4 $\frac{1}{2}$	{ tattooed on back, and scars on chest, and I on left shoulder.

(signed) *J. S. Reader*, Deputy Marshal.

Port Louis, Mauritius, 15th June 1825.

(A true copy.)

*Charles Telfair*, Registrar.

In the Instance Court of Vice Admiralty at the Mauritius and Territories thereunto belonging :

On Friday, the 30th day of September, in the year of Our Lord 1825, before the worshipful Edward Berens Blackburn, Esquire, Barrister at Law in the said Court, Official, Principal and Commissary General and Judge and President thereof.

Present, George Wantzloëben, Deputy Registrar.

OUR Sovereign Lord the King, on the prosecution of Charles Augustus Mylius, Esquire, assistant collector of customs at Port Louis, against three natives of Africa, named Mars Jubin, l'Esperance Toutcourt, and Pidami Gabriel, seized by Charles Augustus Mylius, Esq. assistant collector of customs at Port Louis, Island of Mauritius, also against the owner or owners thereof, and particularly against Antoine Maurel, a resident at the Island of Mahé, Seychelles, and also against all persons in general.

Cooper, His Majesty's attorney-general, prayed the court to condemn the said three natives of Africa to be forfeited to His Majesty, his heirs and successors, as having been unlawfully carried away or removed from Africa aforesaid, and imported into

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into the dominions of His Majesty, by some persons or person unknown, treated, dealt with, carried, kept and detained as slaves.

The Judge having heard informations thereon, and the usual monitions having been issued and returned, and no appearance, claim or defence having been made, and the several defaults having been incurred by reason of such non-appearance or claim, pronounced the said three natives of Africa (as scheduled) to have been unlawfully carried away or removed from Africa, and treated, dealt with, carried, kept and detained as slaves at the time of the seizure thereof, contrary to the statutes now in force for the abolition of the slave trade, and as such subject and liable to forfeiture, and by interlocutory decree condemned the said three natives of Africa as being forfeited to His Majesty, his heirs and successors.

(L.S.)

(signed)

*G. A. Wantzloëben*, Deputy Registrar.

(A true copy.)

*Charles Telfair*, Registrar.