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PROTECTORS OF SLAVES REPORTS.

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RETURN to an Address to HIS MAJESTY, dated 15th December 1830;—for

COPY OF ANY REPORTS

WHICH MAY HAVE BEEN RECEIVED

FROM THE PROTECTORS OF SLAVES

IN THE COLONIES OF

*Demerara, Berbice, Trinidad, St. Lucia, the Cape of Good Hope and Mauritius,*

Since the last similar REPORTS presented to Parliament from each of these Colonies respectively; together with Copies of the Proceedings and Decisions in each case of Complaint between Masters and Slaves, whether the Proceedings may have terminated before the Protector, or may have been referred to Colonial Magistrates, or other Public Officers or Courts.

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PART IV.—ST. LUCIA.

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Colonial Department, }  
Downing-street, }  
3 March 1831. }

HOWICK.

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Ordered, by The House of Commons, to be Printed,  
10 March 1831.

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SCHEDULE.

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PART IV.—ST. LUCIA.

- | <u>No.</u> |   |       |
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| 1.—        | Copy of a Despatch from Major-General Stewart to Secretary Sir George Murray; dated 26 June 1829: (One Enclosure) - - - - -                   | p. 3  |
| 2.—        | Copy of a Despatch from Secretary Sir George Murray to Major-General Stewart; dated 1 September 1829 - - - - -                                | p. 6  |
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| 4.—        | Copy of a Despatch from Secretary Sir George Murray to the Officer administering the Government; dated 18 November 1830 - - - - -             | p. 23 |
| 5.—        | Copy of a Despatch from the Officer administering the Government to Secretary Sir George Murray; dated 4 June 1830: (One Enclosure) - - - - - | p. 24 |
| 6.—        | Copy of a Despatch from Viscount Goderich to the Officer administering the Government; dated 27 December 1830 - - - - -                       | p. 40 |
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PROTECTORS OF SLAVES REPORTS.

PART IV.—ST. LUCIA.

N<sup>o</sup> 1.

DESPATCH from Major-General *Stewart* to Secretary Sir *George Murray*,  
&c. &c. &c.

(With One Enclosure.)

Sir, Government House, St. Lucia, 26 June 1829.

I HAVE the honour to forward herewith the Report of the Protector of Slaves in this island, together with Abstracts of the Returns of Punishments on Plantations, for the half year ending the 31st December 1828.

I have, &c.  
(signed) *David Stewart*, Governor.

REPORT of the Protector of Slaves, together with Abstracts of the Returns of Punishments in St. Lucia, to 31st December 1828.

General,

St. Lucia, 1st June 1829.

WITH the present, I have the honour to lay before your Excellency copies of the Returns of births, deaths and punishments as furnished by the planters of this island, under the 42d section of the Slave Law, for the half year, ending 31st December 1828. I also send a statement of the free baptisms that have been enregistered in my office under the 115th section, and of the manumissions that have been applied for and obtained during the same period.

Report from  
Protector of Slaves.

The abstracts of these returns and statements, as compared with those given in for the half year preceding, exhibit the following differences; viz.

Punishments, per Appendix (A.)	
Half year, ending 31st December 1828 - - - - -	422
Ditto - - - 30th June 1828 - - - - -	590
	168
Decrease in number of Punishments - - -	
168	
Births, per Appendix (B.)	
Half year, ending 31st December 1828 - - - - -	200
Ditto - - - 30th June 1828 - - - - -	159
	41
Increase in number of Births - - - - -	
41	
Deaths, per Appendix (B.)	
Half year, ending 31st December 1828 - - - - -	103
Ditto - - - 30th June 1828 - - - - -	110
	7
Decrease in number of Deaths - - - - -	
7	
Free Baptisms, per Appendix (C.)	
Half year, ending 31st December 1828 - - - - -	4
Ditto - - - 30th June 1828 - - - - -	4
	-
No difference in number of Baptisms - - -	
-	
Manumissions, per Appendix (D.)	
Half year, ending 31st December 1828 - - - - -	21
Ditto - - - 30th June 1828 - - - - -	39
	18
Decrease in number of Manumissions - - -	
18	
Marriages between Slaves :	
Half year, ending 31st December 1828 - - - - -	none.

## PART IV.

## ST. LUCIA.

Report from  
Protector of Slaves.

The number of cases brought before the court in which slaves were concerned during the six months ending 31st December 1828, were 19; of which 14, at the instance of masters against slaves, were determined in favour of the masters; two were at the instance of slaves against masters, one of which only was substantiated; and three at the instance of the Protector against masters, for cruelty to slaves, two of which were proved to be well founded, and the owners were in one case fined under the 40th section of the Slave Law 50*l.*, and in the other the slave was confiscated, under the 35th section, and the master sentenced to pay 50 sous per day for the future maintenance of the slave.

As

ABSTRACT of OFFENCES committed by Male and Female Plantation Slaves in the Island of St. Lucia, mandant of the several Quarters, between the 1st July and 31st December 1828, showing the Nature Number of Offences.

NAMES OF THE QUARTERS - - -	Castries.		Ance Laraye.		Soufriere.		Choiseul.		Laboric.		Vieux Fort.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Serious and aggravated Offences:												
Cutting others with cutlasses, &c. - - -	-	-	-	-	-	-	-	-	-	-	-	-
Cruelty to animals - - - - -	1	-	-	-	1	-	-	-	-	-	-	-
Housebreaking and stealing - - - -	1	-	-	-	-	-	-	-	3	-	-	-
Theft, &c:												
Theft - - - - -	6	-	8	1	9	-	3	-	3	-	4	-
Conniving at ditto - - - - -	-	-	-	-	-	-	1	-	-	-	-	-
Insubordination accompanied with Violence:												
Striking the overseer - - - - -	-	-	-	-	-	-	-	-	1	-	-	-
— driver - - - - -	-	-	-	-	1	2	-	-	-	-	-	-
Attempting to wound the driver - - -	-	-	-	-	-	-	-	-	-	-	1	-
Insubordination unaccompanied with Violence:												
Refusing to work - - - - -	1	-	-	-	-	-	-	-	1	2	-	-
Disobedience - - - - -	6	5	-	-	4	-	2	-	-	-	1	-
Insolence - - - - -	3	2	3	-	2	-	-	-	-	-	-	-
Insubordination - - - - -	3	-	2	2	1	2	-	-	-	-	-	-
Absconding, running away, &c. - - -	14	2	10	1	14	3	1	-	5	1	8	-
Domestic Offences:												
Fighting - - - - -	-	6	1	-	2	2	-	-	-	-	-	-
Beating others - - - - -	-	4	-	-	3	-	-	-	1	-	3	-
— parents - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Waylaying others - - - - -	-	-	-	-	1	-	-	-	-	-	-	-
Setting fire to canes - - - - -	-	-	-	-	-	-	-	-	-	1	-	-
Drunkenness - - - - -	2	-	1	-	3	1	-	-	1	-	1	-
Neglect of duty - - - - -	8	-	-	-	4	-	-	-	-	-	8	-
Negligence - - - - -	11	-	1	-	-	-	-	-	-	-	-	-
Neglecting sores - - - - -	2	-	-	-	-	-	-	-	-	-	-	-
— prayers - - - - -	3	-	2	-	-	-	-	-	-	-	3	-
— gardens - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Coming late to work - - - - -	1	-	-	-	-	-	-	-	-	-	-	1
Riding mules at night - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Idleness and laziness - - - - -	3	-	-	-	-	-	-	-	-	-	-	-
Indiscipline - - - - -	-	-	2	-	-	-	-	-	-	-	-	-
Disrespect to parents - - - - -	-	-	-	-	1	-	-	-	-	-	-	-
— overseer - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
— free coloured people - - - - -	-	-	-	-	-	1	-	-	-	-	-	-
Harbouring runaways - - - - -	1	1	-	-	1	-	-	-	-	-	-	-
Stealing canes - - - - -	-	-	5	-	4	-	-	-	1	-	1	1
Seducing other men's wives - - - -	-	-	-	-	-	-	-	1	-	-	-	-

As directed by the letter from His Majesty's Principal Secretary of State for the colonies, dated 8th May last, I have drawn up an abstract of the punishments from the Returns now sent in, classifying the offences for which they have been inflicted, in order that it may be forwarded with this letter, and supersede the necessity of transmitting home the Returns in full.

PART IV.  
ST. LUCIA.  
Report from  
Protector of Slaves.

I have the honour to be, General, your Excellency's most obedient humble Servant,

To his Excellency  
Major-general Stewart, C.B.  
&c. &c. &c.

Peter Muter, Pro' Genl.

drawn up from the Returns of Punishments forwarded to the Protector of Slaves by the Commissaries Com- of the Offences, the Number of Slaves committing each particular Offence in each Quarter, and the Total

Micoud.		Praslin.		Dennery.		Dauphin.		Gros-ilet.		TOTAL.		GRAND TOTAL.	NAMES OF THE QUARTERS.
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		NATURE OF OFFENCES.
-	1	4	-	-	-	-	-	-	1	4	2	6	Serious and aggravated Offences :
-	-	-	-	-	-	-	-	-	-	2	-	2	Cutting others with cutlasses, &c.
4	-	-	-	-	-	-	-	-	-	8	-	8	Cruelty to animals.
													Housebreaking and stealing.
5	-	2	-	1	1	2	-	2	1	45	3	48	Theft, &c. :
-	-	-	-	-	-	-	-	-	-	1	-	1	Theft.
													Conniving at ditto.
													Insubordination accompanied with Violence :
-	-	-	-	-	-	-	-	-	-	1	-	1	Striking the overseer.
-	-	-	-	-	-	-	-	-	-	1	2	3	— driver.
-	-	-	-	-	-	-	-	-	-	1	-	1	Attempting to wound the driver.
													Insubordination unaccompanied with Violence :
-	-	-	-	-	-	-	-	-	-	2	2	4	Refusing to work.
2	-	2	-	-	-	1	4	1	-	19	9	28	Disobedience.
-	-	-	2	-	-	-	1	-	-	8	5	13	Insolence.
2	3	1	-	-	-	-	-	3	3	12	10	22	Insubordination.
7	-	5	-	2	1	4	1	4	2	74	11	85	Absconding, running away, &c.
													Domestic Offences :
1	1	-	-	-	-	-	4	2	2	6	15	21	Fighting.
2	-	-	-	1	-	-	-	-	-	10	4	14	Beating others.
-	-	-	-	-	-	-	-	1	-	1	-	1	— parents.
-	-	-	-	-	-	-	-	-	-	1	-	1	Waylaying others.
-	-	-	-	-	-	-	-	-	-	-	1	1	Setting fire to canes.
-	-	-	-	1	-	1	-	1	-	11	1	12	Drunkenness.
12	1	3	-	-	-	2	-	5	-	42	1	43	Neglect of duty.
1	1	3	-	-	-	9	1	-	-	25	2	27	Negligence.
-	-	-	-	-	-	-	-	-	-	2	-	2	Neglecting sores.
-	-	-	-	-	-	-	-	-	-	8	-	8	— prayers
-	-	-	-	-	-	-	-	5	2	5	2	7	— gardens.
-	-	-	-	-	-	-	-	-	-	1	1	2	Coming late to work.
-	-	-	-	-	-	-	-	1	-	1	-	1	Riding mules at night.
-	-	-	-	-	-	-	-	1	-	4	-	4	Idleness and laziness.
-	-	-	-	-	-	-	-	-	-	2	-	2	Indiscipline.
-	-	-	-	-	-	-	-	-	-	1	-	1	Disrespect to parents.
-	-	1	-	-	-	-	-	-	-	1	-	1	— overseer.
-	-	-	-	-	-	-	-	1	1	1	2	3	— free coloured people.
-	-	-	-	-	-	-	-	-	-	2	1	3	Harbouring runaways.
1	-	-	-	-	-	1	-	3	-	15	2	17	Stealing canes.
-	-	-	-	-	-	-	-	-	-	1	-	1	Seducing other men's wives.

(continued)

NAMES OF THE QUARTERS - - -	Castries.		Ance Laraye.		Soufriere.		Choiseul.		Laborie.		Vieux Fort.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Domestic Offences— <i>continued.</i>												
Lying - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
False complaints - - - - -	-	-	1	-	1	-	-	-	-	-	-	-
— reports - - - - -	1	1	-	-	-	-	-	-	-	-	-	-
— pretence of sickness - - - - -	-	-	-	-	1	-	-	-	-	-	-	-
Great imprudence with fire - - - - -	-	-	-	-	1	-	-	-	-	-	-	-
Misdemeanors - - - - -	4	1	-	-	4	-	-	-	1	-	1	-
Obstinate in doing their duty - - - - -	-	-	-	-	-	-	-	-	-	-	2	-
Riotous conduct - - - - -	1	-	-	-	-	-	-	-	-	-	-	-
TOTAL - - - - -	72	22	36	4	58	11	8	-	17	4	33	2

Castries, St. Lucia, }  
31 Dec. 1828. }

## N<sup>o</sup> 2.

DESPATCH from Secretary Sir *George Murray* to Major-General *Stewart*,  
&c. &c. &c.

Sir,

Downing-street, 1st September 1829.

Correspondence.

I HAVE had the honour to receive your despatch, dated the 26th of June, enclosing the half-yearly Report of the Protector of Slaves in the island of St. Lucia. I regret to be under the necessity of observing that this document is very unsatisfactory. It is far too concise to afford a complete view of the progress made in executing the law for improving the condition of the Slaves in the colony. The deficiency will be best explained by reference to the Reports which have reached me from the corresponding officers in other colonies. I have the honour to enclose a copy of some of these documents recently printed under an order of the House of Commons. Among them I would particularly direct your attention to the Reports from the Cape of Good Hope and Trinidad, especially the former, as affording models which the Protector in St. Lucia should henceforward follow. You will call upon him to revise the half-yearly Report which I have just received, and to transmit to me an improved Report, framed in accordance with the examples to which I refer.

*Vide* Paper No. 335,  
Ordered by  
House of Commons  
to be Printed,  
12 June 1829.

Amongst the principal deficiencies in the document in question are the following: There is no statement of complaints made by Slaves to the Protector and Guardian. If no such complaints were made, the fact is of great importance, and should be prominently stated, with an explanation of the causes to which it is to be attributed. If, on the other hand, there were such complaints, the Report should specify the nature of the alleged grievances, the names of the parties, the proceedings of the Protector to obtain redress, the dates of each successive proceeding, and the final issue of each.

The Returns on the subject of Manumission convey no information, except that of the number of persons manumitted in the half-year, and a comparison of that number with the Returns of the last preceding half year. The Protector should also have stated to what extent these manumissions were gratuitous, and how many of them were effected under the compulsory process of the recent law; what were the reasons which in each case rendered it necessary to resort to that measure, and what was the price at which each slave was appraised.

Some explanation of the apparent cause of the recent increase in the number of births, and proportionate diminution of that of deaths, should have been given. The notice of the total absence of marriages during the half year should have been accompanied with some explanatory remark. The convenience arising from the singular

Micoud.		Praslin.		Dennerly.		Dauphin.		Gros-ilet.		TOTAL.		GRAND TOTAL.	NAMES OF THE QUARTERS.
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		NATURE OF OFFENCES.
-	-	-	-	-	-	-	-	4	-	4	-	4	Lying.
-	-	-	-	-	-	-	-	-	-	2	-	2	False complaints.
-	-	-	-	-	-	-	-	-	-	1	1	2	— reports.
-	2	-	-	-	-	-	-	-	-	1	2	3	— pretence of sickness.
1	-	-	-	-	-	-	-	-	-	2	-	2	Great imprudence with fire.
-	-	-	-	1	-	-	-	-	-	11	1	12	Misdemeanors.
-	-	-	-	-	-	-	-	-	-	2	-	2	Obstinate in doing their duty.
-	-	-	-	-	-	-	-	-	-	1	-	1	Riotous conduct.
38	9	21	2	6	2	19	12	34	12	342	80	422	TOTAL.

Peter Muter, Pro<sup>r</sup> Gen<sup>l</sup>.

singular brevity of the Report on which I am commenting does not afford any adequate compensation for the inconvenience occasioned to His Majesty's Government by the want of that complete statistical information on the subject of slavery which the Reports of the Protector and Guardian were intended to supply.

Correspondence.

I have, &c.

(signed) G. MURRAY.

N<sup>o</sup> 3.

DESPATCH from Major-General Stewart to Secretary Sir George Murray, &c. &c. &c.

(With One Enclosure.)

Government House, St. Lucia,  
10th November 1829.

Sir,

I HAVE had the honour to receive your despatch of 1st September, acknowledging the receipt of mine of 26th June, enclosing the Report of the Protector of Slaves of St. Lucia. I have also received the Reports of the Guardian of Slaves of the Cape of Good Hope and Demerara, and have read your observations on the brevity and want of full information of the Report of the Protector of this island.

Applying my attention very early to the state of the slaves, and looking over the Reports of the Protector, I saw how very deficient they are, and how little they convey of useful information. Intending to correct and supply this deficiency, I suggested several alterations and additions, but I was informed that the Reports were drawn out in strict conformity to the forms sent from England. Inquiring further, I found that the form of report received here is the same as that which has been filled up and forwarded to you. I therefore did not think myself justified in changing the form, or to introduce any alterations. Finding now, however, that there can be no objection to a full report, however much it may go into detail, I will take care that sufficient instructions are given to prepare materials for the next Report; in the meantime I beg leave to forward a more extended document than that formerly sent.

I will reserve my observations in length on the Report now enclosed until the next is prepared, and at present notice only that I must attribute the absence of marriages to the want of proper clergymen.

The increase of births and diminution of deaths proceed from the same cause; that is, a very healthy season without any prevailing disease. In future the births may



PART IV.

ST. LUCIA.

Correspondence.

may be expected to exceed the deaths, from a cause which I explained in my despatch of October on the state of the slaves. It is well known that Africans are much more subject to disease and climatic attacks than the natives or creoles of the West Indies, and that preserving some of their original habits, they are more averse to marriage, or to connect themselves with one female, than slaves born in the colonies. The imported slaves are fast disappearing; the native slaves are more healthy, less subject to climatic affections, and consequently more prolific; hence the progressive increase in the slave population which may now be expected. This seems to me a sufficient cause for the difference between the deaths and births. I regret much to see that manumissions are decreasing, and regret the circumstance the more as I have good reason to suspect that it proceeds from the new manumission law. This law, so benevolent and well-intentioned in theory, is so far objectionable in practice, that proprietors are beginning to lose the pride they had in giving liberty as a gift to a meritorious slave; as now, if the slave has acquired the means for purchasing freedom by the indulgence of the master, freedom can be claimed, and thus the merit of generous reward to a faithful slave is lost. I will not go the length of saying that the same indulgence and opportunities to procure the means to purchase their freedom is not given to slaves as was formerly done, but I know that there are several who now repent having so indulged their people, because they have lost or are likely to lose the service of a valuable servant, without having the merit of doing a generous act as a recompence for the loss. It is evident that it is only an industrious good slave that can accumulate money to purchase freedom, consequently the sum given by law, or appraised value, *seldom offers a compensation* for the loss of the owner; this perhaps is selfish and narrow-minded, but I fear there is something of the feelings of human nature in it; and this benevolent and well-intended law offers a marked instance of the great caution necessary, with a full knowledge of circumstances, character and principles, in framing laws which affect the feelings, prejudices and self interest of a people or of individuals.

Be this as it may, there is no doubt of the great difference between the number of manumissions of past years and the present.

The Protector of Slaves assigns as a reason for the great number manumitted formerly a desire on the part of many people to defraud their creditors. I am not prepared to be of this opinion, as although a debtor may have no hesitation in defrauding a creditor to serve himself, it is not so clear he would thus defraud, give his slave freedom, and lose his services merely to serve the slave, except in those cases where the slave saved money; and where this is the case, and when he has money, the law has provided for his freedom. Another cause is assigned, not more honourable, but perhaps as true as the other. Formerly considerable fees were given to Governors and other officers on every slave manumission. The gross amount received annually by officers was, I am told, very great. A field-officer of the 60th regiment, administering the Government for 25 days in the absence of the Governor, received upwards of 450*l.* sterling, as fees on the manumission of slaves.

Without imputing improper rules of action, or ascribing motives, I am ready to believe, from the knowledge I have of human nature, that the great encouragement to emancipation was kept in action by the consequent emoluments. Latterly masters may by the law be losers, and no persons are gainers, consequently none are personally interested except the poor slave, and if he can accomplish his freedom it is so far well; but except men who are actuated by more than a common share of philanthropy, none else will show that anxious desire for the emancipation of slaves which was formerly so conspicuous among those who benefitted by it.

And I have the honour to be, Sir,

Your most obedient humble servant,

(signed) *David Stewart*, Governor.

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It is said, and I believe with truth, having the information from officers on the staff, that the Generals Brusher and Wood had each cleared upwards of 5,000*l.* sterling by granting manumissions.

REPORT of the Protector of Slaves to Major-General *Stewart*, for Six Months, ending 30 June 1829.

PART IV.

ST. LUCIA.

Report from  
Protector of Slaves.

Protector of Slaves Office, St. Lucia,  
26 October 1829.

Sir,

I HAVE the honour to acknowledge the receipt of Sir George Murray's despatch of 1st September last, requiring me to give a greater extension to my half-yearly Reports, and particularly to enter into such a sufficient detail as will furnish that complete statistical information on the subject of slavery which the Reports of the Protector and Guardian were intended to supply.

I am also referred to certain Reports from the Colonial Governments, and am required in future to draw up my Report of complaints and other matters connected with my office, in the manner set forth in the Report of the Protector and Guardian of slaves at the Cape of Good Hope.

With reference to the first, I have to request that your Excellency will forward the detailed papers, forming the Appendix to the despatch on which the right honourable Secretary of State particularly observes, which Appendix contains, I believe, the whole of the official documents called for in the despatch, for the six months commencing on the 1st July and ending on the 31st December 1828, with the exception of the prosecutions and manumissions.

I have now the honour to submit a similar Return for the six months ending 30th June last, together with a Return of the prosecutions and manumissions for the preceding six months, and shall proceed in entering on such explanations as seem to me to be called for and are generally reported upon by other Protectors.

#### BIRTHS AND DEATHS.

The Returns herewith are extremely gratifying, for although within the last six months the deaths have somewhat increased, still the increase in the births is so great as to cover the increase of deaths and leave a larger difference in favour of population in the last six months than I believe has yet appeared.

The births are	-	-	-	-	191
deaths	-	-	-	-	121
Difference in six months	-	-	-	-	70

Now when it is considered that the increase has been so progressive, that the Returns are confined to estates on which there are at least six working slaves, that slaves on small estates and domestics were ever on the increase, and when these unquestionable facts are contrasted with the former state of the island with regard to slave population, it seems to me that the only fair inference is, that this change is owing to an amelioration in their condition, resulting principally from these regulations, and next from the re-establishment or rather establishment of order generally in the island.

#### PUNISHMENTS.

Here I regret to find there has been an increase, as compared with the last half-yearly Return. It should be observed, however, that the Return of the half year embracing the crop season, is always proportionally heavier than that of the subsequent half year. The remainder must, I fear, be attributed to some excitement of mind both in masters and slaves, resulting from the improper but industriously disseminated reports respecting emancipation—reports which, in the old English colonies, are duly appreciated, but which in this island, where the planters are mostly French, and where there are not four respectable English proprietors, might, if they were not properly contradicted, produce discontent in both masters and slaves: a cause of this kind is, however, necessarily temporary.

#### PROSECUTIONS.

It will be observed here how very few, even under this excitement, have been the complaints on both sides. The complaints of masters against slaves amount to 14, and as will appear, are generally for desertion or theft. The complaints of slaves against masters are only five, of which two were founded and three unfounded. Amongst the complaints of masters against slaves there is also a case in which both master and slave were punished. This, if it was necessary, proves convincingly that masters and slaves appeal with equal confidence to the Courts of Justice when they find themselves aggrieved, and that their complaints are patiently heard, duly investigated and impartially decided. On this head I beg to enclose the only two applications for an investigation on estates. On both occasions I, accompanied by the Assistant Protector, proceeded to the estates, and, as will be seen from the Reports herewith, they turned out to be of very little moment. Masters have occasionally complained of their not being allowed to carry the cat or martinet into the field. I admit, when the law was first introduced, proprietors had reason to complain of relaxation in the field labour, from the driver being divested of every badge of authority; but latterly the complaints on this head have been very few, and I am of opinion that the master and slave will



it would appear surprising that working field-slaves should obtain so large a sum; but when it is considered that formerly they had little more than two hours, namely, from 12 to 2 in each day, together with the Sunday, to supply their own food and clothing, that they have now the whole or half of Saturday, according as they are in or out of crop, and are further supplied with clothing and cod-fish by the owner; that they are in a country where they may employ their time to great advantage in cutting logwood or cultivating provisions to any extent; that within the last few years full 1,400 tons of logwood (amounting to 16,800 Spanish dollars, an occupation almost exclusively carried on by slaves for their own account,) have been exported from this, the manner in which the money was obtained is not only easily accounted for, but I think myself warranted in saying that there is scarcely an effective field-slave of industrious habits who may not in the course of a few years raise a sufficient sum to emancipate himself: and when the prospect of ultimate freedom, together with the very great comforts and protection they are enjoying are duly considered, I not only conceive that manumissions will increase in the course of time at a steady rate, but that the large increase in the births is also fully accounted for.

MARRIAGES.

These, I regret to say, have not increased, and it is still more painful to add, though being required to state my opinion of the cause by the right honourable the Secretary of State, I feel bound to say that this may be in a great measure attributed to the inefficient state of the ecclesiastical establishments. On the whole, I feel satisfied, that with prudence and steady perseverance these Slave Regulations will be productive of advantage to all parties.

I have the honour to be, Sir,  
Your Excellency's very obedient humble servant,  
*Peter Muter, Pro' Genl.*

Appendix (A.)

drawn up from the Returns of Punishments forwarded to the 'Protector of Slaves by the Commissary- of the Offences, the Number of Slaves committing each particular Offence in each Quarter, and the Total

Micoud.		Praslin		Dennery.		Dauphin.		Gros-islet.		TOTAL.		GRAND TOTAL.	- - - NAMES OF QUARTERS.
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		
-	-	-	-	-	-	-	-	-	-	3	-	3	Serious and aggravated Offences :
-	-	-	-	-	-	-	-	2	-	3	-	3	Assault.
-	-	-	-	-	-	-	-	-	-	1	1	2	Attempting to ravish.
1	-	-	-	-	-	-	-	-	-	1	-	1	Cutting others with cutlass.
-	-	-	-	-	-	-	-	-	-	9	-	9	Killing stock.
-	-	-	-	-	-	-	-	1	-	4	-	4	Cruelty to animals.
-	-	-	-	-	-	-	-	-	-	-	-	-	Housebreaking and stealing.
2	-	-	-	2	-	1	-	6	-	47	1	48	Theft, &c.:
-	-	-	-	-	-	-	-	-	-	2	3	5	Theft.
-	-	-	-	-	-	-	-	-	-	-	-	-	Receiving stolen goods.
-	-	-	-	-	-	-	-	-	1	2	2	4	Insubordination, accompanied with Violence :
1	-	-	-	-	-	-	-	-	-	1	-	1	Raising cutlass against others.
-	-	-	-	-	-	-	-	-	-	-	-	-	Threatening to cut the driver.
-	-	-	-	-	-	-	-	-	3	1	13	14	Insubordination unaccompanied with Violence:
3	-	-	-	-	-	-	2	1	1	14	5	19	Refusing to work.
-	2	-	-	1	-	6	3	1	-	23	13	36	Insolence.
8	2	3	2	5	2	1	7	1	2	29	18	47	Disobedience.
-	-	-	-	-	-	1	-	-	-	4	5	9	Insubordination.
5	1	4	-	1	-	-	-	6	1	54	8	62	Bad language to owners and others.
3	-	-	-	5	-	1	2	2	4	20	10	30	Running away.
-	-	-	-	-	-	-	-	1	1	1	1	2	Absenting.
-	-	-	-	-	-	-	-	-	-	-	-	-	Mutinous language.

(continued)

## COPIES OF REPORTS FROM

NAMES OF QUARTERS - - -	Castries.		Ance Laraye.		Soufriere.		Choiseul.		Laborie.		Vieux Fort.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Domestic Offences:												
Quarrelling and fighting - - - - -	-	-	1	4	5	5	-	-	-	-	2	-
Biting others - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Beating others - - - - -	3	-	1	-	1	-	1	-	1	-	1	-
Bad work - - - - -	1	-	-	-	-	-	-	-	-	-	-	-
Drunkenness - - - - -	-	-	-	-	1	-	-	-	2	-	1	-
Negligence - - - - -	7	2	-	-	-	-	-	-	-	-	-	-
Neglecting duty - - - - -	23	1	7	-	12	-	-	-	3	-	13	-
— prayers - - - - -	-	-	-	-	2	-	-	-	-	-	2	1
— person - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
— grounds - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
— stock - - - - -	3	-	-	-	-	-	-	-	-	-	-	-
Coming late to work - - - - -	4	9	-	-	1	-	-	-	-	-	-	1
Leaving the estate at night - - - - -	-	-	1	-	-	-	-	-	-	-	-	-
Idleness and laziness - - - - -	8	-	-	-	1	-	-	-	2	-	-	-
Dirtiness - - - - -	1	-	-	-	-	-	-	-	-	-	-	-
Riotous Conduct - - - - -	1	-	1	-	-	-	-	-	-	-	-	-
Harbouring runaways - - - - -	2	-	-	-	-	1	-	-	-	-	-	-
Breaking hospital - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Cutting and stealing canes - - - - -	-	-	-	-	2	1	2	-	-	-	-	-
Burning grounds without giving notice - - - - -	-	-	-	-	2	-	-	-	-	-	-	-
Lying, &c. - - - - -	2	-	-	-	-	-	1	-	-	-	-	-
False complaints - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Making false keys - - - - -	-	-	1	-	-	1	-	-	-	-	-	-
Misdemeanors - - - - -	7	1	1	-	1	-	-	-	-	-	-	-
<b>TOTAL - - -</b>	<b>112</b>	<b>42</b>	<b>44</b>	<b>8</b>	<b>61</b>	<b>13</b>	<b>7</b>	<b>2</b>	<b>17</b>	<b>3</b>	<b>37</b>	<b>3</b>

Castries, St. Lucia.

## Appendix (B.)

## SUMMARY of BIRTHS and DEATHS in the Island of St. Lucia, from 1st January to 30th June 1829.

	Births.	Deaths.
Castries - - - - -	22	16
Ance Laraye - - - - -	10	8
Soufriere - - - - -	49	19
Choiseul - - - - -	12	10
Laborie - - - - -	30	14
Vieux Fort - - - - -	21	15
Micoud - - - - -	6	6
Praslin - - - - -	6	4
Dennery - - - - -	7	11
Dauphin - - - - -	7	6
Gros-Islet - - - - -	21	12
<b>TOTAL - - -</b>	<b>191</b>	<b>121</b>

Castries, St. Lucia.

(signed) Peter Muter, Pro' Genl.

Micoud.		Praslin.		Dennery.		Dauphin.		Gros-islet.		TOTAL.		GRAND TOTAL.	- - - NAMES OF QUARTERS.
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		
-	2	-	-	-	-	-	-	-	2	8	13	21	Domestic Offences :
-	-	-	-	-	-	2	-	-	-	2	-	2	Quarrelling and fighting.
-	-	1	2	1	-	-	1	1	-	11	3	14	Biting others.
-	-	-	-	-	-	-	-	-	-	1	-	1	Beating others.
1	-	-	-	-	-	-	-	-	-	5	-	5	Bad work.
-	-	-	-	-	-	-	-	-	-	5	-	5	Drunkenness.
-	-	-	-	-	-	-	-	7	-	14	2	16	Negligence.
19	2	7	-	5	-	9	2	6	5	104	10	114	Neglecting duty.
-	-	-	-	-	-	-	-	-	-	4	1	5	— prayers.
-	-	-	-	-	-	1	-	-	-	1	-	1	— person.
-	-	-	-	-	-	-	-	1	1	1	1	2	— grounds.
-	-	-	-	-	-	-	-	-	-	3	-	3	— stock.
-	-	-	1	-	-	-	-	1	-	6	11	17	Coming late to work.
-	-	-	-	-	-	-	-	-	-	1	-	1	Leaving the estate at night.
-	-	-	-	-	-	-	-	-	-	11	-	11	Idleness and laziness.
-	-	-	-	-	-	-	-	-	-	1	-	1	Dirtiness.
-	-	-	-	-	-	-	-	-	1	2	1	3	Riotous conduct.
-	-	-	-	-	-	-	-	-	1	2	2	4	Harbouring runaways.
-	-	-	-	3	-	-	-	-	-	3	-	3	Breaking hospital.
1	-	-	-	-	-	-	-	-	-	5	1	6	Cutting and stealing canes.
-	-	-	-	-	-	-	-	-	-	2	-	2	Burning grounds without giving notice.
-	-	-	-	-	-	-	-	-	-	3	-	3	Lying, &c.
-	-	-	-	-	-	-	-	1	-	1	-	1	False complaints.
-	-	-	-	-	-	-	-	-	-	1	1	2	Making false keys.
3	-	-	-	-	-	-	-	3	1	15	2	17	Misdemeanors.
47	9	15	5	23	2	22	17	41	24	426	128	554	

Peter Muter, Pro<sup>r</sup> Gen<sup>l</sup>.

Appendix (C.)

RETURN of FREE BAPTISMS in the Island of St. Lucia, between the 1st January and 30th June 1829.

DATE.	Name of the Child.	Name of Owner.
1829:		
February 8	Jean Baptiste	Mdlle. Marie-Ursule Fortin.
— 29	Jean Remy	Mr. André Girard.
March 24	Elias Toussine	Mdlle. Catharine Firlicot.

Castries, St. Lucia.

Peter Muter, Pro<sup>r</sup> Gen<sup>l</sup>.

Appendix (D.)

RETURN of SLAVE MARRIAGES in the Island of St Lucia, between 1st January and 30th June 1829.

DATE.	Name of the Female.	Name of the Male.	Name of Owner.
1829:			
May 13	Caprisse	Petit Paul	Mr. Roudier.

Castries, St. Lucia.

Peter Muter, Pro<sup>r</sup> Gen<sup>l</sup>.

RETURN of MANUMISSIONS that have been applied for and obtained by Plantation and Personal Slaves, between the 1st day of July and 31st December 1828.

DATE.	NAME OF SLAVE.	NAME OF OWNER.	Plantation.	Personal.	OBSERVATIONS.
1828: July 1	Jacques Badeau	Mr. F. Cenac	1	-	-- by the testamentary disposition of his master 27 years back. See testator's memorial to the First President on this case, annexed.
- -	Henry Mine	Mlle. F. Schoner	-	1	Benevolent motives of the owner.
- 26	Elizabeth Petit	Mlle. F. Schoner	-	1	Benevolent motives of the owner.
- -	Marie Julie Mine	Mlle. F. Schoner	-	1	Benevolent motives of the owner.
- 29	Angele, <i>alias</i> Louise	Toussaint	-	1	Benevolent motives of the owner.
August 7	Louise Donne	Mdles. Theotiste and Anastasie.	-	1	Benevolent motives of the owner.
- 6	Daphnis	V <sup>e</sup> Laurent Jarlat	1	-	-- by virtue of the 105 Article of the Slave Law.
- -	Rose and Emilie Françoise.	P. Siberon	-	2	Recompense for faithful services.
September 18	Remi Lafute	Mr. J. P. Noel	1	-	-- by testamentary disposition of his master in his favour, for faithful services.
- -	Mathieu	Heirs of Desvolieres	1	-	Price not known.
- 24	Edma	Mr. Le Chantre	-	1	-- the slave being an infant, was appraised at 96 Spanish dollars, and freed by a relation.
- 30	Marie Reine	Jean Pierre	-	1	-- confiscated to the Crown, in consequence of not being enregistered.
- 23	Prosper and Helen Rose.	Mdlle. E. Rolland	2	-	-- two children freed by a relation, in virtue of the 105th Article of the Slave Law, and valued at 150 and 100 Spanish dollars.
October 6	Veronique	Mr. William Muter	1	-	-- 165 Spanish dollars; price agreed upon with her master.
- -	Basile	Mr. J. P. Noel	1	-	-- by testamentary disposition in his favour by his late owner.
- 24	Martial	Mr. William Muter	1	-	-- freed by virtue of the 105th Article of the Slave Law, and estimated by appraisers legally appointed at 750 Spanish dollars.
- -	Marie Anne, <i>alias</i> Jacques.	Mr. L. Mutel	-	1	-- 200 Spanish dollars, price agreed upon between master and slave.
November 15	Anne Anastasie	Succ <sup>n</sup> Alexander	1	-	-- by virtue of the 105th Article of the Slave Law; a child purchased and emancipated by a free relation, the price 90 Spanish dollars, valued by appraisers legally appointed.
December 23	Jean	Succ <sup>n</sup> Lafargue	1	-	-- by virtue of the 105th Article of the Slave Law; a child purchased and emancipated by a freed relation, the price 72 Spanish dollars, valued by appraisers legally appointed.
			11	10	

LETTER from the Protector of Slaves to the First President of the Court Royal.

PART IV.

ST. LUCIA.

St. Lucia, 28 February 1827.

Report from  
Protector of Slaves.

THE Protector of Slaves begs leave to state to his Honour, the First President of the Court Royal, that Jacques Badeau, a slave attached to Bellevue estate, the property of the heirs of Doctor Cenac, has applied to obtain a deed of manumission: the said Jacques Badeau states, that his former master, who died above 27 years ago, directed his heirs by a testamentary document, to release him from slavery, and to obtain for him an act of enfranchisement immediately after his decease; he further states, that although the heirs have allowed him annually a small recompence for his services on the plantation since the death of his master, yet they have not carried into effect the wish of the testator in liberating him from bondage.

The Protector of Slaves now on behalf of the said Jacques Badeau, entreats his Honour the First President to cite to appear at the next meeting of the Slave Manumission Court, Mr. François Cenac, the present representative of the heirs of the deceased Doctor Cenac, and interrogate him under oath, whether, to the best of his knowledge and belief, the will of Doctor Cenac, which cannot now be found, did or did not, contain the disposition before-mentioned in favour of Jacques Badeau, and in the event of Mr. François Cenac replying in the affirmative, to issue an order for the immediate emancipation of the said Jacques Badeau.

(signed) Peter Muter.

(Translated Copy of the Judgment.)

Court House, St. Lucia, 2d April 1827.

HAVING considered the demand of the Protector of Slaves on behalf of Jacques Badeau, belonging to the succession of Doctor Cenac, against Mr. François Cenac, representing the heirs, and the deposition under oath of the said François Cenac, which confirms the statement in the remonstrance of the Protector, I order the immediate enfranchisement of the slave Jacques Badeau, and direct the expense of the manumission deed to be borne by the defendants.

(signed) John Jeremie,  
First President.

Castries, St. Lucia.

Appendix (E.)

RETURN of MANUMISSIONS that have been applied for and obtained by Plantation and Personal Slaves, between the 1st day of January and 30th day of June 1829.

DATE.	NAME OF SLAVE.	NAME OF OWNER.	Plantation.	Personal.	OBSERVATIONS.
1829: January 5	Scholastique - -	Mr. Ravineau - -	1	- -	-- 660 Spanish dollars; price agreed with her master.
- - -	François Vieux Fort	Mr. Drouilhet - -	1	- -	-- 660 Spanish dollars; freed by virtue of the 105th Article of the Slave Law.
- - -	Zélie - - -	Mr. Mayeux - - -	- -	1	-- confiscated to the Crown, in consequence of not being enregistered.
- - -	Fanny Justine - -	Mdlle. Asselain - -	- -	1	-- price not known; agreed upon privately between the slave and owner.
- - -	Délp'ine Burke - -	Veuve Tanquiray - -	- -	1	Recompence for good services.
- - -	Constantin - - -	Mr. Lacuissiere - -	- -	1	-- freed by testament of late owner for good services.
- 23	Marie Louise Bibianne	V <sup>c</sup> Jore Mondesir - -	- -	1	216 Spanish dollars.

(continued)



## COPIES OF REPORTS FROM

DATE.	NAME OF SLAVE.	NAME OF OWNER.	Plantation.	Personal.	OBSERVATIONS.
1829: January 28 -	Veronique Cloe -	Mdlle. Sophie Laugier -	- -	1	-- price not known; agreed upon privately between slave and owner.
- 29 -	Jean Baptiste Tante	Madame Feningre -	- -	1	Recompense for his good services.
- - -	Mondesir Corantin -	Mr. Mallet l'aret -	- -	1	-- price not known; agreed upon privately between slave and owner.
February 12	Marthe Martherose -	Mdlle. M. Levacher -	- -	1	216 Spanish dollars.
- 14	Joseph Rose -	Veuve Lefort -	- -	1	Recompense for his good services.
- -	Reine -	Augustin Deroze -	- -	1	-- left free by testament of owner for good services.
- 19	William and Amelia Ismene.	Mr. George Baillie -	- -	2	-- freedom given gratis by the owner.
March 16 -	Julienne Filette -	Mr. Monié -	- -	1	-- by testament of master for good services.
April 29 -	Jacques Françoise -	Veuve Meynard -	- -	1	-- price not known; agreed upon privately between the slave and owner.
May 2 -	François -	Mr. William Muter -	1	-	-- 360 Spanish dollars; freed by virtue of the 105th Article of the Slave Law.
- 23 -	Rosalie -	- ditto -	1	-	-- price not known; agreed upon privately between slave and owner.
- 29 -	Joseph Campous -	Succ <sup>n</sup> Dujon -	1	-	-- 660 Spanish dollars; freed by virtue of the 105th Article of the Slave Law.
- - -	Marie -	Mdlle. Coralie Nadeau -	- -	1	-- price not known; agreed upon between slave and owner.
June 12 -	Louis Lastic -	Mr. Nicolas Lastic -	1	-	-- left free by will of his late master for faithful services.
- 12 -	Marie Louise -	Simon Papilotte -	- -	1	-- left free by her master for faithful services.
- 23 -	Françoise Terentia -	Mr. F. Cenac -	- -	1	-- price not known; freed by virtue of the 105th Article of the Slave Law.
- 24 -	Alexandrine Fanihon	Mr. Louis Gaugy -	- -	1	From benevolent motives.
- - -	Symphor Toinette -	Mr. J. B. Lartigue -	- -	1	Ditto - - - ditto.
- 27 -	Técle Girard -	Augn. Tapage -	- -	1	-- freed by desire of her mistress for faithful services.
- - -	Jean Louis Simon -	Mr. J. B. Lartigue -	- -	1	Recompense for his good services.
- - -	Louis Papin -	Mr. Geo. M'Cullom	1	-	-- released from slavery, having been born free. See Correspondence annexed.
TOTAL - - -			7	22	

## RECAPITULATION:

Plantation slaves - - - - -	7
Personal slaves - - - - -	22

GRAND TOTAL - - - - - 29

RETURN of PROSECUTIONS for and against Slaves, in the Law Courts of St. Lucia, from the 1st day of July to the 31st December 1828.

PART IV.  
ST. LUCIA.

Report from  
Protector of Slaves.

COMPLAINTS of the Protector of Slaves against Owners.	NATURE OF THE OFFENCE.	DECISION GIVEN.
The Protector v. Mr. Dugard Turgis.	abandoning an infirm slave -	- - the slave confiscated to the colony, and the owner condemned to pay to the colonial chest 50* sous per day from 12th July 1828 until the death of said slave, and likewise to pay the expense of prosecution.
The Protector, for the slave Jean Charles, v. Philip Pugeole <i>alias</i> Dodu, owner of said slave.	- - the owner accused of infringing the 38th Article of the Code, in treating the slave with cruelty.	- - the owner acquitted; it appearing that the ill treatment was inflicted by another slave without the knowledge of the master.
The Protector, for the slave Sarah, v. Miss Princess Eddington and Rebecca Jordan, her owners.	- - infringing the 40th Article of the Slave Code relating to the punishment of female slaves.	- - owners condemned to pay 100 Spanish dollars fine.
The Protector, for the slave Elvina Thompson, v. John Castels, her master.	- - the master accused of treating his slaves with cruelty.	the master acquitted.
The Protector, for a slave called Poncette, v. Eusebe, owner of said slave.	- - accused of having, the 7th of June 1828, severely wounded the slave Poncette by a stroke of a cutlass on the left shoulder and right arm, but which wounds were nearly healed the 3d July following.	- - decree of the Royal Court. Having taken into consideration the 38th, 47th and 48th Articles of the Slave Code, and the last report of the medical gentleman who attended the slave, from which it appears that the said slave is not rendered incapable of doing her usual work, "condemns the master to three months' imprisonment, and to pay all the expenses of the prosecution; and further orders the said slave, Poncette, to be sold, and the price, after deducting all charges, to be paid over to the person who may appear entitled to receive it."

\*  $\frac{1}{4}$  Spanish dollar.

COMPLAINTS of Masters against their Slaves.	NATURE OF THE OFFENCE.	DECISION GIVEN.
Mr. Taillason v. Jean François, his slave.	running away repeatedly -	- - the slave condemned to receive 100 lashes of the cat, and two months' solitary confinement on his master's estate.
Mr. Barwell v. François <i>alias</i> Chouchou, his slave.	running away the second time -	- - the slave condemned to receive 60 lashes of the cat, and two months' solitary confinement.
Mr. Bertrand v. Timothé, his slave.	- - running away a third time, after having been punished for the two first offences.	- - the slave condemned to receive 100 lashes of the cat, and to work three years with a chain.
Mr. William Muter v. William Cane, his slave.	- - absenting himself repeatedly from the schooner Governor Seymour, where he is employed as a sailor.	- - the slave condemned to receive 40 lashes of the cat in the market-place, and to work three months with a chain.
Mr. R. S. Robinson v. Antoine, his slave.	running away repeatedly -	- - the slave condemned to receive 60 lashes of the cat, and to work one year with a chain.
Mr. Taillason v. Noel, his slave	running away repeatedly -	- - the slave condemned to receive 60 lashes of the cat, and two months' solitary confinement.
Mr. Alexander Trotter, manager of Choe estate, v. Lucienne, a slave attached to said estate.	- - repeated absences from the property.	- - the slave condemned to receive 40 lashes of the cat, and to be worked during two years with a chain on said estate.

(continued)

PART IV.  
ST. LUCIA.

Report from  
Protector of Slaves.

COMPLAINTS of Masters against their Slaves.	NATURE OF THE OFFENCE.	DECISION GIVEN.
Mr. Thomas Goodsir, attorney to Union estate, v. Quacou alias Joseph, a slave attached to said estate.	- - running away repeatedly, after having been punished for the first offences.	- - the slave condemned to receive 100 lashes of the cat in presence of the medical gentleman attending the estate, and to be worked two years with a chain.
Mr. William Muter v. Dick, his slave.	- - absenting himself from the sloop Glory, where he is employed as a sailor, and remaining away six days, when he was taken up by the Police.	- - the slave condemned to receive 40 lashes of the cat.
Mr. Duncan Ferguson and proprietors of Grand'Ance estate, v. Charles and Pierre, both slaves attached to said estate.	- - Charles, for running away the first time, and Pierre, for running away a second time.	- - Charles condemned to receive 40 lashes of the cat, and one month's solitary confinement; Pierre, to receive 60 lashes, and to be worked three months with a chain.
Mr. Lenger v. Lion, his slave -	- - absenting himself twice, after having been punished for a similar fault.	- - the slave condemned to receive 60 lashes of the cat, and to be worked one year with a chain.
Mr. Thomas Goodsir, attorney to the proprietors of the Union estate, v. Leandre, a slave belonging to said estate.	- - stealing salt fish and rum upon said estate.	- - the slave condemned to receive 40 lashes of the cat, and to be worked 18 months with a chain on said estate.
Mr. Shaw, manager of Grand'Ance estate, v. Augustin and Elier, slaves belonging to said estate.	running away - - - -	- - both slaves condemned to receive 40 lashes, and one month's solitary confinement each on said estate.
Mr. Doussard, co-proprietor of Incommode estate, v. Philip Douglas, a slave attached to said estate.	- - absenting himself three weeks from the estate without leave.	- - the slave condemned to receive 40 lashes of the cat, and two months' solitary confinement.

Castries, St. Lucia.

Peter Muter, Pro'-Gen'.

Appendix (F).

RETURN of PROSECUTIONS for and against Slaves in the Law Courts of St. Lucia, from the 1st day of January to 30th June 1829.

DATE.	COMPLAINTS of the Protector of Slaves against Owners and others.	NATURE OF THE OFFENCE.	DECISION GIVEN.
1829: Jan. 8 -	The Protector v. Pelagie, Moco and Louison, belonging to different owners.	- - assembling for seditious purposes.	- - the slaves condemned to 20 lashes of the cat.
Mar. 2 -	The Protector, for the slave Joseph, attached to Confiance estate, v. Mr. Brossard, manager of said estate.	- - manager accused of not giving the allowance ordered by the Slave Code, and of having put the said slave into the cachot for missing his night watch.	- - the slave condemned to 40 lashes of the cat, his complaint being unfounded.
Apr. 6 -	The Protector, for the slave Faïance, attached to Mon D'Or estate, v. Mr. M'Cullom, his owner, and the manager.	- - the owner and manager accused of infringing the 38th Article of the Slave Code.	- - the owner condemned to pay 100 Spanish dollars fine to the colony.
- 23 -	The Protector, for the slave Prosper, attached to Troumacé estate, v. William Taylor, sugar boiler on said estate.	- - the said William Taylor accused of striking the said slave.	- - William Taylor condemned to pay four Spanish dollars fine for damages.
June 22 -	The Protector, for the slaves Jean Paul, Franc, Catharine, Clara, Marie, Eliette, Robertine, Sophie, Rosette, Fanchine and Antoinette, attached to Des Soucis estate, v. Madame Drouilhet.	- - Madame Drouilhet accused of cutting the handles of the negroes hoes, but not proven.	- - Catharine condemned to receive 20 lashes of the cat, and the others 15 lashes each.

DATE.	COMPLAINTS of Masters against their Slaves.	NATURE OF THE OFFENCE.	DECISION GIVEN.
1829: Jan. 2 -	Mr. William Muter v. Badeau and Joe, his slaves.	- - absenting themselves from the schooner Governor Seymour, and stealing carpenter's tools.	- - both slaves condemned to 40 lashes of the cat, and to work in the chain-gang 12 months.
- 7 -	Mr. Prudent, manager of Lacaille estate, v. Thomas, a slave attached to said estate.	- - the slave accused of rebelling against the manager.	- - The slave condemned to 40 lashes of the cat, and to work one year with a chain. The manager condemned to pay 100 Spanish dollars fine, for infringing the 38th Article of the Slave Code.
- 8 -	Mr. Moreau Jolimont v. Lucette, his slave.	- - running away upwards of two years.	- - the slave condemned to 40 lashes of the cat, and one month solitary confinement upon the estate.
- 29 -	Mr. Prevost, manager of Mount Pleasant estate, v. Esperance, a slave attached to said estate.	- - running away and resisting the manager.	- - the slave condemned to 40 lashes of the cat, and to work six months with a chain.
Feb. 10 -	Mr. Prevost, manager of Mount Pleasant estate, v. Regis, Augustin, Calixte, Louis and Jean Pierre.	- - absenting themselves without permission.	- - the slaves condemned to receive 40 lashes of the cat in gaol.
- 26 -	Mr. Miller, manager of the Union estate, v. Melie, Ibo, Charlotte, Victoire, Madge, Marthe, Henriette, Marc and Veronique, slaves of said estate.	refusing to work - -	- - six female slaves condemned to receive 10 lashes of the cat, Marc to receive 20, and Veronique discharged.
- 29 -	Mr. Alexander Trotter, manager of Choe estate, v. Lucienne, slave of said estate.	- - burglary, and repeated running away.	- - the slave condemned to receive 60 lashes of the cat, and to work three years with a chain.
Mar. 13 -	The Honourable James Muter v. Auguste, his slave.	theft and running away -	- - the slave condemned to 40 lashes of the cat, and to work one year with a chain upon his master's estate.
- 13 -	Mr. Toulouse v. Julienne, his slave.	running away - -	- - the slave condemned to receive 40 lashes of the cat, and one month's solitary confinement.
Apr. 15 -	Mr. Drouilhet, proprietor of Des Soucis' estate, v. Scipion, Jean Paul, Françoise and Marie Angeique.	- - disobedience and insubordination.	- - Scipion condemned to receive 40 lashes of the cat, Jean Paul 30, and the two females 20 lashes each.
- 23 -	Mr. Brossard v. Major, his slave, and Reine, belonging to Mr. Philip.	- - Major for running away, and Reine for harbouring him.	- - Major condemned to receive 40 lashes of the martinet, and one month's solitary confinement, Reine condemned to receive 20 lashes.
- 23 -	The Honourable James Muter v. Aug <sup>te</sup> Rosalie, his slave.	- - stealing ground provisions.	- - the slave condemned to receive 60 lashes of the cat, and to work two years with a chain on said estate.

(continued)

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Report from  
Protector of Slaves.

DATE.	COMPLAINTS of Masters against their Slaves.	NATURE OF THE OFFENCE.	DECISION GIVEN.
1829: May 21 -	The Honourable James Muter v. Jean Louis Brunton, Jean Philipe, Barbe and Avril Jean.	stealing sheep - - -	- - J. L. Brunton condemned to 60 lashes of the cat, and to work two years with a chain, Avril Jean 50 lashes and to work one year with a chain, and Jean Philip Barbe 40 lashes.
June 25 -	Madame Ve. Lauriol de St. Croix v. Adon Lucette, her slave.	running away 14 months -	- - the slave condemned to receive 100 lashes, and two months' solitary confinement.

Castries, St. Lucia.

Peter Muter,  
Pro<sup>r</sup> Gen<sup>l</sup>.

CORRESPONDENCE referred to in Appendix (E.)

No. 1.—LETTER from the Protector of Slaves, St. Lucia, to *Henry Gloster*, Esq. Trinidad.

Sir,

St. Lucia, 26th February 1829.

I BEG leave to transmit to you an extract from a deed recorded in the Public Registers of this island, relating to a coloured man named Louis, who appears to have been emancipated in Trinidad, but who, nevertheless, was sold in the year 1820 to Mr. G. M'Cullom, a planter here, and has remained since in a state of slavery.

If deeds of manumission were formerly recorded in your island, I hope that you will be so obliging as to endeavour to obtain for me such information and proof in this case as may enable me to have the matter settled without litigation.

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

(signed) Peter Muter,  
Pro<sup>r</sup> Gen<sup>l</sup>.

No. 2.—LETTER from *Henry Gloster*, Esq. to the Protector of Slaves.

Sir,

Trinidad, 18th March 1829.

IN reply to your letter of the 26th ultimo, relative to a coloured person named Louis, now held in slavery by a Mr. M'Cullom, of your island, I beg leave to acquaint you that in compliance with your request I have referred to the records of this island, and have discovered that in the year 1792 a Mr. Lewis Papin granted manumissions to three persons, named Eulalia, Anthony and Frances.

I have also discovered that a person of the name of Pierre Louis, represented as 25 years of age, was emancipated in the year 1818 by a Mr. Edmond Dert.

In the event of this latter person proving to be the same Louis mentioned in the extract you have sent me, (but which, from the great variance in the ages, I should apprehend not to be the case) I presume you will require copies of these documents, or at least of the latter, duly authenticated, according to our forms here. This will be attended with some expense, unless your Governor would address our's an official letter, requesting to be furnished with such papers and information as you and I may deem necessary and sufficient to carry your present object into effect. I shall be most happy to co-operate with you on all similar occasions, and trusting that the present inquiry may lead to a beneficial result,

I am, Sir, your obedient faithful servant,

(signed) Henry Gloster.

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ST. LUCIA.

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Protector of Slaves.

No. 3.—LETTER from the Protector of Slaves to Major-General *Stewart*, C. B.

General,

St. Lucia, 1st April 1829.

I BEG leave to lay before your Excellency a case of unexampled injustice, and to solicit your Excellency's co-operation to enable me to relieve the suffering victim.

About six weeks ago a coloured man, named Louis Papin, applied to me, as Protector of Slaves, to assist him in the recovery of his liberty, of which he has been deprived since the year 1820. From Louis Papin's statement it appears that he was the natural son of Mr. Louis Papin, formerly a planter in this island, by a coloured woman, named Eulalie, who had been emancipated in Trinidad in 1792, one year before his birth. After the death of his mother, Louis Papin was brought to this island to reside with his father, Mr. Louis Papin, and Madame Papin, his wife. At their death, an inventory being taken of their property in 1804, Mr. Dugard, the person acting for the heirs, particularly mentioned in the deeds, passed at the time that Louis Papin was free, and that proof of this would be found by a reference to the registers of Trinidad, but notwithstanding this declaration the Chevalier De Bonne, son-in-law of Mr. and Mrs. Papin, sold the said Louis Papin in 1820 to Mr. G. M'Cullom, a planter in this island, by whom he has been detained since in bondage. As soon as I was made acquainted with the above circumstances, I wrote on the subject to Mr. Gloster, Protector of Slaves in the island of Trinidad, and Mr. Gloster, with great humanity, immediately searched the ancient registers of the colony, and discovered the deed of manumission in question, in favour of Eulalie, passed in 1792. As the unfortunate individual detained in slavery has no means to meet the expense of procuring an authenticated copy of that document, I am induced to represent his case to your Excellency, in the hope that your Excellency would be pleased to communicate with the Governor of Trinidad, and that through his Excellency's interference a copy of this necessary document may be obtained for him gratis.

I have the honour to be, General, your Excellency's very obedient humble servant,

(signed) *Peter Muter*,  
Pro'. Gen'.

No. 4.—LETTER from the Government Secretary to the Protector of Slaves.

Sir,

Government Office, 19th May 1829.

I HAVE the honour, by desire of his Excellency, Maj.-General Stewart, C.B. to forward the enclosed copy of a letter, and accompanying documents, received from the Governor of Trinidad, and to request "that you will take immediate steps to prosecute the parties who have been the cause of this injustice, to recover yearly wages from the date of the manumission to this time."

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

(signed) *John Tench*,  
Govt. Secy.

No. 5.—LETTER from the Governor of Trinidad to Major-General *Stewart*, C. B.

Sir,

Government House, Trinidad, 13th May 1829.

I HAVE had the honour to receive your Excellency's letter of the 2d of April, together with its Enclosure, from the attorney-general of Saint Lucia, and I beg to transmit a legalized copy of the deed of manumission, executed in favour of "Eulalie," 27th January 1792, in order that this person may enjoy the blessings of liberty, to which she has such an indisputable right.

Under the circumstances of absolute poverty of the party, and as her manumission was effected here, I consider myself warranted in directing the expense of the enclosed documents to be paid by the colonial treasurer, and charged in the accounts of the Protector of Slaves of this island. My only subsequent wish in return is, that this much-injured man may have some means of recovering compensation for the severe hardships and losses which he has for so long a time been afflicted with.

I have the honour to be, Sir, your Excellency's very obedient humble servant,

(signed) *Lewis Grant*,  
Governor.

THE Chevalier de Bonne having died insolvent, damages cannot in consequence be recovered from either himself or his succession; and Mr. M'Cullom having produced a regular bill of sale, passed before a notary public, from which it appeared that Louis Papin was returned to the registrar's office as the property of De Bonne at the time of the purchase, there are no grounds for sustaining an action for wages to this much-injured individual.

*Peter Muter*, Pro' Gen'.

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Report from  
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## LETTER from the Government Secretary to the Protector of Slaves.

Sir,

Government Office, 20th March 1829.

I AM desired, by his Excellency the Governor, to forward to you the enclosed copy of a letter, received from Mr. Jore St. Catherine, and to request that you will, in conjunction with the Procureur du Roi and Commissary-Commandant of Gros-islet, meet at the sugar works of that gentleman on Tuesday next at 10 o'clock, for the purpose of minutely investigating into the complaint made by him, and establishing whether the same be well-founded or otherwise; and you will, according to the best of your judgment, of your knowledge of the laws, and of the facts before you, act in such manner as will best maintain the legal rights and interests of the proprietor, and protect and preserve the privileges of the slaves; being careful at the same time that where culpability, whether of master or of slave, or if any, is found, that the most decisive measures and prompt punishment do follow, and thus contribute to preserve peace and good order; as his Excellency considers, that while the proprietor feeds, clothes, and pays every necessary attention to the comforts and well-being of his people, they, on the other hand, should be obedient, faithful and constant in their attendance at all employments allotted for them.

I am further directed to request that you will transmit to me a report of your proceedings for his Excellency's information.

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

(signed) *John Tench,*  
Govt Secy.

## LETTER from Mr. Jore St. Catherine to Major-General Stewart, C. B.

Sir,

St. Lucia, 18th March 1829.

I HAVE the honour of submitting to your Excellency that I have perceived lately a spirit of disobedience, disorder and remissness, which is ruinous to myself and very injurious to my creditors. I shall not make half of my crop if your Excellency does not come to my assistance.

My slaves, for the least word, and even without any motive, run away. They are very slow in turning out and in doing their task, and answer with much insolence the least order addressed to them. On the 25th of February last, my son ordered the negro woman, Clarisse, to tie canes, which she refused to do for a long time, and only obeyed after a great deal of trouble. She was punished with 20 stripes of the cat, by the commissary-commandant's order, on which she immediately left her work and went to complain. On my learning that a complaint had been made, I immediately came to Castries, and requested of the Procureur du Roi that the said negress, Clarisse, should be punished for not having demanded permission for quitting the estate; and until now nothing whatever has been done; and I am obliged to say, that there having been no punishment awarded has caused the females on the estate to be more insolent than at any time previous. The 6th of this month, my son being with the slaves in the field, and seeing the gang idle, exhorted them to work; on which a negro woman, of the name of Betsy, answered, he may do or say what he liked, nobody would mind. My son had her immediately conducted by the driver to the solitary cell, and then came to me to complain, saying, that he was sorry that his presence with the negroes signified nothing, that his authority from day to day decreased, and that it was now useless, as the negroes would pay no attention to him. I wished to prove this by witnesses, agreeable to the law, so as to have this negro woman's insolence punished, but have not been able so to do, those negroes that were nearest to Betsy, and even the driver, who was only two paces off, refusing, and persisting in saying they heard nothing.

How can it be otherwise when a whole gang behave equally bad, and how is it possible to find witnesses from amongst themselves to prove the crime, as long as we are not allowed to carry a cat in the field, if it is only three or four branches, as long as we are unable to inflict four or five stripes on the spot, and as long as we are unable to punish both negresses and negroes, we will experience the same disorder, disobedience and indiscipline. Full of confidence in your Excellency's justice, and relying on your Excellency's well-known character, I have explained these circumstances perhaps too fully, but openly and with candour, hoping your Excellency will take into consideration my numerous engagements and large family, and give sufficient power to enable me to re-establish order, discipline and obedience amongst my slaves.

I have the honour to be, Sir, your Excellency's very obedient humble servant,

(signed) *Jore St. Catherine.*

## LETTER from the Protector of Slaves to Major-General Stewart, C. B.

General,

St. Lucia, 27th March 1829.

I HAVE the honour to transmit herewith a statement of our proceedings on the inquiry ordered by your Excellency, on the complaint made by Mr. Jore St. Catherine against his slaves.

Your Excellency will observe, that Mr. Jore had already punished the slaves whose misconduct had been proved, but not being able to substantiate the charges against the others, it

it only remained with us, after closing the examination, to assemble the gang, and after explaining the law to the drivers and the rest of the people, to impress upon their minds that after the indulgences accorded by the new Slave Code, Government expected they would, during the hours of labour, work with cheerfulness, and exert themselves without coercion to satisfy their masters, otherwise that they would expose themselves to the severest penalties of the law, and that it would be vain for them to expect that I could support them while they misbehaved or neglected their duty. They seemed to feel the admonition, and I sincerely hope it may be attended with salutary consequences.

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Report from  
Protector of Slaves.

I have the honour to be, General, your Excellency's very obedient humble servant,

(signed) Peter Muter,  
Pro' Genl.

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LETTER from the same to the same.

General,

St. Lucia, 19th May 1829.

AGREEABLY to your Excellency's desire I yesterday proceeded, in company with the Procureur du Roi, to Incommode Estate, the property of Mr. Taillason, in order to inquire into the complaint made to your Excellency by Mr. Taillason against his slaves. On our arrival on the property I communicated to Mr. Taillason the object of our mission, and desired him to state his grievances, and to produce the individuals whose conduct he complained of. Mr. Taillason in reply declared, that he had no cause of complaint against his slaves, who were all well-disposed people, but that he complained of the insufficiency of the laws in not permitting the master to use the martinet in the field to the extent of six lashes, for the purpose of coercing the gang during the hours of labour, to do their duty; and that with respect to the individuals of whom the overseer had complained, he had found upon investigation that their only delinquency was sleeping a little longer than usual, and requiring to be called up, but that they had not manifested the slightest disposition to insubordination.

I have the honour to be, General, your Excellency's very obedient humble servant,

(signed) Peter Muter,  
Pro' Genl.

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N° 4.

DESPATCH from Secretary Sir *George Murray* to the Officer administering the Government.

Sir,

Downing street, 18th Nov. 1830.

Correspondence.

I HAVE received Major-General Stewart's despatch, dated the 10th Nov. 1829, enclosing a Supplementary Report from the Protector and Guardian of Slaves of St. Lucia.

With reference to the case of the slave Louis, I observe that the Procureur-General has expressed his opinion, that since Louis was registered as the slave of Mr. De Bonne at the time of his purchase by Mr. M'Cullom, and was transferred by a regular bill of sale, in which the fact of his registration was mentioned, he, Louis, has no ground of action against Mr. M'Cullom. I cannot concur in this opinion. The Procureur-General seems to assume, that if a free man is registered as a slave, his rights are suspended until the registry be corrected. It is material that the public officers of the island should understand that the insertion of any man's name in the registry does not raise any legal presumption of his being in a state of slavery. It is an act to which the asserted slave is not a party, and of which he may remain in entire ignorance. When the Slave Registry Law was introduced, there was no Protector or other officer adequately authorized to represent the slaves, or to defend their rights against the claims of their asserted owners, and under such circumstances the name of an asserted slave having remained on the registry is more especially insufficient to justify any inference against his claims to freedom.

There appears no reason to attribute any culpable motive to Mr. M'Cullom in this transaction. The facts of the case sufficiently explain the mistake into which



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Correspondence.

he fell. He ought not therefore to be subjected to any criminal proceeding for the illegal detention of a free man in slavery.

Under all the circumstances of the case, you will instruct the Protector to apply to Mr. M'Cullom for payment to Louis of the fair value of the services rendered by him while holden in slavery, deducting the expense of the maintenance which during his servitude he may have received at Mr. M'Cullom's cost.

In the catalogue of offences committed by slaves, and followed with punishments inflicted by domestic authority, there are three persons mentioned as having been so punished for attempts to ravish, two for cutting others with cutlasses, four for house-breaking and stealing, forty-eight for theft, and five for receiving stolen goods. Crimes of this magnitude do not properly fall within the cognizance of the owner, but of the civil magistrate, and should be tried and punished in due course of law. For the future you will take care that the necessary distinctions between lighter and more grave offences be carefully observed in this respect.

I have, &amp;c.

(signed) G. MURRAY.

## N° 5.

DESPATCH from the Officer administering the Government to  
Secretary Sir *George Murray*,

&amp;c. &amp;c. &amp;c.

(With One Enclosure.)

Sir,

St. Lucia, 4th June 1830.

HEREWITH I have the honour of transmitting to you the Report of the Protector of Slaves of this colony, for the half year ending 31st December last, together with his letter to me on that subject.

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

(signed)

*J. A. Farquharson*, Colonel,  
Administering the Government.

REPORT of the Protector of Slaves to Colonel *Farquharson*, from 1st July to  
31st December 1829.

Sir,

St. Lucia, 1st June 1830.

I HAVE the honour to submit to your Excellency my Report for the six months, commencing on the 1st of July and ending on the 31st of December 1829.

I have to express my regret that it is not so favourable as the preceding ones. The births have diminished, the deaths and punishments increased. It is, however, satisfactory that the manumissions have increased also.

Government is so fully aware of the political state of this colony during that time, that it would be needless for me to enlarge on the causes of this change; I am, however, happy to add, that it will not, in my opinion, be permanent.

I beg leave to call the attention of Government to a case of some interest which has been determined in the Manumission Court, where the principles on the subject, and which are necessarily new, have been discussed, and it is hoped definitively settled, as far as regards this island.

Although it does not come immediately within the period of this Report, I beg to add that the recent Order of His Majesty in Council and Supplementary Regulations have at this moment produced some uneasiness on the minds of managers and slaves, as is always the case when changes are introduced. I, however, consider them unexceptionable, and make no doubt as they are understood, this uneasiness will cease, the more so, as the necessity of adopting and promulgating definitive measures on the subject has been long felt.

I have the honour to be, Sir, your Excellency's most obedient humble servant,

*Peter Muter*, Pro' Genl.

Appendix (A).

SUMMARY of BIRTHS and DEATHS in the Island of St. Lucia, from 1st July to  
31st December 1829.

	Births.	Deaths.
Castries - - - - -	17	25
Ance Laraye - - - - -	15	10
Soufriere - - - - -	41	23
Choiseul - - - - -	19	12
Laborie - - - - -	19	26
Vieux Fort - - - - -	13	25
Micoud - - - - -	8	5
Praslin - - - - -	4	7
Dennery - - - - -	15	9
Dauphin - - - - -	4	7
Gros-islet - - - - -	13	24
TOTAL - -	168	173

Castries, St. Lucia.

(signed) *Peter Muter, Pro' Gen'.*

Appendix (B.)

SUMMARY of PUNISHMENTS in the Island of St Lucia, from 1st July to  
31st December 1829.

Castries - - - - -	140
Ance Laraye - - - - -	53
Soufriere - - - - -	148
Choiseul - - - - -	8
Laborie - - - - -	30
Vieux Fort - - - - -	35
Micoud - - - - -	36
Praslin - - - - -	30
Dennery - - - - -	29
Dauphin - - - - -	20
Gros-islet - - - - -	52
TOTAL - -	581

St. Lucia.

(signed) *Peter Muter, Pro' Gen'.*

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## Appendix (C.)

RETURN of PROSECUTIONS for and against Slaves in the Law Courts of St. Lucia,  
from the 1st day of July to the 31st December 1829.

DATE.	COMPLAINTS of the Protector of Slaves against Owners and others.	NATURE of the OFFENCE.	DECISION GIVEN.
1829: July 16	The Protector v. Mr. J. Toulouse.	-- owner accused of infringing the 17th Article of Amended Slave Code, in allowing the whip to be carried into the field.	-- Mr. Toulouse condemned to a fine of 20 Spanish dollars, to be appropriated as the law directs.
Aug. 20	The Protector, for the slave Timothé, v. Mr. Roche Rupes, his master.	-- the master accused of kicking his slave in the belly, and the slave accused of frequent desertion.	-- the complaint of the slave found to be calumnious, and the slave to receive 50 lashes, and to work with a chain 18 months.
Sep. 24	The Protector, for the slave Bastien, v. Mr. M'Cracken, manager of Canelle estate.	-- the manager accused of beating the slave.	-- the complaint was found false, and the slave condemned to receive 40 lashes on the estate.
Oct. 6	The Protector, for the slave Rosette Augustin, v. Messrs. Taillason & Doussard, her owners.	-- Mr Taillason accused of working the slave on Saturdays and during noon-time, since crop was over; and also for punishing her without lawful cause.	-- the slave condemned to receive 20 lashes, the complaint being unfounded.
- 22	The Protector, for the slave Melzire, v. Mad. Laffitte & Son, her owners.	-- Madame Laffitte accused of having ordered illegal punishment, and her son of having inflicted it.	-- Mr. Laffitte fined 100 Spanish dollars, to be paid into the colonial chest.
- 22	The Protector, for the slave Antoinette, v. Mr. St. Brice Brossard.	-- Mr. Brossard accused of striking Antoinette, and Antoinette accused of insolence to him.	-- the slave condemned to four days' imprisonment, her complaint being unfounded.
DATE.	COMPLAINTS of Masters against their Slaves.	NATURE of the OFFENCE.	DECISION GIVEN.
1829: July 2	Mr. Thomas Goodsir, v. Marcel, his slave.	-- harbouring a fugitive slave.	-- the slave condemned to receive 20 lashes.
- 23	Mr. Recour v. Boy, his slave.	-- refusing to return to his master, after a promise of pardon.	-- the slave condemned to receive 30 lashes at the gaol.
- 31	Mad. Ve. Lauriol St. Croix, v. Michel Similor, her slave.	-- running away several times.	-- the slave condemned to 50 lashes, and to work one year with a chain on the estate.
Aug. 6	Mr. Alexander Trotter, manager of Choe estate, v. Roze Anne, attached to said estate.	repeatedly running away -	-- the slave condemned to receive 100 lashes.
- 6	Mr. Wm. Muter, v. Jean, his slave.	-- deserting the house of Dr. Ramsay, to whom he was hired by his owner, and remaining absent three weeks.	-- the slave condemned to receive 40 lashes at the gaol.

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DATE.	COMPLAINTS of Masters against their Slaves.	NATURE of the OFFENCE.	DECISION GIVEN.
1829: Aug. 20	Hon. James Muter, v. Thomas Monique, his slave.	-- accused of repeatedly running away.	-- the slave condemned to receive 100 lashes, and to be confined two months on the estate.
- 27	Mr. M'Cracken, manager of Canelle estate, v. Charles, a slave attached to said estate.	-- accused of absenting himself from the estate.	-- the slave condemned to receive 40 lashes, and to work nine months with a chain.
Sept. 1	Mr. Leuger, v. Caraïbe, his slave.	-- running away twice, and remaining absent the last time 3 ½ months, and until apprehended.	-- the slave condemned to receive 200 lashes, and to work three years with a chain on the estate.
3	Mr. Hardy Du Bocage, v. Placide and Jean Louis, his slaves.	-- Placide accused of having run away, and remaining during 16 years; and Jean Louis during 18 months, when both were apprehended.	-- both slaves condemned to receive each 40 lashes and one month cachot.
- 12	Mr. Stephen Williams, executor of late J. Valeton, v. the slave Bastien.	-- accused of repeated absences, theft, &c. &c.	-- the slave condemned to receive 50 lashes, and to work three years with a chain on the estate.
- 17	Proprietors Balambouche estate v. Antoine, a slave attached to said estate.	-- running away and remaining absent upwards of one month.	-- the slave condemned to receive 60 lashes, and to work two months with a chain on said estate.
- 18	Mr. M'Cracken, manager of Canelle estate, v. Charles, a slave attached to said estate.	-- breaking the cachot in which he was confined, and effecting his escape with the chain which he had been condemned to work with, and which he threw away.	-- the slave condemned to receive 50 lashes, and to work 18 months with a chain.
Oct. 1	Mr. Linard, manager of Des Soucis' estate, v. Frank and Petronille, slaves attached to said estate.	-- accused of being absent without permission.	-- slaves condemned to receive each 40 lashes, and to work one year with a chain upon the estate.
- 12	Messrs. Williams & Philip, executors of J. Valeton, v. Jeanette, a slave belonging to the succession of J. Valeton.	running away - -	-- the slave condemned to 40 lashes and one month in the cachot.
-	Mr. E. Chevallier, v. Montrose Lamontagne, a slave attached to Corinthe estate.	-- running away three times, and remaining absent until apprehended.	-- the slave condemned to receive 200 lashes at the gaol, in presence of the visiting doctor, and to work with a chain three years upon the estate.
- 29	Mr. Recour v. Boye, his slave.	repeated desertion - -	-- the slave condemned to receive 20 lashes, and to work with a chain 12 months on his master's estate.
Nov. 12	Mr. Castells, 35th regiment, v. Thomas Chase and Queen, his slaves.	-- insubordination and disobedience of orders.	-- Thos. Chase condemned to receive 40 lashes and three months' cachot; the pregnant state of Queen prevents any punishment being inflicted upon her.
Dec. 17	Mr. Leuger v. Leon, his slave.	-- absenting himself from the estate, after having been already punished for a like fault.	-- the slave condemned to receive 100 lashes, and to work three years with a chain.

## Appendix (D.)

RETURN of MANUMISSIONS of Personal and Plantation Slaves which have been applied for and obtained in the Island of St. Lucia, from 1st July to 31st December 1829.

DATE.	NAME OF SLAVE.	AS WHOSE PROPERTY ENREGISTERED.	Personal.	Plantation.	OBSERVATIONS.
1829: July 11	Jeanne Rose and two children, Auguste and Margueritte.	Miss Georgiana Stopford.	3	-	recompense for faithful services.
- 22	Marie Anne	Miss Eloise Coudray	1	-	recompense for faithful services.
Aug. 3	J <sup>n</sup> Marie Ferdinand	Mr. F. Ferdinand	1	-	freed by a relation.
- -	Lizin Fragile	Mr. Gabriel Arnaud	1	-	- - freed in conformity with the wishes of his master.
- -	Louis Patrice	Mr. Sarraute	-	1	- - freed by virtue of the 105th section of the Slave Code. Price 550 Spanish dollars.
- 10	Louis Sully	Mr. Daubignan	1	-	- - by the testamentary disposition of his master, for faithful services.
- 19	Adelaide Sansee	Mr. Hazell	1	-	- - freed by the master, in recompense for faithful services.
- 31	Marie Joseph & three children, Jean Raymond, Antoine Joseph, and the youngest not yet baptized.	Widow Monié	4	-	- - freed by the testamentary disposition of their mistress, for faithful services.
Sept. 21	Marie Elizabeth Esther	Miss Margueritte Levacher.	1	-	- - freed by her mistress, with compensation.
- 22	Clovis	Messrs. Cenac and Deville.	-	1	- - freed by virtue of the 105th section of the Slave Code. Price 297 Spanish dollars.
- 24	Sophie Rose	Mr. Arlin	1	-	- - freed by her master. Price 400 Spanish dollars.
- 30	Marceline	Mr. Wm. Cane	1	-	- - freed by her master, in recompense for faithful services.
Oct. 1	Eufragile François	Widow Gabaille	1	-	- - freed by her mistress, in recompense for faithful services.
- 12	Elizabeth Marion	Mr. Rd Robinet	-	1	- - freed by virtue of the 105th section of the Slave Code. Price 330 Spanish dollars.
- -	Merencienne Mera	Widow Birot	1	-	- - freed by her mistress, in recompense for faithful services.
- 16	Mathurin	Mr. Barbie	1	-	- - freed by the master, with compensation.
- -	William	Miss Adé Lambois	1	-	- - freed by his mistress, in recompense for faithful services.
- 17	Betsy Jacques	Widow Batut	-	1	- - freed by virtue of the 105th section of the Slave Code. Price 500 Spanish dollars.
- 27	Clerine Prevost	Mr. L. Glace	1	-	- - freed by her master, with compensation.
- -	Pierre Jason	Widow Lacorbiniere	1	-	- - freed by his mistress, in recompense for faithful services.
- -	Jean Jerome	Succ <sup>n</sup> Dujon	-	1	- - freed by virtue of the 105th section of the Slave Code. Price 700 Spanish dollars.
Nov. 13	Simon Castor	Succ <sup>n</sup> Droiulhet	-	1	- - freed by virtue of the 105th section of the Slave Code. Price 200 Spanish dollars.
- 18	Jean Frs. Felix	Miss Mimi Brisson	1	-	- - freed by his mistress, in recompense for faithful services.
- 28	Auguste de la Ville	Widow Boutellier	1	-	- - freed by his mistress, in recompense for faithful services.
- 30	Alexis Hector	Window Painsec	1	-	- - freed by his mistress, with compensation.
Dec. 8	Betsy Congo	Succ <sup>n</sup> D. Turgis	-	1	- - freed by virtue of the 105th section of the Slave Code. Price 180 Spanish dollars.
- -	Manette	Succ <sup>n</sup> Granier	-	1	- - freed by virtue of the 105th section of the Slave Code. Price 400 Spanish dollars.

DATE.	NAME OF SLAVE.	AS WHOSE PROPERTY ENREGISTERED.	Personal.	Plantation.	OBSERVATIONS.
1829:					
Dec. 9	Rose Micoud	Mr. D. Lucase	1	-	-- freed by desire of the master, without compensation.
- 17	Noël Corne	Mr. Callaiandre	1	-	-- freed by desire of the master, without compensation.
- 18	Felicien David	Mr. Jas. Macfarlane	1	-	-- freed by his master, in recompense for faithful services.
- 21	Rose Ordalie	Widow Langelier	1	-	-- freed by virtue of the 105th section of the Slave Code. Price 360 Spanish dollars.
- 24	Rose Anne, <i>alias</i> Petite Linde.	Mrs. Drouilhet	1	-	-- freed by her mistress, in recompense for faithful services.
- -	Rose Cabo and three children, Marie, Alexandre and Accé	Mr. Eugene Pierre and A. Olivier.	-	4	-- freed by virtue of the 105th section of the Slave Code. Price 800 Spanish dollars.
- 30	Lucienne Poyot and her two children, Céphonise and Elodie	Mr. Nelson Couperie	-	3	-- freed by virtue of the 105th section of the Slave Code; replaced by others.
- -	Felicite Desirée and her son Charles.	Mr. and Mrs. Philip	2	-	freed by the owners.
		Totals - -	31	15.	

Castries, St. Lucia.

Peter Muter, Pro' Gen<sup>l</sup>.

Appendix (E.)

RETURN of FREE BAPTISMS in the Island of St. Lucia, from 1st July to 31st December 1829.

DATE.	NAME OF SLAVE.	NAME OF OWNER.	OBSERVATIONS.
1829:			
Aug. 20	Alexandre	William Muter, esq.	
- 31	Margueritte Rose	Widow Sephurin.	
Oct. 17	Anne Annabillie	Miss Marie Rose Cenac.	
Nov. 14	Jean Baptiste Alexandre	Mr. Germain.	
Dec. 24	Jean Joseph Aimée	Mrs. Drouilhet.	
- 31	Rock	Mr. Rock Pavillon.	
- -	Marie Thérèse	Mr. Bergasse.	
- -	Marie Anne	Mr. Ph. Dujon	-- Certificate dated 31st May 1826.
- -	Felicité	Widow Bonnair	-- Certificate dated 4th May 1827.

TOTAL - - - - - Nine.

Castries, St. Lucia.

Peter Muter, Pro' Gen<sup>l</sup>.

Appendix (F.)

RETURN of SLAVE MARRIAGES in the Island of St. Lucia, from 1st July to 31st December 1829.

DATE.	NAME OF MALE.	NAME OF FEMALE.	NAME OF OWNER.	By whom Solemnized.
1829:				
July 24	Joachim	Marie Jeanne	Mr. Chauton	Abbé Juré.

TOTAL - - - - - One.

Castries, St. Lucia.

Peter Muter, Pro' Gen<sup>l</sup>.

LIST of OFFENCES committed by Male and Female Plantation Slaves in the Island of St. Lucia, made several Quarters, from 1st July to 31st December 1829; showing the Nature of the Offences, the Number

NAMES OF QUARTERS - - -	Castries.		AnceLaraye.		Soufriere.		Choiseul.		Laborie.		Vieux Fort.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
<b>Serious and Aggravated Offences :</b>												
Wounding others with cutlass, &c.	-	-	-	-	1	-	-	-	-	-	-	-
Attempting to strike driver with ditto	-	-	-	1	-	-	-	-	-	-	-	-
Aiding and abetting at same	-	-	1	-	-	-	-	-	-	-	-	-
Incendiaries	1	-	-	-	-	-	-	-	-	-	-	-
Killing stock	-	-	-	-	2	-	-	-	-	-	-	-
Cruelty to animals	1	-	-	-	1	-	-	-	-	-	1	-
Breaking open works	1	-	-	-	-	-	-	-	-	-	1	-
Breaking open houses	1	-	-	-	1	-	1	-	1	-	-	-
<b>Theft, &amp;c. :</b>												
Theft - - - - -	12	1	9	-	15	2	1	-	4	-	9	-
Theft and running away	1	1	-	-	7	2	1	-	-	-	-	-
Conniving at theft	2	-	1	-	4	-	-	-	-	-	-	-
Receiving stolen goods, knowing them such	-	-	-	1	-	-	-	-	-	-	-	-
<b>Insubordination, unaccompanied with Violence :</b>												
Breaking out of hospital	-	-	-	-	-	-	-	-	-	-	-	-
Refusing to work	1	2	-	-	-	-	-	-	1	3	-	-
Disobedience	4	1	1	-	2	-	2	-	-	-	1	-
Insolence	-	1	-	-	4	1	-	-	-	-	-	-
Insubordination	5	4	1	1	-	1	-	-	3	-	2	-
Insubordination and insolence	3	1	-	-	-	-	-	-	-	-	-	-
Running away	9	4	18	1	9	-	-	-	4	1	8	-
Absenting	5	1	-	-	11	1	-	-	1	-	-	-
Insolence and disobedience	1	1	-	-	-	-	-	-	-	-	-	-
Disorderly and riotous conduct	1	-	-	-	2	-	-	-	2	-	-	-
<b>Domestic Offences :</b>												
Impertinence	-	1	-	-	2	-	-	-	-	-	-	-
Quarrelling and fighting	1	3	1	1	6	-	-	-	1	1	-	-
Beating others	3	1	-	-	1	1	-	-	1	-	-	-
Drunkenness	1	-	-	-	6	-	-	-	-	-	1	-
Neglect of duty	16	3	5	-	24	-	-	-	1	-	3	-
Neglect of duty and disobedience	4	-	-	-	-	-	-	-	-	-	-	-
Neglect, insubordination and absence	1	-	-	-	-	-	-	-	-	-	-	-
Neglecting children	-	-	-	-	-	-	-	-	-	-	-	-
Neglecting prayers	-	-	1	-	1	-	-	-	-	-	-	2
Neglecting stock	-	-	-	-	1	-	-	-	-	-	-	-
Neglecting grounds	1	-	-	-	-	-	-	-	-	-	-	-
Negligence	11	-	-	-	5	-	1	-	-	-	4	-
Dirtiness and laziness	2	1	-	-	-	-	-	-	-	-	-	-
Leaving hospital	4	-	-	-	1	-	-	-	-	-	-	-
Coming late to work	1	1	-	-	-	2	-	-	-	-	-	-
False complaints	-	1	-	-	-	-	-	-	-	-	-	-
Harbouring runaways	-	-	-	-	-	-	-	-	-	-	-	-
Throwing stones	-	-	-	-	1	-	-	-	2	-	-	-
Insolent to overseer	-	-	-	-	-	-	-	-	-	-	1	-
Disrespect to overseer	-	-	1	-	-	-	-	-	-	-	-	-
Disrespect to parents	-	-	-	-	-	-	-	-	-	-	1	-
Sleeping off the estate	-	2	-	-	-	-	-	-	-	-	-	-
Stealing ground provisions	1	1	1	-	6	-	-	-	-	1	-	-
Destroying young trees	1	-	-	-	-	-	-	-	-	-	-	-
Working badly	3	2	-	-	-	-	-	-	-	-	-	-
Breaking locks	-	-	1	-	-	-	-	-	-	-	-	-
Allowing others to escape punishment	-	-	-	-	-	1	-	-	-	-	1	-
Allowing stock to trespass on cultivation	-	-	-	-	3	-	-	-	-	-	-	-

up from the Returns of Punishments forwarded to the Protector of Slaves by the Commandants of the of Slaves committing each particular Offence in each Quarter, and the Total Number of Offences.

Micoud.		Praslin.		Dennery.		Dauphin.		Gros-Islet.		TOTAL.		GRAND TOTAL.	- - - NAMES OF QUARTERS.
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		
-	-	1	-	-	-	-	-	-	-	2	-	2	Serious and Aggravated Offences :
-	-	-	-	-	-	-	-	-	-	-	1	1	Wounding others with cutlass, &c.
-	-	-	-	-	-	-	-	-	-	1	-	1	Attempting to strike driver with ditto.
-	-	-	-	-	-	-	-	-	-	1	-	1	Aiding and abetting at same.
-	-	-	-	-	-	-	-	-	-	2	-	2	Incendiaries.
-	-	-	-	-	-	-	-	-	-	2	-	2	Killing stock.
-	-	-	-	-	-	-	-	6	-	9	-	9	Cruelty to animals.
-	-	-	-	-	-	-	-	-	-	2	-	2	Breaking open works.
-	-	-	-	-	-	-	-	-	-	4	-	4	Breaking open houses.
6	2	4	-	4	-	5	2	-	-	69	7	76	Theft, &c. :
-	-	-	-	-	-	-	-	-	-	9	3	12	Theft.
-	-	-	-	-	-	-	-	-	-	9	3	12	Theft and running away.
-	-	-	-	-	-	-	-	3	-	10	-	10	Conniving at theft.
-	-	-	-	-	-	-	-	-	-	-	1	1	Receiving stolen goods, knowing them such.
5	-	-	-	-	-	-	-	1	-	6	-	6	Insubordination, unaccompanied with Violence :
1	-	-	-	-	-	-	-	-	-	2	5	7	Breaking out of hospital.
2	1	-	2	7	2	1	2	2	2	19	5	24	Refusing to work.
4	3	-	4	2	2	-	-	3	3	9	10	19	Disobedience.
4	-	2	-	7	-	2	-	11	3	17	13	30	Insolence.
-	-	2	-	-	-	1	-	1	-	3	1	4	Insubordination.
-	-	-	-	-	-	-	-	-	-	3	1	4	Insubordination and insolence.
-	-	-	-	-	-	-	-	-	-	74	9	83	Running away.
-	-	-	-	-	-	-	-	-	-	21	2	23	Absenting.
-	-	-	-	-	-	-	-	-	-	1	1	2	Insolence and disobedience.
-	-	-	-	-	-	-	-	-	-	5	-	5	Disorderly and riotous conduct.
-	-	-	-	-	-	-	-	-	-	2	1	3	Domestic Offences :
-	-	1	-	-	-	-	-	-	1	10	6	16	Impertinence.
-	-	-	-	-	-	-	-	-	-	5	2	7	Quarrelling and fighting.
-	-	-	-	2	-	-	-	-	-	10	-	10	Beating others.
5	1	2	-	-	-	1	1	1	1	58	6	64	Drunkenness.
-	-	-	-	-	-	-	-	-	-	4	-	4	Neglect of duty.
-	-	-	-	-	-	-	-	-	-	1	-	1	Neglect of duty and disobedience.
-	-	-	-	-	-	-	-	-	-	1	-	1	Neglect, insubordination and absence.
-	-	-	-	-	-	-	-	-	1	-	1	1	Neglecting children.
-	-	-	-	-	-	-	-	-	1	3	2	5	Neglecting prayers.
-	-	-	-	-	-	-	-	-	2	3	-	3	Neglecting stock.
-	-	3	-	-	-	1	-	1	-	6	-	6	Neglecting grounds.
-	-	1	-	-	-	1	-	-	-	23	-	23	Negligence.
-	-	-	-	-	-	-	-	-	-	2	1	3	Dirtyness and laziness.
-	-	-	-	-	-	-	-	2	-	7	-	7	Leaving hospital.
-	-	-	1	-	-	-	3	2	1	3	8	11	Coming late to work.
1	-	-	-	-	-	-	-	-	-	1	1	2	False complaints.
-	-	-	-	-	-	-	-	1	-	1	-	1	Harbouring runaways.
-	-	-	-	-	-	-	-	-	-	3	-	3	Throwing stones.
1	-	-	-	-	-	-	-	-	-	2	-	2	Insolent to overseer.
-	-	-	-	-	-	-	-	-	-	1	-	1	Disrespect to overseer.
-	-	-	-	-	-	-	-	-	-	1	-	1	Disrespect to parents.
-	-	-	-	-	-	-	-	-	-	-	2	2	Sleeping off the estate.
-	-	2	-	5	-	-	-	-	-	15	2	17	Stealing ground provisions.
-	-	-	-	-	-	-	-	-	-	1	-	1	Destroying young trees.
-	-	-	-	-	-	-	-	-	-	3	2	5	Working badly.
-	-	-	-	-	-	-	-	-	-	1	-	1	Breaking locks.
-	-	-	-	-	-	-	-	-	-	1	1	2	Allowing others to escape punishment.
-	-	-	-	-	-	-	-	3	-	6	-	6	Allowing stock to trespass on cultivation.

(continued)



NAMES OF QUARTERS - - -	Castries.		Ance Laraye.		Soufriere.		Choiseul.		Laborie.		Vieux Fort.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Domestic Offences— <i>continued.</i>												
Abusing driver and others - - -	-	-	-	-	2	-	-	-	-	1	-	-
Creating disturbances - - -	-	-	-	-	-	-	1	-	-	-	-	-
Lying - - -	-	-	-	-	-	-	-	-	-	-	-	-
Cursing others - - -	-	-	-	-	-	-	-	-	-	-	-	-
Abusive language - - -	-	-	-	-	-	-	-	-	-	-	-	-
Destroying provision grounds - - -	-	-	-	-	1	-	-	-	-	-	-	-
Stealing and eating canes - - -	4	-	4	2	14	-	1	-	1	-	-	-
Leaving estate - - -	3	-	1	-	-	-	-	-	-	-	-	-
Misdemeanors - - -	1	1	-	-	4	-	-	-	-	1	-	-
	106	34	46	7	137	11	5	3	22	8	33	2

Castries, St. Lucia.

LETTER from the Protector of Slaves to the First President of the Court Royal.

THE Procureur-general begs leave to state to his Honour the First President that a woman of colour, named Sophie Latrembleuse, enregistered as attached to Guingette estate, the property of Madame Moger, has applied for assistance to obtain a deed of manumission for herself and for her son François, aged about 13 years, under the following circumstances :

The said Sophie Latrembleuse states to the Procureur-general that she belonged to an unmarried lady, name Margueritte Bonnaire, who resided in the Quarter of Dennery and died there about 20 years ago. That Miss Margueritte Bonnaire wished to have manumitted Sophie during her lifetime, but was prevented by reason of the heavy charge of 40*l.* sterling made at the time by the Governor of the island, for his signature to a manumission deed. That Miss Margueritte Bonnaire was, in consequence, obliged at her death to confide Sophie to Madame Moger, her paternal aunt, with an understanding that she should be freed as soon as an opportunity offered, or that Sophie would acquire the means of paying for a manumission deed. That since the death of her mistress, Miss Margueritte Bonnaire, Sophie constantly resided with Madame Moger until the latter's death, which took place a few months ago. That when an inventory of the deceased's effects was taken, Sophie was surprised to find herself included in the succession, in consequence of Madame Moger having carried her on her Return of Plantation Saves given in to the Registrar as her own private property.

Although Sophie Latrembleuse has no written document to prove what she advances, yet she is able, by the testimony of the most creditable planters in the Quarter of Dennery, to establish the facts and her right to freedom, and the Procureur-general, to this end, now prays that his Honour the First President would be pleased to desire summonses to be issued to Mr. Clément Juge, of Gros-Islet, tutor, appointed by the Court, to the minors Méralyis, the heirs of Madame Moger, and all others interested in the succession, to be present and hear the claim of Sophie Latrembleuse discussed and decided.

Castries, 13th November 1829.

(signed) Peter Muter, Pro<sup>r</sup> Gen<sup>l</sup>.

EXTRAIT des Registres du Greffe de la Cour Royale de l'Isle Sainte Lucie.

VU la demande portée devant nous par le Procureur-Général du Roi, Protecteur d'office des Esclaves en cette isle, demandeur aux fins d'affranchissement de l'esclave nommé Sophie la Trembleuse, et de son fils nommé François, suivant sa remontrance répondue de notre Ordonnance, en date du treize Novembre dernier, et signifiée le neuf Décembre suivant par exploit de Prompt, huissier, et en exécution de notre jugement du vingt-deux de ce dernier mois.

Contre le Sieur Clément Juge, habitant demeurant au quartier du Gros-Ilet, au nom et comme tuteur des Demoiselles Méralyis, icelles habiles à se dire et porter héritières de feu Dame veuve Moger, leur ayeule; le dit Sieur Clément Juge es-qualité comparant par M. Justin Juge, Procureur près les tribunaux de cette isle.

Après avoir entendu M. Justin Juge et le substitut du Procureur-Général, le Procureur du Roi, près la sénéchaussée de cette isle, nous disons :

La requête sur laquelle il s'agit de statuer énonce assez distinctement les faits essentiels pour qu'il soit inutile d'en faire un nouveau récit. Les défendeurs, à l'appui de leurs denombrements successifs, font état d'un acte de vente, en date du trois Août, dix-huit cent trois, extrait des minutes d'Arnaud, ancien notaire en cette isle, par lequel la demoiselle Poisson Bonnaire aurait vendu la suppliante (Sophie la Trembleuse) à la Dame Moger, sa tante. Et ils élèvent contre le témoignage offert par le Protecteur, la fin de non-recevoir suivante :

Qu'on

Micoud.		Praslin.		Dennery.		Dauphin.		Gros-Islet.		TOTAL.		GRAND TOTAL.	- - - NAMES OF QUARTERS.
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		
-	-	-	-	-	-	-	-	-	-	2	1	3	Abusing driver and others.
-	-	-	-	-	-	-	-	-	-	-	1	1	Creating disturbances.
-	-	1	-	-	-	-	-	-	-	1	-	1	Lying.
-	-	-	-	-	-	-	-	1	-	1	-	1	Cursing others.
-	-	-	1	-	-	-	-	-	-	-	1	1	Abusive language.
-	-	-	-	-	-	-	-	1	1	2	1	3	Destroying provision grounds.
-	-	2	1	-	-	-	-	1	-	27	3	30	Stealing and eating canes.
-	-	-	-	-	-	-	-	-	-	4	-	4	Leaving estate.
-	-	-	-	-	-	-	-	-	-	4	1	5	Misdemeanors.
29	7	21	9	27	2	12	8	43	11	480	101	581	

Peter Muter, Pro' Genl.

Qu'on ne peut ordonner la preuve testimoniale contre des titres tels que ceux qu'ils produisent, s'il n'existe au commencement de preuve par écrit.

Cette question est trop intéressante, en égard aux droits, tant des propriétaires que des esclaves, pour n'être pas traitée avec une certaine étendue. C'est par ce motif qu'elle a été successivement remise depuis le vingt-un Décembre jusqu'à ce jour, où elle a été discutée par le Procureur du Roi dans l'intérêt de l'esclave, et par M. Justin Juge dans celui des héritiers Moger ou Méraylis. Mais avant de l'aborder immédiatement, il conviendra de faire quelques remarques générales sur la matière.

En tout pays la cause de la liberté a été favorablement écoutée. "Et certè libertas inestimabilis res est," dit le jurisconsulte Paulus, ff. l. 10, C. de Reg. Juris. Et si la Cour s'occupe aujourd'hui de la discussion d'axiomes qui lui paraissaient universellement reconnus, c'est par déférence pour une haute autorité judiciaire, qui semble avoir dernièrement énoncé une opinion en quelque sorte nouvelle.

Le célèbre jugement de Lord Stowel sur l'affaire de l'esclave Grace contient certaines remarques qui paraîtraient faites pour affaiblir l'influence de celui de Lord Mansfield dans l'affaire également célèbre de Summerset. Les remarques ainsi faites ne ressortent pas très clairement du sujet. Lord Mansfield, président de la Cour du Banc du Roi, jugeait nécessairement d'après les lois d'un pays libre; Lord Stowel, comme juge d'appel d'un tribunal colonial, jugeait d'après ces lois modifiées pour se combiner avec les institutions d'Antigue. Le premier avait à choisir entre un usage assez équivoque, appuyé des opinions non discutées de jurisconsultes sans doute distingués, et le jugement formel d'un chancelier d'Angleterre, soutenu des opinions de célèbres légistes, et d'antécédents rendus par des cours étrangères. Le dernier entamait une matière tout-à-fait nouvelle, où l'usage était uniforme, sur laquelle on ne connaît aucun auteur qui ait émis un doute, et qui paraît avoir à peine été susceptible de doute. Il ne s'ensuivait donc nullement que, parceque Grace dût demeurer esclave à Antigue, Sommerset ne devait pas jouir de sa liberté à Londres, que, parceque les lois d'Antigue n'ont pas dû se fléchir aux maximes politiques d'Angleterre, les autorités de police judiciaire d'Angleterre dussent assister à mettre à exécution les lois exceptionnelles d'Antigue. Ainsi en recevant avec soumission, au fond, le jugement rendu par Lord Stowel, il peut être permis de croire que celui de Lord Mansfield est d'un égal poids.

Et d'abord il y avait du doute. Dès lorsque, dit la loi Julia Petronia, si les juges sont divisés, la décision doit être favorable à la liberté. Il en est ainsi lorsque les témoins se contredisent, et qu'il s'agit de peser le témoignage, car dans ces cas et plusieurs autres, "beaucoup de choses," dit Ulpian, "sont établies contre la rigueur du droit, en faveur de la liberté."

L'ancien droit Anglais ainsi que le prouvent les textes de Coke et de Lyttleton favorisait au moins autant cette opinion. Dans quelques cas, les maximes de ce droit étaient encore plus favorables à l'esclave, surtout celle si bien connue, "d'une fois libre, toujours libre," maxime introduite dans l'Article 119 du nouveau Code Noir. Mais la loi Romaine à ce sujet ne concernait que les cas d'ingratitude et d'inconduite, et n'avait d'application aux espèces de Grace et de Summerset, qui dépendaient plutôt du consentement. C'était le consentement de leurs maîtres, qui, en les conduisant en Angleterre, leur avait permis de jouir d'une liberté locale; c'est de son consentement que Grace, après avoir joui de cette liberté, y a renoncé en rentrant esclave à Antigue; mais c'est sans son consentement qu'on voulait entraîner Summerset: et ces espèces dépendaient plus encore de la diversité des institutions politiques des lieux où elles ont pris naissance.

En France, dès les premiers tems, l'opinion développée par Lord Mansfield a été reçue. Bodin, et après lui, Merlin, citent un arrêt de la Cour du Parlement, ainsi qu'un cas décidé à Toulouse, même contre un ambassadeur. Ferrière rapporte un autre exemple semblable du Duc de Guise, et le commentateur des us et coutumes de la mer, une décision de Henry IV., qui refusa de livrer quelques esclaves Espagnols naufragés sur les côtes de France.

## PART IV.

## ST. LUCIA.

Report from  
Protector of Slaves.

France. Et s'il est vrai que l'esclave des colonies Françaises continue encore esclave en France, c'est en vertu des édits de 1716, 1738, 1777; édits rendus de crainte, ainsi que le portent les préambules des premières de ces lois, "Que les esclaves ne prétendissent autrement à leur liberté."\*

Il est sans doute beau de voir un magistrat vénéré par ses vertus, distingué par sa profonde science, science qui lui a acquis une autorité sans bornes parmi les jurisconsultes de tous les pays; un juge dont les argumens semblables aux *responsa prudentum* des anciens auront probablement pour nos neveux force de loi, et qui, à l'instar des exemplaires Grecs, sont, pour tous ceux du même état,

*Nocturnâ versanda manu, versanda diurnâ,*

déployer à son plus haut degré une courage moral, et lutter noblement, seul, contre ce qu'il considère comme une impulsion dangereuse du siècle. Mais forcé de choisir même entre lui et les Ulpian, les Paulus, les Henry IV, les Coke, les Mansfield, autorités ni de tribunaux populaires ni de rhéteurs, mais d'hommes d'état, de jurisconsultes dont la renommée est affermie par de longs et unanimes suffrages, peut-être sera-t-il permis en toute humilité de déferer aux derniers, d'accorder l'avantage du doute, en cas qu'il y ait du doute, à la cause de la liberté, et d'inférer que dans le cas où Lord Mansfield, imbu de ces maximes, eût en quelque sorte cédé "aux sentimens et lumières du siècle," peut-être n'y aurait-il pas eu trop de précipitation pour la cour suprême d'Angleterre d'émettre vers la fin du dix-huitième siècle, en faveur de la liberté personnelle, des principes consacrés depuis le seizième, par les décisions de cours et de souverains de France.

Le juge doit sans doute demeurer impassible à ces influences populaires qui s'exhalent et se reproduisent avec tant de facilité. Mais il est une politique de loi, énoncée en certaines règles ou maximes qui servent à résoudre les doutes, et dont la connaissance et la juste application forment en grande partie la science du droit. Ces maximes, ces règles le magistrat doit les suivre, quoiqu'elles puissent souvent froisser très sensiblement les sentimens momentanés de la société. Mais doit-il s'en écarter parcequ'en telle circonstance elles coïncident avec l'opinion générale?

En ce qui touche la question sur laquelle il s'agit de statuer, il convient de l'examiner d'abord dans les principes de la législation Romaine, ensuite dans ceux de la législation Française.

Dans le droit Romain, la preuve testimoniale était admise presque dans tous les cas et en toute matière: (L. 19. C. de Liberali Causâ†). Les testaments mêmes (et la plupart des affranchissemens se faisaient par testament) étaient valables quoique faits verbalement. Que si en matière d'état (statûs) la loi 2 au code de *testibus* paraît d'abord susceptible d'une interprétation douteuse, cette loi doit être résolue en faveur de la preuve testimoniale, tant en la conférant avec les autres textes de droit, que d'après les opinions unanimes des commentateurs, et spécialement de la glose (cujas), et de Denis Godefroi, et cette interprétation est appuyée des arrêts du Parlement de Paris dans les affaires Joquelin et Choiseul.

Cette loi est comme suit: "Si tibi controversia ingenuitatis fiat, defende causam tuam instrumentis et argumentis quibus potes, soli enim testes ad ingenuitatis probationem non sufficiunt."

Elle ne peut-être mieux expliquée que par les interprètes eux-mêmes.

Godefroi ne l'a pas laissée sans explication: "Ne dites pas," dit cet auteur, "que l'état d'un citoyen ne puisse se prouver par la seule déposition des témoins, isolée de toute autre preuve. *Ne dicas ingenuitatem solis testibus probari non posse.* Dites plutôt qu'il se prouve, non seulement par la preuve testimoniale, mais par les actes et par les inductions. *Sed potius, non tantum testibus, sed et instrumentis et argumentis probari.* Il reprend ensuite les termes de la loi: *Soli enim testes non sufficiunt.* Les seuls témoins ne sont pas suffisants; c'est-à-dire, ce n'est pas la seule preuve à laquelle on puisse avoir recours. Et pour que la loi peut-être entendue autrement," continue-t-il, "il semble qu'elle aurait dû dire que l'état d'un enfant ne pouvait par être prouvé par témoins. *Porrò videbatur dicendum testibus ingenuitatem probari non posse.*"

"Je viens de vous expliquer," dit Godefroi, "le véritable sens de la loi. Et pourquoi l'ai-je fait? C'est qu'il semblerait, à suivre littéralement les termes dans lesquels elle est conçue qu'elle aurait voulu dire que l'état des hommes ne peut le prouver par le seul suffrage des témoins. Mais n'allez par vous y tromper. *Ne dicas solis testibus probari non posse;* ce n'est là ni le sens ni l'esprit de la loi. Dites plutôt avec elle que la preuve testimoniale n'est pas la seule qui soit décisive, *non solummodò;* mais que tout autre genre de preuve aura la même autorité, pourvu qu'il conduise à connaître la vérité."

"Personne n'ignore que la glose a, parmi nous, la même autorité que la loi même. On de quelle manière explique-t-elle le mot *soli*? on n'admet par les témoins seuls, à l'exclusion des autres preuves; *soli non admittuntur ut alia probationum species excludantur.* C'est-à-dire que la preuve testimoniale n'exclut par les autres preuves; mais que seule elle est décisive quand les autres preuves manquent. Il n'y a point d'interprètes, on peut les consulter tous, qui n'expliquent le mot *soli* dans le même sens ‡."

Et

\* Il est à propos de remarquer ici sur l'infidélité du recueil dit Code de la Martinique, pour ce qui concerne cette classe. Ainsi l'édit de 1716, le plus favorable, est omis.

† Ad examinationem veri omnis jure prodita debet admitti probatio.

‡ Causes Célèbres.

Et cette loi serait autrement en contradiction avec la loi 9, c. de *Nuptiis*, 6. c. de *Fide Instrumenti*. Celle du 19, c. de *liberali causâ*, déjà citée, et plusieurs autres; d'ailleurs, le mot *argumentis* explique très clairement le sens de la loi; car il n'est pas à présumer qu'on rejetât la preuve testimoniale pour s'en tenir aux simples argumens, raisonnemens ou inférences, quoiqu'on puisse s'en servir à l'appui de témoignages.

Que s'il est vrai que par la loi 10 ff. de *Prob. et Presump.* les recensemens et monumens publics sont préférables aux dépositions de témoins, et l'on peut très bien comparer les dénombremens qui se livrent ici à terme fixe, aux anciens recensemens. "*Census et monumenta publica potiora testibus esse, senatus censuit.*" Cette loi n'éleve nullement une fin de non recevoir contre l'admission de témoins; mais elle porte, qu'en raisonnant sur les diverses espèces de preuves et de présomptions, on doit accorder plus de poids à un recensement ou autre monument public qu'à de simples dépositions. On doit, en réunissant les divers élémens d'où se forme cette conviction, attribuer une grande influence à des titres revêtus du sceau de l'autorité publique. Et encore doit on bien distinguer entre ceux qui sont parties à ces actes et des tiers, par rapport auxquels ils ont infiniment moins d'effet "*Non præjudicat tertio, cujus bona tanquam meo professus fuero,*" dit Godefroi, et en cela il ne fait que citer et référer à la loi 64 ff. de *acquir. Rerum Dominio*.

Ces principes s'appliquent également à l'acte de vente, quand son contenu ne le rendrait pas suspect.

Enfin il est constant, d'après des textes précis, que ni l'émancipation d'esclaves, ni généralement aucun autre pacte, ne requerrait d'être mis par écrit; c'est ce qui paraît par la loi 17, c. de *Pactis*, avec le Commentaire de Godefroi, où il indique les pactes exceptés, et pour ce qui est de l'émancipation d'esclaves particulièrement; cela résulte de la loi, l. 11, c. de *Fide Instrum.* "*Emancipatione factâ, et si actorum tenor non existat, si tamen aliis indubiis probationibus, vel ex personis, vel ex instrumentorum incorruptâ fide factum esse emancipationem probari possit, actorum interitu veritas convelli non solet.*" Car, dit Godefroi, "*emancipatio scripturam non requirit.*" Il convient d'observer, en passant, que cette loi a rapport à l'affranchissement d'esclaves qu'il ne faut pas confondre avec l'émancipation par le père en faveur de ses enfans, qui ressemble à notre émancipation d'âge pour les mineurs; ce qui dans leur droit, comme dans le nôtre, requerrait certaines formalités écrites. C. l. 17. de *Pactis*; c. 2. l. ult. de *Emancipationibus Liber.*

Que si la loi *in authent.* col. 7. tit. 9. novel. 90, chap. 6, qui porte qu'un affranchi qu'on offre pour témoin rapportera ses titres, paraît d'abord en contradiction avec les autres, elle s'y réconcilie très facilement, puisque le témoignage était reçu, sauf à surseoir jusqu'à ce que la condition du témoin fut certaine, et l'individu qui se prétendait libre pouvait toujours paraître devant le prêteur, et quand même sa condition ne lui serait pas contestée, faire preuve de son état, ce qui de suite lui procurait un titre, ff. 39. de *Liberali Causâ*.

Dans le droit Français, les ordonnances généralement citées sont celles de 1539, celles de Moulins, de Blois, et l'Ordonnance Civile (1667); mais comme cette question a éprouvé en matière de filiation, à diverses reprises, des discussions fort approfondies, il suffit d'énoncer les trois axiomes auxquels on s'est arrêté en cette matière, d'après l'opinion de d'Aguesseau, fondée sur les textes des ordonnances, la jurisprudence explicative des arrêts, et les sentimens des commentateurs. Il observe, qu'

" Il faut, en premier lieu, qu'il y ait un défaut total de registres, ou du moins un juste soupçon que les registres contiennent une erreur. Si l'on a négligé de faire administrer les cérémonies du baptême à un enfant, il n'y a point de registres relativement à lui: quant à l'erreur qu'on peut y inférer, il y en a un exemple dans l'affaire de Marie de Boissé, fille du Comte de Vaulieu.

" En second lieu, il faut que les faits dont on demande la preuve soient assez forts pour mériter l'attention des juges, assez circonstanciés pour paraître vraisemblables, et qu'ils ne se combattent pas mutuellement.

" Enfin, il faut qu'il se trouve quelqu'espèce de commencement de preuve que l'on tire, ou des écritures privées, ou de faits qui ne soient point contestées entre les parties.

" C'est donc à ces trois règles générales qu'il est à propos de s'attacher pour connaître si, dans les circonstances et dans l'espèce particulière de la cause, les premiers juges ont dû permettre la preuve par témoins, que la loi les rendait maîtres de n'admettre ou de refuser qu'avec la plus grande circonspection et la plus mûre réflexion." Cette opinion fut adoptée dans les cas déjà mentionnés de Jocquelin et de Choiseul, par rapport au dernier desquels le narrateur observe, —

" Cet arrêt fut rendu à la pluralité de vingt-deux voix contre neuf."

" On tenta tous les moyens possible pour en empêcher l'exécution, soit en demandant au Roi une déclaration interprétative de l'Ordonnance de 1667, qui eût eu un effet antérieur à la naissance de la cause, et qui privât la D<sup>lle</sup> de Saint-Cyr, dans les circonstances où elle se trouverait, de la preuve par témoins, soit en demandant la cassation de l'arrêt, soit enfin en demandant une surséance pendant dix ans.

" L'affaire examinée dans un Conseil composé de ce qu'il y avait de plus considérable dans l'Etat, il fut jugé que l'arrêt ne pouvait souffrir la plus légère altération; et la preuve que fit Mademoiselle de Choiseul aux requêtes du palais fut absolument concluante.

" En conséquence, par sentence du 6 Juin 1726, Mademoiselle Françoise Augustine de Choiseul fut maintenue et gardée dans l'Etat de fille légitime de César Auguste de Choiseul, Duc et Pair de France, et de Dame Louise Gabriel de la Beaume le Blanc de la Vallière, sa femme, ses père et mère, avec défense aux parties adverses de l'y troubler, et pour l'avoir fait, ils furent condamnés en vingt mille livres de dommages et intérêts, et en tous dépens.

## PART IV.

## ST. LUCIA.

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D'après cette discussion, il est clair, qu'en assimilant ce cas à celui de la filiation, en comparant ainsi l'état de l'esclave dans l'ancienne législation à celui d'un enfant, la seule différence étant que l'incapacité de l'un résultait de la loi, celle de l'autre de la nature, quoique cette incapacité fut dans l'un et l'autre cas également complète, et en assimilant les dénombremens aux actes de baptême, le point de vue le plus favorable aux défenseurs, car autrement les ordonnances n'auraient aucune application, et il faudrait en révenir au droit commun, à la législation Romaine, la preuve par témoins peut être admise ou rejetée suivant la prudence du juge; mais s'il l'admet, ce doit être avec beaucoup de circonspection et à grande réflexion.

Les principes ainsi discutés, il s'agit d'en faire l'application à l'espèce.

L'acte de vente est à la date d'Août 1793: à cette époque, ainsi que le porte la requête du Protecteur, il était dû un droit très considérable sur les affranchissemens, et il fallait, outre ce droit, que le Gouvernement octroyât au maître la permission d'affranchir son esclave, permission qui ne s'accordait alors qu'avec beaucoup de difficulté; il fallait que les motifs fussent légitimes, et on ne prenait d'ordinaire pour motifs légitimes que ceux qui avaient pour fondement quelques services publics. L'amitié, la bienfaisance, la libéralité du maître ne suffisaient point. Epoque où un individu de couleur, quoique né libre, était sujet à être recherché, confisqué et vendu comme épave, s'il n'était inscrit sur quelque dénombrement d'esclave, ou s'il n'avait à la main ses titres de liberté, et où les successeurs d'administrateurs scrutaient les motifs de titres accordés par leurs prédécesseurs, et se permettaient de les révoquer, lorsqu'ils jugeaient que les motifs énoncés étaient insuffisants. D'une pareille législation naquirent nécessairement beaucoup d'abus; entre autres, il se forma une classe entière, dite celle des Patronnés, qui, ainsi que les anciens *statu liberi*, étaient libres, de fait et non de droit; ils payaient la capitation d'esclaves, étaient sujets aux loix sur les esclaves, et inscrits sur le dénombrement de quelque propriétaire; quoiqu'il fut entendu de part et d'autre qu'ils travailleraient pour eux-mêmes, et qu'ils ne demeureraient en cet état que jusqu'à ce qu'ils eussent les moyens de payer le droit d'affranchissement, et qu'ils pussent obtenir la permission requise du Gouvernement.

La réclamante prétend qu'elle était de ce nombre. Dès lors la Dame Moger lui rendait un service essentiel en l'inscrivant sur son dénombrement, et l'acte de vente lui était nécessaire, pour empêcher qu'elle passât entre les mains des héritiers de la Demoiselle Bonnair, sa maîtresse. Présomption soutenue par l'acte de vente même où le prix est compensé par les alimens qu'une nièce avait précédemment reçus de sa tante.

Que si le silence de la réclamante a duré pendant vingt-six ans, cette législation a duré vingt-trois, quoiqu'elle se fût adoucie en son exécution depuis les six ou sept dernières années; ainsi il ne reste que le dernier dénombrement livré lorsque la Dame Moger était infirme par maladie et vieillesse, dont le motif ne peut s'expliquer dans un sens favorable à la prétention du Protecteur.

Toutes les conditions requises dans les principes du droit Français existent donc dans l'espèce; il y a juste soupçon d'erreur, ou plutôt de simulation, dans les titres—pas (soit observé) dans un sens odieux—mais dans des vues de bienfaisance. La preuve offerte, qui consiste dans le témoignage d'habitans notables du quartier, que la réclamante a toujours été considérée comme patronnée, est assez forte et paraît vraisemblable, et il se trouve un commencement de preuve résultant tant du prix porté en l'acte de vente lui-même, que du fait de l'existence de cette ancienne législation, qui ne peut être contestée. Exclure donc en pareille cas la preuve testimoniale, ce serait vouer tous ceux qui peuvent rester de l'ancienne classe des patronnés, autrefois si nombreuse, à un esclavage perpétuel.

Mais quel sera l'effet des titres produits par les défenseurs? Que la présomption est contre le Protecteur; que la preuve tombe sur lui; que cette preuve doit être claire et satisfaisante, et que la réclamante doit demeurer en l'état d'esclavage, jusqu'à ce qu'elle l'ait faite. Les titres écartent ainsi la question préjudicielle; car autrement, malgré qu'elle put être esclave, elle demeurerait provisoirement en état de liberté. C'est ce qui résulte de la loi: et comme toute cette matière est nouvelle, il conviendra de fixer aussi les principes sur cette partie.

“ Si aucun étant en servitude réclame sa liberté, il doit soutenir le rôle de demandeur; mais si de la liberté on veut le rendre esclave, celui-là est le demandeur, qui prétend que tel est son esclave.

“ Ainsi lorsqu'il y a de l'incertitude à ce sujet, afin que l'instruction soit mise en règle, ce point doit être d'abord discuté pardevant celui qui va décider de la liberté, savoir s'il s'agit de réduire de la liberté à la servitude, ou de faire l'inverse.

“ Et s'il arrive qu'il paraisse que celui qui est en contestation sur sa liberté, était en liberté sans mauvaise foi, celui qui prétend qu'il en est propriétaire, soutiendra le rôle de demandeur, et sera nécessairement forcé de prouver qu'il est son esclave.

“ Mais s'il est prouvé qu'à l'époque où le procès a pris naissance, il n'était pas en liberté, ou qu'il en jouissait de mauvaise foi, celui qui réclame pour la liberté doit se prouver libre.

“ Mais lorsque nous disons qu'il était en liberté, il faut entendre dans ce sens que celui qui soutient un procès quant à la liberté, ne doit pas prouver qu'il est libre, mais qu'il jouissait de bonne foi de la liberté.

“ Et disons généralement, qu'aussi souvent que quelqu'un mû par des raisons légitimes ou non, pourvu que ce soit sans dol, se croit libre et est en liberté, il faut dire que celui-là est dans le cas de ceux qui jouissent de bonne foi de leur liberté, et il doit avoir les avantages de la possession.

Ainsi

“ Ainsi un homme libre peut être de mauvaise foi en liberté, et un esclave peut également être en liberté sans mauvaise foi.”\*

De tous ces textes, il résulte, que ce n'est par la simple possession, soit de la part du maître ou de l'esclave, qui décide la question préjudicielle; mais la possession de bonne foi, la possession de propriété, comme le porte l'Art. 114 du Code Noir, extrait du Code Frédéric de Coccejus; et cette possession ne peut être contestée dans ce cas aux héritiers Moger ou Méraylis, ce qui jette la preuve sur le Protecteur, et détermine le provisoire.

Cette question a été ainsi discutée dans la rigueur des principes; s'il résulte de cette décision quelque inconvénient aux propriétaires, ce qui est très douteux, cet inconvénient provient des défauts d'une ancienne législation, heureusement sous tous les rapports, et très heureusement sur tout pour ceux dont le bien consiste en esclaves, remplacée par des lois plus en harmonie avec de saines idées de Gouvernement, et avec cette législation Romaine qui forma la base du droit colonial, mais qui fut de tems en tems dénaturée, au moyens de réglemens, fruits d'une politique erronée, qui, blessant tous sentimens naturels, interposait entre le maître et le domestique, pour priver ce dernier des bienfaits que lui destinait l'autre; réglemens qui ont dû être, comme ils l'ont été, dans le fait, éludés par toutes ces voies indirectes, qui caractérisent ordinairement la fraude.

Par tous ces motifs et considérations, nous ordonnons, qu'il sera fait preuve, tant par titres que par témoins, sommairement et devant nous, des faits et circonstances mentionnés dans la remontrance du Procureur Général, en sa qualité de Protecteur des Esclaves, sauf et réservé la preuve au contraire, pour sur le tout être statué ce qu'il appartiendra: tous droits, moyens et dépens réservés.

Mandons, &c.

Fait en notre audience pour les affranchissemens forcés,  
le cinq Janvier, mil huit cent trente.

(Signé au Registre,)

J. Jérémie, P<sup>r</sup> P<sup>t</sup>.

PART IV.

ST. LUCIA.

Report from  
Protector of Slaves.

EXTRAIT des Registres du Greffe de la Cour Royale de l'Isle Sainte Lucie.

ENTRE M. le PROCUREUR GENERAL, Protecteur d'Office des Esclaves, demandeur aux fins d'affranchissement de l'esclave, nommée Sophie la Trembleuse, et de son fils, nommé François, suivant sa remontrance répondue de notre Ordonnance en date du trieze Novembre dernier, et signifiée le neuf Décembre suivant, par exploit de Prompt, huissier, et en exécution de notre jugement du cinq Janvier dernier, d'une part;

ET le Sieur CLEMENT JUGE, habitant, demeurant au quartier du Gros-Ilet, au nom et comme tuteur des Demoiselles Méraylis, icelles habiles à se dire et porter héritières de feue la Dame Veuve Moger, leur ayeule, ledit Sieur Clément Juge, Défendeur, comparant par M. Justin Juge, Procureur, d'autre part;—

APRES avoir entendu, sous la foi du serment, 1<sup>o</sup>, La Dame, Veuve du Sieur François Récour. 2<sup>o</sup>, La dame, épouse du Sieur Langas. 3<sup>o</sup>, La Dame Veuve Marie Akins, en leurs dépositions, desquelles il résulte, savoir: De celle de la Dame Veuve Récour, premier témoin, que la mère de la mulatresse Sophie la Trembleuse appartenait au père de la déposante, qui la vendit au Sieur Bonnaire; qu'elle a toujours oui dire par tous les honnêtes gens du quartier du Dennery, que la Demoiselle Poisson Bonnaire, étant malade, l'avait léguée à la Dame Moger, pour lui faire du bien; et que le Sieur Méraylis, gendre de la Dame Moger, lorsqu'il est un jour entré chez la déposante, ayant paru être d'assez mauvaise humeur, elle lui demanda ce qui lui faisait de la peine; il répondit, que c'était parceque l'on maltraitait Sophie, et qu'elle ne le méritait pas; qu'alors la déposante observa, “ Mais, j'ai toujours entendu dire, qu'elle était libre:” il répondit “ Oui; elle est aussi libre que vous et moi, et elle a bien tort de ne pas s'en aller;” et sur les interpellations faites au témoin, il a ajouté, que la Dame Moger

\* “ Si quis ex servitute in libertatem proclamatus, petitoris partes sustinet: si verò ex libertate in servitute petatur, is partes actoris sustinet qui servum suum dicit.

“ Igitur cum de hoc incertum est: ut possit iudicium ordinem accipere, hoc antè apud eum qui de libertate cogitatur est, disceptatur, utrum ex libertate in servitium, aut contrà agatur.

“ Et si fortè apparuerit eum qui de libertate suâ litigat, in libertate sinè dolo malo fuisse, is qui se dominum dicit, actoris partes sustinebit, et necesse habebit servum suum probare.

“ Quòd si pronunciatum fuerit, eo tempore quo lis præparabatur in libertate eum non fuisse, aut dolo malo fuisse, ipse qui de suâ libertate litigat, debet se liberum probare.

“ Quid sit autem sinè dolo malo fuisse videamur: nam Julianus ait, omnes qui se liberos putant, sinè dolo malo in libertate fuisse, si modò se pro liberis gerant, quamvis servi sint.

“ Et generaliter dicendum est, quoties quis justis rationibus ductus, aut non justis, sinè calliditate tamen putavit se liberum, et in libertate moratus est, dicendum est, hunc in eâ causâ esse ut sinè dolo malo in libertate fuerit, atque ideò possessoris commodo fruatur.

“ Igitur sciendum est et liberum posse dolo malo in libertate esse, et servum posse sinè dolo malo in libertate esse.”—(POTHIER, *Pandectes*, lib. 40, de *Liberali Causâ*.)

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Moger ne lui a jamais fait de confidences à ce sujet ; qu'il (le témoin) lui a souvent demandé si elle ne comptait par donner la liberté à Sophie, et qu'elle a répondu qu'elle était trop insolente ; que le témoin a toujours entendu dire, que Sophie avait passé au service de la Dame Moger après le décès de la Demoiselle Bonnaire, mais qu'il n'en sait rien de lui-même, et il ajoute, qu'il avait lui-même (le témoin) demandé d'acheter cette jeune fille, pour lui donner la liberté, avec l'argent que la grand mère de ladite fille, qui appartenait au père du témoin, lui avait donné à cet effet, mais que le Sieur Bonnaire s'y refusa, en disant, que Sophie n'avait pas besoin du témoin pour lui faire du bien. Déclare, qu'il ne sait si Sophie a été traitée comme patronnée, ou comme esclave par la Dame Moger ; qu'il ne connaît pas l'époque où elle y est entrée ; qu'il ne peut dire quand la Demoiselle Bonnaire est morte, mais il déclare, que M. Philip, la Dame de Ruaud et tous les amis de la Demoiselle Bonnaire ont dit, après sa mort, qu'elle avait laissé Sophie à la Dame Moger, pour lui faire du bien, ajoutant, qu'elle avait été laissée à la Dame Moger plutôt qu'à un autre, parceque c'était le frère de la Dame Moger, qui était le père de ladite Sophie ; il ne sait si la Demoiselle Bonnaire était parente du père putatif de ladite fille ; il ne le croit pas.

De celle du deuxième témoin, la Dame Langas, que la déposante a demeuré au Dennery depuis l'époque de la Paix d'Amiens jusqu'à présent, son mari, le Sieur Doudon étant de ce quartier ; qu'elle sait que Sophie appartenait à la Demoiselle Bonnaire, qui disait qu'elle ne pouvait la mieux placer qu'entre les mains de la Dame Moger, parcequ'elle était la sœur de son père putatif, pour lui donner la liberté, ajoutant, qu'elle lui avait donné en même tems une vieille négresse pour travailler pour elle, afin de la récompenser des services qu'elle ferait à celle-ci : interpellée de déclarer à qui elle aurait entendu dire ce qu'elle venait de déposer, a répondu, qu'elle a entendu la Demoiselle Bonnaire elle-même dire à la Dame Moger, " Je vais vous laisser cette petite fille (elle était très jeune alors) ; vous la garderez jusqu'à-peu-près quatorze ans, et alors vous la laisserez aller " ; et qu'elle lui donnerait la vieille négresse pour récompense : ajoute, que la Dame Moger et la Demoiselle Bonnaire étaient très amies, et que la Dame Moger consentait à ce que disait la Demoiselle Bonnaire ; qu'elle disait, oui, et que toujours, depuis la mort de ladite Demoiselle, la Dame Moger répétait cela ; ainsi la déposante est surprise qu'elle n'ait pas arrangé ses affaires à ce sujet ; ajoute encore qu'elle, déposante, était très bien avec la Dame Moger, qui était la grand tante de son premier mari, et que c'est chez elle que la Demoiselle Bonnaire est morte ; que la Dame Moger a souvent reconnu qu'elle devait donner la liberté à cette fille, en présence de ses petits enfans ; que la belle sœur de la déposante était présente quand la Demoiselle Bonnaire et la Dame Moger eurent la conversation, au sujet de Sophie, dont elle a parlé ; mais qu'elle est morte aussi ; qu'elle, déposante, n'a jamais entendu parler de vente ; que la Demoiselle Bonnaire est morte deux ou trois ans après que la déposante est allée au Dennery ; et répète que la Dame Moger disait toujours qu'elle avait cette mulatresse entre les mains pour lui faire du bien, mais qu'elle était grévée, et n'en avait pas les moyens, et qu'elle est morte au bout de trois jours de maladie, sans faire de testament.

De celle du troisième, la Dame veuve Askins : qu'elle, déposante, a demeuré avec la Dame Moger pendant quatre ans, pendant deux ans constamment dans la même maison ; qu'elle connaît bien Sophie, et a toujours entendu dire que son ancienne maitresse l'avait laissée à la Dame Moger, qui était la tante de Sophie, pour vivre avec elle, et en suite lui donner la liberté ; que la fille elle-même a souvent dit à sa maitresse qu'elle lui faisait une grande injustice, car elle n'était par son esclave, qu'elle était libre : ajoute la déposante que la Dame Moger lui dit, la semaine même qui précéda sa mort, que Sophie ne lui avait pas couté un denier ; que son ancienne maitresse ne pouvant faire de testament en faveur de ladite Sophie, la lui avait transportée au moyen d'un acte de vente. Personne n'était présent à cette conversation, la déposante était seule dans la maison avec la Dame Moger, les deux Demoiselles Méraylis, petites filles de ladite dame, étant allées au Gros-Ilet, voir leur père, qui était lui-même très malade, et qui est mort à-peu-près dans le même tems.

Sur ce ouï le Procureur-Général en fonctions eu ses conclusions.

Et vu sa déclaration qu'il a acquis la certitude que des cinq autres témoins qu'il avait fait assigner pour ces jour, lieu et heure, deux, les Sieur et Dame Philip sont malades, qu'un autre, la Demoiselle Jeanne Martelly, est dans l'impossibilité de se rendre à Castries à cause de son grand âge et de ses infirmités.

Considérant que puisque de ces cinq témoins, tous demeurants au quartier du Dennery, trois ne peuvent venir à Castries, il devient en conséquence nécessaire de se transporter sur les lieux, pour recevoir leurs dépositions, et en même tems celles des deux autres témoins ; nous ordonnons notre transport pour les jour et heure que nous fixerons ultérieurement, et en la maison et demeure dudit Sieur Philip, pour y être procédé à la continuation d'enquête sommaire ordonnée par notre surdit jugement du cinq Janvier dernier ; à l'effet de quoi toutes réassignations requises seront données en tems et lieu à qui il appartiendra.

Fait par le Premier Président de la Cour Royale de l'isle Sainte Lucie, le vingt-six  
Février, dix-huit cent trente.

(Signé au Registre) J. Jérémie, Pr<sup>r</sup> Pre<sup>r</sup>.

## Continuation d'Enquête Sommaire.

Et ce jourd'hui, premier Avril, mil huit cent trente, dix heures du matin, en la maison principale de l'habitation sucrerie de Mr. Auguste Philip, commissaire-commandant du quartier du Dennery, y demeurant, et où, en vertu de notre jugement de renvoi du vingt-six Février dernier, nous nous sommes expès transporté à l'effet énoncé au dit jugement, accompagné du Procureur-général et assisté de Mr. Robert Stevenson Robinson, docteur  
en

en médecine, que nous avons commis greffier *ad hoc*, attendu l'empêchement du greffier de la Cour Royale, ayant préalablement fait prêter audit Sieur Robinson le serment en pareil cas requis.

Entre les mêmes parties désignées au dit jugement de renvoi.

Vu la réassignation donnée au Sieur Clément Juge es-qualité, par exploit de l'huissier premier, en date du vingt-deux Mars dernier, à l'effet de se trouver ce jourd'hui, dix heures du matin, en la maison de M. Auguste Philip, commissaire-commandant au quartier du Dennery, pour être présent, si bon lui semble, à la prestation de serment et assister à l'audition dudit Sieur Auguste Philip, de la dame son épouse, de la Dame de Ruaud, du Sieur Bouteuer, et de la Demoiselle Jeanne Martelly, tous témoins dans l'enquête sommaire ordonnée par notre jugement du cinq Janvier dernier, et avec déclaration qu'il y serait procédé tant en présence qu'absence.

Et attendu que ledit Sieur Clément Juge es-qualité n'est comparu, ni personne pour lui, nous avons donné défaut contre ledit défendeur, et pour le profit nous avons donné acte au Procureur-général de sa déclaration, portant qu'il se désiste de la réassignation qu'il avait pu donner au Sieur Bouteuer, comme témoin en la continuation d'enquête.

Ce fait, nous avons procédé à l'audition des quatre autres derniers témoins assignés.

Et après avoir entendu aussi, sous la foi du serment, Mr. Auguste Philip, la Dame Rose Garnier, épouse en secondes noces du Sieur de Ruaud, la dame épouse dudit Sieur Philip, quatrième, cinquième, et sixième témoins, en leurs dépositions; desquelles il résulte, savoir :

De celle de Mr. Auguste Philip, habitant et depuis près de trente ans commissaire-commandant du quartier Dennery; qu'il a beaucoup connu la Demoiselle Bonnaire; qu'elle disait toujours qu'elle donnerait cette petite fille (Sophie) à la Dame Moger pour lui donner la liberté; que cette fille a passé entre les mains de la Dame Moger après la mort, de la Demoiselle Bonnaire, d'où il conclut qu'elle avait accompli les intentions que cette dernière lui avait manifestées; que tout le quartier, généralement, tout de monde pensait comme cela; que la Dame Moger elle-même n'en a jamais parlé au déposant, mais que la Demoiselle Bonnaire lui disait, " Je vais la laisser à la Dame Moger, elle en jouira deux ou trois ans, pour se payer de ce que sa liberté lui coutera." Et voilà, ajoute le témoin, à-peu-près six ans qu'elle en a joui.

De celles des cinquième et sixième témoins, les Dames de Ruaud et Philip: que la commune renommée du quartier était, comme l'ont déposé les autres témoins, mais il n'ajoutent rien de circonstancié, sinon le cinquième, qui déclare que la Dame Moger lui a souvent dit (sans lui dire pourquoi) qu'elle voulait arranger ses affaires, et qu'il croit (le témoin) que Jeanne Martelly sait mieux que qui que ce soit ce qui a eu lieu.

Ce fait, et attendu l'heure avancée et la nécessité de nous transporter en la demeure de la Demoiselle Jeanne Martelly, où elle est retenue par ses infirmités, nous avons renvoyé à entendre ce témoin à demain, neuf heures du matin.

Fait lesdits jour et an que dessus.

(Signé au Régistre,) J. Jérémie, P<sup>r</sup> P<sup>t</sup>.

Et ce jourd'hui, deux Avril, mil huit cent trente, nous nous sommes transporté, accompagné du Procureur-Général, et assisté du greffier *ad hoc*, chez le Sieur Bitt Martelly, où demeure ladite Demoiselle Jeanne Martelly, à l'effet de l'audition de celle-ci.

Où étant, nous avons entendu, sous la foi du serment, ladite Demoiselle Jeanne Martelly, septième et dernier témoin, en sa déposition, de laquelle il résulte qu'elle est agée de quatre-vingts ans; qu'elle a vécu pendant trente neuf ans avec feu le Sieur Martelly, qui était le neveu de la Dame Moger; que la Demoiselle Bonnaire a donné la liberté à Sophie; que ne pouvant faire de testament en sa faveur, au préjudice de son frère, le Sieur Bonnaire, qui était absent, et la Dame Charmont, sa sœur, présente, elle la passa à la Dame Moger, sa voisine et son amie, et qui était la sœur du père putatif de ladite Sophie, au moyen d'une fausse vente; que ce fut le Sieur Laforce ou le Sieur Cadet Arnauld qui passa la vente, elle ne sait lequel, mais c'était l'un ou l'autre, et que si l'on cherche la vente, on verra qu'il y eut une autre négresse, nommée Lucile, qui y était comprise; qu'elle lui donna aussi quelques autres effets, quelques têtes de bétail et une cassette d'argent; déclare que la Dame Moger avait voulu auparavant acheter cet enfant, comme fille de son frère, mais la Demoiselle Bonnaire ne voulut pas la vendre, ne pouvant s'en passer; cependant, elle lui dit qu'elle la lui laisserait pour être libre; qu'elle, déposante, a elle-même engagé la Dame Moger, du vivant de la Demoiselle Bonnaire, à acheter Sophie, comme enfant de son frère, et qu'elle répondait " à quoi bon puisque la Demoiselle Bonnaire va la rendre libre?" La déposante ajoute qu'elle était présente au lit de mort de la Demoiselle Bonnaire, c'est elle qui l'a ensevelie, et qu'alors elle a entendu dire à ladite Demoiselle qu'elle avait laissé la liberté à Sophie, et que, depuis, le Sieur Martelly a souvent injurié sa tante, la Dame Moger, parcequ'elle ne donnait pas la liberté à cette mulatresse et autres.

Sur tout quoi, où le Procureur-Général en fonctions en ses conclusions.

Vu toutes lesdites dépositions :

Attendu qu'elles sont concordantes entre elles, et conformes à la remontrance du Protecteur sur tous les faits essentiels; que le seul point sur lequel le Protecteur s'est trompé a rapport à la parenté entre les parties, la Dame Moger étant la tante, non de la Demoiselle Poisson Bonnaire, dont elle était cependant l'intime amie et voisine, mais de ladite esclave Sophie elle-même, ce qui était encore une présomption en sa faveur.

Attendu que ces dépositions sont corroborées par l'acte de vente au rapport de Madame G<sup>d</sup> Arnauld, en date du six Août, mil huit cent trois, et qui est essentiellement conforme



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à ce qui a été déposé à ce sujet des conventions entre la Demoiselle Poisson Bonnaire et la Dame Moger, par les deuxième, troisième et septième témoins, et particulièrement ce dernier.

Attendu que d'après toutes ces preuves il résulte que la Demoiselle Poisson Bonnaire a laissé la liberté à la réclamante; que la Dame Moger en est convenue à diverses reprises, même dans sa dernière maladie; que c'était l'opinion commune, opinion de tous les notables du quartier; que ces preuves résultent particulièrement des dépositions, des parents, alliés et amis, tant de la Demoiselle Poisson Bonnaire que de la Dame Moger, témoins qui déposent d'une suite non-interrompue de conventions, d'aveux et autres faits circonstanciés qui prouvent que les intentions de toutes les parties n'ont jamais varié.

Nous avons déclaré et déclarons libres et dégagés de tout lien de servitude, tant ladite Sophie la Trembleuse que son dit enfant nommé François. En conséquence nul ne pourra à l'avenir prétendre aucun droit de propriété sur ladite Sophie et ledit François, son enfant, non plus qu'aucun autre droit participant de l'esclavage ou servitude; mais ils seront, au contraire, pour toujours, aussi libres à tous égards qu'aucun autre sujet de Sa Majesté.

Ordonnons que le présent arrêt leur vaudra acte d'affranchissement; qu'il sera, en conséquence, outre l'enregistrement ordinaire, transcrit à la diligence du Protecteur, sur le livre des affranchissemens, aux frais des mineurs Méraylis, lesquels sont joints aux dépens de l'instance, qui seront supportés par le défendeur, en sa qualité de tuteur des dites mineures.

Mandons, &amp;c.

Fait et donné par nous Premier Président surdit, les jour, mois, et an que dessus à nos séances pour affranchissement d'esclaves.

(signé au Registre)

J. Jérémie, P<sup>r</sup> P<sup>t</sup>.

## N° 6.

DESPATCH from Viscount *Goderich* to the Officer administering the Government, &c. &c. &c.

Sir,

Downing-street, 27th December 1830.

I HAVE had the honour to receive Colonel Farquharson's Despatch of the 4th June last, transmitting the Protector's Report for the half year ending the 31st December 1829; and I have observed with regret the diminution of births and the increase of punishments which appear upon the face of this document.

The records (Appendix C.) of punishments awarded as the result of prosecutions against slaves, exhibit a great apparent disproportion between inflictions for offences bearing the same name. Thus 200 lashes, and three years work with a chain, is awarded as the punishment for running away twice, and remaining absent the last time three months and a half, and until apprehended; while the punishment for running away, and remaining absent sixteen years, is forty lashes and a month in the stocks. This last punishment is also adjudged for running away, and remaining eighteen months.

In calling to your attention these apparent discrepancies I do not mean to impute to the tribunal which decided upon these cases want of impartiality; I am aware that it would be difficult to form a correct opinion of these decisions from a mere description of the cases, and I must therefore trust that the tribunal had just grounds for distinctions of which it is difficult, at first sight, to discover the principle: but I should nevertheless be desirous to receive from you any explanation which it may be in your power to afford upon the subject.

I have, &amp;c.

(signed) GODERICH.

Major-General Mackie,  
&c. &c. &c.

## N° 7.

DESPATCH from Viscount *Goderich* to the Officer administering the Government, &c. &c. &c.

PART IV.

ST. LUCIA.

Correspondence.

Sir,

Downing-street, 18th February 1831.

I HAVE observed in some of the late Reports of the Protector of Slaves the great prevalence in St. Lucia of the punishment of working in chains, which seems to be inflicted for every variety of period, from one month to three years, and as well by the authority of the magistracy as of the Courts of Justice: I have to desire, that in future the Protector of Slaves will give some more accurate Return of these punishments than is conveyed by the words "the chain," which do not sufficiently distinguish between the case of slaves sentenced to work in chains on their owners' estates, and of those sentenced to work with the public chain-gang. The former mode of punishment I consider to be plainly objectionable. The regulation of labour in chains is a trust which cannot with safety be confided indiscriminately to the managers of plantations. And although I am aware that sentences of this nature may be chosen for their tendency to exempt owners from the ill consequences of offences committed by their slaves, I am not sure whether, in any state of society, it is a desirable result that persons in authority should be relieved from the connection of their own interest with the good conduct of those over whom their influence extends.

Solitary confinement is another punishment which appears to be frequently ordered by the Courts of Justice. I think it is to be apprehended that sentences of solitary confinement for periods of one and of two months, are likely to cause a measure of suffering greater than might be foreseen at the time of passing those sentences. You will desire the Protector of Slaves to furnish you, for my information, with an account how far these confinements are strictly solitary, in what places they are usually undergone, what number of daily visits is made to the persons by whom they are suffered, whether any medical superintendence, or the allotment of particular hours for exercise, is prescribed during their continuance, and finally, the general effect which they are found to produce.

I have, &amp;c.

(signed) GODERICH.

PROTECTORS OF SLAVES REPORTS.

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FROM THE

PROTECTORS OF SLAVES

IN THE

COLONIES of *Demerara, Berbice, Trinidad,*  
*St. Lucia, the Cape of Good Hope and*  
*Mauritius.*

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Ordered, by The House of Commons, to be Printed,  
10 March 1831.

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