



This graphic narrative is based on unpublished, archival documents. There are many other kinds of historical sources, such as autobiographies and newspapers, but archival documents are of special importance to historians. They often reveal things that published sources do not. For example, there are no newspaper accounts of the *Neirsée* affair. In order to reconstruct what had happened, I read many archival documents—dispatches, depositions, ships' logbooks, and even a physical description of the perpetrators. What follows is a selection of the ones most important to the story.

I chose to include these documents because they form the backbone of the graphic narrative. I left out documents that did not advance this narrative. This process of selection highlights what historians really do. We do not find preexisting stories in the archives waiting to be discovered and told. Rather, we build narratives using information gleaned from masses of documents that could be used to tell all sorts of different stories. The documents I did not include in the selection—as well as some of those I did—could be used to tell alternative stories. A few of the histories I chose not to tell include: Argentine privateering during the war between Buenos Aires and Brazil (1826–1828), the culture of the aristocratic diplomatic corps in Restoration-era Europe, the resettlement of recaptives in Sierra Leone, and the economic and political agency of African and Eurafrican slave-trading merchant elites in the Bight of Biafra. I chose not to tell these stories here because, in my opinion, the most historically significant and dramatic narrative I could build from the documents was that of the enslavement and liberation of the Africans aboard the *Neirsée*.

WEST AFRICA: SEIZURE OF THE *NEIRSÉE*

DOCUMENT 1. CAPTAIN WILLIAM FITZWILLIAM OWEN TO JOHN WILSON CROKER, FIRST SECRETARY OF THE ADMIRALTY (Sierra Leone, 14 July 1828).

His Majesty's Ship *Eden*¹
Sierra Leone, 14 July 1828
Sir,

His Royal Highness the Lord High Admiral may possibly expect from me such observations as I have made on the present state of the Slave Trade in the Rivers in my immediate vicinity, and on the advantages which may

result from our occupation of Fernando Po. Although the theatre for my observations has (from my vessels being confined to one spot) been necessarily very limited, yet I feel it my duty to offer such as have occurred. My boats have visited only the St. John's, the Bonny, New Calabar, Old Calabar, Bimbia, and Cameroons. . . .

There is in no part of the Coast within the limits mentioned any extended single Government, but the whole is broken into isolated tyrannies of Petty Chiefs, who all of them are the traders for all articles and particularly for Slaves. It therefore will be impossible to put down that traffic in the said region but by one of these modes: either by absolute subjugation and conquest, dictating our will, or by treaty with each of the Chiefs, leaving our agents or the visits of Ships of War to see the said treaties executed, or lastly as is now done by treaty with those European Powers whose subjects engage in it to enable us to seize the fruits.

The first method is perhaps the only sure one. The second might, if zealously undertaken and executed, be equally successful, but by the last we shall surely never utterly destroy this trade, and yet viewing it as a British Seaman, this method has the advantages of continually keeping a part of our navy employed, and its energies always in exercise, ready for more important action when required; and this method would probably in the present state of Europe have no objection, did not its rewards arise from our own funds and if it did not load us with a dead weight of useless Negroes to take care of and provide for. I have not mentioned the means aimed at by Christian Philanthropists, by enlightening and civilizing Africa.

I believe this to be impossible by any mundane means until those multitudes now separated into invisible communities be forcibly subjugated to single rule, or formed into nations of importance by their magnitude and population.

In all the regions on which I presume to offer any observations, the trade in slaves is their principal; the second in importance in their own estimation is our Palm oil trade, which embraces also some trifling exchanges for Gold and Ivory. The effects of our palm oil trade carried on as it is by old slave traders rather tends to encourage than discourage the Slave Trade. The ships employed in it bring out many more goods than are necessary to purchase their cargo which they sell for cash. Many of the slavers therefore come with cash only to Bonny, the Old Calabar, and Cameroons, and get their cargoes of slaves with scarcely any delay at all, the Chief being always the agent through whom all business is conducted. . . .

The Chief of the most extensive dominion in the part I speak of is Duke Ephraim, who is the Chief, or as he is called, King of the Calabar. His authority is assumed to extend on both sides the river from its bar for a hundred miles into the interior, in all which distance the river is navigable

for large vessels, there he says begins a new tongue, and he knows nothing of the country beyond. . . .

The general character of vessels trading for slaves at these rivers is from two hundred to sixty tons, brigs and schooners, under Spanish colors and papers, under French colors with simulous French papers, having also Spanish or Netherland documents; and Brazilians; and a few small craft from the Portuguese Islands of Princes and St. Thomas's. The whole number of slaves exported from the three rivers may be taken at twelve thousand a year, certainly not more.

When circumstances permitted me to detach one boat only from my ship, with a small vessel as a rendezvous, I was able so completely to blockade Old Calabar, Cameroons, and Bimbia as to leave but little chance of escape to any slaver, and one Spanish vessel was obliged to sell her cargo of four hundred to a French vessel, and to sail empty to cruise as a pirate, in consequence of my placing my pinnace within the bar of Old Calabar to blockade her. . . .

Of Fernando Po and its eminent situation for commanding both bights, it will be superfluous to offer a word, further than to explain that the removal of the Court of Mixed Commission to Clarence will have the immediate effect of more than trebling the power of the vessels employed to put down the traffic. Of nine vessels I have sent to Sierra Leone, their voyages have been of four of them, more than six weeks, two one month, and two fifteen days; whereas from all parts from the Congo to Cape Coast, eight days or less will suffice generally for a voyage to Fernando Po and from the ports to windward. The wind is always fair for Fernando Po with numerous refreshing stations intermediate; so that in no case need the cargoes of slaves suffer, as in many cases they have done in the voyage to Sierra Leone.

I have the honor to be
Sir,
your humble
and obedient servant
WFW Owen captain

¹Source: The National Archives (TNA), Admiralty (ADM) 1 2273.

DOCUMENT 2. OWEN TO LIEUTENANT BADGELEY (Clarence Cove, Fernando Po, 17 January 1828).

Having certain information by the Margaret of Liverpool that there are in New Calabar River several vessels ready for taking in slaves and with their cargoes ready for embarkation and being also desirous of opening a communication with New Calabar, Bonny, and Old Calabar to make our arrangements for supplies of live stock, articles of provisions, and free native labor.²

It is my direction that you take command of the Royal Admiral (the Eden's pinnace), manning her with 11 seamen, 4 marines, Mr. Mercer mid-shipman, and yourself, also ten Kroo and Fishmen whom you will victual for fourteen days. With whom you will repair on board the Africans schooner and take command of her likewise, having engaged her as my tender, Mr. Smith, her master, being appointed to act as master of the Eden for the purpose of this expedition only and his crew having engaged for this specific service.

With the Royal Admiral and the African, you are to proceed and examine all the three rivers before named, and obtain for my examination every Spanish, Portuguese, and Netherland vessel you may find therein, either with slaves on board or with indubitable evidence of their being engaged in the traffic for slaves in contravention of the treaties between Great Britain and their nations respectively, and you will bring them to this anchorage with as little delay as possible for my said examination.

You will take advantage of this service to make arrangements with the chief authorities in each place for collecting for the service of this establishment:

1. Live cattle and live stock of all description
2. Other articles of victualing, such as cassava, rice, maize, etc.
3. To hire for the establishment such free laborers as can be procured.

²Source: TNA, ADM 1 2273.

DOCUMENT 3. RICHARD CUMMINS, CAPTAIN OF THE KENT, TO BADGELEY (Old Calabar, 26 January 1828).

Sir, I understand you will leave this in the morning. I am sorry for it, but at the same time if you remained here, it would be the same regarding our vessel and trade.³ I feel quite safe while on board, but it is of consequence to our trade for me to be ashore during the day three or four times, as the principal part of our cargo is received there. But when Frenchmen come to our oil house and when we are in the act of taking our cargo fired on our people, as last night they unfortunately shot our second officer. I cannot be safe and I am informed they are not at all well disposed towards myself. Duke Ephraim I know would protect me and every person in the Kent, but he cannot protect me from such rascals who may do me or any of my crew an injury, when we least expect it, when passing such narrow paths or straits, or coming near our oil house. We cannot defend ourselves, nor know when they are coming. I have been long here in the Calabar trade when there have been many slave vessels, but never before saw them in-suit any person belonging to the palm oil ships. I have not the hopes that the Duke's doctor people have of our second mate's speedy recovery. A shot passing through a person's belly is a serious thing and requires skill,

attention, etc. I am unprovided with a surgeon unfortunately, but all we can do we will for him.

³Source: TNA, ADM 1 2273.

DOCUMENT 4. OWEN TO CROKER (Clarence Cove, 25 November 1828)

I have the honor to report that having dispatched the *Horatio* and *Cornelia* to the Old Calabar River to procure and settle for supplies of meat for this establishment . . . the *Cornelia* brought me certain information that the *Estafette* alias the *Nirzee*, a pretended French brig under fictitious papers would sail immediately with a cargo of slaves, I dispatched Lieutenant Badgeley immediately in the *Cornelia* to coast for her on the bar.⁴ Her captain has sent a private message to offer me a thousand guineas to let him pass. The *Cornelia* left this anchorage on the 22nd and on the 24th returned with the vessel sought with two hundred and eighty slaves on board. I shall take this occasion to discharge a number of the African mechanics, the time for which they were engaged having expired and they have requested to return to their families at Sierra Leone. I have also so many prisoners, viz., about a hundred and fifty, as to inconvenience us to feed them, I shall therefore send them off also or as many of them as we can.

⁴Source: TNA, ADM 1 2274.

RIBBEAN: ENSLAVED ON GUADELOUPE **DOCUMENT 5. WILLIAM NICOLAY, GOVERNOR OF DOMINICA, TO SIR GEORGE MURRAY, SECRETARY OF STATE FOR WAR AND THE COLONIES (Pointe-à-Pitre, Guadeloupe, 2 February 1829).**

It is notorious that, notwithstanding the laws established in France for the abolition of the slave trade, great numbers of African slaves are continually imported into the colonies of Guadeloupe and Martinique.⁵ I have now to report a most flagrant case of this illicit traffic, which has recently occurred under very extraordinary circumstances.

In the month of November last, a brig having on board 280 slaves was captured off the coast of Africa by His Majesty's ship *Eden*. Mr. Davies, Master's Assistant, with five English seamen and eight free black men, were sent onboard the prize to conduct it to Sierra Leone for the purpose of adjudication. While on the voyage thither, these men were surprised and overpowered by part of the original crew of the slave vessel, who carried it to Guadeloupe, where, on the night of the 23rd ult. [last], the whole of the slaves, all the free black men aforementioned, and a free black woman, wife of one of them, were promiscuously landed in the most expeditious and methodical manner. It was understood that the brig sailed immediately afterwards for Martinique. The officer and the five English seamen, belonging to the *Eden*, were put into an open boat, and, fortunately, they

reached this island. I have the honor to transmit, enclosed, the deposition of Mr. Davis, taken before the Chief Justice, and which will put you more minutely in possession of the particulars of this transaction.

I have applied to the Governor of Guadeloupe for the restitution of the eight men, and the woman, free blacks and British subjects, who were all forced on shore with the slaves, and I have written to the Governor of Martinique representing that as the brig was found actually employed in the illegal transport of slaves, and that she was proceeding to Sierra Leone, in order to fair trial and adjudication, she ought still to be considered a British prize, but if any doubt should exist on that head, I requested that the vessel, if at Martinique, might be detained until the case should be referred to higher authority for decision. The result shall be reported to you by the first possible opportunity after my receipt thereof.

From the atrocious instance herein brought to your knowledge and from many other well known facts, it is not to be doubted that a regular system for the importation of African slaves into the French colonies is carried on to an enormous extent, and which could surely not take place were the local authorities sincere and active in the enforcement of the French laws relative to the abolition of the slave trade.

I have transmitted to the officer commanding His Majesty's Naval Forces on this station a full account of all that has passed upon this subject, requesting at the same time to know his wishes with regard to the disposal of the officer and seamen belonging to the *Eden*. It is however impossible for my letter to reach him before the departure of the mail, about to proceed to England; and I therefore beg to submit that the substance of this my dispatch to you may be communicated to the Lords of the Admiralty, to remove the anxiety which must naturally be felt respecting the fate of the brig and of the persons sent on board her from the *Eden*.

⁵Source: TNA, Colonial Office (CO) 71 67.

DOCUMENT 6. DEPOSITION OF JAMES DAVIES, MASTER'S ASSISTANT OF H.M.S. *EDEN* (Roseau, 28 January 1829)

Before the Honorable Robert Jameson, Chief Justice of the Supreme Court of Judicature held in and for the said Island of Dominica

Appeared James Davies, Masters Assistant of His Majesty's Ship of war, the "*Eden*," who being duly sworn upon the holy evangelist of Almighty God, deposeth and saith, that, on or about the eighteenth day of November last past, the "*Eden*," Captain Owen, captured the French Brig commanded by one Tiran, and bound to Guadeloupe, whilst she was at anchor off Calabar, in the Bight of Biafra, with two hundred & eighty African slaves on board.⁶ The brig by the ship's papers was called the "*Neirsee*" and her company consisted besides her commander of thirty three men,

including a captain in second and two mates. The brig was taken with her cargo to Fernando Po and kept there until the twenty seventh day of November aforesaid, when deponent was directed to proceed with the Brig to Northwest Bay, distant about twenty miles, to purchase yams for the use of the crew and of the African slaves on board (the quantity found on board at the time of the capture not being deemed sufficient) and there to await the arrival of the "Horatio" tender, to proceed to Sierra Leone for the adjudication of the brig and cargo. On the second of December, the Brig sailed from Northwest Bay in company with the "Horatio" tender, having on board besides deponent five seamen of the Eden's crew, two marines (invalids), five free black men (known upon the African Coast by the name of Kroo men) belonging to the Eden and *entered on the ship's books*, besides three other free black men, passengers going to Sierra Leone. There were also on board, of the original French crew, the captain in second, the two mates, and fifteen men, the rest of the crew having been landed at Fernando Po, with the exception of the commander Tiran, who was on board the tender. Some days after they had been at sea, two of the seamen of the Eden's crew fell sick. Deponent sent them on board the tender, and received in return two Spaniards who had previously been taken on board slave vessels and had volunteered to serve on board the tender. On the morning of the nineteenth of December, about two o'clock, the Brig parted company with the tender in a tornado. This was in sixty miles south latitude and six degrees east longitude. On the morning of the twenty fourth of December, about half past eleven o'clock, as deponent was lying in his cot taking his usual rest from the fatigues of the preceding night, he heard the report of a pistol, when he immediately got up, and was at the same moment fired at by one of the French crew. He was then ordered by the French captain in second to go below. One of the Spaniards (who had joined the French and ultimately remained with them) at the same time seized deponent by the back and forced him down the hatchway. Two of the seamen of the Eden's crew were wounded, one in the head and the other stabbed and cut in two different places. The three seamen, the eight free black men, and two marines were all put in irons on the same day; and were allowed for eight or ten days the use of the forecastle, but on some alleged suspicion on the part of the Frenchmen that the Eden's crew intended retaking the Brig, they were ordered and kept below during the rest of the voyage, with the exception of the two marines, who were relieved for two or three days on account of illness. Deponent further saith that at the commencement of the revolt and on the firing of the pistols, the eight free black men, instead of coming to the assistance of this deponent, took alarm and ran down below. During the rest of the voyage nothing particular occurred. They arrived at the French island of Deseada distant from Guadeloupe about fifteen miles

and went into port under Dutch colors about eleven o'clock in the forenoon of Friday the twenty third day of January instant, where she remained at anchor and in communication with the shore, until about five o'clock in the afternoon when she got under weigh and proceeded to Guadeloupe, which they reached about eleven o'clock at night, and anchored. They immediately commenced landing the Africans which occupied them until about two o'clock the following morning. The eight free black men were landed also promiscuously with the slaves, and deponent saith that the landing of the slaves was carried on without any apparent attempt at secrecy, there being a large fire upon the shore and at least twelve large boats assisting, and this deponent as far as he could judge from the myriad lights, believes that the place of landing was in the vicinity of some town which from its situation he believes to have been that of Point-à-Pitre. Two hours after the landing was completed, they made sail for Martinique (to which island this deponent was informed the brig belonged and was one of several ships which annually brought cargos of slaves to the French islands) leaving the captain in second on shore there, and having previously thrown overboard their two remaining great guns, their musketry and small arms, the pistols belonging to the men of the Eden, were given the pilot who conducted the brig from Deseada to Guadeloupe. Deponent together with the three seamen and two marines were put into an open boat and informed that the island in sight was the British island of Dominica and that himself and men might make the best of their way there. Deponent reached Prince Rupert's Bay in this island on the same day about five o'clock in the afternoon and came up to Roseau the following day, Sunday morning the twenty fifth of January. Deponent further saith that though by the ship's papers the brig's name appeared to be Neirsee, yet he was given to understand she went on the Coast by the name of the Estafette, that the deponent has no doubt but that he could identify the said vessel, and the several individuals who formed the crew, and also the several free black persons landed among the slaves, and lastly deponent was informed by the mate of the brig that it was the custom of the French slave ships to call at one of the small French islands, either Deseada or Marie Galants, and there to take instructions as to the place of landing the cargo.

⁶Source: TNA, ADM 1 280.

DOCUMENT 7. DEPOSITION OF DANIEL WILSON, HUGH JONES, AND JOSEPH ROLFE, SEAMEN, AND JAMES MOORE, MARINE, OF H.M.S. EDEN (Roseau, 29 January 1829)

Daniel Wilson, Hugh Jones, and Joseph Rolfe, the three seamen, and James Moore, one of the two marines referred to by the Deponent James Davies (the other marine being too ill to attend) were severally examined

by me upon oath respecting the facts detailed in the above deposition and confirmed so far as they were concerned every circumstance therein stated with the addition that there were in fact *nine* free Africans (eight male and a female) carried away among those who had been made slaves by the French, the female being the wife of one of the three passengers.⁷ They further stated that these nine persons had been long in the service of the English upon the African Coast (having been to the examinants' own knowledge nearly two years employed on board the *Eden*, and three as carpenters or shingle makers at Fernando Po), and that they all spoke English very well. All the examinants agreed that they could easily identify these several persons.

Mr. Davies was again examined respecting the fact of there being a female free African also. He stated that the information was true, but that it had escaped his memory at the time of making his deposition.

⁷Source: TNA, ADM 1 280.

MENT 8. NICOLAY TO MURRAY (Roseau, 10 March 1829)

In my dispatch of the 2nd ult., I reported to you that a brig (*La Neirsee*) having on board 280 slaves, was captured in the month of November last by His Majesty's Ship *Eden*, and that the prize was retaken and carried into Guadeloupe, where all the slaves and several free Africans were forcibly landed.⁸ I likewise informed you that Mr. Davis, Master's Assistant, and five English seamen belonging to the *Eden*, who had been taken to Guadeloupe in the slave brig, had arrived here. The particulars of this transaction were fully detailed in Mr. Davis's deposition which accompanied my report.

The enclosed papers, nos. 1 and 2, are copies of my letters to the Governors of Martinique and Guadeloupe, and of their replies, which I did not receive until after the sailing of the packet bearing my dispatch of the 2nd ult.

I have now the honor to communicate to you the subsequent occurrences relative to this subject.

On the 14th ult. six of the free Africans who had been landed with the slaves reached this island, having been embarked at Guadeloupe in a sloop from which they were removed to an open boat in the channel between that island and Dominica.

On the 17th Captain Deare, Commander of His Majesty's Sloop *Grasshopper*, arrived here, and after ascertaining that the brig, *La Neirsee*, had not been at Martinique, as was supposed, he took on board with him Mr. Davis, the five English seamen, and the six free Africans aforementioned, and sailed on the 19th for Guadeloupe with instructions from Vice Admiral Fleming to demand the restitution of the slaves who had been landed

there from the brig, as also of the rest of the free Africans who were forced on shore with them. Mr. Robe, my Secretary, accompanied Captain Deare, and on this occasion I again wrote to the Governor of Guadeloupe. No. 3 contains a copy of our correspondence, by which you will perceive that, in the reply to my letter, no notice is taken of that part touching the bringing to justice the persons who had been concerned in compelling the free Africans to work as slaves.

On the 21st ult., the remainder of the free black men reached this island in an open boat. They were sent from Guadeloupe previously in the same manner as the other six, evidently from alarm on the part of the persons by whom they had been unlawfully detained. Thus, all the free Africans who had been sent from the Eden, to the slave brig, have been recovered, except the woman; and I trust that she will shortly be restored.

The accompanying papers, nos. 4 and 5, are the depositions of the nine African men, and which are in perfect accordance with the statement formerly made by Mr. Davies. . . .

Vice Admiral Fleming called here on the 5th. He had been at Guadeloupe; but did not receive from the Governor of that Island any satisfactory reply to the representations he had made with respect to this important subject.

The several circumstances brought to light in the investigation of this extraordinary case afford ample evidence of innumerable acts of a most cruel and atrocious nature, having been committed in the instance of the brig Neirsee; and there is, moreover, incontestable proof that, in violation of all laws and treaties, the slave trade is carried on with the French colonies in the most inhuman manner, and to an enormous extent; which undoubtedly could not happen without the tacit assent of the local authorities.

⁸Source: TNA, CO 71 67.

DOCUMENT 9. DEPOSITION OF JAMES PATTERSON, THOMAS GEORGE, JOSEPH MICHAEL, JAMES RAWSON, BEN LIVERPOOL, AND JACK DAVIES (Roseau, 18 February 1829)

James Patterson, Thomas George, Joseph Michael, James Rawson, Ben Liverpool, and Jack Davies respectfully depose and first the said Patterson, George, Michael and Rawson depose that they are native Africans and were brought up at Sierra Leone as carpenters and shingle makers.⁹ They were instructed by a Christian Minister and profess the Christian religion. The deponents James Patterson and Joseph Michael can read; the former of these also writes. They went to Fernando Po for the purpose of being employed in their trade. The deponents Liverpool and Davis are free men of the Korou or Kroo nation, and have for several years been employed at Sierra Leone by different persons as laborers and jobbers, and have for

the last fifteen months (previous to their leaving the African Coast) been serving on board the *Eden*, Captain Owen. The deponents say that the *Eden* having captured a French brig laden with slaves off the coast of Calabar, Captain Owen was sending the same to Sierra Leone. The four first named deponents obtained a passage in order to return to Sierra Leone. A female named Sarah, the wife of the deponent Thomas George was also a passenger. She had formerly been taken on board a Spanish slave ship and liberated upon the condemnation of the vessel at Sierra Leone. After the deponents had been some days at sea, the crew of the French brig rose against the English and retook the vessel, and put the deponents and the English seamen in irons. This the deponent Paterson says took place as he believes about the 24th Dec. last. They then sailed to Guadeloupe where upon their arrival about midnight the whole cargo of slaves were landed together with these deponents and three other free men of the Kroo nation serving on board the *Eden* and who with the deponents Liverpool and Davis had been put on board the brig to assist in navigating her to Sierra Leone and also the said Sarah. The next day they were all marched in a line in the broad day light to a plantation about three miles from the shore. The slaves together with the woman Sarah were put into a large room or boiling house and the deponents and the said three other Kroo men were confined in a sort of loft adjoining. During the first seven days all the slaves together with the free woman Sarah were sold to different purchasers who came to the place in great numbers, some purchasing five others ten, fifteen, or twenty at a time. The deponents and their three other countrymen were also exposed to sale, and many persons were brought by the captain of the French brig to buy them. They were kept apart from the other Africans because the French captain said they were his own private property, his "prize money." The French captain spoke English as did several of the persons who came to purchase. Deponents protested against being sold and stated that they were free men and subjects of the King of the England. They had for the same reason protested against the sale of Sarah, particularly the deponent Thomas George, who entreated that they would not sell his wife. The French captain struck him upon the head and said he should certainly sell them all. The deponents declared their freedom whenever purchasers came and they believe that persons for that reason were deterred from buying them. The French captain was very angry, and struck the deponent Patterson several times; he behaved very outrageously and threatened to shoot them all if they prevented their own sale. After all the cargoes of negroes had been sold, the deponents were taken to an adjoining sugar plantation belonging to a person named Sergente (whether purchased by him or not they do not know) and were there compelled by him to work. The four first named deponents labored at their trade and

made during their abode there several carts and wheels for their estate. The Kroo men were made to work at the mill or to assist those who were making rum or sugar. The deponents further say that late in the night of Friday the 13th February inst., Mr. Sergente and another gentleman came to the deponents and told them they were to be sent back to the English. They were brought to the shore and put on board a small sloop, except three of the Kroo men who were told by some of the French slaves, several of whom could speak English, that they were only to be taken to some other island to be sold, and refused to enter the sloop. The deponents embarked about midnight, accompanied by ten or eleven Frenchmen; and at half past five or six o'clock in the morning of Saturday, appeared to be about midway in the Channel between Guadeloupe and Dominica. Then they were put into a small boat with three oars, they had three loaves, some salt fish and a flask of water given them, and were directed to make the best of their way to this island. The deponents enquired whether there was a harbor and were told they must find one as they could. Deponents reached Prince Rupert's Bay in this island about eleven o'clock in the morning of Sat Feb. 14th instant. Deponent Patterson saith that one Sunday he was permitted to go in company with one of Mr. Sergente's servants to the Church of a large town within a short walk from the place where the sale of the negroes was held. He does not know the name, but there were several merchant ships and a few schooners lying close to the town.

The before named persons who have sworn to the truth of this deposition are very intelligent Africans and speak English remarkably well (especially James Patterson) and have been instructed in the principles of Christianity which they profess. Upon re-examining the other two, Liverpool and Davies, they did not appear to have had the same advantages or to be sufficiently sensible of the nature of an oath which I have therefore refrained from administering. Robert Jameson.

⁹Source: TNA, ADM 1 280.

DOCUMENT 10. DEPOSITION OF YELLOW WILL, DICK WILSON, AND PRINCE WILL (Roseau, 23 February 1829)

The three Kroo men calling themselves Yellow Will, Dick Wilson, and Prince Will, referred to in the deposition of James Paterson and others dated the 18th Feb inst and who arrived in this island on the evening of Saturday the 21st inst were this day examined by me.¹⁰ They stated that they are all free Africans who have for several years been laborers employed by the English at Sierra Leone and elsewhere. They have never been instructed in any religion. During the last two years of nearly that time, they have been acting as hired assistants to the crew of the Eden, stationed

at Fernando Po. They gave the same account of the circumstances of taking the French slave ship and its being retaken by a conspiracy of the French captain and seamen as has been given by Mr. Davis and by their own countrymen. The examinant Yellow Will had upon the last mentioned occasion received two stabs from a large knife, one on his thigh and one on his hand (still very apparent). They state that the brig, on board which they were, arrived at the French island in the night and anchored. That a large fire was kindled upon the beach and a great number of boats were immediately ready and employed in landing the slaves, and that they (the examinants) were landed at the same time, but kept apart from the others by the captain of the French brig. That about seven o'clock in the morning of their landing all the slaves, together with the examinants, were conducted in a body to a plantation not far from the shore. The examinants were backed up together and several persons were brought by the French captain to purchase them. They could see the sale of the slaves going on and saw a free woman named Sarah, the wife of George, one of their free companions, sold along with them. George had cried out against her being sold and was kicked by the French captain. When persons came to look at them, they all cried out against being sold and laid that they were free and "Englishmen." Upon an occasion of this kind a French man who was bargaining with the captain for some of them kicked the examinant Yellow Will and said he should buy them notwithstanding if he liked. He did not however buy any of them. They told everyone they saw that they were free men and many of the French purchasers understood them. The French captain threatened "to kill them like sheep if they spoke English." The examinants believe that they were at last sold. The person who bought them spoke English and told them that he was an Englishman, and therefore that he had a right to buy them. By this person they were carried away from the place where the sale was carried on. George, whose wife had been sold resisted and was handcuffed. They were conducted to a plantation very near the place of sale and were made to work among the slaves and in all respects treated as such and fed with them upon yams and salt fish in the negro huts. They worked from five o'clock in the morning until eight at night when they were always locked up by themselves in a house adjoining the boiling house. They believe they were working twenty two days. The examinants and two others named Ben Liverpool and Jack Davies assisted the men at the still carrying water and fuel and filling the hogsheads with sugar. The other four free men worked at their trades. Three were carpenters and one a mason.

They further stated that one evening about six or seven days since "two fine men came from the big town" and that same night the person who brought the examinants informed them they were to be sent to an English country. They were all taken to the beach, but on their way they were told

by a French slave who spoke English that they were only to be taken to another French island to be sold. The examinants therefore escaped and ran back to their former abode. The master asked why they had returned. They gave their reason. The master said they need not be afraid, for the two gentlemen from the town would take care of them. One of these two gentlemen spoke English to them and told them they could not be sold but might be quite sure they were only going back to the English. On the following night, they left the French island in a sloop. When they got so near the island that they could row to land, they were put into a small boat and the French sloop sailed away.

¹⁰Source: TNA, ADM 1 280.

CARIBBEAN: COLONIAL AUTHORITIES IN ACTION
DOCUMENT 11. NICOLAY TO THE BARON DES ROTOURS, GOVERNOR OF
GUADELOUPE (Roseau, 28 January 1829)

I have the honor to address your Excellency upon a subject of very great importance, which has just been brought to my knowledge.¹¹ The circumstances are as follows:

In the month of November last, a brig, having on board 280 slaves, was captured off the coast of Africa by the *Eden*, a British man of war. The name of the brig was stated in the ship's papers to be *La Neirsee*, but there is reason to believe that she had previously been called *L'Estafette*.

An officer of the *Eden*, with five English seamen and eight black men (all free British subjects) were sent on board the prize to conduct it to Sierra Leone for the purpose of adjudication before the proper tribunal. While on the voyage thither, these men were surprised and overpowered by part of the original crew of the slave vessel, and who carried it to Guadeloupe, where, on the night of the 23rd instant, the whole of the slaves and all the free blacks aforementioned were landed in so expeditious and methodical a manner as clearly to evince that the arrival of the brig was not unexpected. Immediately afterwards she sailed for Martinique. The English officer and the five seamen were put into an open boat and fortunately they reached this island.

The enclosed documents being evidence taken on oath before the Chief Justice of Dominica will put your Excellency more minutely in possession of the particulars of this case.

I am persuaded that Your Excellency will be anxious to bring to justice the persons concerned in this flagrant infraction of the laws and regulations acceded to by the French government for the abolition of the slave trade, and that you will feel highly indignant at the fact of eight free blacks (British subjects) having been forcibly and clandestinely landed at Guadeloupe.

From the well-known vigilance and activity of the Police under Your Excellency's government, it is not to be doubted that these men will readily be found. And I confidently rely on Your Excellency's justice that you will be pleased to give directions to that effect, and cause them to be duly restored.

P.S. I am just informed that a free black woman (the wife of one of the eight free men) was also put on shore at Guadeloupe.

¹¹Source: TNA, CO 71 67.

**DOCUMENT 12. ROTOURS TO NICOLAY (Basse-Terre, Guadeloupe,
18 February 1829)**

I received the letter that Your Excellency did me the honor to write on the 28th of last month, together with the attachment concerning the supposed landing on the coast of Guadeloupe of a cargo of Blacks from a French vessel which, detained on the African coast by a British warship, is supposed to have been retaken by the French crew and taken to this island, after having landed at Dominica the prize captain and his crew.¹² Monsieur Governor, I have not yet been able to obtain sufficiently accurate information on the landing to be able to respond categorically. By my orders, the coast of Guadeloupe is under the strictest surveillance, both to stop the landing of slaves and to interdict contraband trade; but it is possible that some slavers manage to evade this surveillance, just the same as the purveyors of prohibited merchandise from Dominica and the other colonies of His Britannic Majesty succeed in landing their goods. But you can rest assured, Monsieur Governor, that if I find any trace of the vessel, I will do everything I can to fulfill your request.

¹²Source: TNA, CO 71 67.

**DOCUMENT 13. FLEMING TO CROKER (Carlisle Bay, Barbados,
18 February 1829)**

I request you will be pleased to acquaint my Lords Commissioners of the Admiralty, that I arrived here on the 13th instant, and found the Grasshopper and Arachne.¹³ Captain Crawford being appointed to act in the Magnificent has proceeded to join that ship by the Cygnet, packet, being superseded by acting commander Deare.

On the next day, I received a letter from the Governor of Dominica, a copy of which I enclose; and in consequence I detached the Grasshopper to that Island, to receive on board the officer and men belonging to the Eden; and proceed with them to Guadeloupe and Martinique; and I have written to the Governors of these Islands, requesting that the Crew belonging to the Neirsée may be given up to be tried by the competent authority for the piracies they have committed. I have claimed the British subjects; as well

as the Africans, which by the laws of both countries, must now be free. The Eden's people will be enabled to identify the British subjects, and the pirates; and perhaps a number of the unfortunate Negroes. Commander Deare is directed to join me at Antigua; where I shall proceed tomorrow; and if I find it necessary, I shall go to Point-à-Pitre (Guadeloupe) from that port; and from there to Trinidad, unless my presence may be necessary at any of the other Islands.

By what I understand the French law to be respecting persons connected with the slave trade, the authorities in Guadeloupe and Martinique will have sufficient power to punish them; We shall judge therefore of their sincerity in putting down the horrible traffic by their conduct on this occasion.

¹³Source: TNA, ADM 1 280.

DOCUMENT 14. FLEMING TO ROTOURS (Carlisle Bay, 14 February 1829)

I have the honor to transmit Your Excellency a copy of a letter from Major General Nicolay, Governor of Dominica, together with a declaration from an officer and five men belonging to His Britannic Majesty's Ship Eden, by which it appears that a most daring act of piracy has been committed by the crew of the French brig "Neirsée" alias "Estafeta," accompanied by great inhumanity and atrocity; and, as it appears, that all the Africans on board that vessel, together with his Britannic Majesty's subjects, described by the said officer and men, are in Guadeloupe.¹⁴

I have to request you will cause them forthwith to be delivered up and taking such measures as Your Excellency may think proper for bringing the persons connected with receiving and detaining those unfortunate beings to justice.

The officer who is charged with the honor of delivering this dispatch to Your Excellency has been directed to receive on board the officer and men belonging to the Eden, for the purpose of identifying His Britannic Majesty's African subjects and any of the crew who have been guilty of the above piracy; the former of whom I demand may be instantly set at liberty as justice requires; reserving the right of indemnification against all persons who have been guilty of the injustice towards them, by depriving them of their liberty and other illegal acts; and I request that the pirates who can be identified may be given up, in order that they may be brought to a competent tribunal to answer for their crimes.

¹⁴Source: TNA, ADM 1 280.

DOCUMENT 15. ROTOURS TO FLEMING (Point-à-Pitre, Guadeloupe, 22 February 1829)

I received the letters and diverse pieces that you did me the honor to address to me on the 19th of this month.¹⁵ There is no doubt that the landing

on the shore of Dominica of the six men of color, demanded as subjects of His Britannic Majesty, was the result of measures I took to discover their whereabouts, as well as those of the people who, according to what you say, had taken possession of them. . . .

In conformity with your desires, I am giving the most rigorous orders to search in all the parts of the island, as well as in its dependencies, for the four men that you request. However, I must let you know, Monsieur Admiral, that the localities present obstacles that will make these investigations very difficult; I would have immediately accepted the offer that Captain Deare made to leave here two of the men returned to Dominica and come back with him if the commander of the Gendarmerie, whom I had summoned in person, had not observed that, in addition to the difficulty he would have had in answering for men likely to escape, their presence would awaken the disquiet of runaways and thus become more dangerous than useful.

¹⁵Source: TNA, ADM 1 280.

**DOCUMENT 16. CAPTAIN DEARE, H.M.S. GRASSHOPPER, TO FLEMING
English Harbor, Antigua, 23 February 1829)**

I have the honor to inform you that in obedience to your order dated the 13th inst. I proceeded to sea in his Majesty's Sloop under my command on the evening of that day, and anchored off the town of Roseau the next night.¹⁶ I delivered the dispatches I was charged with to His Excellency General Nicolay the following morning and was informed by him that six free black men, who had landed from the "Neirsee" at Guadeloupe had arrived at Prince Rupert's Bay and that he had sent orders for them to be forwarded to Roseau. At His Excellency's suggestion, I weighed the same evening (having first received on board Mr. Davis, three seamen, and two marines belonging to His Majesty's Ship Eden) and proceeded to Fort Royal, Martinique, where I arrived on Wednesday afternoon, and delivered the dispatches I was charged with, and also the deposition of the Eden's men, according to your direction. I was informed by the Naval Commanding officer there (the commander of a schooner) that your letter to Admiral Bergeret would be answered by the Governor in his letter to you, which I herewith forward.

On my way to Fort Royal, I hove to off the town of St. Pierre's, and landed there at General Nicolay's request, for the purpose of ascertaining whether the Neirsee was in that harbor, which I found she was not, and from what I heard on shore am induced to believe that she had not been there. I left Fort Royal the same evening after receiving the Governor's answer to your letter, and anchored at Roseau on Thursday morning, when I received on board the six free black men who had arrived from Price

Rupert's Bay and of whose deposition as to what had occurred to them and their companions I have the honor to forward you a copy.

I was informed by General Nicolay that in consequence of information he had received, he was inclined to think that the Neirsee or l'Estafette, instead of going to Martinique as was reported, went from Guadeloupe to St. Eustatius; then took out papers for St. Bartholomews and again took out papers at that island and proceeded to the Havana for sale. It was further reported that the circumstances of the revolt and the capture of the Neirsee was the public talk at St. Bartholomews.

On Thursday evening last, I left Roseau and proceeded to Basse-Terre, Guadeloupe, having been requested to do so by General Nicolay, who had been informed that the Governor of that Island was there. I was however told by Rear Admiral Bergeret, who was laying in the road with his flag on board the Jean d'Arc that His Excellency had left Basse-Terre a few days before for Point-à-Pitre. I accordingly weighed immediately and anchored off that port the following morning when I delivered the dispatch I was charged with to him, together with the deposition of the Eden's men (which I enclosed as directed by your instructions) the description of the Neirsee's crew, and al the deposition of the four free black men, copies of all which I have the honor to enclose for your information.

I was informed by His Excellency the Governor that he would do all in his power to recover the three free British subjects, whom you will perceive by the deposition of the three others had been detained there, but that it was out of his power to recover the negroes who had been landed; nor could he give any account of the Neirsee or her crew.

¹⁶Source: TNA, ADM 1 280.

**DOCUMENT 17. DEARE TO FLEMING (Port of Spain, Trinidad,
12 March 1829)**

In pursuance of your orders dated the 5th instant, I left the anchorage of the town of Roseau, Dominica, the next morning at one o'clock, and arrived at Point-à-Pitre, Guadeloupe, at nine the same day.¹⁷ I immediately went on shore for the purpose of delivering the letter you did me the honor to charge me with to His Excellency, the Governor of that island. I was, however, informed by the general commanding the troops that the governor was not in town, nor was it known when he would be. He however took charge of your dispatch which I accordingly left with him. On returning to my boat, I was informed by Mr. Davis (late prize master of the Neirsee) whom I had brought with me, that a schooner, which he pointed out close to the wharf, was owned and commanded by the man (Janoel by name) who piloted that vessel into the anchorage at Deseada, and whose son conveyed her afterwards from thence to that part of the coast of Guadeloupe,

on which her cargo was landed. I immediately went alongside the schooner, to ascertain if Mr. Davis was right, which I was convinced he was by their telling me on my asking the question the master's name. On my asking for him, which I said with the intention of prevailing either on him (or his son whom I thought it likely would be with him) to go to sea with me as pilot, I was informed he was on shore. I made endeavors to find him, but without success. I then returned to the general, to whom I mentioned the circumstance and requested he would send a police officer with me to find him, or at least to make some enquiries that might throw a light on the subject of the *Neirsee*. He accordingly begged a French naval officer, the commandant of the "*Topaze*" schooner to go with me, and gave me to understand that I might speak to the man "*Janoel*" in his presence. I accordingly proceeded on board the "*Topaze*" with this officer who sent for "*Janoel*" to meet me there. He however was not to be found and the person who came from his schooner ("*Le Frelon*") said that he had gone out into the country, and that his son was laying sick at Port La Mole; concluding from what I heard that it was not likely I should see this man, I thought my best chance of success in the object I had in view was to proceed as directed by you to the island of Deseada, which I accordingly did, and arrived there at 10 o'clock on Saturday morning; when I landed, and in answer to my enquiries was informed that there was not a pilot in the place; nor had they ever known a vessel laden with Negroes to approach the anchorage. This was of course an untruth, as Mr. Davies point out to me a man (whose name I believe is "*Francois Myer*") who came off to the *Neirsee* while she was lying there.

I also made enquiries of these people respecting "*Janoel*" and his son, both of whom they appear to know and told me that the latter was on board with his father six days before, but that it was likely he was taken ill since, and might have gone to Port La Mole. Finding I could obtain no further intelligence that could be useful to me, I determined to run the coast down with a pilot, and take the chance of Mr. Davis or some of the Negroes recognizing the spot on which the latter had been landed. I accordingly bore up for that purpose and when running along the south coast of Guadeloupe, and about four miles from the east land, I was informed by Mr. Davis that a sandy beach we were abreast of was the place where the *Neirsee* had discharged her cargo; I immediately hove to with our head off shore and landed in the gig and cutter with Mr. Davis and all the Negroes. After I had done this, I proceeded with Lieut. Mayne (who was of great assistance to me by his knowledge of the French language) and Thomas George (the husband of the woman Sarah) only; thinking I stood a better chance of succeeding by doing so than if they had all been with me. I had met several people on the beach who professed to be the

proprietors of small estates close to, and who invited me to their houses, to which we went. When I questioned them on the subject of the Neirsee, of which they pretended ignorance, but appeared however to be sensible of the cruelty of keeping the woman from her husband; and were or pretended to be affected at the poor fellow's evident anxiety and distress respecting her. In the course of conversation, I gathered from them that if a cargo of Negroes had been landed, they were certainly marched off to a distant part of the island, which I am induced to think might have been Port La Mole. I was informed afterwards by Thomas George that he saw one of the men I had been talking to purchase several Negroes, after they were landed from the Neirsee. He also pointed out a man to me whom he had seen at the place he was forced to work at; but I could not learn his name or that of the estate on which they were, but it was about half a mile from the coast, and three miles to the eastward of Bourg Francois, to which we afterwards visited in company with the commandant, who overtook us on our way there, having left his house, as I understood, for the purpose of finding out the object of my visit. Thomas George, the negro, could not point out to me the exact place he was working at, but from his manners, I am fully convinced he was well acquainted with the neighborhood, and would have found out the spot, had we not been overtaken by the commandant, who expressed very great surprise at our having landed on the coast; and on my explaining my business, informing him that I was merely obtaining information which I intended to give to the governor of the island, respecting the outrage that had been committed, he denied all knowledge of the transaction, and gave me to understand (although in a polite and gentlemanlike manner) that he expected I would discontinue my search. As I did not conceive myself at liberty to continue it in defiance of him, I acceded to his request, and embarked in the boats, which I had ordered to follow me round to the town. While on the beach before getting into the boats, I was informed by Mr. Davis that he had recognized one of the owners of the "Neirsee" who left the beach immediately on perceiving him. I mentioned the circumstance to the commandant, who told me it was quite out of his power to interfere. On my return on board, I wrote an account of what I had done to the governor of Guadeloupe and sent my letter to the commandant, who had offered to take charge of it.

¹⁷Source: TNA, ADM 1 280.

DOCUMENT 18. FLEMING TO CROKER (Trinidad, 13 March 1829)

I have the honor herewith to transmit for the information of the Lords Commissioners of the Admiralty, copies of a correspondence relative to

the Brig Neirsee alias L'Estafette, together with the copy of a letter I have written to the British Ambassador at Paris.¹⁸

The conduct of the Governor at Guadeloupe appears to me most singularly insincere. Notwithstanding my repeated applications, and having been there myself, he has not delivered up all the British subjects; nor do I understand that any measures whatever have been taken for recovering the Africans. Commander Dear went on shore at the place where these people were landed, not far distant from Bourg Francois. Many of those present were recognized by the men of the Eden, as well as by the black men, who had been in captivity there, as having been accessory to this disgraceful transaction.

The Island lawyers differ in opinion as to the seizure of the Neirsee by the former crew being piracy; as she had Dutch papers and came to Guadeloupe under Dutch colors, contrary to the treaty with the King of the Netherlands, it appears to me that the French authorities can have no right to admit either the ship or cargo; and their being sold does not relieve them from the responsibility of permitting such a transaction, illegal by the laws of France, as it is inconsistent with the rights of Nations.

I shall not relax in my endeavors to procure the restitution of these unfortunate persons; and more particularly the British subjects, for which purpose I shall send the first disposable ship again to Guadeloupe; and I intend to retain on this part of the station the people belonging to the Eden, as well as the Black Men, for the purpose of identifying the crew of the "Neirsee," and to serve as witnesses should the French authorities think proper to proceed against the parties connected with this affair.

You will perceive by Captain Deare's report that this vessel went to the Dutch part of St. Martins. As her papers were all taken out by the Eden, she could not be legally entered at that port. Nevertheless with that disgraceful facility which has lately been afforded at all those islands, she was enabled to proceed to St. Bartholomews with some sort of document (and there it is not necessary to be very correct) where she was sold and hoisted Swedish colors.

The conduct of the Swedes surpasses all others in openness of protecting every sort of irregular transaction. Their slave vessels (the ground work of all piracies) are openly fitted out; changing their names or colors at their will, and publicly arming and shipping men. Every difficulty is at all times thrown in the way of British officers in recovering property seized by, or tracing pirates. His Swedish Majesty's dominions in these seas is preeminently conspicuous for the protection afforded to vagabonds of all nations, driven by their crimes from all others. Here the infamous Almeida found an asylum, and there his family now are. There too he found ready

associates for the disposal of His Brazilian Majesty's subjects stolen from that coast.

I am very credibly informed that more than two hundred seamen, American and British, have been at times detained in that island, many of whom leave their ships in hopes of getting better employment; but when once on shore there can never be embarked until the debt incurred to a set of men who make it a business to supply their wants is discharged, as well as a dollar and a half claimed by the government for a passport. Thus the slavers and pirates by discharging the debt become in a certain degree the Masters of these people, by which means they are enabled to carry on their nefarious practices.

I have great reason to believe that American and even British capital is employed in this horrid traffic, although so covered as to practice, that it is next to impossible to bring forward proof thereof. It is however very evident that piracy will never cease so long as the slave trade exists; and that the former can never be put down without the honest exertions of the European governments.

His Danish Majesty's late decree will tend much to narrow the extent of this evil; but while France so openly violates her own laws and treaties, and the Dutch and above all the Swedes are permitted to continue their present conduct, the safety of all property on the seas must remain in its present precarious state. It is right, however, to mention that the Dutch have been lately more circumspect, it having been rumored that a Frigate was coming from Europe, having on board a commission to enquire into the conduct of their officers.

¹⁸Source: TNA, ADM 1 280.

DOCUMENT 19. FLEMING TO ROTOURS (H.M.S. *Barham*, off Point-à-Pitre, 3 March 1829)

It is with extreme regret, I observe the indifference with which your Excellency has thought proper partially to notice in that letter the piracy committed by the crew of the brig "La Niersee" or "L'Estafette" who, after the cruelties practiced on His Britannic Majesty's subjects by wounding them, confining them in irons, exposing their lives in an open boat; and atrociously disposing of those of color for slaves, found an asylum in the Island of Guadeloupe and a ready market for those unfortunate people; by which conduct many of the inhabitants of that Island have incurred the penalty attached to piracy by all nations; and which I thought it only necessary to mention to Your Excellency to ensure your ready co-operation in seizing and delivering up the pirates, releasing His Britannic Majesty's subjects and free Africans; and bringing to punishment all those connected with these foul and scandalous proceedings.¹⁹

That the African slave trade has been carried on openly and to a great extent in this Island is well known to all, and His Britannic Majesty's Government has been duly informed thereof; it forms no part of my duty, however, to expostulate with Your Excellency on this subject. The infracture of the French laws and the failure of His Most Christian Majesty's stipulations in the treaty of the 30th May 1814 will no doubt be promptly alluded to by the British Government; but the effect of this infamous practice, by the demoralization of the inhabitants, is now obvious by the ready protection to the pirates and the participation in their infamous practices, which in the present instance has taken place.

I assure Your Excellency that this is no common case, that it will not be looked on as such by the British Government who will not relax in their exertions until all the pirates and those connected with them are duly punished and all his Britannic Majesty's subjects, as well as the Africans, set at liberty. This it is in your Excellency's power immediately to effect; and by doing so, you will save to those unfortunate people several months of misery, for it must be recollected, part of the crew of the "Estafette" with all her papers are in the possession of the ship which captured that vessel, by virtue of the treaty between His Britannic Majesty and the King of the Netherlands. These, with the people now here, will substantiate the facts. The latter will prove the pirates having been received at the little island of Deseada; they will point out the place where they landed the Africans, the estates they have been since seen on, where they were themselves confined, and confirm every other particular relative to this atrocious transaction.

I have the honor herewith to transmit to Your Excellency the depositions of the men of color who were sent to Dominica under the circumstances therein detailed. These, as well as the Eden's crew, are at the disposal of Your Excellency as witnesses, either to proceed against the pirates or those equally guilty with them, by the purchase of the persons above mentioned.

Your Excellency will perceive that part of the crew of the pirate brig Niersee were left at Guadeloupe, and I have reason to believe that when the Grasshopper was here, one of those persons was at Basse-Terre. I have further to acquaint your Excellency that I have received intelligence that "La Niersee" or "L'Estafette" has been at St. Eustatius whither she proceeded after landing the people here; and that under apprehension of her being seized by the Dutch government, she had gone to St. Bartholomews, leaving part of her crew who are natives of that place at that island; these I have sent to reclaim, as well as the vessel.

¹⁹Source: TNA, ADM 1 280.

**DOCUMENT 20. DESCRIPTION OF THE SECOND CAPTAIN, TWO OFFICERS
AND SEVEN SEAMEN BELONGING TO THE BRIG NEIRSEE OR ESTAFETTE**

NAME	QUALITY	AGE	STATURE	COMPLEXION	REMARKS
Richard	2nd Captain	56	5'6	dark	Has been thirty years employed in privateering and in the slave trade. ²⁰ Speaks good English
Miller	2nd Mate	30	5'8	fair	A Dane by birth, speaks English, has never before been in the slave trade. Was formerly Captain of a French ship trading from Bordeaux to the West Indies
Sicard	Surgeon	26	5'9	dark	A Frenchman; although called 3rd mate yet is no sailor. Is marked with the small pox; has a scar on left cheek; speaks English
Cornish	Seaman	20	5'6	dark	Said to be a Dutch Creole of Curacao. Speaks English and French
Antonio	ditto	30	5'6	dark	A Spaniard, had been taken in a Spanish slaver, and afterwards volunteering for the service was put on board the Neirsee as one of the prize crew; when the prisoners rose he joined them, also
Manuel	ditto	28	5'9	dark	A Portuguese; under similar circumstances as the preceding
Heneque	ditto	26	5'10	dark	A Dutch Creole, speaks English and French
Alfred	steward	28	5'6	dark	A French Creole, speaks English
Alexander	seaman	26	5'4	dark	A French Creole, speaks English
Battie	ditto	36	5'7	dark	A French Creole, blind of his left eye, speaks English

²⁰Source: TNA, ADM 1 280.

EUROPE: A DIPLOMATIC INCIDENT

**DOCUMENT 21. FLEMING TO LORD STUART DE ROTHSAI, BRITISH
AMBASSADOR TO FRANCE (H.M.S. *Barham*, off Martinique,
5 March 1829)**

I avail myself of the opportunity of being off this island to send your Excellency a copy of a correspondence which has taken place respecting a vessel detained by His Majesty's Ship *Eden*, on the coast of Africa, and carried off by a part of the crew left in her, after firing at the people of the *Eden*, whom they treated with great inhumanity, confining them in irons below during the passage and afterwards putting them at the risk of their lives into a very small boat in which they reached the island of Dominica with difficulty.²¹

The Governor of Guadeloupe does not appear to be inclined to separate this case from those of slave vessels which very frequently repair to that island; where establishments are formed along the coast for facilitating the disembarkation of the unhappy people they contain; and although the Negroes belonging to the Eden called Kroomen and the artificers have been sent back at different times in the same inhuman manner; yet the free woman Sarah (the wife of one of the latter) and all the Africans are still detained, having been publicly sold to the different planters, and it appears very clearly to have been the intention of those concerned in this nefarious transaction that these men should have followed the same fate; they were obliged to work without pay, beaten and ill treated when they refused, the Kroomen being employed in grinding canes, and the others at their trades; the last three who reached Dominica were put into a rotten canoe so leaky as to require one man to be constantly bailing and altogether in so bad a condition as to warrant the supposition that they never were intended to reach the land.

It appears that this vessel was originally fitted out at Martinique under French colors; but subsequently procured Dutch papers which appears to have been the cause of her detention by Captain Owen of the Eden; her name has been so frequently changed that it is difficult to trace whether she procured those papers at St. Eustatius or not; part of her crew however were from that island and some creole Spaniards shipped there. On their arrival at Deseada, they came in under the Dutch flag and were allowed to proceed in the evening to land the Negroes although the papers were all taken out of her by the Eden. Your Excellency will perceive that she has since proceeded to St. Bartholomews where she hoisted Swedish colors. I regret to say that not any of her crew have been arrested, and that the French authorities in Guadeloupe have done nothing whatever towards liberating the people, those who have returned having been sent back by the planters in consequence of the appearance of the British ships of war off Guadeloupe, and the rumors which have been spread in consequence. As this disgraceful transaction arises entirely out of the horrid traffic in Negroes, so openly carried on in the island of Guadeloupe, and not infrequently in Martinique, I think it right to acquaint your Lordship that since I have commanded the British Naval force in this country, I have not heard of one single slave vessel being either captured or detained by any French authority; and that although it is well known that all these vessels touch at Deseada or Marie Galante for orders, and there are no less than five armed vessels stationed at Guadeloupe, not one of them have ever been employed in giving force to the French laws, when by stationing one at each of the above mentioned islands, an end would be put to these expeditions.

²¹Source: TNA, ADM 1 280.

**DOCUMENT 22. ROTOURS TO HYDE DE NEUVILLE, MINISTER OF THE
NAVY AND COLONIES (Basse-Terre, 2 March 1829)**

Despite the active and determined surveillance of the local navy, Gendarmerie, and police, the lure of immense profit, on the one hand, and the need for labor, on the other, lead to the landing of negroes from time to time in the colonies.²² Moreover, the nature of the coasts of Guadeloupe unfortunately offer too great a chance of success to this deplorable traffic.

A landing of this type seems to have occurred last December, and it involves circumstances that, to the extent that I become able, I will hasten to bring to Your Excellency's attention. They have given rise to an exchange of correspondence between the Governor of Dominica and me; they have also been the object of a letter that Admiral Fleming, commander of His Britannic Majesty's forces in these seas, to me.

Here are the facts that result from the depositions of the English who were momentarily imprisoned by the slaver crew.

On November 2nd, a brig loaded with 280 negroes was captured at anchor before Calabar, in the Bight of Biafra, by a vessel of the English royal navy, the *Eden*, captain Owen. This officer took his prize to Fernando Po. It remained there until the 27th, when the brig was sent to Bathurst to obtain food supplies and wait for the *Horatio*, tender, which was to escort it to Sierra Leone.

On December 2nd, the brig departed together with the *Horatio*. Its prize crew consisted of an officer, five sailors, and eight colored individuals. Fifteen members of the French crew, the second captain, and two master artisans were also on board. The slave ship's commander, Captain Feraud, was on the *Horatio*.

A few days later, the weather became heavy and these two vessels were separated. Seizing this opportunity, the crewmen of the slaver got the English sailors drunk, confined them in the hold after a struggle that did not result in any serious wounds, although several pistol shots were fired, seized the officer and forbade him from going onto the bridge. At the start of the fight, the eight men of color fled into the hold.

According to these same depositions, the vessel steered a course for this colony, and the landing, which the inhabitants seemed to expect, took place at a spot the deponents could not identify. After having unloaded its cargo, the slave ship departed and, while passing Dominica, placed in a canoe the English officer and men, who arrived safely at Prince Rupert Bay.

A few days later, I received from Monsieur the Governor of Dominica, together with the deposition of the captured English officer, a letter by which he demanded, on the grounds that they were British subjects, the release of the eight free blacks who had been part of the prize crew and who appeared to have been landed and sold along with the African blacks.

Your Excellency will not doubt the seriousness with which I undertook the most rigorous investigation to discover the whereabouts of these eight individuals.

The most precise orders were given to the Gendarmerie and police. While their searches were unsuccessful, I have no doubt that they were not entirely fruitless, for I soon received from Monsieur the Governor of Dominica and Monsieur the Admiral Fleming communications which, while announcing the return of six of these individuals, demanded the restitution of the two others. Investigations are being conducted with the same energy as before, and I have no doubt that the fear now being felt by those who took part in this apparent violation of human rights will soon lead to—if it has not already done so—the return of the two individuals who did not come back with the others.

Although the landing took place some time ago and although I have little hope that the judicial investigation will reveal if the outfitters of this expedition belong to the colony of Guadeloupe, I have nonetheless invited the attorney general to take all necessary measures.

²²Source: Archives Nationales d'Outre Mer (ANOM), Fonds Ministériel (FM), Série Géographique (SG), GUA/Corr/78.

DOCUMENT 23. HYDE DE NEUVILLE TO ROTOURS (Paris, 28 April 1829)

I received your letter of March 2nd by which you informed me of the correspondence that has taken place between you and the British authority in the Antilles concerning a slave-trading ship indicated as French which, after having been captured by an English warship, was retaken by its original crew and conducted to Guadeloupe with a cargo of blacks.²³

The English ambassador has informed the government that information was going to be obtained without delay in order to gain an exact understanding of the circumstances surrounding the intervention of a warship of His Britannic Majesty in the capture.

But today we must address the British demand for the release of the free blacks taken to Guadeloupe by the slave ship.

The supplemental depositions taken by the magistrates of Dominica indicate that these blacks numbered nine, eight negroes and one negresse.

You informed me that six of these individuals had been delivered to this foreign colony, and your letter gives me reason to believe that the other blacks will have also been allowed to follow the same route. If not, you will have to take all necessary steps to satisfy the demand that has been made to you on that subject.

You have already received the most formal instructions to ensure in Guadeloupe the execution of the laws concerning the repression of the trade in blacks. These instructions should have served to govern the conduct of

the public authorities in the present affair. It is hard to believe that, in such a small country, their efforts to discover the authors or accomplices of a crime such as this could have been fruitless, given that it concerns a landing of an entire cargo of blacks that took place at a time, according to the depositions, that only goes back to the 23rd of last January.

Any laxity in the measures to be taken against the guilty parties would provoke the discontent of the government, and I would be forced to inform His Majesty of it.

²³Source: ANOM, Fonds Ministériel (FM), 1 CORR/118.

**DOCUMENT 24. ROTOURS TO HYDE DE NEUVILLE (Basse-Terre,
10 May 1829)**

I had the honor to inform Your Excellency . . . of diverse circumstances that accompanied and followed the landing of a cargo of black slaves on the coast of Guadeloupe, in the Saint Francis district.²⁴ Given that six of the free men whose release he was demanding arrived in Dominica and given that I had assured him that I would devote all of my efforts to finding the two others, I thought that the Governor of that colony would be satisfied and that this case would finally be closed. But when I arrived at Point-à-Pitre, General Vatable told me that Vice-Admiral Fleming, commander of British naval forces in these seas, after having waited several days for me on his flagship, had left, asking him to deliver a letter to me. I greatly regretted not have seen Admiral Fleming; the explanations that I would have given him would have doubtlessly made it unnecessary to write to me in terms so disrespectful toward the King and so unmeasured toward me personally, as Your Excellency will see from reading this letter.

It had just been given to me when I received another from the commander of the Saint Francis district informing me that Captain Deare of the corvette Grasshopper, after having anchored off shore and landed with one or two officers, had entered a plantation and then gone to the burg, where he was probably preparing to conduct some sort of investigation, perhaps even a house-to-house search, when the commander, who had hastened there upon hearing of his landing, asked him to re-embark. This he did, after having addressed me a letter to inform me of what he had just done, as if it was most simple and natural thing imaginable. This is not how I saw it.

Assuming that Captain Deare had acted in this way on Admiral Fleming's orders, I wrote to the Admiral to complain of this territorial violation and of several facts that had just been reported to me about his own conduct and of Captain Deare's at Désirade. At the same time I forcefully protested about the expressions I mentioned above. In effect, I had the right to be shocked at such proceedings when, having accepted the complaints of

the Governor of Dominica, I had done everything possible to satisfy them, which neither he nor Admiral Fleming can doubt, given the results already produced by the measures I ordered. What more can I do? Do the English intend to arrogate to themselves the right of conducting searches upon French territory? My duty was not only to oppose this, but also to complain and demand explanations. Admiral Fleming's response to my letter, and Captain Deare's, are no more than the denials and word games typical of the English, who make everything conditional and always reserve the right to go back on what they say, from whatever angle that suits them. Nonetheless, it is clear that . . . despite General Vatable's injunctions, this captain landed at Saint Francis, interrogated the negroes of a plantation to learn about its interior regime, went to the burg where, I repeat, he conducted a sort of investigation without any authorizations whatsoever. . . .

As for Admiral Fleming, Your Excellency will sufficiently appreciate, without my calling further attention to them, the reflections contained in his letters. To say that the King of France has violated treaties because several renegade outfitters still carry out the commerce in slaves is to forget, in a very serious manner, the respect due to His Majesty when addressing one who has the honor to represent him in the colony. I cannot oppose this with too much indignation. As for what regards me personally, to claim that the commerce in blacks from Africa is carried out openly at Guadeloupe is to make its director or accomplice. The unconditional denial that I gave Admiral Fleming will have made him understand that you do not attack a French officer's honor with impunity. . . .

He claims to be well informed about what happens in Guadeloupe. We know that with their gold, the English easily find spies everywhere. But if those they employ here served them better, they would know that the most active surveillance is maintained over the coasts of the colony to oppose the landing of cargoes of black slaves, that these landings are rare, and that the Gendarmerie and the justice have always done their duty in such cases, if not efficiently because of the inadequacy of the laws, at least with the zeal expected of them.

I do not think that the Admiral Fleming's assertions require me to justify myself. Even so, Your Excellency . . . should be aware that my vigilance extends far beyond the coasts of Guadeloupe. I should add that these coasts, 80 leagues in length, double the length of the other French possessions, offer more than any other bays and inlets suited to fraudulent landings. But Admiral Fleming prefers to ignore these facts, and it would be useless to try to change his mind. I did not feel myself obliged to respond to his last letter, especially since the Governor of Dominica has since informed me that the last two negroes he was demanding had been landed on that island, thus completing the liberation he demanded.

Given this state of things, what more can the English Government want and what are His Majesty's rights?

Admiral Fleming demands that the cargo of blacks landed at Saint Francis be handed over to him. But, first, under what flag had the captured vessel been sailing? The Admiral does not say, doubtless because this slave ship was flying the flag of France and that, in this case, the English did not even have the right to inspect, let alone seize it. . . . And second, how to find these negroes among the 80,000 slaves who people the colony?

Thus, on the one hand, Admiral Fleming has received all the satisfaction he can reasonably demand, and, on the other, to the contrary, the King's Government has the right to demand satisfaction for Captain Deare's territorial violation.

²⁴Source: ANOM, FM, SG, GUA/Corr/78.

**DOCUMENT 25. ROTOURS TO HYDE DE NEUVILLE (Basse-Terre,
25 June 1829)**

The eight free blacks demanded by Admiral Fleming were taken to Dominica by their criminal purchasers, who were afraid of the measures I had taken to discover them.²⁵ One must rejoice at such a result, when one considers that these measures, like all those taken in similar cases, would have usually been useless; for how can one find eight blacks distributed across so many plantations, in a country measuring 80 leagues around, which is crowned with impenetrable forests, and whose plains are covered with more than 400 sugar or other plantations.

Your Excellency ends his dispatch of April 28th by saying that it is hard to believe that a cargo of blacks can be concealed from the pursuit of justice on such a small island. I have the honor to observe that Guadeloupe is by far the largest in the Antilles; thus, if its size and the facilities the shores of this colony offer for fraudulent landings are taken into consideration, I cannot fear that Your Excellency takes for laxity the lack of success that I might have in my investigations. . . .

The eight free blacks demanded by Admiral Fleming had been dropped off at Dominica; as for the negresse Sarah, Your Excellency will judge, since I said it to the Admiral, that she is only a pretext he is using to prolong this affair. It is obvious that this negresse was part of the cargo and that she was the wife of one of the free negroes only for the duration of the crossing, as is often the practice on slave ships. It is thus disingenuously that Admiral Fleming insists on her restitution. In any case, it would not be any easier than the restitution of the cargo for the reasons I have just mentioned. These very plausible reasons and the frank and open manner with which I have interacted with Admiral Fleming should have satisfied him . . . especially since it is he who owes an explanation for the conduct

of Captain Deare, of the Grasshopper corvette, who took the liberty of making a sort of investigation or, at the very least, a search on the territory of the King of France. It seems that at this point, we both ought to await the orders of our governments. What does Admiral Fleming want to accomplish when he says that his corvette will periodically visit the coast of Guadeloupe until the cargo of blacks is delivered up to him? Who is he blaming for the excesses that he claims were committed on the subjects of His Britannic Majesty? I feel that I answered him, on these points, as I should have, always acting with uprightness and frankness. If the corvette with which Admiral Fleming is threatening me commits some depredations, lands spies, and assumes a hostile attitude, it will not do so without impunity on these shores.

Admiral Fleming cites a Monsieur Sergente, inhabitant of Le Moule, who allegedly subjected the free blacks, during the time he detained them, to slave labor. Searches were made of his property, but without result. To undertake new ones, should I use these same free blacks, subjects of the King of England? I did not think I ought to do it. In this regard, Your Excellency will give me the orders that he thinks proper, but, in my opinion, the kind of confrontation that would result from the resulting searches and judicial proceedings would have serious drawbacks, among others to cause the government to lose respect in the eyes of colonists by an act which they would regard as extremely abject.

²⁵Source: ANOM, FM, SG, GUA/Corr/78.

DOCUMENT 26. FLEMING TO CROKER (Curaçao, 7 September 1829)

From the frequent changes of colors, names, and masters [of illicit slave ships], it becomes extremely difficult to identify individuals and vessels of this description.²⁶

The case of the Niersee alias Estafeta is already before their Lordships and affords a very striking illustration of this remark. She fitted out at Martinique under French colors, procured Dutch at St. Eustatius. On her return she proceeded to St. Bartholomews where she procured Swedish; from that she went to the Havana where she obtained Spanish, and now, under all these colors is probably on her way on another voyage to the coast of Africa.

So long as such facility for changing colors is given in the foreign Islands, the seas can never be safe for defenseless merchant ships, but the chief evil under which all the pirates now clothe themselves is the open manner in which the slave trade is carried on between the French possessions in the West Indies and the Coast of Africa, under their flag; and it is undeniable that the outrage committed on the Benbow was perpetrated by one of those vessels; and there is reason to believe that the guilty vessel has

returned to Guadeloupe with a cargo of slaves and has since proceeded to Puerto Rico. The usual course of those vessels is to fit out at Martinique or Guadeloupe; they are principally American-built, having been privateers under various flags; from one of these islands they proceed to St. Thomas's and purchase the requisite goods for the Coast; clear out for Cuba and under pretence of protection from pirates get permission to land; but lately the Danish authorities have been more circumspect and this part of their equipment has generally been done at St. Bartholomews where a depot of seamen of all nations has hitherto been kept, on pretence of their being in debt, as already noted in my letter No. 69 of the 23rd of March last, and having Danish, Dutch, or Swedish subjects on board as supercargoes, surgeons or stewards, these act occasionally as the master of the colors they think proper to display.

The remedy for these evils can only come from Europe. The Dutch, Danish and Swedish governments have instructed their authorities in the West Indies not to be too strict; under a false notion of encouraging trade and getting back to their islands that which is irrevocably lost since the Revolution which has taken place in Spanish America and in which the islands of Jamaica and Trinidad have borne their full share. The establishment of free ports here, at St. Bartholomews and at St. Thomas's all originate from the same desire; that instead of being beneficial to their own governments, with the exception of St. Thomas's they are only useful to the individuals of all nations of the worst possible description; ready to enter into any desperate undertakings, and thus may be found in this island Corsicans, Genoese, Sardinians, French, English, American, Brabants, etc. etc., outlaws of their own country and of many others; but there from the false grounds above stated they find protection.

Since I have been in this port, vessels have arrived under the Columbian flag, sailed again under Dutch colors, and returned under Spanish. Americans likewise have become Danes and Columbians Spaniards.

A privateer which appears here with a prize has only to complain that she requires some repair; when she is immediately permitted to sell her without condemnation to pay the expenses. The remainder is deposited for 6 sometimes 12 months for claims; and none being lodged (the owners being ignorant of the fate of their vessels) the balance is paid over to the captain of the privateer; and thus he is enabled to cheat the crew and appropriate to himself property which never would have been condemned to him in a regular court.

Soon after my arrival at Curacao, I found a vessel called the Cubana from Cuba and Jamaica under Sp colors had been taken by the noted "Bernard Ferrero" who instead of sending her over to Columbia, sent her to Aruba where she was permitted to change her colors to Dutch and under

which she arrived here with the Columbian crew still in possession. Under a supposition that there might be Brit prop on board, I applied to the government to have this vessel detained and wrote to Jam for info. But none having been obtained after a delay of 6 weeks, the Gov sent the crew over in a Dutch man of war to Puerto Cabello. Soon afterwards "Bernard" arrived, claimed the vessel, and she sailed from this under Columbian colors; but I have strong reason to believe the Dutch would be used as a protection to some other part and thus a vessel without any legal condemnation falls a sacrifice to persons who are literally pirates.

During the last year, a person calling himself "Fournier" arrived at St-Eustatius from Boston in a vessel called the 25th of May (Neustro 25 de Mayo), said to be a BY man of war, having on board a quantity of blank commissions from that government, dated the 1st of Jan 1828, to be in force for one year, which were disposed of to all persons who chose to become purchasers. The colonel, by authority which he pretended to have, extended the time from the day on which they were bought. This person got possession of a vessel which had been under the BA flag and had been seized at St. Thomas for some irregularity. He brought her over to St Eustatius and there fitted her out as a privateer; putting on board a person in possession of a very old BA commission with a crew of all nations. She proceeded to the coast of Africa and on the 5th of Feb last captured a large Port ship which had sailed from Rio de Janeiro in the month of Dec; after the term allowed by the Treaty bet Brazil and Buenos Aires had elapsed, she returned to St. Eustatius with this vessel and off the little island of Saba disposed of all the cargo. Soon after His Netherlands Majesty's ship Falcon, Capt Van Ness, arrived and detained both vessels. They have been carried up to Surinam where they are still under litigation and I understand very likely to be liberated.

In consequence of the failure of many of the foreign speculators in Cuba, the price of slaves has fallen very considerably in that island; and as that race do not decrease in the Spanish Islands, as is the case of those of France, there appears no doubt that if the French Government would honestly and seriously put down the slave trade, it would fall altogether in a few years.

²⁶Source: TNA, ADM 1 281.

**DOCUMENT 27. LORD ABERDEEN, FOREIGN SECRETARY, TO ROTHSAY
(London, 3 April 1829)**

I herewith transmit to Your Excellency the copy of a communication which I have received from the Colonial Dept., stating that a Brig named "Neir-see" or "Estafette," laden with slaves, was detained off Calabar by H.M.S. "Eden"; that the vessel in question was taken first to Fernando Po; and

that in proceeding from that Island to Sierra Leone, where it was intended that the circumstances attending her detention should be submitted to the Court of Mixed Commission for investigation; the crew, aided by other individuals on board of the vessel, rose upon the persons at the time in charge of her, and carried the vessel to Guadeloupe, at which place having landed the slaves reported to be 280 in number together with nine free Africans, who had been placed on board by the British authorities in possession, the vessel made sail for Martinique, and in her way thither, landed at Dominica the British officers and men who had originally be placed on board when she was detained by H.M.S. Eden.²⁷

H.M.'s Govt. animated with the same spirit of frankness and good faith by which all their communications with the Govt. of His Most Christian Majesty are dictated have no desire to conceal from the latter any of the circumstances which have come to their knowledge upon this transaction, nor do they hesitate to avow, that those circumstances, so far as H.M.'s Government are yet apprised of them, do appear to make out against the commander of one of H.M.'s cruisers a case of interference with a vessel suspected to be French, which not when the traffic in which she was engaged, can justify.

Upon this part of the case, His M's Govt. can at present only assure the Govt. of H.M.C. Majesty that enquiries will be instituted without delay by the proper Department of H.M.'s Govt. with the view of obtaining the fullest explanation upon the questionable circumstances here adverted to.

In the mean while, H.M.'s Government deem it to be their duty to communicate without reserve to the Government of H.M.C. Majesty the statement which has reached them upon this transaction: and entertain no doubt that the French Govt. of whose humane anxiety to put down the hateful traffic in slaves H.M.'s Govt. are fully assured will institute immediate enquiries into the illegal proceedings in which their subjects appear to have been engaged on this occasion, with the view of punishing the transgressors, and of preventing in future the successful prosecution of undertakings proscribed by the laws of every nation of Europe.

H.M.'s Govt. request that the French Govt. will give directions that the free Africans who were put on board of the vessel in question by British officers may be delivered up to the Governor of Dominica to be transported back to their native country.

²⁷Source: TNA, CO 71 68.

DOCUMENT 28. HYDE DE NEUVILLE TO PORTALIS, MINISTER OF FOREIGN AFFAIRS (Paris, 22 April 1829)

By your letter of the 14th of this month, you did me the honor to inform me of a communication from Monsieur the English ambassador concerning

a ship employed in the slave trade and thought to be French, which, after having been captured by a warship of His Britannic Majesty in the Bay of Biafra (west coast of Africa), was retaken by its original crew and taken to Guadeloupe.²⁸

I see from the copy of the ambassador's letter that the English government disapproved that a warship of his nation intervened in the present case and that he has announced that information will be obtained without delay, in order to gain an exact knowledge of the facts accompanying the capture.

Your Excellency will doubtlessly think it necessary to ask to be informed of the result of these investigations. I would like you to share it with me. Until that time, I think I should reserve my opinion on this part of the affair.

As Your Excellency notes, the principal object of the English ambassador's demand is the return to the Governor of Dominica of the free blacks taken to Guadeloupe by the slave ship.

Depositions taken before the judicial authority of Dominica reveal that these blacks numbered nine, eight negroes and one negresse.

The Governor of Guadeloupe informed me, by his letter of March 2nd, that six of these individuals arrived at Dominica, and I have reason to think, according to the terms of his letter, that the other blacks will have also been enabled to follow the same route. I also directed him to neglect none of the measures necessary to satisfy, on that point, the English government's demand.

The colonial authority has received the most severe orders to assure, in our overseas establishments, the execution of the laws on the repression of the slave trade. Nonetheless, I addressed to the governors of Martinique and Guadeloupe new orders in this vein, on the occasion of the present affair.

²⁸Source: Archives des Affaires Etrangères (AAE), Affaires Diverses Politiques (ADP) 30.

DOCUMENT 29. HYDE DE NEUVILLE DE PORTALIS (Paris, 3 July 1829)

However you regard what took place, it is beyond doubt that a vessel under the French flag and presumed to be French was search at sea and detained by ships of His Britannic Majesty and that officers of the English Royal Navy undertook, on the shores of a French possession and without permission from the local authorities, incursions and illegal investigations totally contrary to the friendly relations existing between the two powers.²⁹ Your Excellency cannot fail to appreciate the importance of these facts.

²⁹Source: AAE, ADP 30.

DOCUMENT 30. HYDE DE NEUVILLE DE PORTALIS (Paris, 24 July 1829)

I send you, together with diverse attachments, a report from Monsieur the Governor of Guadeloupe on the landing and the events that followed.³⁰ I

hope these documents will convince Your Excellency that, far from having the right to complain, the English government actually owes His Majesty an apology, not only for the search and illegal detention of a French-flagged ship, but even more so for the reprehensible acts that officers of His Britannic Majesty permitted themselves to commit on French territory. Whatever the English government decides to do, I think that His Majesty has every right to insist that the conduct of Admiral Fleming and the investigations undertaken at his orders by Captain Deare on the territory of Guadeloupe be genuinely disavowed.

³⁰Source: AAE, ADP 30.

DOCUMENT 31. PORTALIS TO HYDE DE NEUVILLE (Paris, 31 July 1829)

I have asked the chargé d'affaires at London to make protests against the conduct of the English officers which will prevent the repetition of the acts of which we are complaining.³¹ I have every reason to believe that they will be heard and that, in reminding the leaders of the English navy of the respect and harmony which Admiral Fleming appears to have forgotten, the English minister will understand how important it is to make sure, as you have noted, that a kind of bitterness injects itself in the relations between the respective commanders. Not that I presume to blame the entirely natural vivacity with which Monsieur des Rotours rejected the insinuations that attacked his character as a subject and representative of His Majesty as much as his personal honor. But even while giving his conduct the praise it merits, you will perhaps judge it necessary to invite him to bring to the relations that circumstances might create between Admiral Fleming and himself the moderation that is in the spirit of the two governments.

³¹Source: AAE, ADP 30.

DOCUMENT 32. OWEN TO CROKER (Clarence Cove, 21 June 1829)

I beg to acknowledge the receipt of your letter of the 7th April last, relative to the "Estafette" or "Niersee," said to be French.³² I cannot allow the Lord Suffield to sail for England without seizing a moment from incessant occupation in delivering up this establishment, and in repairing as far as I can the evil done by the Sierra Leone Fevers, to inform you that the Estafette was never even suspected to be French, that she was known to be Dutch; that her Captain was known by the name of Feraud, had some property at Martinique, but he stood on his false articles by the name of Castagnet.

He declared her to be a Netherlands vessel and even after it was suspected that she might have been seized by her crew, he offered his testimony to the same effect to the Court of Mixed Commission at Sierra Leone, when it was refused, as the vessel itself did not appear. He had

before capture, with others at Old Calabar, sent to tempt me by the offer of a sum of money to let him pass. She had Dutch Colors and but wore a French Flag to deter my boats from seizing her.

Captain Badgeley, who boarded her is, I grieve to say, dead, so that I cannot, at this moment, enter further into the case; but he moment I shall be able to enter upon the explanation of this and other points referred to you from the Foreign Office, I promise myself the honor of entering on their full detail.

³²Source: TNA, Foreign Office (FO), 146 107.

DOCUMENT 33. OWEN TO CROKER (H.M.S. *Eden*, at sea, 30 July 1829)

By the *Eden* and *Champion* in the middle of last month, I received various dispatches from His Majesty's Secretary of State for the Colonies, from the Secretary of His Majesty's Treasury, and from yourself.³³

To those which regard my conduct in the capture of several slave vessels; in the cases of the *Nirzee* alias *Estafette*, the *Moskito*, *Voadora*, and *Felix Victoria*, I have been unable to make the necessary answers owing to the continued occupation furnished me 1st by the change of government at Clarence, 2nd by the yellow fever imported in the *Champion* and *Eden* from Sierra Leone by which most of my time was demanded for the care of my people and my ship, 3rd by my own sickness which added to that of my people has obliged me to quit Clarence, leaving its affairs and accounts still unsettled, and 4th by the continued sickness on board my ship, which includes the surgeon who has done no duty whatever since the first week of his embarkation, thus throwing the whole weight and care of the sick entirely upon myself and my lieutenant. I am now however so far recovered as well as most of my men that I shall be able to consider and answer the several documents in question.

In the case of the *Nirzee*, alias *Estafette*, I have the honor to enclose two affidavits, one by the late acting commander Badgeley, who was the officer that boarded and detained her, and one by acting lieutenant Mercer. Although these affidavits were made for a different purpose, at times when I could hardly have had a suspicion of the fact that has since transpired, namely the recapture of that vessel by the part of her crew left on board her; it will be perceived by them that with the officers in question there was no suspicion whatever intimated that she might be French; but in obedience to the command you have done me the honor to communicate, I will give a detail of the circumstances which led to the detention of the *Nirzee* and such a detail of the others assuming a French character as you desire.

In February 1828 I reported the circumstance of a master of a slaving vessel under a French flag having shot the mate of a palm oil ship (the *Kent* of Liverpool) through the body, and the demand for protection made

in consequence by Mister Richard Cummings, master of the Kent. I also reported that in consequence of this circumstance, and the necessity of putting myself in communication with the Chief of Old Calabar to procure supplies for our new settlement, I visited that place in the Felix Victoria, and influenced by the statement of Mr. Cummings, the master of the Kent, I told the chief that if the man who shot the mate, whose name was Feraud (at least that was the name he was known by) should ever return to Old Calabar, I should expect such information from him as would enable me to get possession of Mr. Feraud. In November 1828, my communications with Old Calabar informed me that there were lying there and under French flags, notoriously known to have been assumed to prevent my boarding them, the Coquette, alias Brutus alias Venus; les Deux Freres; Les Freres; the Bolivar alias Pinchincha alias Frederick alias the Arrogante Barcelonese; the Nirzee; the Jules; and Jeune Eugenie, at least these were their assumed names. Two of those vessels were known to be commanded by two brothers calling themselves by the name of Feraud and one was the person who committed the act of violence in January preceding, but which of the two I could not know, and was the more alert in consequence to let neither of them escape me. In the mean time, I informed myself of the actual equipment of the vessels in question by the correspondence found in some of my previous captures, by several of the officers who had thus fallen into my hands, and by direct communication with the officers of the vessels themselves at Old Calabar, through the medium of the late acting commander Badgeley. This information was so positive and precise in every case that it could not be questions and was that the Bolivar was a Spanish vessel from Puerto Rico (whose case has been reported), that the Nirzee was properly named the Estafette and had been fitted out at St. Eustatius; that the Jules and Jeune Eugenie had also Dutch names and had been equipped from, and belonged to, the same place; and moreover that all of them had false French papers procured at St. Thomas's from which port they last sailed on their voyage. The Nirzee was taken on the 23rd of November when her master believed all my vessels and boats away. The Bolivar was taken on the 17th December knowing that I had no vessels watching the bar, but I had precise information of her master's intentions; and the other two were taken in the first days of January under a similar belief that I had no force near the place. One of these was commanded by the Mr. Feraud I wanted to answer for his violence to an Englishman lawfully employed, and was put into my hands by the Chief of Old Calabar, and did so answer before a Court of Magistrates at Clarence, where he perfectly cleared himself as has been reported.

When the Nirzee arrived at Clarence, her master did present to me a set of French papers, and I found it was his brother who was then at Calabar

in the Jules who had committed the act of violence before alluded to. In examining the French papers that had been presented to me, they bore throughout such manifest proofs by internal evidence of their falsehood that on them only she must have been condemned in any Admiralty Court in Europe; and although false, the term of her passport had expired and had been renewed by extending the term by a notorious erasure. None of the descriptions or measures in the false passport or register corresponded at all to the vessel, and Mr. Feraud himself stood on her papers under the name of Castagnet; in short, seeing that the falsity of the papers was manifest, Mr. Feraud then avowed his true character and declared his vessel to be what I knew she was, a Netherland vessel, but I have since learnt that some merchants of Martinique had some shares in her, but have no certain evidence of that.

I have since found that all the vessels in question whilst at Old Calabar doubting the possibility of their escape did arrange that such of the officers and crews as were left in them should use all means by the aid of bribing and liquor to recover their vessels on the voyage to Sierra Leone; and the Coquette, the Bolivar, and the Nirzee did all essay to do so, the last succeeded I presume by the use of the means indicated, and the prize master, being a young man, a master's assistant, and the only officer I had at that time on board that could be detached. Could I however have had any suspicion of their ever resorting to the diabolical means they all used, I would certainly not have sent an officer or man of their own crews in them. . . .

The lamented sickness and death of acting commander Badgeley has prevented my getting the Nirzee's French papers, but they are still, I hope, in the hands of my agent at Sierra Leone, and shall be forwarded to you if I procure them with such remarks as it may be proper to make on them. . . .

Having thus given in addition to my former reports a full detail of the material facts of every case of my detention of vessels assuming a French character, I shall endeavor to answer that part of my Lord Aberdeen's letter which demands it, viz.: "His Majesty's Government animated with the same spirit of frankness and good faith by which all their communications with the Government of His Most Christian Majesty are dictated have no desire to conceal from the latter any of the circumstances which have come to their knowledge upon the transaction, nor do they hesitate to avow that those circumstances, so far as His Majesty's Government are yet apprised of them, do appear to make out against the Commander of one of His Majesty's cruisers a case of interference with a vessel suspected to be French, which not even the traffic in which she was engaged can justify."

My present answer to the opinion of my Lord Aberdeen, founded on a report of circumstances, which report has never reached me, must be confined to its precise expression, which is that the report in question does

appear to make against me "a case of unjustifiable interference with a vessel *suspected to be French* etc. etc."

Now, Sir, so far from acting on the suspicion that the vessel in question, the Estafette or Nirzee, was French, my whole conduct with respect to her, and all the others, was founded on the belief, nay, conviction, that both she and they were *not French*, and the results have in every case where they were brought to trial proved that they were *not so*; and in the case of the Estafette, even after *he* was convinced of her recapture, her master offered his testimony to the Courts of Mixed Commission to prove her Netherland character, which, as will be seen by Lieut. Mercer's affidavit, was not received because the vessel herself had not arrived.

³³Source: TNA, ADM 1 2274.

DOCUMENT 34. OWEN TO CROKER (H.M.S. *Eden*, at sea, 2 August 1829)

I have received from Commodore Collier under whose orders I am now placed an extract copy of a secret order without date to the follow effect, viz:

"You are however to abstain and positively to direct the commanders of His Majesty's Ships under your orders to abstain, from all interference on account of slave trading with vessels under the French flag or any other which you are not authorized by your instructions to interfere with, though you are to transmit home all the information you may obtain respecting the participation of French subjects or others in that traffic."³⁴

Had this order been sooner conveyed to me through any channel, it would certainly have altered my position very materially with respect to the vessels which I have detained and captured, notwithstanding they had assumed the French flag and character, although it is possible I might still in effect have done as I have done, for to transmit home all the information I might obtain respecting the participation of French subjects or others in that traffic, it would be necessary that I should acquire such information by all legitimate means, which, as it enjoins the right of examination, would probably have led to similar results, since the examination of every of the ten cases in question shewed clearly that although under a French flag and assuming a French character, they had every one of them rendered themselves subject to the terms of the treaties between Great Britain, Spain, and the Netherlands, and were therefore subject to the particular instructions relative to the vessels of those nations. Yet, Sir, the positive order to abstain from all interference with vessels under any other flag than those of the Netherlands, Spain, or Portugal would have placed me in a dilemma, as it has done every commander of His Majesty's vessels on this station, which might indeed have been removed by a single qualification in the order; if, for example, the order had run thus, "to abstain from all interference with vessels under the French flag or others" (*those flags being*

legally assumed and worn, and the vessel being legitimately employed according to the terms of their passports which must be absolutely respected) "which you are not authorized by your instructions to interfere with etc etc." Such a qualification as that I have presumed to offer to notice would have removed the seeming contradiction and difficulty which its present wording offers, and that this must have been the meaning and intent of the order appears to me clear, for if by examining vessels under another flag for the information which the same order enjoins, I find that she is subject to the instruction I am acting under by having assumed another national character; it becomes a manifest duty to detain her, although in apparent contradiction to the terms of the first part of the order, and this principle does appear the only one on which officers can continue to act, with all proper caution, until further orders may more clearly define the line of conduct to be followed on such occasions as those I have reported.

It never could have been the intention of their Lordships by the order in question to allow the vessels of Spain, the Netherlands, Brazil, or Portugal to cover their slave transactions by hoisting a table cloth or anything else which might bear a resemblance to the flag of some other nation; if otherwise (I speak with all humility), it would be impossible ever to succeed in putting down that diabolical traffic, which by the existing laws of nations, treaties, and our own force and activity, we are now fully equal to, if we do not suffer ourselves to be turned aside from the right line of public duty by the grave but jealous and petulant sensitiveness of France, who assumes a right principle to cover wrong transactions, and carries the principle itself much beyond reason and beyond her own practice.

Many of the merchants and planters at Martinique and Guadeloupe have very considerable shares in most of the vessels from St. Thomas', but that the present state of French laws rendering the voyage to Africa absolutely illegal and impossible from the West Indies with regular papers, which moreover in case of capture would compromise the parties, it has become a part of the system to furnish all such vessels with simulous papers procured for the most part at St. Thomas'.

It has also long been the practice to cover themselves also with Dutch papers, and some with Spanish, but the persons who sold Netherland papers have lately so much risen the price (even in some cases to two thousand dollars) that this expense does now in many cases prevent the practice.

³⁴Source: TNA, ADM 1 2274.

DOCUMENT 35. HYDE DE NEUVILLE TO PRINCE POLIGNAC, MINISTER OF FOREIGN AFFAIRS (Paris, 4 June 1830)

Prince, you did me the honor by your letter of the 17th of last month to keep me abreast of the communications which the English ambassador

made to Your Excellency on the subject of the grave inconveniences which result from the ease with which ships sailing in the Antilles and off the West African coast can change their nationality.³⁵

I received with this letter the translation of a report sent to the British government by Monsieur the Vice-Admiral Fleming [Document 26], which tends to establish that these sorts of changes are done with the aim of committing acts of piracy and of evading the penalties pronounced against the slave trade.

Your Excellency informed me that Lord Stuart demanding, in the name of his Court, that appropriate measures be taken to extirpate these abuses.

Before examining to what degree it is possible to remedy them, I must reject several inexact allegations contained in Admiral Fleming's report.

We read in this document that "the chief evil under which all the pirates now cloak themselves is the open manner in which the slave trade is carried on between the French possessions in the West Indies and the coast of Africa."

This assertion is partially disproven by the very terms of the report, which announce that ships outfitted at Martinique and Guadeloupe for the trade, most of which are American, go to St. Thomas to get permission to fit out and to obtain cargoes. It is obvious that the owners of these ships would have no reason to seek these sorts of facilities in foreign possessions if it were true that slave-trading expeditions were tolerated in our colonies.

As for the operations of this nature which take place on the coast of Africa, the exactitude with which the French station in those waters fulfills the service entrusted to it is attested to by the care taken by the captains of slave-ships to disguise themselves, in its presence, with a foreign nationality, by means of sea papers obtained in the Danish, Swedish, or Spanish isles.

Admiral Fleming adds that since "the price of slaves has fallen very considerably in Cuba; and as that race do not decrease in the Spanish Islands, as is the case of those of France, there appears no doubt that if the French Government would honestly and seriously put down the slave trade, it would fall altogether in a few years."

Such an allegation is insulting to the government of His Majesty and Your Excellency will doubtless judge it proper to respond to it, since it is expressed in such a formal manner in an official diplomatic communication.

Today, there should be no doubt whatsoever about the commitment of France to end the slave trade.

A severe law has been passed against this criminal traffic. The administration devotes itself with perseverance to gathering and forwarding to the government all clues which can be brought to the tribunals, and its zeal in this regard has not limits but those which it cannot cross without interfering with the liberty of judgments.

Numerous cruisers on the west coast of Africa, the Antilles, and in the Indian seas are charged with searching and detaining French ships employed in the trade.

We know that, to escape the penalties pronounced by the law, French ships intended for this shameful traffic are sent to foreign countries where they receive their special equipment and from which they are sent to the African coast. This outfitting takes place, in appearance, on the account of foreign subjects after the simulated sale of the ship. The captains and principal investors receive pro forma naturalization and sea papers of diverse nations. It is by means of maneuvers such as these that their operations are accomplished. It is in the same foreign colonies to which the ships are returned, whether to be employed again in the trade or to be dismantled.

Thus, it is certainly not in France where we should today expect to see guilty verdicts returned in the matter of the slave trade.

As for our colonies, it is difficult, given this state of things, for the repression of the trade to be effective. In effect, without the presence of the slave ships and their crews, the tribunals of these establishments can only act upon public rumor, upon vague clues, for the furtive landing of blacks.

We cannot expect to see this situation improve in our overseas possessions as long as slave traders continue to find protection with the foreigners. For a long time, the Department of the Navy has deplored the fatal impunity and criminal acts that result from this, and it has on many occasions informed the predecessors of Your Excellency of it. Thus, I can only desire that you decide, together with the British government, to make new protests to the Courts of Denmark, Sweden, and Spain so that they put an end to the abusive facilities offered by their colonies to slave ships.

I must inform Your Excellency that many of the French papers found aboard slave ships have been shown to be false. It must be presumed that the same will be true of foreign sea papers, once the captains of slave ships cease to be able to procure authentic ones easily. But at least the measures I would like to see adopted would have stripped crime of the appearance of legality with which it still manages to mask part of its activities.

I do not know if, in requesting that steps be taken to guarantee the security of the seas and to ensure the execution of the laws against the trade, the ambassador of England wants France to adopt the principle which would accord to the warships of both nations the right of search and detention over merchant vessels covered by the flag of the other power.

³⁵Source: ANOM, FM, 1 CORR 124.

DOCUMENT 36. POLIGNAC TO ROTHSAY (Paris, 12 June 1830)

Your Excellency informed me on May 5th last that you were charged by your Court with protesting, in the interest of abolishing piracy and the

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Your Excellency informed me on May 5th last that you were charged by your Court with protesting, in the interest of abolishing piracy and the

slave trade, against the facilities afforded ships sailing in the Antilles and off the west coast of Africa for changing their nationality.³⁶

Your Excellency's letter was accompanied by a report from Monsieur the Admiral Fleming, containing allegations tending to impute to the King's government the continuation of a traffic that he has opposed openly and effectively to the present by the most determined and rigorous measures.

Since Your Excellency abstained from repeating these allegations, I must limit myself to expressing my regret at seeing the agents of the government manifesting and communicating suspicions which show a lack of reflection on the causes which maintain the commerce in blacks.

The surveillance that the King's government has recommended, in the ports of both France and its colonies, has made it impossible there to outfit ships for this odious traffic. The most well-known facts, as well as Monsieur the Admiral Fleming himself, recognize that most of the ships outfitted at Martinique and Guadeloupe, ultimately destined for the trade, most of which are American, are obliged, in order to evade the legal action to which they would infallibly be exposed in these colonies, to go to St. Thomas to obtain permission to equip themselves and obtain their cargos.

As for the trade which takes place on the coast of Africa, the exactitude with which the French naval station in those waters fulfills the service entrusted to it is proven by the care that slave-ship captains take to disguise themselves in its presence with a foreign nationality by means of sea papers obtained in the Danish, Spanish, or Swedish islands. It is thus obvious that the King's officials have nothing to do with the facilities the guilty speculators still find to help them continue the trade.

The King's government regrets, Monsieur ambassador, to find itself in the impossibility of adopting new measures against this traffic. It has taken, as its actions clearly show, all those necessary to render it impossible for his own subjects to pursue, but it has neither the mission nor the power to prevent the subjects of foreign powers from engaging in it.

³⁶Source: TNA, FO 84 110.

DOCUMENT 37. FLEMING TO CROKER (Spithead, 1 July 1830)

Be pleased to acquaint My Lords Commissioners of the Admiralty that the two men named in the margin [Thomas George, James Patterson], the former a free black of Sierra Leone, the husband of the free black Woman Sarah, detained in the Island of Guadeloupe, and the other of the Kroo Nation, both of good homes, were in His Majesty's Ship Eden, and are victims to that atrocious piracy committed by the Crew of the "Niersee" or "Estafette" as I have already had the honor of stating to their Lordships, having heard that a Ship is fitting out at Plymouth for the coast of Africa, have applied to me to procure permission for their return to their Country in her.³⁷

It is with infinite regret I have to acquaint their Lordships, that notwithstanding my reiterated applications, the Governor of Guadeloupe, Rear Admiral the Baron des Rotours, obstinately and pertinaciously avoided doing justice to this unfortunate female, or returning a single Negro of those landed from that vessel; notwithstanding that I had ascertained, and made known to him where she was; and offered to send persons to point the place out. The unfortunate husband's distress on this occasion, it would be difficult to describe; but affords a very striking example of the good effects of freedom and mild treatment, in the amelioration of the best of human feelings in that unfortunate race.

The French Government could not have a better opportunity of shewing their good faith in putting down this inhuman traffic, than by visiting the Baron des Rotours with their displeasure for the open protection he has thus afforded to it; and if that Government does not promptly take some measures to repress the almost unlimited introduction of Blacks from the Coast, the safety of all the neighboring Islands will be endangered, for they do not possess the means of repressing what will inevitably take place at no very distant period throughout the whole of the West India Slave Colonies, unless speedy measures are taken for gradual emancipation, and milder treatment; for to such an extent is the discontent in the Island of Martinique that not only the desertion of the Negroes from there are constant, many perishing at sea in small canoes; but the use of poison has become so general, that in the years 1826 and 1827 it was thought necessary to establish provost courts with extensive powers, but the executions ordered by them; and the contempt of death and tortures shewn by the Negroes, rather increased the evil; and I have been informed they are discontinued.

³⁷Source: TNA, ADM 1 283.