

## 6 THE DEVELOPMENT OF PERSONAL LIBERTY

passed and, when the important Navassa case came before the Supreme Court, three of the defendants were Afro-Americans and their counsel were Messrs. Waring, Sterling and Davis, all learned colored men. American emancipation was begun as a war measure, and advanced on the rising tide of rebellion with little regard to historical precedents, mental capacity, or moral status of the millions so launched upon an unknown sea of freedom with no master to control and little knowledge to guide. But it is known that the Washington Government in 1862 sent Dr. Howe and others to inspect and report on the colored missions and settlements at Chatham, Buxton and elsewhere in Canada West. They found the former slaves, to the number of several thousands, doing fairly well as farmers, mechanics, and even municipal officers, and the report of these commissioners, which is amongst the public records of this time, had, it is alleged, much to do with the passing of the Thirteenth amendment to the U. S. constitution.

The decision of the Federal Supreme Court, as to Dred Scott and Harriet his wife, was made in view of the history and jurisprudence of the motherland, as they existed when the American Constitution was framed.

Some further brief reference to this and to the French and English cases referred to in the text, may not be uninteresting in consideration of their effect in the development of personal liberty.

It has been the boast of England that she led the way in the Crusade of liberty, but it must be admitted that the first steps were taken in France. In 1738 Jean Bouceaux, a negro Creole from St. Dominique, caused his claim to freedom to be brought forward in the Admiralty Court at Rochelle in much the same manner as Somerset did in London thirty-three years later.

Bouceaux the property of Madame Verdeline, wife of the Sieur de Verdeline, chevalier of the order of St. Louis and a high official, was, with the written permission of the Governor of St. Dominique, registered at the Admiralty offices there and at Rochelle, brought to the latter place. Bouceaux was an excellent cook and served as such faithfully from 1728 to 1738. M. Verdeline then, suspecting him of an intention to abscond, had him thrown into prison. The master had omitted to lodge a personal declaration on his landing at Rochelle, as by law required, in order to secure his proprietary rights.

The slave, being advised, presented his petition to the Ad-