

**Declaration of the Commune
of Les Cayes (May 6, 1792),
before the Colonial Assembly
of Saint-Domingue**

[Declaration of the COMMUNE OF LES CAYES, dated May 6, 1792, before the COLONIAL ASSEMBLY OF THE PART OF SAINT-DOMINGUE, urging its voting members: i) to strengthen the role of communes or municipalities in order to consolidate republican ideals in the French colonies in the Caribbean, ii) to maintain freedom of the press, restricted in other parts of the island, and iii) to urgently delegate the restitution of public order to the executive branch of the nascent government, in the face of the advance of the rebellion started in August 1791 by black slaves in the north of the Island of Saint-Domingue]

This extraordinary pamphlet, composed of four *quarto* pages, printed in rude Garamond typescript, documents a central aspect of a unique moment in European colonial history in the Caribbean. This is the intellectual and political reaction to the beginning of the “Haitian Revolution” (1791-1804), a movement initiated after the “Oath of Bois Caïman”, in which under the leadership of the vodou Dutty Boukman and with the leading role of the prophetess Cécile Fatiman, about 200 black slaves from northern Haiti began a rebellion on August 15, 1791, which would continue into open war.

The document, testimony of this process that has been considered by many scholars as the only successful rebellion/revolution of slaves in the entire History of Humanity, takes position in face of the events generated by the rebellion that began in the north of the island and that developed, after mass killings of white landowners and their families, into a military conflict between revolutionary factions. The process finally led to the constitution of an autonomous government in Haiti, presided over by a former slave, Jean-Jacques Dessalines, anointed since 1804 as Jacques I, first Emperor of Haiti (a situation that replicated what was happening then in France, where Napoleon Bonaparte was being crowned Emperor).

At the same time, the political context of these island’s events were intertwined with European affairs. As soon as the French Revolution began, provincial assemblies were formed in the French part of Saint-Domingue in the south and in the north, collegiate bodies made up mainly of white French settlers (mostly slave owners), from which representatives would come out, that would conform the Colonial Assembly. This body would in turn have representation, already in France, between 1790 and 1795, at the successive National Assembly, Constituent Assembly, Legislative Assembly and, later, at the influential Convention. In any case, by May 1792, when

our document was published, the *Constitution* had already been sanctioned in Paris (September 1791), the Constituent Assembly had been dissolved and the Legislative Assembly governed, which was in fact a collegiate body with many internal divergences. That Assembly was finally dissolved in August 1792, passing the headquarters of the new government to the famous *Convention*. Although towards the beginning of 1792 the colony was formally under monarchical jurisdiction, the fact was that Louis XVI no longer had real power, especially after the failed “Flight of Varennes” (June 1791).

During those years, in the Provincial Assemblies of Santo Domingo, *slavery* was, as could be expected, a central issue, since it was a phenomenon with enormous economic and social consequences for the region. In this regard, it is worth remembering that, in the years before the French Revolution, anti-slavery ideas and libels were disseminated in Jamaica, Martinique and Saint-Domingue, and Diderot’s thoughts on the need and urgency of a “Spartacus noir” were shared in various circles. Already in revolutionary days and with the *Déclaration des droits de l’Homme et du citoyen* (August 1789) still fresh, rumors circulated in America, without foundation, that the king had guaranteed three days a week free for all slaves, and even that freedom itself was declared, and that those documents were hidden by the colonists. These ideas took the form of disputes and actions, also fueled from the metropolis, as proven by the appearance in Paris in 1791 of the incendiary pamphlet of the Abbe Grégoire, entitled *Lettre aux Citoyens de couleur et nègres libre de Saint-Domingue et des autres islands françoises de l’Amérique*, in which the abolition of slavery was openly advocated.

The effect of these novelties was unpredictable, especially among slaves, who were unanimously illiterate. Based on these *fake news*, events accelerated quickly, and a few weeks after the uprising, decapitated heads of entire white families, including children, were seen on farms in the north of the island, carried as war banners by euphoric groups in new looting. Thus, in the face of prevailing insecurity and violence, the land owners of the south of the island, with Les Cayes as a city of reference, conveyed in our document to the Colonial Assembly of Saint-Domingue their urgency and concern, and expressed their full support for the recovery of the order and French power on the island, whatever the cost.

This situation of challenge to the current order and atomization of power led to the sending at the end of 1801 of general Leclerc, Napoleon’s brother-in-law, with a large professional army, ready to pacify the island and restore slavery. Both projects, however, succumbed to the demands of the climate (many soldiers died of malaria and yellow fever), and the ferocity and organization of Toussaint Louverture’s militias, the leader, after the initial inorganic steps, of the revolution in the north of Saint-Domingue.

The document we offer on sale testifies, therefore, to at least four concomitant processes of enormous interest and complexity: 1) the hindered transmission of power from the French revolutionary government to the overseas colonies; 2) the role of new ideas of sovereignty and representation in colonial rule; 3) the political and economic interests of the group of small *farmers (cultivateurs)*, many of them slave owners, in the south of the island of Saint-Domingue; and 4) the terror that the massacres and violent acts committed by the black revolutionaries, especially radicalized in the northwest of the island, impressed on the white and well-thinking Creole population.

As a whole, the leaflet is basically a declaration of fidelity and endorsement of the Commune of Les Cayes towards the Colonial Assembly of Saint-Domingue, urging its members to strengthen the role of the communes or municipalities, at that time the only counterweight to the excesses that, in alliance with the landowning class, the monarchy had been imposing for decades on middle-class settlers and subaltern populations. This exhortation was accompanied by a demand for greater freedom of the press, necessary for the flourishing of the island's incipient publishing industry. Likewise, the writing gives a glimpse of the position of the Commune of Les Cayes regarding the abolition of slavery, because although it favors the idea, it maintains that as long as the black population manifests its savagery as it has been doing, "political slavery will be [for the blacks] as necessary as water for fishes."

The delicate tension between ideas and *desiderata*, on the one hand, and economic realities, on the other, is clearly manifested in the document. Due to their interests, the members of the Les Cayes' Commune could not endorse the extension of the "rights of man and citizen" to the slave population, much less in a context of massacres, rapes and looting of families of European origin. It is, ultimately, the same conflict of interests and rights that was taking place in the United States and that would culminate in the Civil War: *natural rights* vs. *property rights*. When in April 1792, just two months before the publication of our document, the National Assembly in Paris happily decreed the legal equality of all people (including slaves), it simultaneously unleashed decisively conflictive effects on American soil. Especially in Haiti, where the economy was completely dependent on slave labor.

Another aspect that is undoubtedly important to understand this document is the fact that in those years the island of Saint-Domingue was the seventh world economic power (based on slave labor), since it obtained notable surpluses from the export of products (mainly cotton, sugar, coffee, indigo, etc.) to Europe and America. Its wealth was disputed by the English, French, and Spanish (the latter settled in the east of the island, also known as "La Hispaniola"), with consequent permanent changes of property and borders. Towards the middle of the 18th century, two thirds of the world's sugar was produced in Saint-Domingue. Some 30,000/40,000 whites, with the help of other mixed-race groups approximately equal in number, controlled about 500,000 black slaves, two-thirds of whom were born in Africa. This slave population, given the high mortality rate, was constantly renewed by importing new cohorts. A caste system regulated society: at the top were the «blancs», Europeans and Creoles, below the «gens de couleur», generally freedmen, then the «mulattos» or «faux blancs», and finally the «noirs», slaves. To make the picture more complex, the immense wealth produced by the island circulated through the Sea of the Antilles in search of its economic destinations, being therefore attractive for piracy. Although there is no allusion to it in the document, it is necessary to keep in mind the context of pirates, buccaneers and filibusters who operated from Tortuga Island—just 3 miles northwest of Saint-Domingue Island—in circumstantial and fragile alliances with the European powers.

Finally, a special mention is deserved by the printer of the document, whose productions are eloquent in themselves. This is the "sieur de Lemery", a resident of Les Cayes, who was a kind of *official printer* to the southern Department of Saint-Domingue. At least fifteen libels came out of his *Imprimerie* between 1789 and 1799, today found in Gallica and OCLC, all ideologically close to each other and familiar with our document, of which—at the present state of

the research—we have not been able to find any copy in public repositories. Lemery’s role as editor is also part of a process of explosion of the press on the island. As documented by the works of Geggous and Popkin, between 1789 and 1804 dozens of newspapers were founded on the Island of Saint-Domingue, which quickly adopted revolutionary language, promoting the advancement of the alliance between the white middle classes, holders of progressive ideas, and the freedmen of color, against the party of the slave-owning landowners, clinged to the order and tax advantages of the *Ancien Régime*, who were based more strongly in the north than in the south of the island. Freedom of the press, the defense of which is encouraged in the document, was one of the distinctive features of Les Cayes on the socio-political map of the Saint-Domingue of that time.

Lemery was, therefore, the pamphleteer of the “southern establishment” during the revolutionary process, whose interests were military defended by the mulatto general André Rigaud. Indeed, Lemery printed several texts in Les Cayes, including a *Mémoire du général de brigade André Rigaud, en réfutation des écrits calomnieux contre les citoyens de couleur de Saint-Domingue* (1797), and a *Réponse a la proclamation de Toussaint Louverture*, (1799). Likewise, other of his publications, such as the *Discours de M. Billard, président de l’assemblée provinciale du Sud, provisoirement administrative, à elle jointes les municipalités des Cayes, de Torbec et de Cavaillon, et plusieurs membres des diverses municipalités de la province, réfugiés aux Cayes, et arrêté du 28 janvier 1792*, or the pamphlet entitled *La vérité - Réponse à tous les folliculaires, journalistes, gazetiers, & à l’Assemblée provinciale du Nord*, by M. Cotelle (1790), replicate central themes developed in our document. Lemery’s abundant production (more than twenty of his publications have survived to the present) clearly show that his activity as a printer was associated with the success, and then the failure, of general Rigaud, regent of the south of the island during the 1790s. This also explains why it ceased its activity around 1799, the time of Toussaint Louverture’s full rise as undisputed leader of Haiti after the so-called War of the Knives (*Guerre des couteaux*), the bloody dispute between the militias of Louverture and Rigaud, which ended with the defeat and exile of the latter in 1800, and the unification of power at the hands of the Louverture’s former-slaves’ army.

The document is in itself, beyond its context, of enormous historical wealth. Of particular interest is the use of a precise political-philosophical language, in which theses on political sovereignty and republicanism abound, and the cultural codes exported to America by the Enlightenment are replicated. Expressions like *ancien régime*, *peuple cultivateur*, *pouvoir exécutif*, *protecteur des lois*, *vouloir de la nation*, *assentiment général*, etc., recall ideas of political representation that we find in Montesquieu and Rousseau, of a clear republican and antimonarchical coignage.

The *bifolia* that makes up the document is in excellent condition of conservation, and provides a valuable voice for the knowledge of certain aspects of the Haitian Revolution, which is, more widely speaking, only partially known due to the lack of written records. It is worth remembering, as an example, that the leader Toussaint Louverture, a freed slave that is today considered the forefather of sovereign Haiti, used daily French-speaking intermediaries, since his mother tongues were African Fon and Haitian Creole.

This declaration of the Commune of Les Cayes, which shines as a luminous, singular and powerful historical voice, will be of interest to very diverse groups of scholars, especially those dedicated to Afro-Americanism, Colonialism, and Economic, Social and Military History, as well

as those devoted to 18th Century Culture of the Caribbean and North America. Likewise, *unica* collectors will see in this document an opportunity to add a rare and very rich piece, due to its value as a testimony i) of the vicissitudes of the French Revolution in America, ii) of the dawn of the Haitian Revolution, and iii) the Central American colonial printing press, a field of study in the process of growth.

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Text Transcription

*La Commune des Cayes constituante,
A l'Assemblée coloniale de la partie française de St. Domingue.
En Assemblée régulière, le 6 Mai 1792.*

La Commune des Cayes a entendu la lecture de votre adresse à vos *Constituans*, en date du 4 Avril dernier.

Elle y a vu, avec la plus vive reconnaissance, la longue série de vos travaux.

Votre tâche n'est point encore remplie; mais tout annonce qu'elle le sera bientôt. Ce n'est point en vain que la nation s'est dépouillée d'une partie de sa *souveraineté*, et qu'elle vous en a investie, a fin que vous opéreriez le bonheur de Saint-Domingue.

Malgré que la Commune des Cayes vous ait conféré des pouvoirs illimités, elle n'a pas renoncé au droit imprescriptible de vous émettre une partie de son vœu sur la constitution de la Colonie.

Conservez, Messieurs, avec le plus grand scrupule, dans les principales villes, les *corps municipaux*.

Les Municipalités sont les vrais corps populaires, les corps populaires par excellence. Les officiers municipaux sont les magistrats du peuple, et il croira les avoir *perdus*, si vous en changez la dénomination.

Affermissez les dans leurs fonctions, et ne souffrez pas plus longtemps ce mélange actuel des fonctionnaires de l'ancien régime, qui entravent, contrarient et obstruent à *dessein* toutes leurs opérations.

Simplifiez les rouages trop compliqués de la machine politique de Saint Domingue, et daignez ne pas perdre de vue que nous sommes un *peuple cultivateur*.

Procédez à un code clair et simple de lois civiles et criminelles: car depuis 150 ans nous n'avons encore eu que des diplomes bizarres, arbitraires, et aussi étrangers à nos *localités*, qu'à la liberté et à la justice.

La Commune des Cayes a vu, avec satisfaction, que vous n'aviez pas cru devoir placer au rang de vos travaux, *deux* arrêtés sollicités par L'Assemblée provinciale du Nord.

Nous voulons vous parler, Messieurs, de ceux que vous avez rendu contre la liberté de la presse. Daignez vous rappeler que c'est elle qui a fait la nation française ce qu'elle est... Les *Municipalités* qui doivent *institutionnellement* veiller sans relache à ce que la liberté publique et individuelle ne reçoive aucune atteinte, sont chargées par vous, Messieurs, de la tyrannique mission de donner ou de refuser un *visa*! Faire partager à des *corps populaires*, le mépris dont, sous l'ancien régime même, on couvrait les *censeurs* de la librairie, c'est avilir les Municipalités, c'est les dégrader, c'est les rendre *odieuses*... Que ferait on de plus, si l'on avait le dessein de les détruire?

Ce ne sont pas les livres imprimés *ici* qui ont tout *bouleversé*. Ceux qui nous égorgent n'écrivent pas, et si l'on imprime pour eux ce n'est pas à Saint Domingue.

La Commune des Cayes a vu, avec douleur et indignation, que les plus noires calomnies étaient *méthodiquement dirigées contre vous*.

Elle n'a pu se dissimuler que c'était aux Communes mêmes que l'on en voulait dans la personne de leurs *Représentans*.

Elle s'y était attendue; vous avez a vous dû vous y attendre. Rien ne l'étonne, rien ne la surprend de la part des infatigables ennemis de la *régénération*.

Ceux qui vous ont fait un crime de n'avoir pas fixé plutôt l'état *politique* des gens de couleur, n'ont pas voulu voir que jamais législateur raisonnable et *libre*, n'a songé à statuer sur l'état social et civil d'une horde de brigands, devenue l'horreur de la société; de brigands persistant sans *lassitude* comme sans remords, dans l'exercice froid et atroce de tous les genres de crimes.

Ils sont hors des lois, hors de la société, hors de la nature, ces *hommes tigres*, à qui il ne reste plus rien d'humain que la forme!

Vous aviez, Messieurs, tres sagement arrêté, et M. le lieutenant au gouvernement général l'avait approuvé, que vous ne fixeriez jamais l'état *politique* des gens de couleur, qu'ils n'eussent mis bas les armes.

Qu'ont ils donc fait depuis, pour mériter cette faveur? Ou plutôt que n'ont ils pas fait, pour repousser d'eux et la loi, et la pitié...? Et comment vous a l'on depuis commandé imperieusement à fixer sans délai l'état politique de ceux qui n'ont plus d'autre droit à prétendre dans la société, que d'y subir la trop lente punition du à leurs inconcevables forfaits.

On espérait sans doute qu'un état *civil*, ainsi fixé à la vue des glaives assassins, à la lueur affreuse des incendies, au milieu des décombres de la fortune publique, et presque sur les cadavres de la moitié des Français de St. Domingue, se ressentirait de son épouvantable et sinistre origine.

Ces hommes dépravés, pour qui l'esclavage politique est aussi nécessaire que l'eau l'est au poisson, espéraient peut-être que la force exécutive qui, de sa nature est si expensive et si envahissante, prenant dans ces momens terribles la plus excessive *latitude*, la conserverait encore au retour de la paix, comme au milieu des horreurs de la guerre.

Nous ne sommes point, Messieurs, les ennemis du pouvoir exécutif.

Il est, nous le savons, le protecteur et le soutien des loix, lorsqu'il se renferme dans ses limites; mais s'il les dépasse, c'est un torrent qui renverse, qui écrase et les hommes et les choses.

Ses fonctions sont d'agir pour la loi, par la loi; *mais il ne peut vouloir agir spontanément*.

Le droit de vouloir est réservé a la nation seule.

Ses représentans, sont les seuls chargés de transmettre au pouvoir exécutif le feu *sacre* du *vouloir* de la nation; et ce *vouloir* est la loi.

La puissance armée est essentiellement obéissante: et si elle *veut outre* la loi, dès lors il n'y a plus de liberté; dès lors il y a despotisme. C'est ce que nous ne voulons pas; c'est ce que nous ne voudrions jamais.

Soumission entiere à la loi, voila ce que nous voulons; nous en faisons le serment.

La *loi*, voilà, Messieurs, ce que vous êtes chargés de faire, si vous êtes libres... S'il était vrai que vous ne le fussiez pas, nous *protesterions* contre tout ce que la force vous aurait arraché.

Législateurs de St. Domingue, en vous réside l'espoir d'une grande colonie, et celui de plus de *six millions* de citoyens Français, dont l'existence et la fortune sont attachés au sort de cette section de l'Empire.

La France entiere a les yeux sur vous.

Ses ennemis qui n'ont pu parvenir à vous corrompre, employent maintenant la violence pour vous anéantir: mais leurs criminelles manoeuvres ne prévaudront pas contre votre fermeté.

Réfléchie au milieu des orages; inébranlable au fort de la tempête, forte de la force et de *l'assentiment* général de toutes les communes, continuez vos sublimes travaux, avec toute l'énergie de la vertu dont, dans ces temps malheureux, vous avez donné de si glorieux exemples.

Persistez, généreux législateurs, dans votre dévouement envers vos *constituans*, la confiance qu'ils ont en vous est aussi illimitée que vos pouvoirs.

Comblez la mesure du bonheur qu'attend de vous la colonie, et vous aurez mérité l'éternelle reconnaissance de vos concitoyens.

Fait et présenté par les Président et Secrétaire.

Lu et arrêté en assemblée; à l'unanime acclamation, le 6 Mai 1792, Goujon, *Président*, et Tanguy la Boissiere, *Secrétaire*.

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Aux Cayes, de L'imprimerie de LEMERY, imprimeur

English Translation

*The Constituent Commune of Les Cayes,
To the Colonial Assembly of the French part of Saint-Domingue.
In Ordinary Assembly, May 6, 1792.*

THE Les Cayes City Council has heard the reading of your speech addressed to its *voters*, dated April 4 [of this same year].

And the Council could appreciate there, with the deepest gratitude, the long series of your works.

Your task, [members of the Council], has not yet been accomplished; but everything indicates that it will be soon. It is not in vain that the Nation stripped itself of part of its *sovereignty* and invested it on you, so that you could make the happiness of Saint-Domingue a reality.

Although the Municipality of Les Cayes has granted you unlimited powers, it has not renounced the inalienable right to *express to you* part of its designs regarding the constitution of the Colony.

Maintain, Gentlemen, with the greatest scruples, in the main cities, the *municipal bodies*!

The municipalities are the true popular bodies, the popular bodies par excellence. The municipal officials are the magistrates of the people, and the people will believe that they have *lost them* if their names are changed.

Strengthen them in their functions, because we must no longer tolerate this current mix of officials of the Ancien Régime, who deliberately hinder, frustrate and obstruct *all* kind of operations.

Simplify the excessively complicated gears of the political machinery of Saint-Domingue, and deign not to lose sight of the fact that we are above all an *agricultural community*.

Proceed with a clear and simple code of civil and criminal laws: because for 150 years we have only had strange, arbitrary diplomas, as foreign to our *localities* as to freedom and justice.

The Commune of Les Cayes has seen, with satisfaction, that it was not considered necessary to include among your work *two* decrees of the kind of those requested by the Provincial Assembly of the North.

We also want to talk to you, Gentlemen, about those who have acted against freedom of the press. Please remember that it was this freedom that made the French Nation what it is now... The *municipalities*, which are the bodies that must tirelessly *institutionally* guarantee that public and individual freedoms are not attacked, are in your charge, Gentlemen; in these institutions lies the tyrannical mission of giving or rejecting a *visa*! Making *the popular bodies* abettors in the contempt with which, even under the Ancien Régime, the library *censors* were empowered would be to degrade the municipalities, degrade them, make them *hateful*... What else could be done, if the intention was to destroy them?

It wasn't the books printed *here* that *changed everything*. Those who cut our throats do not [read nor] they write, and if we print books it is not [precisely] in Saint-Domingue.

The Commune of Les Cayes saw, with pain and indignation, that the darkest slanders were *methodically directed against you*, [members of the Council].

[And likewise,] the Commune could not hide the fact that it was the members of the Council themselves who were wanted in the person of their *representatives*.

The Commune was waiting for that; must have expected it. Nothing can surprise this governmental body, nothing, if [that evil is something that] comes from the tireless enemies of *regeneration*.

Thus, those who turned it into a crime against you for not having [timely] defined the *political status* of the people of color, did not want to see that no reasonable and *free legislator* ever thought of ruling on the social and civil status of a horde of bandits, which has become the horror of society; of bandits who persist without *fatigue* or remorse, in the cold and atrocious practice of all kinds of crimes.

These *tigermen*, for whom nothing remains of Humanity except appearance, are outside the law, outside society, outside nature!

Gentlemen, you have decided very wisely, and the representative of the general government had approved so, that you would never define the *political status* of the colored people until they had laid down their arms!

What have people of color done since then to deserve that favor? Or, rather, what have they not done to distance themselves from both the law and your piety...? Therefore, since then you have imperatively ordered to establish without delay the political status of those who no longer have any other right to claim from society, other than that of suffering a very extensive punishment due to their inconceivable crimes. It was to be expected, without a doubt, that the *civil status* thus established—under the influence of murderous swords, in the terrible light of the fires, in the midst of the rubble of the public fortune, and almost on the corpses of half of the French of Saint-Domingue—was affected by its terrible and sinister origin.

These depraved men, to whom political slavery is as necessary as water to fishes, perhaps hoped that the executive force, which by its nature is so costly and invasive, would take over, in these terrible moments and amid the horrors of war, of the *most excessive freedom*, which it would still retain when peace returned.

Gentlemen, we are not enemies of the executive force.

Such power, we know, is protector and supporter of the laws, as long as it is confined within its limits; but if it exceeds them, it is a torrent that pours out, crushing both men and things.

Its functions are to act by the law, for the law; *but it is prohibited for the executive force to act spontaneously*.

The right “to want”, [expressed in the law,] is reserved only [to the collective], that is, to the Nation.

Its representatives are the only ones responsible for transmitting to the executive power the *sacred fire* of the *will* of the Nation; and this *will* is the law.

Armed power is essentially obedient: and if *it wants to go beyond* the law, freedom disappears; and despotism arises. That’s what we don’t want; this is what we will never want.

Total submission to the law, that’s what we want; we take the oath.

The *law*, that is, Gentlemen, what you must do, if you are free... If it were true that you are not, we would protest *against* everything that that force [opposed to freedom] had taken from you.

Legislators of Saint-Domingue, in you lies the hope of a great colony and that of more than *six million* French citizens, whose existence and fortune depend on the destiny of this section of the Empire.

All of France has its eyes on you.

Your enemies, who could not corrupt you, now use violence to destroy you: but their criminal maneuvers will not prevail against your firmness.

Judicious in the midst of storms; unbreakable during the storm, convincing in strength, and with the *general assent* of all communities, do continue your sublime works with all the energy of virtue, of which, in these unfortunate times, you have given such glorious examples.

Persist, generous legislators, in your devotion to the *electors*; the trust they have in you is as limitless as your powers.

Fulfill, [oh members of the Commune of Les Cayes], the measure of happiness that the colony expects of you, and you will have earned the eternal recognition of your fellow citizens.

Made and presented by the President and the Secretary.

Read and approved at the assembly; by unanimous acclamation, on May 6, 1792, Goujon, *president*, and Tanguy la Boissiere, *secretary*.

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In Les Cayes, from the LEMERY printing press, printer