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DEMERARA.

Return to an Address from the Honourable the House of Commons,
dated the 5th of March 1824,—*for*

A COPY of the Minutes of the Evidence on the Trial of *John Smith*,
a Missionary, in the Colony of Demerara, with the Warrant, Charges,
and Sentence:—*VIZ.*

COPY OF THE PROCEEDINGS

Of a General Court Martial, held at the Colony House in George Town, in
Demerara, on Monday the 13th day of October 1823, by virtue of a
Warrant, and in pursuance of an Order of Major General JOHN MURRAY,
Lieutenant Governor and Commander in Chief in and over the United
Colony of Demerara and Essequibo.

Colonial Department, }
22d March 1824. }

R. J. Wilmot Horton.

Ordered, by The House of Commons, to be Printed,
22 March 1824.

2 PROCEEDINGS OF A COURT MARTIAL IN DEMERARA,

CHARGES against the Prisoner, *John Smith*, a Missionary.

First day - - - - - 13th October 1823 - - - - - p. 3

JUDGE ADVOCATE'S ADDRESS:

Second day - - - - - 14th October - - - - - 4
 Third day - - - - - 15th October - - - - - 8
 Fourth day - - - - - 16th October - - - - - 10
 Fifth day - - - - - 17th October - - - - - 12
 Sixth day - - - - - 18th October - - - - - 15
 Seventh day - - - - - 20th October - - - - - ib.
 Eighth day - - - - - 21st October - - - - - 18
 Ninth day - - - - - 22d October - - - - - 20
 Tenth day - - - - - 23d October - - - - - 22
 Eleventh day - - - - - 24th October - - - - - 25
 Twelfth day - - - - - 25th October - - - - - 28

Prosecution closes.

Thirteenth day - - - - - Friday 31st October - - - - - 31

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THE PRISONER'S EVIDENCE:

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 Sixteenth day - - - - - 4th November - - - - - 47
 Seventeenth day - - - - - 5th November - - - - - 50
 Eighteenth day - - - - - 6th November - - - - - 54
 Nineteenth day - - - - - 7th November - - - - - 55
 Twentieth day - - - - - 8th November - - - - - 57
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PRISONER'S OBSERVATIONS AT THE CLOSE OF HIS
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Judgment of the Court.

Proceedings of a General Court Martial

Held at the Colony House in George Town, on Monday the 13th day of October 1823, by virtue of a Warrant, and in pursuance of an Order of His Excellency Major General JOHN MURRAY, Lieutenant Governor and Commander in Chief in and over the United Colony of *Demerara* and *Essequibo*; &c. &c. &c.

PRESIDENT,

LIEUTENANT COLONEL STEPHEN ARTHUR GOODMAN,
Half Pay 48th Regiment, and Commandant of the George Town
Brigade of Militia :

Lieutenant Colonel Charles Wray, Militia Staff.	} Members.	Captain William Killikelly, Half pay 6th West India Regiment, De- puty Assistant Quarter Master General.
Captain Thomas William Stewart, 1st West India Regiment.		Captain Colin Campbell, Royal North British Fusileers.
Captain Richard Daniel, Royal North British Fusileers.		Captain Lewis Charles Appellius, Royal North British Fusileers.
Captain Thomas Fairweather, Royal North British Fusileers.		Lieutenant Robert Gregg, 4th or King's own Regiment.
Lieutenant Thomas Cochrane Hammill, Royal North British Fusileers.		Lieutenant William Howe Hennis, Royal Artillery.
Lieutenant John Croftor Peddie, Royal North British Fusileers.		Second Lieutenant Alexander Gordon, Royal Engineers.
Second Lieutenant Charles O'Hara Booth, Royal North British Fusileers.		Second Lieutenant Robert Anstruther, Royal North British Fusileers.

THE Warrants of His Excellency Major General JOHN MURRAY, lieutenant governor and commander in chief in and over the united colony of Demerara and Essequibo, &c. &c. appointing Lieutenant Colonel Stephen Arthur Goodman, half-pay 48th regiment, and commandant of the George Town brigade of militia, president of, and His Honour Victor Amadius Heliger, to be judge advocate, and Richard Creser, esq. Robert Phipps, esq. and J. L. Smith, jun. esq. to act as assistant judge advocates to a general court martial, ordered to assemble at the colony house in George Town, on Monday the 13th instant, at ten o'clock, for the trial of such prisoners as shall then and there be brought before it, having been read in presence of the prisoner.

The Prisoner, having been asked whether he had any cause of challenge or objection to any of the members? answered, "No."

The Court was then duly sworn, and proceeded to the trial of John Smith, a missionary, on the following

CHARGES

preferred against him, by order of His Excellency Major General John Murray, lieutenant governor and commander in chief in and over the united colony of Demerara and Essequibo, &c. &c. &c.

FOR that he, the said John Smith, long previous to and up to the time of a certain revolt and rebellion, which broke out in this colony, on or about the 18th of August now last past, did promote, as far as in him lay, discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers, he, the said John Smith, thereby intending to excite the said negroes to break out in such open revolt and rebellion against the authority of their lawful masters, managers, and overseers, contrary to his allegiance, and against the peace of our Sovereign Lord the King, his crown and dignity. 1st Charge.

For that he, the said John Smith, having, about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of *Demerara*

4 PROCEEDINGS OF A COURT MARTIAL IN DEMERARA,

1st Day,
Monday 13th Oct.
1823.

Demerara and Essequibo; and further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did further aid and assist in such rebellion, by advising, consulting, and corresponding, touching the same, with the said negro Quamina; to wit, on the 19th and 20th August last past, he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein.

3d Charge.

For that he, the said John Smith, on the 17th August last past, and for a certain period of time thereto preceding, having come to the knowledge of a certain revolt and rebellion, intended to take place within this colony, did not make known the same to the proper authorities, which revolt and rebellion did subsequently take place; to wit, on or about the 18th of August now last past.

4th Charge.

For that he, the said John Smith, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on or about Tuesday and Wednesday the 19th and 20th of August now last past, was at Plantation Le Resouvenir in presence of and held communication with Quamina, a negro of Plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein, and that he, the said John Smith, did not use his utmost endeavours to suppress the same, by securing or detaining the said insurgent Quamina, as a prisoner, or by giving information to the proper authorities, or otherwise, but on the contrary, permitted the said insurgent Quamina to go at large and depart, without attempting to seize and detain him, and without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of martial law, issued by His Excellency the lieutenant governor.

Plea.

To these charges the prisoner pleaded, Not Guilty.

The prisoner having requested the indulgence of the Court, in order to procure the assistance of counsel, the Court adjourned until to-morrow morning at ten o'clock.

Second day, 14th October 1823.

Second Day,
14 October 1823.

The Court having met, pursuant to adjournment, the Judge Advocate addressed the Court as follows:

“ May it please the Court;

“ Previous to my proceeding to the proof of the charges which have been preferred by me against the prisoner, I feel it necessary to make a brief statement of the case, in order to facilitate the proving of the charges so preferred. I shall first adduce in evidence, that the prisoner, even from the beginning of his arrival in this colony, has begun to interfere with the complaints of the different negroes upon the estates in the district where he has been admitted as a regular missionary. I shall further adduce evidence, that this interference has not only related to the negro population and their management, but also with regard to the acts and deeds of the constituted authorities of this our country; that this kind of interference has created discontent and dissatisfaction amongst that part, viz. the negro population of this colony; that even his opinion of the oppression under which they labour brought him to that point, that he considered it necessary to expound to them such parts of the Gospel entirely relative to the oppressed state in which he considered them to be. It shall further appear to you in evidence, that this has led at last to the tearing assunder the tie which formerly united master and slave; and that open revolt was the consequence of this state of discontent in which they had been taught. It will also appear, that before the revolt broke out, the prisoner was aware, not only of the intended rebellion to take place, not only several days before, but also on the day immediately preceding the breaking out of the revolt. It shall be proved that it was not only a bare knowledge of the intended revolt, but he even did consult and advise as to the difficulties they would have to encounter from His Majesty's troops, and from the white inhabitants of the colony. It shall be proved that, with this knowledge upon his mind, he never attempted to give any information hereof to the constituted authorities; that even on the day of the revolt, which took place in the evening, the prisoner was in town, but that he left town without having made that disclosure, which, as a faithful and loyal subject, he was bound to do: not only this, but it shall also

“ be

“ be proved, that during the prosecution of the revolt, not only no attempt was made, of any disclosure on his side, but even that immediately after the beginning of the revolt, on the first and second day, the prisoner did correspond with one of the insurgents at a time when he well knew that that insurgent was in open rebellion; not only that he did correspond with him, but he even did not attempt to secure that insurgent, or to give such notice to the constituted authorities by which that insurgent could have been laid hold of; that though, perhaps, the prisoner at the moment might have found some difficulty of conveying this intelligence to the proper authority, that obstruction or difficulty was entirely taken away on the following day, when a detachment of militia arrived at the dwelling of the prisoner, and by which he was enabled to give such information as a loyal subject he was obliged to do. This, gentlemen, is a brief statement of the case, and according to the course which, in calling of the evidence, I intend to pursue.”

Second Day,
14 October 1823.

He then proceeded to call EVIDENCE in Support of the Charges.

John Stewart having been duly sworn, deposed as follows; viz.

My name is John Stewart; I am manager of plantation Success; I know the prisoner; I believe I know his hand-writing; the book produced is I believe in his hand-writing; I have seen his hand-writing at different times; he has wrote me at different periods. [The book produced was laid on the table of the court.]

1st Evidence for
Prosecution.

(*Question by the prisoner.*)—Did you ever see me write?—I can't say that I have.

The prosecutor then drew the attention of the court to the following passages of the book produced to the court; viz.

1st Passage is inscribed as follows:

“ A Journal containing various occurrences at Le Resouvenir, Demerary, commenced in March 1817; by John Smith, Missionary.”

On page 3, under the date of Sunday, 30th March 1817, runs as follows:

“ Sunday, March 30th.—Preached at seven in the morning, from the 92d Psalm, first and second verses. Mr. Wray preached at eleven, from John v. 39; after which we called those who had been formerly members together: this was considered the most proper time for settling all old quarrels. Several husbands and wives had separated, some were jealous, some complained of being abused for reproving disorderly brethren; Jingo, in particular, had a sad tale to tell; he had taken a wife on another estate, and the manager had forbidden his going to see her. The tale was too long, therefore it was put off. In the evening, Betty, Jingo's wife, came to our house and brought her husband with her. The examination took place before myself, Mrs. S. and Mr. Wray. Jingo's wife alleged that her husband wanted another wife. Jingo said, he found his wife with another man. She said, Jingo went with another woman. It appeared they were both in fault, and after an hour's talking they were remarried by Mr. W.; they promised to live together again; I hope they may. Betty can go to Jingo, though he cannot go to her. A missionary must in many instances act the part of a civil magistrate.”

Under the date of Sunday, 6th July 1817, on page 12, stands the following passage:

“ While at dinner, at half-past three o'clock, Lucinda came with a very sorrowful countenance;” and after having related the mischief done by a rat to her Bible, the Journal proceeds in the following manner: “ Lucinda is a member of the church, and much affected with the gospel; she is an old woman, and though her manager tells her not to come to church, she tells him she will come, even if he cuts her throat for it.”

The next passage is of Friday, August the 8th, 1817, and runs as follows:

“ A great number of people at chapel. From Genesis xv. 1. Having passed over the latter part of chapter 13, as containing a promise of *deliverance from* [these two words partly erased, but perfectly legible] the land of Canaan, I was apprehensive the negroes might put such a construction upon it as I would not wish; for I tell them that some of the promises, &c. which are made to Abraham and others, will apply to the Christian state. It is easier to make a wrong impression upon their minds than a right one.”

“ August the 30th, 1817, page 16.—The negroes of Success have complained to me lately of excessive labour and very severe treatment. I told one of their overseers that I thought they would work their people to death.”

“ September 13th, 1817, page 17.—This evening a negro belonging to came to me, saying, the manager was so cruel to him that he could not bear it. According to the man's account, some time back, (two or three years) he with a few others made complaints of the same thing to the fiscal, on which account the manager has taken a great dislike to him, and scarcely ever meets him without cursing him as he passes by: the punishment which he inflicts upon him, dreadfully severe; for every little thing he flogs him. I believe Ned to be a quiet harmless man; I think he does his work very well. A manager told me himself that he had punished many negroes, merely to spite Mr. Wray. I believe the laws of justice, which relate to the negroes, are only known by name here; for while I am writing this, the driver is flogging the people, and neither manager nor overseer near.”

“ Monday morning, June 30th, 1818.—Having gone through a regular course of preaching upon the Epistle to the Ephesians, the 1st Epistle of Peter occurred to my mind as
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Second Day,
14 October 1823.

being very suitable in their present circumstances. The Apostle seems to have written for the comforts of Christians, who were scattered and persecuted, which is the case with our people. After seeking divine direction in this matter, I felt a determination to pursue my plan; I therefore preached from Peter 1st, chapter 1. ver. 1. I suppose we had about 150 hearers. After service I had some conversation with some of our people upon the subject of discourse."

"Friday, 10th July 1818.—This evening Emanuel and Bristol, from Chateau Margo, came to make a complaint against Coffy of Success; they stated that he had used some very abusive language to Emanuel. I declined hearing the tale out until I can see Coffy."

"Sunday, 19th July 1818.—Many flying showers this morning; rain fell pretty heavy. I felt my spirit move within me at the prayer meeting, by hearing one of the negroes pray most affectionately that God would overrule the opposition which the planters make to religion for his own glory; in such an unaffected strain he breathed out his pious complaint, and descended to so many particulars relative to the various arts which are employed to keep them from the house of God, and to punish them for their firmness in religion, that I could not help thinking that the time is not far distant when the Lord will make it manifest by some signal judgment that he hath heard the cry of the oppressed. Exodus, iii. 7 and 8."

"March 22d, 1819.—While writing this, my very heart flutters at hearing the almost incessant cracking of the whip. Having just finished reading Mr. Walker's Letters on the West Indies, I have thought much of the treatment of the negroes, and likewise the state of their minds. It appears to me very probable, that ere long they will resent the injuries done to them. I should think it my duty to state my opinion respecting this, to some of the rulers of the colony, but am fearful, from the conduct of the fiscal in this late affair, of the negroes being worked on Sunday, that they would be more solicitous to silence me, by requiring me to criminate some individual, than to redress the wrongs done to the slaves, by diligently watching the conduct of the planters themselves, and bringing them to justice, (without the intervention of missionaries) when they detect such abuses of the law as so frequently take place."

"17th November 1821.—Yesterday evening we had not more than fifty at the chapel; indeed, I cannot expect many more till the coffee and cotton are gathered in; the people have scarcely any time to eat their food; they have none to cook it—eating, for the most part, raw yellow plantains: this would be bearable for a time, but to work at that rate, and to be perpetually flogged, astonishes me that they submit to it."

"October 21st, 1822.—Just returned from another fruitless journey; have been for the answer to my petition, but was again told, by the governor's secretary, that his excellency had not given any order upon it, but that I might expect it to-morrow. I imagine the governor knows not how to refuse, with any colour of reason, but is determined to give me as much trouble as possible, in the hope that I shall weary of applying, and so let it drop; but his puny opposition shall not succeed in *that way*, nor in any other ultimately, if I can help it. Oh that this colony should be governed by a man who sets his face against the moral and religious improvement of the negro slaves! but he himself is a party concerned, and no doubt solicitous to perpetuate the *present* cruel system, and to that end probably adopts the common though not false notion, that the slaves must be kept in brutal ignorance. Were the slaves generally enlightened, they must and would be better treated."

"November 10th, 1822.—Jacky of Dochfour, and Peter of the Hope, came into the house evidently much depressed in mind, to relate what they conceived an unexampled case of persecution: It was, in brief, that their respective managers, under a show of friendly familiarity, accosted the Christian negroes with taunting jokes on the subject of religion, in presence of the heathen negroes, representing that their profession was only hypocrisy, and that a trifling consideration would prevail with them to abandon it, for which reason they ought to be treated with scorn and contempt. These diabolisms some of the religious negroes had been provoked to retort upon their tempters, in a manner said to be disrespectful; and for this insolence they have been repeatedly flogged and confined in the stocks!! The complainants wanted to know what they were to do in such a case. I advised them accordingly."

"Monday, 25 November 1822.—Having been once more, the eighth time, for the answer to my petition in vain, I think I may fairly conclude the governor does not intend to give an answer; it would perhaps be best to wait a few weeks, and should no answer then be given, (and the secretary's assistant promised to let me know in case any order were made upon it,) to write him on the subject. Here, as in many other cases, I feel the want of a Christian friend and counsellor. We have missionaries from the same society, but fortunately for the colony, though unfortunately for the cause of religion and just rights, the governor and the court have bought them, the one for 100 joes, the other for 1,200 guilders per annum."

"May 23d, 1823.—Finding it necessary for my health to take more exercise than I have been accustomed to do, I have not had time to continue my journal as I could have wished; besides, the uncomfortable state of my health has disinclined me for writing; but as it appears to me that serious evils are likely to result from the measures which the governor is adopting respecting the slaves attending chapel, I think it will not be amiss to note down such circumstances as may come to my knowledge. While at breakfast this morning, I received a communication from the burgher captain, inclosing a printed circular from the governor, containing on one side an extract from a letter of Lord Liverpool, as secretary of state for the colonies, to Governor Bentinck, dated 15th October 1811, and on the other side, a comment written by the colonial secretary, in the name of Governor Murray, explaining it to their own taste. The substance of this comment is, to persuade the planters

planters not to allow the slaves to attend the chapel on Sundays without a pass, and in an indirect manner not to allow them to come at all in the evening, and even on a Sunday to send an overseer with the slaves, as judges of the doctrine we preach. The circular appears to me designed to throw an impediment in the way of the slaves receiving instruction, under colour of a desire to meet the wishes, or rather, complying with the commands of His Majesty's government. (See the circular among other government papers.)"

Second Day,
14 October 1823.

"June 9th, 1823.—Several whites were present professedly as spies."

"22d June, 1823.—Isaac, of Triumph, came in to ask whether the governor's new law, as he called it, forbade the slaves meeting together on the estate to which they belong, of an evening, for the purpose of learning the catechism. Their manager, he said, had threatened to punish them if they held any meeting. I informed him, that the law gave the manager no such power, and that it had nothing to do with that subject; still I advised them to give it up, rather than give offence and be punished, and to take care to ask for their passes early on Sunday mornings, and come to the chapel to be catechised."

"July 7th, 1823.—Mr. Elliot has just left our house; he came up merely to see us, which I regard as a kindness. I was glad to hear that he has at length commenced evening preaching once a week on the coast, on a Thursday evening; it appears the same impediments are thrown in the way of instructing the negroes on the west coast as on the east; and it will be so as long as the present system prevails, or rather exists."

"July 15th, 1823.—Mrs. de Florimont and her two daughters called to take leave of us; they are going to Holland. Mrs. de F. says, she is uncertain as to her return to the colony. Hamilton, the manager, came in with them. His conversation immediately turned upon the new regulations which are expected to be in force; he declared, that if he was prevented flogging the women, he would keep them in solitary confinement without food, if they were not punctual with their work; he, however, comforted himself in the belief, that the project of Mr. Canning will never be carried into effect; and in this I certainly agree with him. The rigours of negro slavery, I believe, can never be mitigated; the system must be abolished."

"August 18th, 1823.—Early this morning I went to town, to consult Dr. Robson on the state of my health."

Edmund Bond, being duly sworn, deposed as follows; viz.

2d Evidence.

I reside in New Amsterdam in Berbice; I am a carpenter by trade; I have no settled domicile any where; I have worked on plantation Profit, the last estate on the west coast of Berbice, coming to Demerara. About this month last year I was on the estate Profit; I am confident I can say it was about this month last year. I have seen the prisoner at plantation Profit about this month last year; a conversation took place at that time with the prisoner, Mr. Hutcheson, Mr. M'Watt, and myself; the general conversation was about slavery; Mr. Smith said, that negroes could do as well in the West Indies without white people as with them; he made some allusion to St. Domingo, what it was I forget; but I remember the answer I made him, which was, did he want such another scene here as had taken place in St. Domingo? I do not recollect his answer; I know Mr. Smith appeared confounded at the observation made by me.

Q. Did the prisoner, in the course of the conversation you have mentioned, say any thing about missionaries?—I do not recollect.

(*Question from the prisoner.*)—Do you not recollect Mr. Hutcheson saying, that times were so bad, that they, the whites, would have to sell off and go home, but what would become of the poor negroes; and was it not this remark that gave rise to my observation, that they would do as well without the whites?—I do not recollect that.

William M'Watt, being duly sworn, deposed as follows; viz.

3d Evidence.

I reside on plantation Helena; I am overseer on that estate; I have not always lived on the Helena; I lived on the plantation Golden Fleece in Berbice; I am acquainted with Mr. Hutcheson, of plantation Profit, in Berbice; I have seen the prisoner before on plantation Profit, in Berbice, I do not exactly remember the time, it may perhaps be twelve or fourteen months, in company with Mr. Hutcheson and Mr. Bond; the conversation was about the treatment of slaves; the prisoner said a great deal about the cruel manner in which they were treated, and he thought that this country would be as well without whites at all. I replied to him at that time, that I thought the slaves were much happier than some of the working people at home; I also mentioned, that they were well attended to in sickness, a privilege that a number of working people did not enjoy at home; the prisoner then mentioned, that they would not better their situation, until something took place, such as had done in St. Domingo; Mr. Bond then replied, would you wish to see such scenes as had taken place there? The prisoner said, he thought that would be prevented by the missionaries; that is the principal thing I recollect.

(*Questions by the prisoner.*)—Do you remember who commenced the conversation alluded to?—No.

Did I commence it?—I could not exactly say who commenced the conversation.

Do you not remember that Mr. Hutcheson said, that he regretted his inability, from the badness of the times, to subscribe to Mr. Wray's new chapel in Berbice?—No.

Do you not recollect Mr. Hutcheson saying, that times were so bad, that the whites had better sell off and go home?—No.

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You say I stated, that such a scene as the one in St. Domingo would be prevented by the missionaries; did I not at the same time say, that the effects of the Gospel would prevent such scenes, or words to that effect?—I do not recollect that.

[The Court then adjourned until to-morrow.

Third Day,
15 October 1823.

Third day, October 15th.

William Young Playter was duly sworn to interpret faithfully and truly.

4th Evidence.

Azor, a negro belonging to Van Cooten, says he understands the nature of an oath, and being then duly sworn, deposed as follows; viz.

I am a member of Bethel chapel on plantation Le Resouvenir; the members sit round the table and take the sacrament; deacons are the head of all; Mr. Wray put Romeo the first for deacon; deacon is to hand the cup round at the sacrament; if any man comes to be baptized, the deacons receive him in; the deacons meet on the first Sunday of the month, after service in the morning, at ten o'clock, and again, after service, at two o'clock; the officiating minister is present with them; when the church breaks off we come together, and take the sacrament; we sing psalms, and then we break off, each of us throwing up two bits; there are four deacons belonging to Le Resouvenir chapel; Quamina is the head, Bristol the second, Seaton and Jason. Quamina belongs to Success, Bristol belongs to Chateau Margo, Seaton to Success, and Jason belongs to Better Hope, but he lives at our place, he is free now. Jack, of Success, son of Quamina, is neither a deacon or member, he is only a christian teaching the creoles; there are plenty who teach the creoles; Mr. Smith, the minister, makes them teachers; he communicates with them personally; when they teach, he comes and listens to them, to know if they teach well or not; the teachers do not meet like the deacons. Divine service is performed in the church in the morning, again at ten o'clock, and they break off at two o'clock; the first service is about seven o'clock, and breaks off at nine o'clock; we meet again at ten o'clock, and break off at twelve o'clock; the first service is called morning prayer; they sing hymns and read, and the two deacons pray; first, Quamina prays, next Bristol; sometimes, next Sunday, Jason, and sometimes Seaton; this praying is aloud; every body is admitted at these morning prayer meetings; white people may come at the morning prayer if they please; the doors are open whilst the deacons are praying. I know the prisoner; his name is Smith; he is a parson; he is the parson of Bethel chapel; the prisoner reads and explains to us, at all times, passages in the bible; at noon time he explains the text; in the morning he explains the word about David and Moses; I recollect what he explained about David, that Saul drove David into the wood; we understand that David went into the wood, because if he went in a friend's house, he would get trouble; David himself was to get trouble. I heard the prisoner state something about working on Sunday; I heard him say that God keeps the Sabbath-day holy, and that this country was a very wicked country; in England they were all free, and they all kept the Sabbath holy; that it was very hard to work on the Sabbath-day, but in case of fire and water, or a koker breaking; if half a row was left in the field, it was not fit to be worked on a Sabbath day. I was going to have said, when Moses took the children of Israel, and carried them through the Red Sea, then Pharaoh gathered the soldiers, and went after them to bring them back; and the Lord made darkness and thunder between the king of Israel and Moses: when Moses had gotten over with the children of Israel, Pharaoh was drowned in the sea, and Moses built a temple, and prayed to God.—Only that I heard from the prisoner.

(Questions by the prisoner.) Can you read?—Very little.

Are you sure Seaton is a deacon?—Yes.

Did no one else pray, besides the deacons, at the morning service?—Many.

Did you yourself ever see Mr. Smith with the teachers of the catechism, whilst they were teaching?—Yes.

Where did the teachers of the catechism teach it, when Mr. Smith was present?—In the church.

Were the doors of the chapel open on such occasions?—Yes.

Could any white people go there at that time or occasion, if they liked?—Yes.

What do you mean by the deacons meeting on the first Sunday of the month, after service in the morning at ten o'clock, and after service at two o'clock?—To meet to prayer, and teach one another. On the first of the month all the members meet together.

Were there any meetings, besides those for the purposes of prayer or divine service?—No.

Were these meetings private or public?—Public.

Where was the prisoner when he explained the words about David and Moses?—In the chapel; in the middle of it, in the little pulpit.

Where was the prisoner when he explained the text?—In the top pulpit.

When the prisoner talked or explained to you about the children of Israel, did he say that the situation of the negroes was like that of the children of Israel, or words to that effect?—No.

Did not the prisoner always advise the negroes, from the pulpit and otherwise, to do their work, and obey their masters, and all in authority over them?—Yes.

When the prisoner told you about finishing half a row of a Sunday, did he tell you it was not right to work on a Sunday, and that was the reason it was not to be finished?—

He

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He did not say, don't finish it; but he said it was not right to work on a Sunday. He did not tell this to me only.

What else did he tell you about finishing the half row?—He called up all the members, and asked where they had been; those members who were not in their place; and when they came next Sunday, he asked them where they had been; some said, "I have been working half row," the other said, "Manager gave me work." I heard him say, "You are fools for working on Sunday, for the sake of a few lashes."

Did he tell the negroes any thing else about finishing the half rows, besides what you have stated?—No.

What other negroes were present when this conversation about the half row took place?—All the different estates negroes had met up together.

Will you state the names of some of them that were in hearing?—I can give the names of the estates, but not of the parties. Some members from Eendragt, and some from Postlethwaites.

Do you not know the name of one?—One is a driver; but I don't know his name: he is from Postlethwaites.

Was any thing said about finishing the half row on the working days?—No.

Was the driver from Postlethwaites in hearing at this conversation about the half row?—Yes.

(*Questions from the court.*)—Have you heard the prisoner more than once speak about Pharaoh and Moses?—Yes, more than one time.

How often?—I don't attend church often, because I have the rheumatism; more than four or five times I have heard him.

Did the deacons ever meet separately from the rest?—That I can't tell.

Romeo, a negro of plantation Le Resouvenir, says he understands the nature of an oath; and being then duly sworn, deposed as follows;—viz. 5th Evidence.

I am a member of Bethel chapel, on Le Resouvenir; Mr. Smith is the parson of that chapel; the prisoner is the Mr. Smith I mean. I am a deacon of that chapel. The duty of a deacon is to teach the catechism, or so: the deacons do not meet by themselves, but in the chapel, along with the members and others; I dare say there are plenty of deacons, but I have not counted them; the head deacon is Quamina of Success, Bristol of Chateau Margo, Old Jason of Mr. Van Cooten, Jacky from Mr. Reid, Telemachus of Hopkinson or Bachelors Adventure, Bill, now in town, formerly belonging to Mr. Rogers; at this moment I forget them, but there are more; they are deacons, and to look over the church. Jack Quamina's son is not a deacon, sometimes he helps to teach the catechism; but he is a wild fellow, and I don't see him sometimes for two months in the church; Jack is not a regular teacher. Mr. Wray made me a deacon, all the others Mr. Smith made; he makes the teachers also. Divine service is performed at the chapel twice on a Sunday, at seven and eleven o'clock; the service at seven o'clock is, he reads in the Old Testament, and then he prays, then he begins to teach; he begins from Genesis, till he goes through; he used to read the 2d Kings; the last time I heard him was 2d Kings, but I cannot recollect the chapter. Every body is admitted at morning prayers. The prisoner does not pray alone at the morning service, he takes two of the negroes, members, and makes them pray first, and then he prays afterwards; the prayers are aloud; the doors are open during the prayers. I recollect the revolt, it was one Monday night; I was at church the Sunday before the Monday; the text the prisoner preached from that day was the 19th chapter of St. Luke, beginning at the 41st and 42d verses; the 41st says, "When Jesus came near the city he wept over it:" I forget the discourse; I saw Mr. Smith, in his own house, after church, on that Sunday; I cannot recollect I saw him on Monday; I saw him on Tuesday; in the evening I went to visit him, seeing the negroes made such a great noise, as my heart was uneasy: I bid the prisoner good night, and he answered me good night; he then asked me if I had seen Quamina or Bristol? I replied no; he made answer, that they were afraid to come to me now; he said further, I wish I could see any one of them. This was the last conversation that day. I heard the prisoner speak about working on Sundays. He said, if the water-dams break, to be sure you must attend to your master's duty; or fire; if they force you to do it, you must do it, and your master will answer for it: you must not grieve, or be angry, if your master forces you; but you must do it. He said, if any Christian suffered murder, or allowed thievery, that was bad also, they must not do it; he said the words of the bible were all true, and that he preached very true too.

(*Questions by the prisoner.*)—Where was the prisoner when he spoke about working on a Sunday?—In the church.

What kind of work did the prisoner say you were to do on a Sunday, if your master forced you?—Any work; but if he does not give you work, you must attend to church regularly.

(*Questions by the court.*)—Do the deacons ever stay with Mr. Smith after the rest of the people are gone?—Yes; when they have collected the money, and the people are gone away, they reckon the money to the prisoner for the missionary society.

Are the doors of the chapel ever closed when any service is performing, or the deacons assembled therein?—During the ordinance of the Lord's Supper they shut the doors, but not at any other time.

Can you read?—Yes, I can read.

Did you ever hear Mr. Smith reproach the members for being absent from chapel on a Sunday, and if so, what did he say?—Yes; he said some go walking for pleasure and

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Third Day,
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spend their time idly ; some go to market, and some to the back dam, and leave the church, and that was not Christian like, because God made the heavens and the earth in six days, but the seventh day to be kept holy.

Did Mr. Smith say any thing else relative to working on Sundays?—No, I did not hear any thing else.

Are every one of the doors of the chapel shut during the ordinance of the Lord's Supper?—Yes.

[The Court then adjourned until to-morrow.

Fourth Day,
16 October 1823.

Fourth day, 16th October.

THE Court having met pursuant to adjournment,

Romeo being again called, by desire of the Court, the following questions were put.

You have stated that you were present when Mr. Smith reproached some of the members for absenting themselves from chapel on a Sunday; did you upon that occasion hear Mr. Smith say that they were fools for working on a Sunday for the sake of a few lashes?—No, I did not hear that; but I heard him say that if their masters gave them work they must do it patiently, and if they punish you for a wrong cause you must not grieve for it.

Have the deacons any separate meetings for the purpose of teaching the negroes, in the chapel, their houses, or elsewhere?—On my master's estate we meet sometimes; but since I have been lame I have not been accustomed to do so; but I send them all to Mr. Smith, as I had nothing more to do with it. I do not know what other estates do.

Were those meetings sanctioned by Mr. Smith, and did he ever attend any of them?—He knew of those meetings, and said they were good. I never saw him at any of them.

Was you ever directed by Mr. Smith to explain his sermons to the people?—Yes, I was, to those who did not understand them.

Was this often or always the case?—Often; and always when the parson preached.

Did you explain the text and sermon preached on the Sunday before this revolt began?—Oh yes, Sir.

State to the court the explanation you gave on that text and sermon.—On that Sunday before the revolt broke out I did not explain the text; the negroes said that Mr. Smith was making them fools; they said this in my presence, and there was a great number of people; but they said he would not deny his own colour for the sake of black people. These words grieved me, and I went away straight along, because I was hurt to see them behave so ungratefully. I did explain the text of the Sunday before from the 3d chapter of Revelations and 3d verse; for the explanation, I cannot very well recollect the exact words, but some of the people on the Mahaica side were going to Essequibo. What you do know hold fast; God is not so slack in his promises as some men are; I know that you have some children to be instructed, that wherever they go they may not forget God, because when they go to some strange places they will throw away their Christianity. My explanation was, that if you deceive God, God will set a curse upon you and your children. I spoke no more.

Did the prisoner ever point out to you particular chapters in the Bible for you to teach?—No; only the catechism.

6th Evidence.

Joe, a negro of plantation Success, says he understands the nature of an oath; and being then duly sworn, deposed as follows:

My name is Joe, I belong to Success estate; I attend Bethel chapel on plantation Le Resouvenir; Mr. Smith preaches there; the prisoner is the person. A disturbance took place amongst the negroes some time back on the coast on which I reside; I know Quamina of Success, he was my brother; Quamina was engaged in that disturbance; the people rose up and were putting the managers in the stocks; this took place between five and six o'clock in the afternoon, on a Monday by my reckoning; this week is nine weeks since; I was at church at Le Resouvenir the Sunday before that Monday; I do not recollect what the text was, but there are some words in the chapter I know. The parson said, the Lord Jesus Christ sent a disciple into a certain village, and you will see a colt tied there, bring it unto Me, and if the master of the colt should ask you what you are going to do with it, you must say, the Lord hath need of it; and they brought it to the Lord, and laid some raiment on it; and He rode it to Jerusalem, and He rode it to the top of a mountain where He could see Jerusalem all over; and He wept over Jerusalem, and said, if they had known their peace, that is to say, if the people knew what belonged to them, they would believe in Him; now their trouble would come upon them. So far I can make out; I cannot remember any thing more.

(Question by the prisoner.)—Were the words you mention spoken by the prisoner, or read from a book or Bible?—He read them from the Bible.

(Questions from the Court.)—Where is Quamina now?—He is shot; I hear he is gibbeted, but I have not seen him.

Do you reside at or near the chapel, or do you only attend it on Sundays for divine service?—I reside at Success, about a mile and a half from the chapel; I generally attend chapel every Sunday at nine or ten o'clock, as my other duties will permit me.

Did Quamina, as a deacon of Bethel chapel, ever explain to you any text or sermon preached by Mr. Smith?—Sometimes.

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Manuel, a negro of plantation Chateau Margo, says he understands the nature of an oath; and being then duly sworn, deposed as follows:

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7th Evidence.

I know the prisoner; he is the parson who preaches among us. I am a member of Bethel chapel on Le Resouvenir; I am not a deacon or a teacher; I cannot read; I go to morning prayers on a Sunday; the prisoner reads a chapter concerning Moses sometimes. When Moses was born in Egypt, in that place where Pharaoh was a king, when he was born, the king gave orders that if any boy child was born, they should put him to death; if it was a girl child, to let her live. After that Moses was about three weeks old, they took him and put him in a small box, and they put him in a river where the king's daughter was washing. God commanded Moses to take the children of Israel into the land of Canaan, because he did not wish they should be made slaves. God gave Moses a painted rod to make the king afraid. God commanded Moses that the king's heart was hardened, and Moses said to the king, what is the reason that you cannot take God's advice? After that, the king gave up Moses, and let them go in the promised land. After that, the king wanted to follow them again and bring them back, and then the king was drowned in there, in the sea. He read something after the death of Moses; he read Joshua; I cannot recollect what chapter. He read about David; he read about God calling Samuel to make him rule the people; after that, they wanted Samuel to put a king to rule them; and Samuel told them to believe in the Lord, that He was the king. God sent and put words in Samuel's mouth, and said, look at Saul, the son of Kish, put him to be ruler over the people of Israel. David ran away from Saul, and went into the country where Goliath was born; and by David's discourse they discovered that he was the man who killed Goliath; and when they asked David if he was not the man, he feigned to be mad, and ran away; David ran to the bush, and got into the wood, because he was afraid that he would put another man into trouble. I don't know how he was to put another man into trouble, he only told me that. About two months ago, war took place on the coast; it broke out on a Monday night. I remember the Sunday before the Monday that the war broke out; I was in Bethel chapel on that day; I remember the text on that day; Jesus came out, and He stooped down and looked, and He wept; He looked down upon the city, and said, this city shall be destroyed this day, meaning Jerusalem: this city, Jerusalem, was to be destroyed, because they did not believe in God; that made Jesus Christ speak this word. I know a negro, Quamina, of plantation Success; I went with Quamina to the prisoner's house; I remember the last time I went there; it was three Sundays before this war came; a conversation took place that day between Quamina, Mr. Smith, and myself. Jack came to me one night, and told me that a paper had come out for us about freedom. I asked Jack if he had the paper in his hand already; Jack told me, no; but that he would get it. I came to Quamina, and I asked him, what is this Jack has been telling me about the paper of freedom; I asked him if he knew any thing about it; he told me, no; he could not tell me yet; and I told Quamina that he had better ask the parson, and he would let him know better about it. Quamina told me, I don't believe that he will tell you. I said, never mind, ask him nevertheless. I begged Quamina to let me go with him; Quamina then was going, and told me I might follow him. I went into the parson's kitchen to get water to drink; Quamina went into the room before me. Quamina said to the parson, I understand Mr. Stewart and Mr. Cort came here on Friday; what did they come about: they came to ask the parson if any negro ever came to ask him about this paper; he said, yes, Quamina had come to ask him, and he told Quamina as far as he could. The parson said that he wanted to read this paper to the negroes inside in the chapel, but Mr. Cort told him not to do it. Mr. Cort said he wanted to read it to the Success people, but he was afraid of the governor. The parson told Quamina that Mr. Cort and Mr. Stewart had given him and the Success people a very good character; that Seaton was of good service on the estate in teaching the people. After this, Mr. Smith told Quamina that there was no freedom in the paper, and that their masters could not afford to lose so much money as to let them all go free; and he told Quamina there was no freedom in the paper at all; he told them to bear patience, if there was any thing good come, it was come for the women, because the drivers were not to carry whips any longer in the field. Quamina told Mr. Smith to take Jack and Joseph, and talk to them. Mr. Smith agreed to take them after chapel; and after one o'clock he did take them, but I cannot tell what he said. Quamina told the parson, in my hearing, that Jack and Joseph wanted to make trouble on account of this affair about the paper, and to make a push for it, and for that reason he wished the parson to speak to them. Joseph lives at Bachelors Adventure, and Jack lives at Success. Jack is the son of Quamina; Joseph is a teacher and member of the church; Jack is only baptized; Jack teaches; he teaches in the chapel, and sometimes he teaches at that place that means home. The parson does not allow us to work our grounds on a Sunday, or to go to market. I heard the negroes say only so far, that since Sunday was to be taken to serve God, they ought to have Saturday to work their own ground, or even if they gave them the afternoon Saturday. I heard of this affair about a month and a half before it broke out; Jack then came and told me about the paper for freedom I have spoke of before the court already. I have heard that Quamina was shot, and brought home and chained in the middle walk of Success. The parson said, if your master has any work for you on Sunday, it is your duty to tell him Sunday is God's day; that if the water-dam broke on Sunday it was our duty to go and stop it; that if the boat was to ground on the sand bank on a Sunday, it was our duty to shove it off; and that if people got drunk on Sunday, it was right of their masters to make them work, to prevent them walking about and making mischief. The visitors to the chapel collected in the middle walk

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of Success after chapel; Jack and Joseph, and Quamina and them, were talking of the revolt in the middle walk; the whole congregation was there. I heard Quamina say, to-morrow morning you must put down your shovel and hoe, and cutlass, and sit down in the house. He asked them if that was not the right way, and they said, yes. After that, I heard Paris say, it would be better for us to take guns to guard ourselves. When I heard that, I told Quamina he had better go to the parson and tell him about it, for it was not good; and Quamina went from there with Bristol the deacon. This was about four o'clock in the afternoon on the Sunday before the war began. Bristol came back, and he took two bits and gave to a man of plantation Vigilance, and he told him to run and tell Joseph to take care that he did not do any thing in the way of taking away the buckra's guns. I saw Quamina and Bristol go on the path towards Mr. Smith's house; it was not quite an hour before Bristol came back.

(*Questions by the prisoner.*)—What day was it that you and Quamina went to the prisoner's house, when you heard Quamina advise the prisoner to take Jack and Joseph, and speak to them?—It was on a Sunday.

Did the prisoner say nothing else about working on a Sunday than what you have already stated?—I cannot remember any thing else. I now recollect the parson said, if any member of the church has work given to him by his master, he, the parson, won't say any thing; but if any member of the church did any work of his own accord on a Sunday, he should not be allowed to sit among them as a member for one month.

Did not many of the members go to work their grounds on a Sunday, and also go to market?—Yes, a number of them did so.

Were those that did so excluded from the chapel?—No, they were not.

Were they suspended from the communion?—They were not allowed to take it the same day, but they might the next.

Who was present when the parson said, that if your master had any work for you to do on Sunday, to tell him that Sunday is God's day?—Joseph was there, Jack of Dochfour, Bristol and them; also Bill and many others.

(*Question by the court.*)—Was it once only, or often, you heard the parson say, that if your master gave you work on a Sunday, you were to tell him it is God's day?—He told us this often.

How long ago was it that you heard the negroes say, that if Sunday was to be taken from them, then they ought to have Saturday, or even the afternoon?—About two years ago.

[The Court then adjourned until to-morrow.

Fifth Day,
17 October 1823.

Fifth day, October 17th.

THE Court met pursuant to adjournment.

Manuel was again called in.

(*Questions by the court.*)—You have said that the prisoner, at morning service, read about Moses, Joshua, and David; did he read of any one else?—Yes; I cannot remember the names of any other; he read about Elisha.

Do you mean to say, that he read only the Old Testament at the morning prayer?—Formerly he used to read the New Testament; but for two years past he has only read the Old Testament.

Did he read it straight through, or did he pass over any part of it?—He read it regularly through.

Did you ever see any whites at morning prayer?—No.

Where was the prisoner when you and Quamina went to speak to him?—Quite up in the top story of his own house, the place where he writes.

Was the door of the room open or shut?—The door was shut; always when we go in there, the door is shut.

Was the door shut at the time you and he and Quamina were talking together?—The door was shut.

Did you ever hear any of the deacons explain the text or sermon preached by the prisoner?—Yes; Romeo, and other deacons, or any of the deacons or members, at all times, to render the people sensible of what he preached.

Did you hear all the conversation that passed at that time between Mr. Smith and Quamina?—Yes.

8th Evidence.

Bristol, a negro of Chateau Margo, says he understands the nature of an oath; and being then duly sworn, deposed as follows:

My name is Bristol; I belong to Chateau Margo; I know the prisoner, he is Mr. Smith; I am a member of Bethel chapel, on plantation Le Resouvenir; I am a deacon. When the people come to be baptized, I have to see them, and then carry them to Mr. Smith; when I carry them he desires me to bring them in, and call Quamina, and show him them too, and then get some one who can read to teach them the catechism; and when they have been taught the catechism, and found to understand it, to ask them if they understand what it is to be baptized; then the other two deacons are to discourse with them, and when we have done with them, to carry them back again to Mr. Smith, and

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and then he discourses with them again ; after discoursing with them if they are fit to be baptized, he (Mr. Smith) puts down their names, such and such people from such an estate to be baptized at such a time ; and when that time is up he baptizes them : When those who have been baptized six or twelve months before apply to become members of the church, they carry them to Mr. Smith ; when we carry them, he says, " Take them and discourse with them ;" and when we have done with them, we carry them back to Mr. Smith again ; then he discourses with them ; then he says, that such and such people, from such estates, are to be admitted into the church as members ; then at the church meeting they come and sit on one side, a little way off from the rest of the members ; then one of the members, or one of the deacons, get up and speak, and say such a brother, or such a sister, according to the sex, will you receive him or her into the church ; at least Mr. Smith puts the question to the deacons or the members, saying, you know such a one, and must speak for him, for I have discoursed with him, and I find that he has a good understanding : when one of us gets up, and says, brethren, there is such a one admitted among us to day as a member ; then one gets up and speaks, that the person is one with whom no fault has been found ; and if any member from the same estate to which the person admitted belongs, he gets up and speaks too : Mr. Smith then gets up and says, if you all receive him as a member, you will all hold up your right hand ; and they hold them up : then Mr. Smith calls him, or whoever it is, and shakes his hand, and says, I receive you as a member of this Church, and all the brethren and sisters receive him the same way ; that is one part of the duty relating to me as a deacon of the Church. Another part of my duty as a deacon is on a Sunday, to see about the Church whoever makes any noise, and to keep all the people as quiet as I can. As a deacon I have to look after the conduct of the people who are members on the estate, and report it to Mr. Smith. At the sacrament I have to hand the bread and the wine round to the brethren and sisters. We collect money in the Church, but none out of it. The money collected is to buy the wine. Mr. Wray was the first who administered the ordinance there, and he left directions for throwing up the money in that manner. Whoever could afford it threw two bits, and whoever could not afford it threw one bitt. This money is only thrown up when the ordinance is administered. The ordinance is administered every month. Only those who take the communion throw up this money, and not all those either, because some are not able. Those who do not take the communion, throw up at another time ; not all of them, but those who understand that the money which is thrown up is for the Missionary Society. If a member cannot pay his two bits for the communion, he is still allowed to come to the table. Each pays what he likes ; no means are employed to force them. I have seen members of the Church pay for psalm-books, catechism books, bibles and other books. Sometimes the people carry to Mrs. Smith fowls and yams. Mrs. Smith is the lady of Mr. Smith. They carry these things, not in lieu of money, but as a present to be eaten. A few of the people who are not able to buy have bibles given to them ; a few of them not so many. If I report the conduct of a member to Mr. Smith as improper, he is then not allowed to come to the table ; but if he is only a Christian, they don't do him any thing. Quamina is the head deacon of Bethel Chapel. Quamina, of Success, Jack's father. The next deacon is Jason, formerly of Better Hope ; his master has, I believe, given him free, now he is old. Seaton is the third deacon, and I am the fourth. Jason still officiates as a deacon ; he stays in front of Turkeyen, Mr. Benny's estate, with his daughter. The deacons have no sign to know one another without speaking. By discoursing with the people, I mean, asking if they know the meaning of coming to the ordinance ; if they do not understand it, the deacons are empowered by Mr. Smith to explain it. The old deacons Quamina and Jason were put by Mr. Wray ; Mr. Smith put Seaton and myself. The deacons do not meet together by themselves. Sometimes after the service of a morning and afternoon, the deacons stop behind with the parson ; that is after the other people are gone. When we stop it is for the purpose of going with him into the house to reckon up money. Some of the members stop besides. The money we have thrown up for the Missionary Society is what we stop to reckon. As a deacon, I have explained to the people on our own estate the sermon preached by Mr. Smith. Mr. Smith told me to catechise the people at home, but did not tell me to explain the text or sermon. When Mr. Smith has any thing to communicate to the other people, he does it himself. There are only four deacons. Telemachus is not a deacon. Jack, of Success, son of Quamina, is not a deacon, he only teaches in the Church sometimes. I cannot say how many teachers there are. On every estate almost there is a teacher ; Romeo is a teacher at Le Resouvenir, Seaton at Success. A man on Chateau Margo, of the name of William, can read a little, and teach the catechism ; on La Bonne Intention, a lad called David teaches ; on Baron Grovestin's estate, a lad called Cornelis teaches ; but on the other estates I don't go, and I don't know the people unless I see them at chapel, except Jacky Reed, of Dochfour. Jacky Reed is a teacher there. A man they call Luke, I believe, is a teacher on plantation Friendship ; Telemachus was teacher on Bachelor's Adventure ; there were two or three more there, Joseph and Prince, they teach also ; I dare say Sandy is teacher on Non Pareil ; Sandy only I know there. I know Paul, of Friendship, but cannot say whether he was a teacher. I know the duty of a teacher ; as far as I know it is teach the people their catechism, that is what I am commanded to do by Mr. Smith ; on my own estate I appoint the teachers, after they are appointed, Mr. Smith asks who teaches, and I tell him. Divine service is performed at Bethel chapel twice on a Sunday ; they begin in the morning about seven o'clock ; the second begins about twelve o'clock, the first service is called the morning prayer, at that

service,

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service, when first Mr. Smith goes in he gives out a hymn; then one of the members or the deacons pray; then sing another hymn; then one more prayer, and then Mr. Smith reads a chapter in the beginning about Moses; I have heard him read about Moses leading the children of Israel, and so forth; I don't recollect any thing more. The deacons when they pray, pray aloud; the prayers are from our hearts, not learnt out of a book; not all the deacons pray; sometimes I pray, and sometimes one of the others, one of the deacons, or one of the members; whoever may be there pray; Mr. Smith prays the last. Mr. Smith said, the time, when the children of Israel were with king Pharaoh, that Moses went to deliver them from the hands of Pharaoh, and carried them to the promised land, and before they went to the promised land Moses died. Moses went to deliver the children of Israel because they were slaves under Pharaoh; he read Exodus to us; he read Joshua to us; I cannot recollect any particular chapter from Exodus, or the purport of any; I recollect from Joshua; Joshua, I believe, was the person who led the children of Israel after Moses was dead. One night in every week service was performed in Bethel chapel, besides Sunday, it was on Thursday; there is no other night service; I never saw any whites at the morning service on a Sunday, they were not prevented from coming; the doors of the chapel were not shut at the time we were saying prayers aloud; I never heard the prisoner say any thing about the treatment of slaves; sometimes when the people come to complain, or when they are hindered from coming to the chapel, and some of them get licked; then he tells them, well, I cannot help that; but it is not right for your masters to lick you, and hinder you from coming to chapel; only when the people come with such complaints as I have just now spoken of, the prisoner listens to them. The prisoner has advised me and others what to do, when we had such complaints, to go to the fiscal or the governor; sometimes the people run away, or so, and he says, when you run away, you must not let them catch you again, for they will punish you.

I remember when the governor's proclamation respecting the negroes going to church was read to the head people on the estates by the burger captain of the district, I heard the prisoner speak about that proclamation; he said there was an order for all the people to come to church, and no body was to hinder them; the owners were to give every one of them a pass to come to chapel, and the overseer with them, and when they had done at the chapel, the overseer was to go back with them, and take them home, so far I heard; Mr. Smith said, this was a good law; Mr. Smith said, in this country, we cannot attend chapel as we wish, as they could in a free country, and in this we are slaves, and that we must pray to God to help us, that we may be enabled to attend as far as we can. I have heard the prisoner speak about working on a Sunday; he said, that if our master gave us work on a Sunday we must do it, because we could not help it, and that we must not break the sabbath in doing our own work, because we must keep holy the sabbath day, which is a command of God. Mr. Smith said that God would punish us for working our own ground on a Sunday.

A revolt broke out amongst the negroes lately. I know it was one Monday, about six o'clock in the evening; I suppose about nine weeks ago. I was at Bethel Chapel the day before the revolt broke out; I was at both services. At the forenoon service I believe Mr. Smith read something about Jesus looking upon the city of Jerusalem and weeping: After service I did not go straight home; we stopped close to the chapel a little while, when we heard Jack and Joseph talking about the paper that had come from home; that the people all were to be made free. Emanuel told Quamina he had better go and ask Mr. Smith about it, and when Quamina was going into Mr. Smith's house, I went in with him; and when we went, Quamina asked Mr. Smith if any freedom had come out for them in a paper. He told him no; but that there was a good law come out, but there was no freedom come out for them. He said, "You must wait a little, and the Governor or your masters will tell you about it." Quamina then said, Jack and Joseph were speaking very much about it; he said, they (Jack and Joseph) wanted to take it by force. Mr. Smith said, "You had better tell them to wait, and not to be foolish. How do you mean that they should take it by force? They cannot do any thing with the white people, because the soldiers will be more strong than you; therefore you had better wait." He said, "Well, you had better go and tell the people, and Christians particularly, that they had better have nothing to do with it." And then we came out. And then I saw a man belonging to Vigilance, of the name of Washington, remaining at the church; I called him. Quamina began to speak to him, and asked me if I had got any money in my pocket. I told him I had two bits. He told this man, "Then (giving him the two bits) run up as fast as you can, and call down Joseph; Mr. Smith wants to see him." I then went home, and I told Manuel that we had been to see Mr. Smith, and he said that there was no freedom in the paper for us, and that we must tell all the people so; I told him that we had sent to call Joseph already. A little while after Jack and Paris came up. Manuel told them, that Mr. Smith had told them not to have any thing to do with the business, and that he (Manuel) had been telling them so before during the week. Jack and Paris said, "Well, do you having nothing to do with it, you are cowards." When Mr. Smith observed to Quamina that the soldiers would be too strong for them, he said they would drive all the white people, and make them go to town. Quamina said the report was, the soldiers would not come, and would have nothing to do with it. This last about the soldiers not coming was said after Quamina came out from Mr. Smith. The revolt began at Success. I know Quamina, of Success; he was engaged in that revolt, because, I heard, they took him up before the revolt began. Jack and Paris were the leaders of the revolt; they said they would go on with it, and then did so. The plan before the revolt broke out was to drive the white people,

people to town, as I stated before. I was not at the meeting on Success middle-path; I was not there after service, before I went to Mr. Smith with Quamina; I came straight from the chapel to Mr. Smith's house. A week before this revolt broke out, I heard Quamina tell the negroes that they were to lay down their tools, and not work. I saw Quamina on Wednesday after the revolt broke out; I saw him at Success-back; he had others with him, some people from Success, some from Souvenir, some from Mr. Simpson's, and some from Dr. M^cTurk's; when I went there, he told me he had been sitting up all night, and was then going to lie down under a coffee-tree; the negroes of Success had not returned to their duty at that time, they were all there a-back; I saw Quamina the next day at the same place on Success-back, half-way between the canes and the plantain walk; the same people were then with him; no part of the estate's people had returned to their duty on that day, that I know of; Quamina said they were coming down in the night to see if they could go to Dr. M^cTurk's, but they heard the soldiers were there and did not go. I saw Quamina again on Friday at the same place, the people had then began to scatter themselves; they heard that Mr. Edmonstone had come there; from that place Quamina went away; Quamina went to the bush, I cannot tell how many people went with him; some of the Success people went with him. After I came here I heard that Quamina was shot by the Bucks, and gibbeted in Success middle path; when I saw Quamina and the rest of the people on the back of Success they were armed; they had muskets and some fowling pieces, and some of them had cutlasses; I have heard the people sometimes talk, that if we had another day we should not have occasion to break the Sabbath; at our prayer-meetings we prayed to God to help us and to bless us all, that we may be enabled to seek after him more and more, and that he would bless our masters, and the governor and the fiscal; that we might make good servants unto them, and they might be good masters unto us; and to give us health and strength to do that which it might be our duty to do, and to bless all our brothers and sisters; we pray about our masters hearts, we pray to the Lord to bless, and change our hearts, and change our masters hearts likewise (I have heard some of the boys who read the bible, speak about the Israelites and the Jews, about the fighting of the Israelites when they go to war; when the prisoner read about the fighting of the Israelites, after they went home and read it again, I heard them speak about it; they said the people of Israel used to go warring against the enemies, and then I explained the meaning of the enemy and told them it was the people who would not believe the word of God when Moses used to preach to them; the people applied the story of the Israelites and the Jews, and put it on themselves; when they read it then they begin to discourse about it; they said that this thing in the bible applied to us just as well as to the people of Israel; I cannot tell what made the negroes apply it to themselves? what created the discontent in the mind of the negroes was because they had no other time to wash their clothes, or do any thing for themselves, but the Sabbath day, they could not wash their clothes or do any thing for themselves on a Sunday, because they had to go to the chapel.

The Court adjourned till to-morrow morning at ten o'clock.

Saturday, Sixth day, October 18th.

The Court met pursuant to adjournment, but two of the assistant judge advocates being unable to attend from indisposition, it was deemed proper to adjourn till Monday morning.

Fifth Day,
17 October 1823.

Sixth Day,
18 October 1823.

Seventh day, Monday, 20th October.

THE Court met pursuant to adjournment.

Bristol was again called in; and deposed as follows: to

Questions by the Prisoner.—After you were examined on Friday last, where did you go?—I went back to the jail.

Whom did you see?—I saw the prisoners in the jail.

Have you conversed with any gentleman since Friday last?—No.

Have you at any time been instructed to say what you told the Court on Friday last?—No; it came from my own heart, and was not put into my head by any one.

Did you ever tell any one the whole, or any part of what you told the Court on Friday last, concerning me, and the matter in question?—Mr. Smith (the assistant judge-advocate) and some gentlemen at Mr. Martin's house.

Is the money which you collect in the church on those days, when the Communion, or Sacrament is administered, used for no other purpose than to buy bread and wine?—That I cannot tell.

Is it not used to buy candles?—I don't know.

Are not candles sometimes used in the chapel?—Yes.

Who buys them; who pays for them?—I see the candles come from Mr. Smith's house, and I dare say he buys them, and he pays for them.

Do you know with whose money he pays for them?—I cannot tell.

What is the largest sum the deacons ever collected upon a Communion or Sacrament Sunday?—Sometimes thirty-five guilders, sometimes thirty-four.

What is the smallest sum that has been collected on the like occasion?—I don't think any smaller sum than thirty guilders, that I recollect.

Was

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Seventh Day,
20 October 1823.

Was the keeping or care of this money ever offered to any one else?—I don't know; he never offered it to me.

Is the Ordinance, that is the Communion, or Sacrament, administered on the first or second Sunday of every month?—I think the second Sunday.

Have you ever been present when any money was offered to Mr. Smith for the Missionary Society?—Yes, I have.

What took place when money has been so offered?—When people bring money, Mr. Smith puts down their names, and the money which each throws up, opposite his name.

Has Mr. Smith always accepted the money so offered?—Yes, he always did.

How much have you seen paid for each and every one of the sorts of books, sold by Mr. Smith?—The Hymn books, some for *f.* 2. some *f.* 2. 10. and some for *f.* 3. The Bibles which he brought last were sold for *f.* 14. 10. each; some of the Testaments *f.* 2. Some of the Spelling-books six bitts, some of the Catechism books for two bitts, and some of them for one bitt; other books he sells for four or five guilders, next to the Bible, about the size of a New Testament.

Did the prisoner sell the same sized Bibles to all persons at the same price?—Yes; there were smaller Bibles at twelve guilders. Sometimes if you come to buy a *f.* 14. 10. Bible, and happen to be short, a bitt, or a guilder, he will pass over that, and let you have it without the bitt or guilder.

How large were the bibles that were sold at twelve guilders?—About the size of an octavo book produced, but thicker.

Did the negroes often give fowls or yams, or such things, to Mr. Smith's lady?—Not very often.

Do the negroes keep many fowls?—Some of them have a great many, others not.

Did Mr. or Mrs. Smith ever buy fowls, yams, or any other kind of food from the negroes?—Yes, they do buy.

When you instruct the negroes in the meaning of the Ordinance, what do you tell them?—I tell them to consider what they are going about, and that they must pray to God, and prepare their minds, and that they must not thereafter commit sin again; that we must look to God to help us at any time, and we must consider well what we hear read in the bible every day, because, if we do partake of the Ordinance, and commit sin again, we have a greater account to give when we die. So far I discourse with them, and the rest is for Quamina and the other deacons.

To whom did you ever explain any text or sermon preached by the prisoner?—To Manuel and William, on our own plantation; Primo and Rose, Nelly, and some other people that have not yet been baptised, on the same estate.

What do you mean by appointing the teachers?—That is, to get one that can read to teach the people their catechism.

Did you ever know Mr. Smith object to the appointment of any teacher who was capable of teaching?—No.

Do you know any thing about Peter, or the first epistle general of Peter?—I have heard it read, but I don't remember it.

How long ago is it since you heard the general Epistle of Peter read?—I cannot remember rightly.

How long is it since Mr. Smith read to you about Moses and the children of Israel, and about Pharaoh and his soldiers?—About two or three months before the rising took place, or longer.

Did Mr. Smith, when he was reading the bible, begin the next time at the place he last left off at?—Yes; he explains what he read the Sunday before, and then goes on to the next chapter.

How do you know that he began at the very next chapter to the one he last read?—Because he named the chapter he read the last Sunday, and then named the one he was going to read.

You have said you cannot read; are you sure Mr. Smith never missed any chapters?—Sometimes when he is going to read he tells us he passes over a chapter.

Have you learnt the catechism used in the chapel?—I have not learnt much, only a part of it.

Have you learnt any thing from it about Joshua and Moses, and the children of Israel?—I have not reached so far.

In what part of the bible did Mr. Smith read on Thursday evenings?—He read in a part about the Apostle Paul, where he went to a place, when they took him up and put him in prison.

What did the people complain that they were licked for?—Some of them complained of having been licked because they did not attend to the work given them on the sabbath.

Did they complain to Mr. Smith that they were licked for any thing else?—They might have done so, but I do not know of it.

Did Mr. Smith ever encourage any negroes or negro to run away?—I never heard he did.

What did Quamina mean by saying that Jack and Joseph wanted to take their freedom by force?—I suppose that he meant they intended to fight with the white people, or something like that.

Who else was present, or in hearing, besides Mr. Smith and Quamina, and yourself, when Quamina told Mr. Smith about the negroes taking their freedom by force?—I know that Mrs. Smith was in the hall, but nobody else was present.

Where

Where were you and Quamina?—In the gallery at the side of a large table Mr. Smith had there.

Was there any thing said about the managers?—Yes; Quamina said they were going to drive the managers all away to town; Mr. Smith said they would not go; and said, “you had best not do that, because if you do the soldiers will come and drive you back again; you had best tell the people not to do so; they are not able to go against them to fight them;” Quamina went out, and I followed him.

Did Mr. Smith say nothing else?—I don't remember that he said any thing else.

Did Quamina tell Mr. Smith of his own accord, or did Mr. Smith ask him any questions?—Quamina told him of his own accord; Mr. Smith did not ask him.

Were there any preparations made for the war by the people, before you and Quamina went to Mr. Smith?—No; I don't know of any.

Had the people no guns, or powder, or shot provided?—I did not see any.

Did Quamina tell Mr. Smith by what means they intended to drive the white people to town?—No; he did not.

Did Quamina say for what purpose they were to be driven to town?—No; no further than I said before, that Jack and Quamina had said their freedom had come out.

Did he, Quamina, say when the white people were to be driven to town?—No.

Did you hear all the conversation that passed between Quamina and Mr. Smith at that time?—Yes.

Will you state all that Mr. Smith said, as all that Quamina said?—I only heard what I have already stated, as far as I can recollect.

Did you and Quamina tell Mr. Smith, that you came on purpose to tell him about Jack and Joseph, and what they intended to do?—Yes; Quamina told him that he came to ask about it, because Jack and Joseph were speaking very much about it.

Did you and Quamina and Mr. Smith talk about any thing else at that time?—No, not that I remember.

Did you talk to Mr. Smith on that Sunday about your little girl?—Yes, I believe I did before that, before Quamina went in; when I spoke to him about the little girl Quamina was not with me; I spoke to the Lady of Mr. Smith also about taking her.

Who were present when you spoke to Mr. Smith about your little girl?—Mr. Smith and Mrs. Smith; I don't remember any body else.

Did any body come in when you were talking to Smith about your little girl?—That I can't tell; may be somebody might come in.

Where did you go after you had talked with Mr. Smith about your girl?—I went to the chapel, I believe.

Where did you go then, after that?—After that I think I went home.

Did you see the prisoner on that Sunday after you had gone home?—No.

Did you ever hear Mr. Smith talk of the people having another day to themselves besides Sunday?—No, Sir.

How long is it since you heard the people talk of another day to themselves besides Sunday?—I heard of it first about two years ago, and more of it since this paper came out.

Did you ever hear them say so in the time of Mr. Wray?—No.

Have you ever heard the people talk about any one else fighting except the Jews and the Israelites?—No.

Did you ever hear of the battle of Waterloo?—No.

Did you ever hear of the French and English fighting?—Yes, I have heard.

From whom?—Plenty of people all about.

Have you ever heard the prisoner apply the history of the Jews or Israelites to the negroes?—No.

Can you give no reason at all why the people, when they read about the history of the Jews or Israelites, applied it to themselves?—No.

Could any member of the chapel read before Mr. Smith came to live on plantation Le Resouvenir?—Some could read, but very little: one or two.

Did the boys or people ever speak about any other part of the bible than that about Moses and the children of Israel?—No, I never heard them speak about any other part.

Were the deacons taught by the prisoner to pray with their eyes open or shut?—He told us it was best to shut our eyes to pray.

When the communion service is performed, are all and every one of the doors of the chapel shut?—Yes.

What becomes of the door through which the parson enters the church?—That is open; that door is not in the chapel, it is in a little gallery outside which joins the chapel.

Is there any door between the gallery and the chapel?—Yes.

Is that also open during the communion, or sacrament?—Yes, it is.

Do any of the congregation go in at these doors?—When we take the ordinance, no body comes in at these doors, but at other times they do.

Is any one prevented from coming in at these doors during the ordinance?—When we are taking the ordinance, they are hindered from coming in; Mr. Smith told them they were not to come in at that door.

Had you ever any orders to refuse any white person going in during the ordinance?—No.

Could any white people go in during the ordinance, if they liked?—Yes.

The Court adjourned till ten o'clock to-morrow morning.

Seventh Day,
20 October 1823.

18 PROCEEDINGS OF A COURT MARTIAL IN DEMERARA,

*Eighth day, Tuesday, 21st October.*Eighth Day,
21 October 1823.

THE Court met, pursuant to adjournment, and the following General Order was read; viz.

Head quarters, Camp-house, Demerara, October 21st, 1823.

General Order.

THE Judge Advocate (his Honor, V. A. Heyliger) having strongly represented that his long-continued indisposition, and other circumstances, incapacitate him from performing his duties at present, and having urgently prayed to be relieved from attending to their immediate execution, these duties will devolve upon the Assistant Judge Advocate, J. L. Smith, it being necessary that the Judge Advocate should have a week's leave of absence for the recovery of his health, and the service not admitting of such delay in the proceedings now pending.

(signed) *J^{no} Murray*, Com^r in Chief.*Bristol* being again called in, deposed as follows to

Questions by the Court.—Were more people than usual at the forenoon service on the Sunday before this affair began?—Yes.

Were not the crowds such that many people could not get into the chapel?—Yes.

Name some who have had presents made of a book or books?—I did not see any books given myself; Quamina told me so.

When you stop behind with Mr. Smith, and reckon the money in his house, have you any talk about any thing but the money?—I never had any talk with him, except about the money.

When did you first begin to assist in collecting the money?—About two or three years ago, if I am not mistaken.

How many collection sermons for the society were preached in a year?—Only one.

In 1821, was not one preached in January and another in November?—I do not remember.

Do you ever remember any sum amounting to *f.* 300 or more, being collected at one time?—I cannot recollect.

Do you not remember *f.* 319 being collected on the 10th of last November, viz. about a year ago, or less?—I cannot tell; we reckon the money first, then Mr. Smith counts it all together, and puts it on a piece of paper.

Have you ever given any fowls or yams yourself to Mr. or Mrs. Smith?—Yes; I did not give him any yams, but I have given him fowls.

Did you ever hear Quamina, or any one else, converse with Mr. Smith about any thing besides the money, when you remained behind to reckon it?—No, I did not.

Did either you or Quamina tell Mr. Smith, that the Christians were so far gone that they would not stop?—I did not tell him so, and I can't tell if Quamina did.

Has the prisoner at any time sent you, as a deacon, to communicate with the people on your estate, or with any of the people who attend Bethel Chapel?—No, he did not.

Is it a part of the deacon's duty to explain the text or sermon to the people who are not able to understand them?—I did so, because I considered it was good; but I did not consider it was my duty to do so.

Did you know any thing of the meeting that was held on Success Middle-walk on Sunday?—No; I knew there was going to be a meeting somewhere, but did not know where.

Did you, or Quamina, mention the circumstance of the intended meeting to Mr. Smith?—No.

Did you know of the meeting at the time you and Quamina were with Mr. Smith?—Yes.

Did you ever see a White person in chapel during the time that the Sacrament was administered?—Only one time I saw Mr. Hamilton there, three or four months before the rising took place, but he did not take the ordinance with us; he sat on one side.

Michael M'Turk, being duly sworn, deposed as follows:—

9th Evidence.

I live on Plantation Felicity; I am captain of the 1st company, 2d battalion of the militia; I am a burgher-captain. I know the prisoner; he resides on Plantation Le Resouvenir, the next estate to the eastward of Felicity; he has resided there, I think, about seven years. I understand him to be a missionary clergyman. I remember some cases of small-pox occurring on Le Resouvenir, in the latter end of 1819. I received orders from Government respecting the chapel at Le Resouvenir connected with the small-pox. The orders inclosed an open letter to Mr. Smith, Missionary, directing him to shut the Chapel to all negroes except those belonging to that estate, to prevent the disease spreading. The letter addressed to Mr. Smith was dated 20th November 1819, and that to myself the same date. As burgher officer, I communicated these orders to the prisoner. I had a discretionary power not to remove this restriction as long as the small pox was on that property. [The instructions received were read to the court, and are marked respectively N^o 1 and 2. These orders were partially observed by the prisoner for nearly three weeks. The restriction was not removed at the end of three weeks, though Mr. Smith required it should be by letter dated 11th December 1819. [The letter produced to the Court marked N^o 3, and read.] I replied to him by letter. I had no conversation with him personally at that period. I refused to take off the restriction by letter. The restriction was taken off

on

Eighth Day,
21 October 1823.

on 29th January 1820. I had a conversation with the prisoner subsequent to my refusal by letter, and previous to 29th January 1820. I think it took place on 24th December 1819. I found it necessary, in consequence of Mr. Smith's continuing to preach without liberty being granted, to address a circular to the estates within my Company, desiring them not to allow the negroes to come to the chapel, or estate of Le Resouvenir, in consequence of the small-pox being still there. This circular went round on 24th December, and it was on the evening of that day that Mr. Smith attacked me in a very violent manner at the manager's house on plantation Le Resouvenir. He stated that I was acting very incorrectly; that I had no authority for what I was doing; that he had authority from the Fiscal to preach to whom and when he pleased. To this I observed, that if he had such liberty as he asserted, he should produce the authority, as I would hold him responsible for any of my acts in carrying the Fiscal's orders into execution, as I was not aware of any he had. To this Mr. Smith answered, that he had no communication from the Fiscal but that I had forwarded; but, he (Mr. Smith) said I have influence over the negroes minds, which influence is great, and I will use that influence to bring the negroes of the neighbourhood to chapel, and preach to them in defiance of all the authority you possess. To this I replied, I should be extremely sorry if I was driven to alternative means to prevent him; and cautioned him against such conduct. He persisted in stating that he would preach to the negroes; I told him I would repel any such meetings, and then went away, and left him. I received in the course of this present year, additional instructions respecting the negroes attending chapel. [The instructions were produced and read to the Court, marked N^o 4 and 5.] The witness then stated I forwarded a copy of these instructions to the prisoner on 23d May last. I recollect the 18th August last, I was on plantation Felicity until five o'clock in the afternoon. I was informed by a coloured man, about four o'clock in the afternoon, that the negroes intended revolting that evening, and he gave me the names of two, said to be ringleaders, Cato, and Quamina, of plantation Success. The revolt actually broke out about five o'clock that night, on plantation Success, the next estate to Windward of plantation Le Resouvenir. It spread through the whole coast as far down as plantation Le Reduit, and partially below that on the town side. It extended eastward, I have understood, as far as Mahaica. The negroes on Le Resouvenir were in a state of rebellion, and particularly active. This revolt lasted about ten days; the negroes were in a state of rebellion on 19th and 20th and 21st, and some days after that. As Burgher officer, I have been four times in the Bush since this revolt. I saw, on one of these occasions, Quamina of Success after he was shot; this was about two or three weeks after 21st August. He was shot by an Indian under Lieutenant Nurse's command. There was a reward offered for him of *f.* 1,000. He is hung in chains on front of plantation Success. There was one man with him when he was shot named Primo, of Chateau Margo. They were not armed. Quamina had a clasp knife. I took three prisoners on that occasion, besides Quamina. Primo stated it was the intention of Quamina never to suffer himself to be taken alive. Primo was one of the three prisoners taken. My house on plantation Felicity is about 40 or 50 roods from the road. The distance of the prisoner's residence from mine is about 300 roods.

The Assistant Judge Advocate then called the attention of the Court to the following Extracts from the prisoner's journal:

"1819, October, Saturday 30th.—While Mrs. S. and Mr. and Mrs. M. were catechising, Quamina, Seaton and York, three of the best and most sensible negroes belonging to Success came to tell me, that their manager, Mr. Stewart, had given strict orders that not one of the slaves belonging to that plantation should come to the chapel, for he had heard that the small-pox was at Le Resouvenir. Quamina said, he replied that most of the people had had the small pox, and all the others had had the cow-pox, therefore, if the small-pox was at Le Resouvenir, there could be no danger of people catching it. The manager replied, he did not care for that; none of them should come to the chapel."

"Sunday, October 31st.—To-day we had the smallest congregation that I have seen at our chapel, on a fine Sunday, since I have been here, the reason of which is, that most of the managers prevented the slaves coming, under the plausible excuse that the small-pox is on the plantation; the fact is this, there are three persons who have the small-pox, and those three are removed to a house more than three miles to leeward of the chapel, quite at the back of the plantation, a solitary place where no one would go if they could, so that there is no more danger of the negroes catching the small-pox by coming to chapel, than there would be in going to Tunbridge chapel, if three people had the small-pox in a solitary house on Hampstead hill; the fact is, the planters are glad to lay hold of any thing to prevent the slaves attending to religion. I suppose there is not one in a hundred in the colony, but has either had the small-pox or the cow-pox."

"December, Friday 24.—I, and Mrs. S. went down to town to see Mr. Mercer; when we returned in the evening, we found several negroes waiting to see me; they told me their managers had given them orders not to come to the chapel any more, and that this order had been given to all the negroes in the neighbourhood; they said the order was from the Fiscal, and was carried from one plantation to another by a man in a red jacket; they were in a good deal of trouble; I told them to be easy; that I did not believe the order was from the Fiscal, and that I would try to find out what it was, and to get it altered. I went over to Mr. H. who told me that it was nothing but a request from Dr. M^cTurk, that the managers would keep their negroes from the chapel. The reason which M^cTurk assigned to me this evening for his conduct is, that he don't know but the small-pox may be latent in the estate."

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Eighth Day,
21 October 1823.

The witness (M. M^r Turk) further deposed, "I am a medical man; I do not practise it at present for plantation Le Resouvenir, but I did at that time. I had reasons to believe the disease to be latent on the estate about the 24th December; two cases were in the negroe-houses which had not been reported, but which, being medical attendant, I discovered by chance. The circumstance of their going through the disease in the negroe-houses rendered it, most assuredly, probable that any negroes coming there would catch it."

Ninth day, Wednesday, 22d October.

Ninth Day,
22 October 1823.

THE Court met, pursuant to adjournment.

Michael M^r Turk being again called in, deposed as follows :

"The measures which I adopted for continuing the restriction on the chapel were approved of by Government. I am aware of this, because in consequence of the Fiscal being sick on his estate, I had no answer to my communication so soon as I could expect, and wishing to allow Mr. Smith to preach as soon as possible, I addressed a letter in my capacity as burgher captain to Dr. Walker, the then officer of health in this colony. He replied to my communication, stating that it was unsafe to allow the negroes of the neighbouring estates to frequent the chapel on plantation Le Resouvenir, as he considered the small-pox had by no means left that estate. This letter I forwarded to the first Fiscal, with my remarks. I then received orders from the first Fiscal to put the recommendation of Dr. Walker into effect, which were, that I should instruct the medical attendant of that property to examine all the negroes twice, allowing eight days to intervene between each examination. This I did accordingly; the negroes behaving very disobediently, only about two thirds of them appearing on the first examination; and at the second, no more than five or six.

I communicated to Mr. Van Cooten, the attorney of the estate, the conduct of the negroes, who requested, that I would have a third examination made, which was accordingly done, and certificates granted that the small-pox had disappeared from that estate. These certificates Mr. Van Cooten forwarded to the Fiscal, and I was instructed to take off the restriction. The restriction applied solely to the chapel on Le Resouvenir, it did not at all prevent the prisoner preaching to the negroes on other estates. Subsequent to the revolt, I gave orders to lieutenant Nurse concerning the prisoner; I requested lieutenant Nurse to repair to plantation Le Resouvenir, and there to desire the attendance and services of Mr. Smith on plantation Felicity, as the accounts I continued to receive, both with regard to the intention and number of the insurgents, made it absolutely necessary to have every person within my command to repel them. This was on the 21st August. I gave orders respecting his papers, which were to seal them up in the event of his refusing to comply, but not otherwise. He did not return with lieutenant Nurse in obedience to those orders; lieutenant Nurse reported that he refused to comply with my orders,

Questions by the Prisoner.—How many cases of small-pox were there upon plantation Le Resouvenir in the latter end of 1819?—Six reported, and two not reported.

What do you mean by saying, that the orders you received from the Fiscal, and which you conveyed to the prisoner, were *partially* observed by the prisoner for three weeks?—Some people attended service at the chapel from Vryheid's Lust.

Who were those people?—I don't know their names.

Did you ever correspond with any other person than the prisoner, the Fiscal and doctor Walker, concerning the restriction in consequence of the small-pox on Le Resouvenir?—I did.

With whom?—Mr. Van Cooten, the attorney of the estate, in consequence of a letter he addressed to me.

Did you not write to Mr. Hamilton, then the manager of that estate?—I did also

Did you receive any letter from him on the subject?—I did.

How long did the small-pox actually continue on Le Resouvenir?—The time is so great that I cannot recollect, but to the best of my recollection it was there in October, and the restriction continued till 29th January.

Where were the negroes that were infected placed?—Those that were reported were placed in a house about 300 roods from the back dam of the estate.

What became of that house?—I burnt it.

When did you burn it?—I cannot recollect the period; it was after I conceived those who were placed there could no longer communicate the disease.

Was it before the conversation on 24th December?—I cannot recollect, but I rather think it was.

Did the two cases of small-pox, not reported, occur before or after the house was burnt;—Previous.

When the house was burnt, did you make no remark, or give any opinion as to the eradication of the disease?—None whatever; the manager was from home when the house was burnt.

After the house was burnt, and you next saw the manager, did you not declare that the disease had disappeared, or words to that effect?—I stated to the manager that it had disappeared as far as regarded those that had been set apart; but with regard to those that had remained in the negroe-houses, I considered it as liable to produce infection as ever.

Were not all the negroes who had been ill, at that time cured?—I could not tell; I have reason to believe the contrary.

Will

Will you state those reasons?—From the circumstance of finding some of the negroes unreported.

Had you not, as the medical attendant, as well as burgher-captain, free access to *all* the negro-houses?—I had not: as burgher-captain, I go when required; as medical attendant, I do the same.

What do you mean by some of the negroes unreported?—The laws of the colony require that all cases of small-pox should be reported to the burgher-captain, under a penalty of *f.* 3000 for each offence; and in these two cases that was not complied with; I found it out by accident myself.

How many orders did you issue, or were issued through you, to the managers of other estates during the time of the small-pox?—Two I am aware of; I do not recollect any more at this time. The orders were not addressed to managers, but to the persons in charge of the estate.

Will you state what was the first order?—[The first order produced to the Court, and read (marked N^o 6). The witness stated that the order produced was signed by only half the estates within his district; a similar order had also been sent to the other half up the coast.] The signatures at the foot of the order by the different estates are an acknowledgment of their having received it.

Before this, had any order, to your knowledge, issued to prevent the negroes of other estates from coming upon plantation Le Resouvenir generally?—I am not aware of any.

Did Dr. Walker visit the estate, and examine into the matter upon the estate, before he gave you the directions you have stated to the Court?—He did not: he gave no directions; he gave an opinion.

Do you know from what Dr. Walker formed his opinion?—I do.

Will you state it?—From the circumstance of my having found negroes unreported in the negro-houses, and as that house could not be burnt without burning others, it was impossible to prevent communication; so there was every reason to believe the small-pox must still be on the estate. That was the representation I made to Dr. Walker, and he gave his opinion it was correct, and recommended that the negroes should be examined twice.

Did you not, in compliance with Mr. Van Cooten's order, go on a Sunday morning to inspect the negroes, and before they could be got together, return without doing it?—I went by Mr. Van Cooten's orders, or rather by appointment, with him to examine the negroes the second time. On my way thither, I met with a number of the negroes belonging to plantation Le Resouvenir, on the side line between plantation Felicity and that estate; they had passes from their manager, Mr. Hamilton. When I went to that estate, to the manager's house, I found Mr. Hamilton in his night-gown; and on asking him why he gave these negroes passes, when he must be aware that the negroes were to be examined that morning, he observed that the negroes had come all there in a body that morning, protesting against any such examination. I desired him to call the list of the negroes of the estate, and we went to the end of the carpenter's-lodge for that purpose. I waited nearly an hour, sending the drivers occasionally to call up the negroes: they would not come; they stood in the negroe-house doors. I called to them myself, and they would not obey me, and only five or six out of nearly 400 negroes made their appearance. I sent a certificate to that effect to Mr. Van Cooten, together with a letter, stating the improper conduct of the negroes; and as Mr. Van Cooten found that the restriction laid upon the chapel of Le Resouvenir could not be removed by that certificate, he consequently requested I would examine the negroes on the following morning, making the third examination; which I refused to do, unless he or some other person would be present whom the negroes would obey. Mr. Van Cooten attended himself on the following morning, when the examination took place. The negroes on the estate on the Sunday morning, as I was going to the manager's house, pelted me with sticks and hard mud, and used most abusive language.

Did you mention to Mr. Van Cooten, or to any one else, that the negroes pelted you?—I did, and Mr. Van Cooten promised to punish the individuals; he communicated by letter, and the original is here. I likewise reported that the negroes pelted me to the first Fiscal.

During the small-pox did you give the manager of Le Resouvenir any order to prevent the negroes of Le Resouvenir from going upon other estates, or from coming to town, by refusing them passes, or otherwise?—None, that I recollect.

How do you know that people from Vryheid's Lust attended the chapel during that time?—From having opportunity of seeing them myself.

You said you had a discretionary power with respect to the continuance of the restriction laid on the chapel; did you inform the prisoner of that circumstance?—He was aware of it by the circular that went round.

Who communicated that circular, or its contents, to the prisoner?—It was sent round from estate to estate, as all other circulars are ordered to be sent round.

Is the prisoner a part of the estate, so that all communications to the managers must be made known to him?—Most assuredly; it cannot be supposed that the burgher-captains can communicate to every individual on the estate.

By what road would you go from your dwelling-house on plantation Felicity to the dwelling-house of the prisoner on Le Resouvenir, to make the distance only about 300 roods?—From my house across the Koker, in the trench, it is scarcely 300 roods.

Did you give Lieutenant Nurse any orders respecting Mrs. Smith?—I did; that she would have every proper attention at my house if she wished to remain there; but if she

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Ninth Day,
22 October 1823.

wished to go to town, she should have a proper escort to take her there, or any where else she might wish to go to as a place of safety.

Have you stated all the conversation that passed between the prisoner and you on 24th December?—Not all.

How do you know that there were negroes with Quamina when he was shot?—From seeing them standing by him when I went there, and the report of the individual who shot him.

Were you with the expedition at the time Quamina was shot?—Yes.

Questions by the Court.—Did you observe any number of negroes going to chapel more than common on the Sunday before the revolt?—A great number more than usual.

Were you at home on Sunday before the revolt?—I was; I dined at Chateau Margo that day.

Did you receive any communication from the prisoner on Sunday evening, or at any time, relative to an intended rising?—Not at all.

What are your duties as a burgher-captain?—They are difficult to define. I am a known public officer, and have the command of the district.

Do you receive any pay for those duties?—None.

So long as the small-pox was on the estate, had you any power which would justify your disobeying or deviating from the Fiscal's orders?—None whatever; I considered myself bound to obey them.

Is the small-pox a very dangerous disease in this climate when it finds its way on an estate?—I should suppose it very dangerous.

Although a person is apparently cured of small-pox, as to any outward appearance, may not the infectious or contagious powers of the disease remain?—Most assuredly; even for months.

Is it more dangerous here than in Europe?—I should suppose it is.

You have stated that Mr. Smith addressed you in a very violent manner on 24th December 1819; pray explain this.—The conversation was a very desultory one: Mr. Smith observed, rather rudely, among other things, that it did not matter to him whether he preached to one or a hundred negroes; for "I am not paid by the head, as you are." He used every kind of language to irritate my feelings, and he said, "I know, sir, that you accuse me of taking money from the negroes; can you prove it, sir? I know, sir, if you could, you would. Do you know, sir, what Christmas means?" and many other questions of a similar nature.

The Court adjourned until ten o'clock to-morrow morning.

Tenth day, Thursday, 23d October.

Tenth Day,
23 October 1823.

THE Court met pursuant to adjournment.

Seaton, a negro of Success, says he understands the nature of an oath; was duly sworn.

10th Evidence.

I belong to Success; I attend Bethel Chapel, where the prisoner preaches; I am a member and deacon; I have known the negroes give fowls to the prisoner; I gave a duck and a fowl at different times: I never gave more; many negroes give ducks and fowls in that way; I remember the Sunday before the revolt began, I was on the middle walk of Success on that day; there were not a great many persons; some came from up the coast towards Mahaica, some from Le Resouvenir, and from the several estates from Le Resouvenir to Mahaica; they were making a bargain there about the rising. I saw Quamina there, he was not there when I first went, I mean Quamina, of Success; he had been at Mr. Smith's house, I know that, because I left him there; Bristol was there with Quamina. The agreement about the rising was made before Quamina came to Success middle walk. When Quamina first came he would not join in the agreement; he said Mr. Smith told him he must not rise. After the people had heard what Quamina said, they would not agree with him; the people still persisted in their intention to rise; the meeting lasted about a quarter of an hour. After the meeting Quamina went back to Mr. Smith's house, I saw him go in myself; I did not see Bristol at the middle walk that day; I did not see him after he went into Mr. Smith's house with Quamina. I saw Manuel that day, he went to the middle walk of Success with me. The revolt began at Success; many of the negroes of Success were engaged in it. After the taking of Jack every one rose together; I mean about four or five o'clock in the afternoon on Monday; Quamina was taken with Jack; Quamina was engaged in the revolt after it took place. Jack and Quamina were leaders, Paris, Jack, of Vigilance, Joseph, of Batchelor's Adventure, and Telemachus; cannot remember any more; there were a great number of them; all these leaders attended Mr. Smith's chapel. I did not remain on Success all the time of this revolt; I left it on Monday evening; I went to the front; I went from Success to Plantation Triumph; I saw some of the rebels there, but not many; among them I saw many, besides those mentioned, go to chapel. I saw the negroes attack the white people at Triumph; they wanted to take up the manager and overseers, and to put them in the stocks, but Jack forbid it. I saw the white people in the stocks at Nooten Zuyl; one man had a gun at Triumph, and the rest had cutlasses, and I saw a large party with guns who went on before; Joseph was one of the party; I returned to Success on Wednesday; I saw Quamina there a-back; I saw him there all day till the evening, and saw him again the following morning, Thursday; something was said on the middle walk of Success on the Sunday before the rising about taking the guns.

Jack and Quamina said, and the rest agreed to it, that they should take the guns from the white

white people and then drive them to town; every thing was agreed upon on Sunday at Success, in readiness for beginning on Monday evening; they then agreed to rise on that Monday evening; this was before Quamina left the meeting to go to Mr. Smith's the second time; the whole plan was laid before Quamina left the meeting.

Tenth Day,
23 October 1823.

Cross examined by the prisoner.—Have you been instructed by any one to say what you have just told the Court?—No.

Have you ever told any one before what you have just told the Court?—I have been examined before at Mrs. Meuten's, by Mr. Smith, Judge Advocate.

Was what you so told put down in writing?—Yes.

Have you since seen or heard what was so put down in writing?—I saw the paper at the time, but not since; it has not been read to me.

Mr. J. L. Smith, junior, Assistant Judge Advocate was here sworn, that a question might put to him from the Court.

Have you examined the witnesses for the purposes of this prosecution?—I have examined several of them, and the witness is one.

Have you attempted to mislead or instruct the witnesses as to the evidence?—As a witness here, I must answer, No; but I should think on ordinary occasions such a question too degrading to be put to me.

[The Court observed that the two preceding questions were put for the purpose of protecting the Judge Advocate from the imputations attempted to be thrown upon him by the Prisoner.]

The cross-examination was here resumed.

Questions by the prisoner.—How many times did Quamina go to the prisoner on the Sunday to which you allude?—I know he went twice, once from the chapel, and once from the Middle Walk.

At what hour did the meeting at Success Middle Walk take place?—About two o'clock; but I am not a great judge of time.

After what service was it that Quamina went to the prisoner?—After the noon service.

Where did you go after the noon service?—I went to the Middle Walk.

Who were present with Quamina and the prisoner, when Quamina went to the prisoner after noon service?—We three; Quamina, Bristol, and myself.

Was no one else present with Mr. Smith, but Quamina, and Bristol, and yourself?—I don't recollect seeing any one; I did not stay long; after putting a question I went away; Mrs. Smith was there.

How many times were you present in Mr. Smith's house with Quamina and Mr. Smith on that Sunday?—Only once with Quamina.

Whilst you were present with Quamina and Mr. Smith, did you hear any conversation between them? Yes.

Will you state it?—Quamina went there to Mr. Smith, and asked him about this paper; Mr. Smith said yes; that the paper is come out—that the paper had come out so far as to break the drivers; and that nobody should be licked any more again; and that if any body should be licked it would be by their masters, or their managers; and if any thing more than that they were to be confined. After I had heard that, Quamina told me to go away to the Middle Walk of Success, to stop the people till he came, and I went with Manuel to stop them.

Was there any thing said about freedom having come out from England for the negroes?—No.

How long was it after you got to Success Middle Walk, before Quamina came there? About a quarter of an hour.

Did Quamina tell you, in the hearing of Mr. Smith, to go to Success Middle Walk? Quamina and myself were in the gallery, and Mr. Smith in the hall; I cannot say if Mr. Smith heard.

Did any one, at the time of which we are now speaking, leave Mr. Smith's house with you?—No body went with me from Mr. Smith's house; I fell in with Manuel on the way to Success Middle Walk.

In what part of Success Middle Walk was the meeting?—Near the Cocoa Nut Tree; you can see the house from where we met, but the people at the house cannot see us, because of the canes.

At what hour did the meeting break up?—About three or four o'clock; but I cannot judge of time.

Where did you go immediately after the meeting broke up?—Each went home to his own place, but I went with Quamina to Mr. Smith's; I did not go into the house with Quamina.

After you got home where did you then go?—I went to my house, got my supper, and went to sleep.

What did Quamina go to Mr. Smith's for, the second time?—He did not tell me properly what he meant to say to Mr. Smith, but he told me on the way there that he did not know what to say to Goodluck to stop him from going on; he said if he could only get any person that same night, he would send him to Jack. to stop the people over the coast at Mahaica side.

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Tenth Day,
23 October 1823.

Whilst Quamina went into Mr. Smith's house, where did you go?—I went to the negro-houses, to a negro woman named Asher, for some corn which was left there.

Did you see Quamina after he came out of Mr. Smith's house that night or afternoon, when you and Quamina went there, as you say, from the meeting in the Success Middle Walk?—I and he went home together afterwards.

Where did you meet Quamina to go home with him from Mr. Smith's house, at the time mentioned in the last question?—I was walking through the yard, when Quamina seeing me, came out, and we went home together.

Was it dark or light when Quamina went into and left Mr. Smith's house, before you went home together?—It was not dark at either time.

How long before the sun went down?—Not very long.

Did you and Quamina, on that occasion, go straight home, and if yea, did you get home before the sun was down?—We went straight home, and the sun was just down after we got home.

Questions by the Court.—Were Jack, of Success, Quamina, Paris, Jack, of Vigilance, Joseph and Telemachus, either deacons or teachers?—Jack of Success, a teacher; Quamina, a deacon; Jack, of Vigilance, a teacher; Joseph and Telemachus, teachers; Paris I don't know.

Did Quamina make use of Mr. Smith's name on his going back to Mr. Smith's house after the meeting?—Yes; he told me he was going back again to Mr. Smith.

Was Quamina *first, second, or third* deacon of Bethel Chapel?—First.

How far was Mr. Smith from you when Quamina told you to go to Success Middle Walk to stop the negroes?—About 10 yards.

Did Quamina speak lower than common when he gave you the order?—Not lower than common; neither high nor low.

Who is Goodluck?—He belongs to a black man of the name of Peter M'Clure.

What was the purport of Quamina's first visit from the chapel to the prisoner?—He went to ask Mr. Smith about the letter that had come out from home.

John Bailey, duly sworn, deposed.

11th Evidence.

I was servant to Mr. Chapman, ordnance store keeper. I left his service about two months ago, a week after this revolt, the rising of the negroes on a Monday night; it broke out the 17th or 18th August. On that night my master directed me to go to Mr. Goppy's house, to drive his carriage up the coast, with a detachment of six men and an officer of the 21st regiment. I drove them up as far as Le Resouvenir, and could not get farther in consequence of the bridge being broken down. There were three other carriages with soldiers in them. President Wray's, Colonel Goodman's, and Mrs. Hewling's carriage. Colonel Goodman's own coachman, John Aves, drove his carriage. When we got to the broken bridge the soldiers alighted, and we were at a stand to know what to do. The soldiers went on across the broken bridge; we returned back with the carriage, and went to Le Resouvenir. We went into that estate; we saw the prisoner; he was in his own room up stairs; he was looking through the glass of the window; the other coachman, John Aves, kept along with me. After we had put the horses in the stable we went to look at the carriages. After we came to the carriages, the prisoner came down, opened the door and asked us in. We went in; John Aves, two black men who drove the other carriages, and myself. When I went in first; I said, what piece of work is all this? he, the prisoner, asked me what I meant by a piece of work; I said about the negroes rising; and it is very extraordinary we should not hear of it in town before it came to the point. He answered and said, why I have known about this these six weeks. It is something very strange, said I, we could not hear any thing of it in town, and you knew of it six weeks ago. I asked him then what he thought the grievance was. He said he could not blame the negroes much, for they were worked day and night and all Sunday, and that the manager on that estate had given a cat to the drivers as well as a whip; and not allowed them to go to chapel; and that there are to be no negroes flogged in the field, and no women to be flogged at all; only to be put in the stocks. He had papers in his house to that effect from home. I asked him what time this disturbance took place; he said about seven o'clock, when they came from their work. He said he had been busy writing all day, and had merely walked out about half past six o'clock to stretch his legs; and there he saw the negroes well armed with muskets, cutlasses, and things like pikes. That 50 able negroes had surrounded the manager's house, and taken six muskets and what ammunition they could get. He said, the two overseers ran to him for protection; the manager was away. I asked if he was not afraid to stop in the house alone, he said, no, they did not trouble such people as him. The two black people were there during this conversation; the one I believe belongs to Mr. Robertson, the other is the President's coachman.

Questions by the prisoner.—Did the prisoner say that he knew six weeks before that the revolt would break out, or did he say that he apprehended it?—He said he *knew* of it; that was the word he used.

Did the prisoner make any, and what, allusion to newspapers from home?—No.

On your oath, did not the prisoner say, "*that as soon as he had read the papers,*" he knew that the revolt would take place, or words to that effect?—I don't recollect such words.

Have you been intimate with the prisoner?—No; I never saw him before that night, to the best of my knowledge.

Did the prisoner state how he knew six weeks before that the revolt would take place?—No.

Were

ON TRIAL OF JOHN SMITH, A MISSIONARY.

25

Were John Aves and the two black men present and in hearing during all the conversation between yourself and the prisoner?—They were in the room all the time; it was a small room.

Tenth Day,
23 October 1823.

John Aves, duly sworn; deposed;

I am coachman to colonel Goodman; I remember the 18th August last past; I was on that night on plantation Le Resouvenir; I was in Mr. Smith's house; the prisoner, Mr. Chapman's groom, Bailey, the President's man, Cornelius, and Mr. Robertson's man were there. Conversation took place while I was there; I said to Mr. Smith, This is a terrible thing, the negroes rising in this manner; he said, This was a thing which has been expected these six weeks. I asked him what time this began, he told me he supposed about seven o'clock in the evening; that the negroes, some of them, rung the bell, and some blowed the shell, and that was the alarm. About 50 strong able men went round the manager's house, and demanded the arms of the house; they did not wish to harm the manager, but wanted the arms out of the manager's house, and they got six muskets out of his house. He said the two overseers came over to him for protection; I asked him what the negroes wanted, he said, they wanted their Saturday and Sunday; he said there was an order sent out from Government that all whips were to be laid down, no whips to go in the field; the whips were to be hung up in the manager's house; and if they did any thing, complaint was to be made to the manager, and he was to punish them, if he saw fit; instead of that the manager on that estate gave the driver cats with the whip, and he said he would use them while he was able; he had papers in his house to that effect.

12th Evidence.

(Questions by the prisoner.)—Who held the conversation with Mr. Smith?—Sometimes I asked a question, sometimes Mr. Bailey, who drew a chair next to him, and I walked about.

Did you hear all the conversation between Mr. Smith and Bailey on that evening?—No, I did not.

When you first went in, and the conversation about the revolt commenced, were you present and in hearing?—I was.

Was Bailey present, and in hearing of all the conversation that passed between you and Mr. Smith?—He was in the room, and must have been within hearing.

Was Bailey present, or in hearing, when Mr. Smith told you, "this is a thing that has been expected these six weeks"?—Yes, he was in the room with me.

Did you, during that evening, hear Mr. Smith say that he had *known* of the revolt for six weeks?—No, I do not recollect any such words.

In what tone of voice did Mr. Smith speak on that evening?—He spoke in a very low manner; I never heard him speak before or since.

Could he be heard all over the room in which you and he and Bailey were talking?—I don't think so; he spoke in a very low manner.

Had you and Bailey afterwards any conversation relative to what passed on that evening at Mr. Smith's?—Bailey said he thought he, Mr. Smith, was a very curious sort of a gentleman; he said he asked Mr. Smith if he was not afraid to stop there by himself; Bailey said he told him they did not trouble such people as him; I made answer, that I supposed him to be some methodist parson, or some such thing as that.

Did Bailey tell you that Mr. Smith had said "he, Mr. Smith, had known of the revolt six weeks before"?—Bailey told me so.

Had you and Bailey any difference of opinion as to whether Mr. Smith had said he knew of the revolt, or had said it was a thing to be expected?—No.

When was it that Bailey first told you that Mr. Smith had said he knew of the revolt six weeks before?—I think it was the next morning, but am not positive.

[The Court was adjourned until ten o'clock the next day.]

Eleventh day, Friday 24th October.

THE Court met this day pursuant to adjournment.

Thomas Robson, duly sworn; deposed;

Eleventh Day,
24 October 1823.

I am a medical practitioner, I reside in Cumingsburg, George Town; I know the residence of his excellency the Governor, and his honour the President, the quarters of lieutenant-colonel Leahy and the garrison; the road from the east coast into town goes near all these places; a person coming from the east coast into town must pass near colonel Leahy's quarters, and near the others, unless he comes on foot. I remember the 18th of August last. I saw the prisoner on that day, at my house, between the hours of seven and eight in the morning; I presume he came to my door in a chaise, as his chaise was at my door all the time; he came to consult me professionally.

13th Evidence.

Jacky Reed, negro, of Dochfour, understands the nature of an oath,
duly sworn; deposed;

I belong to plantation Dochfour; I attend Bethel Chapel; I am a member of that chapel; my master never prevented the negroes attending that chapel; I never knew any of the negroes of that estate punished for going to chapel, or ill treated by the manager; there were meetings on that estate; my master allowed us to keep prayer meetings on that estate; he said I might keep prayer meetings at any time, provided I did not allow strangers to come

14th Evidence.

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Eleventh Day,
24 October 1823.

come there, neither myself to go abroad; I have mentioned this to the prisoner, Mr. Smith; he said, it was very well, but it was no harm to go abroad, or to teach strangers on the estate. I was sent to Orange Nassau by Mr. Smith, he said there were a good many Christians there, and they had staid away from chapel; he told me to go, but not to take any book with me, or catechism, and not to go in the face of the manager; to walk in any way so as the manager should not see me to ask any questions. He said when I go, I must call for the teacher, and let him first offer up prayer, and sing a hymn, and then I must read a chapter to the people, any chapter that I think relates to the purpose, and to ask the people why they do not attend the chapel; I did accordingly. A man named Quamina, belonging to Nooten Zuyl went with me, he was not a member of the chapel, but he attended the chapel. I know Quamina, of Success, he was a carpenter on the estate; I know his son Jack, he was a cooper; I received one letter from Jack the Sunday night before the rising of the negroes; I have not that letter, I sent it by Guildford to Mr. Smith, the prisoner; Guildford belongs to Dochfour; I sent it with a letter from myself; I sent it on Monday about half past two o'clock; I sent it, because I did not approve of the contents of Jack's letter; I sent it to the prisoner, because the letter of Jack Gladstone was written by the members of Bethel chapel. I received an answer to my letter from the prisoner, the same Monday night about half past nine o'clock; I have not that answer, I gave it to my master; when Guildford gave it to me, I was on guard, and I took it just as it was to my master; I did not read it; the letter produced is like it; Guildford brought back the answer.

John G. Read, duly sworn; deposed;

15th Evidence.

I am a resident of this colony; I reside at Dochfour, on the east coast; there is a negro on that estate named Jacky; I remember the 18th of August last; I saw Jacky on the night of that day; he gave me a paper, the paper produced marked N^o 7, is the one he gave me; I am an aid-de-camp to his Excellency the commander in chief and lieutenant governor, and in that capacity I was sent to the prisoner on Thursday or Friday, about the first week's sitting of the court-martial, to ask him for a letter which had been written and sent on the Monday of the insurrection by Jacky Reed to the prisoner, which letter enclosed a letter from Jack Gladstone to Jacky Reed; Jack Gladstone belongs to Success, he is the son of Quamina; the prisoner acknowledged that the letter had been brought to him by a negro Guildford, belonging to Dochfour, but told me he had destroyed it after reading it; he further acknowledged that he had returned a written answer to Jacky Reed, by the negro Guildford. I told him that his answer had been placed in my hands on the evening it was written, and that I had then a copy of it about me; he begged me to favour him with a sight of it; I did so; he read it attentively, and returned it, saying, that he believed it was a verbatim copy of that he had written. I said to the prisoner, "I am afraid you have been preaching very improper doctrine to the negroes, as it appears that the principal members of your chapel have been leaders in this insurrection;" to this, he replied, "when I have been preaching, I have sometimes wished to illustrate what I was saying by reference to the situation of a manager or overseer on an estate, and when I have finished my discourse, I have asked some of the most intelligent of my hearers to explain what I have been saying, and they have told me that I have been abusing the manager and overseer." The prisoner then observed, that this was not the first insurrection that had taken place in the colony; I said it was an insurrection of a peculiar nature; he then remarked that much blood had been shed at different periods in religious wars, or on account of religion. At the time of this conversation, Mr. Smith, the prisoner, was in the room of the colony-house, where he was confined.

I can swear that the paper produced by me to the prisoner, was an exact copy of that now produced.

(*Cross-examined by the prisoner.*)—Did I not tell you what you have related, concerning my illustrating my remarks when preaching, by reference to the situation of managers or overseers, and my afterwards asking the negroes about what I had said, and that they told me that I was abusing the manager, as an instance of aptness of negroes to misunderstand all that was said to them?—It did appear to me that the prisoner wished to impress on my mind that if the negroes had acted rebelliously they must have misunderstood his doctrine.

(*Questions by the court.*)—What distance is Dochfour from Le Resouvenir?—I think about 15 miles.

At what hour did Jacky give you that letter?—It must have been somewhere between the hours of eight and nine, I think.

Alexander Stevenson duly sworn; deposed;

16th Evidence.

I reside in George Town, and am a printer; I know the prisoner; I should know his hand-writing were I to see it; it is my belief that the paper produced is his hand-writing; I have seen him write, and I have received letters from him. [The paper produced and read.] (marked No. 7.) viz. "To Jacky Reed. I am ignorant of the affair you allude to, and your note is too late for me to make any inquiry. I learnt yesterday that *some* scheme was in agitation, but without asking questions on the subject, I begged them to be quiet, and I trust they will; hasty, violent, or concerted measures, are quite contrary to the religion we profess and I hope you will have nothing to do with them. Yours for Christ's sake, J. S."

Jacky Reed, of Dochfour, re-called :

I recollect the contents of the letter I received from Jack Gladstone which I sent to the parson; viz. "My dear Brother Jacky, I hope you are well, and I write to you concerning our agreement last Sunday; I hope you will do according to your promise; this letter is written by Jack Gladstone, and the rest of the brethren of Bethel chapel, and all the rest of the brothers are ready, and put their trust in you, and we hope that you will be ready also; we hope there will be no disappointment, either one way or the other; we shall begin to-morrow night, at the Thomas, about seven o'clock."

Eleventh Day,
24 October 1823.

There was no name at the bottom. I will tell you as near as I can recollect, the contents of the letter I wrote to the prisoner; I said, "Dear Sir, excuse the liberty I take in writing to you; I hope this letter may find yourself and Mrs. Smith well. Jack Gladstone has sent me a letter, which appears as if I had made an agreement upon some actions, which I never did; neither did I promise him any thing, and I hope that you will see to it, and inquire of members, whatever it is they may have in view, which I am ignorant of, and to inquire after it, and know what it is. The time is determined on for seven o'clock to night." My name was at the bottom of it. I gave my master a copy of it from memory.

(*Questions by the court.*)—Was Quamina of Nooten Zuyl sent to Orange Nassau with you by desire of Mr. Smith?—No; he was sent by Quamina, of Success: I was sent by Mr. Smith.

Where is Quamina, of Nooten Zuyl?—I believe he is executed.

Did the prisoner ever mark down any particular chapter in the Bible for you to read?—

He has; I cannot remember them now, but he has marked several chapters for me.

What chapters did you read when you went to Orange Nassau?—I cannot rightly recollect now; but I believe it was the sixth chapter of Epistle to the Romans, and the 136 hymn was sung.

Guildford, negro, of Dochfour, understands the nature of an oath,
duly sworn; deposed;

I belong to Dochfour; I recollect the Monday when the rising took place, Jacky Reed, of Dochfour, gave me a note on that day about half past two o'clock, to carry to Mr. Smith, the prisoner; I did carry it; I reached Mr. Smith's house a little before six o'clock; I gave the letter to Mr. Smith, he gave me an answer; I left his house with the answer about six o'clock, the sun was just down, I gave the answer to Jacky; when I got there I don't know what o'clock it was, but they had not gone to bed; Jacky was on guard when I gave him the answer at our estate Dochfour; I did not see Jacky read it.

17th Evidence.

(*Question by the Court.*)—Had the negroes risen on plantation Le Resouvenir when you arrived at Mr. Smith's house?—No.

Mitchell, a negro of Le Resouvenir, says he understands the nature of an oath;
duly sworn; deposed;

I belong to Le Resouvenir, and am horse-minder; I was on Le Resouvenir on Monday night when the negroes rose; the negroes on that estate rose also. After they had taken the guns from the manager's house, they went away to the road. I saw Quamina, of Success, come on the estate the next morning (on Tuesday morning); I saw him pass along through the yard to Mr. Smith's; I was in the horse-stable of the manager, Mr. Hamilton, at that time: I was alone when I saw Quamina; when Doos, a house-boy, came from the water side, where he had been carrying breakfast for Mr. Hamilton, I told him so; the prisoner is the Mr. Smith I mean: I have known Quamina, of Success, a long time; from the time Mr. Vander Haas was on the estate.

18th Evidence.

(*Cross-examined by the Prisoner.*)—What time on the Tuesday morning was it that you saw Quamina?—Shortly after sunrise; the sun was not high.

What yard was it that Quamina passed along?—He came from the Company path towards the Success side, through some cabbage-trees, by a small path to Mr. Smith's yard; I saw him come into the yard, but did not see him go out.

Doos, negro, understands the nature of an oath; duly sworn; deposed;

I belong to Le Resouvenir; I was on the estate the night the revolt began; the negroes attacked the manager, Mr. Hamilton's, house; they came in the house; at the time that Mr. Hamilton surrendered his arms to the negroes, Mr. Smith was walking in the middle path; this was a little after six o'clock; the sun was down; the prisoner came down from his house with Mrs. Smith, and stood before Mr. Hamilton's door; they had been walking before, and did not come direct from their house to Mr. Hamilton's.

19th Evidence.

The prisoner spoke to Mr. Hamilton at that time; I don't know what he said, as I was not near enough; the prisoner and his wife went away together. I was on the estate the next morning; none of the men were about the yard of the estate. I know the groom; his name is Mitchell; he was in the horse-stable. Mr. Hamilton was in the front house at the water side on that morning. I went to him there; I carried his breakfast to him. I did not see Quamina, of Success, that morning; I saw Mitchell when I returned from carrying the breakfast; he told me he saw Quamina come to Mr. Smith's: the distance between the manager's horse-stable and the prisoner's house is about the same as from here to St. Andrew's church.

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24 October 1823.

(*Cross-examined by the prisoner.*)—Did you see negroes pushing Mr. Smith away from the manager's house?—No.

Antje, mulatto woman, understands the nature of an oath; duly sworn; deposed;

20th Evidence.

I belong to Le Resouvenir; I was on that estate the Tuesday after the Monday the revolt broke out; I know the prisoner and his wife; I saw Mrs. Smith on that day at her house between twelve and two o'clock in the day; she sent for me; she asked me what was the matter, people were doing so, I said I don't know ma'am, the people wish to get their liberty; Mrs. Smith said, the people did not behave well; the black people could not fight against whites; she said she had been afraid the whole night, and had not slept, I answered, I was so afraid too that I did not know where to go, either to the great house or the negro-house; Mrs. Smith said, don't be afraid, they won't hurt you; then she went to lie down, and told me she wished to see Quamina or Bristol very much; I didn't know any thing about it, but I then got a boy to send a-back to bring him, Quamina, to the lady; Andrew, of Le Resouvenir, was the boy I got to go a-back for Quamina; I told him same day; I saw Andrew again the next day; in the night he came and called me, and told me that Quamina had come; I was at that time at my house; I went out and saw Quamina, I told him good night, and Quamina said I must go and see if any one was in Mr. Smith's house; Jenny Grant was in my house at that time, and when I went out she went with me; Jenny Grant is a free woman, and lives in town; I went over to Mr. Smith's house and saw a lady there, Miss Kitty Stuart, a cob woman. I went into Mr. Smith's house and told Mrs. Smith that Quamina had come, then I took the lady, Miss Kitty Stuart, to my house; I only saw Mr. Smith in the house, besides Mrs. Smith and Miss Kitty Stuart; I only said to him good night, as I passed; Mr. Smith was sitting on a sofa in the hall, Mrs. Smith was in the front gallery; Miss Kitty Stuart did not appear willing to go with me at first; Mrs. Smith told me that I must take her over to my house, and she would not come; I said come along with me so before you sit alone so. Mrs. Smith said she would not go to bed; Mrs. Smith said, that if Miss Kitty Stuart would go over with me when she wanted to go to bed, she would send to call her; Mrs. Smith bid her go with me, she then went with me to my house, then I went to seek Quamina, but did not meet with him; I saw Quamina after that go before me into Mr. Smith's house; Mrs. Smith stood at the door, and as Quamina went in, she shut the door; I went back then to my house.

(*Questions by the court.*)—Was Mr. Smith there when Mrs. Smith was talking to Miss Kitty about going to your house?—He was there, but he couldn't hear, because we were speaking secret.

Was the door Mrs. Smith shut, the door of the room in which you saw Mr. Smith sitting on the sofa?—He went in at the back door, near the kitchen.

Did the door he went in at lead to the hall?—You go through that door to go to the hall; there is another door to the hall.

What time of night was it when Andrew called you, and told you that Quamina was come?—It was about eight o'clock; but I am not very sure.

Could Mr. Smith have heard you telling Mrs. Smith that Quamina had arrived?—No; Mr. Smith did not hear.

Andrew, a negro, understands the nature of an oath; duly sworn; deposed;

21st Evidence.

"I belong to plantation Le Resouvenir. I know Antje, who lives on the same estate; I know Quamina, of Success. Antje gave me a message on Tuesday morning, after the war began, to Quamina; the message was to tell Quamina that Mr. Smith want to see him, and was to tell him 'morrow. I did not see Quamina on Tuesday; I saw him on Wednesday, and gave him the message on Wednesday morning, about eight o'clock. Quamina told me, "Yes;" and he came down on Wednesday night, about eight o'clock. I was standing in our coffee-piece when he came, and I saw him; he came from Success ground, and spoke to me. He bid me good night, and asked if I brought the message to him; I told him, yes. The coffee-piece is at the back of the negro-houses, a small distance a-back from them. Quamina then went to Le Resouvenir's building; I followed him, and he told me I must go and call Antje, and I did. I went to my house after that, and I saw Quamina again that same night; I saw him at the last negro-houses a-back; he was coming from the front to go to the back, with a bottle in his hand. I went back with him. When we reached our negro-houses, I stayed there, and he went away. While Quamina and I were walking together, I carried the bottle; it was full: he told me it was porter. Quamina stayed a good full hour before he came back with the bottle. None of the negroes of that estate have porter. When I came down with Quamina, and went back with him, Cupido, of Le Resouvenir, was with us. When Quamina went away, he went straight towards Success. Quamina did not tell me where he got the porter; he took it with him when he went away. [The Court adjourned till ten o'clock to-morrow morning.]

Twelfth day, Saturday, 25th October.

Twelfth Day,
25 October 1823.

THE Court met this day, pursuant to adjournment.

Cupido, negro, understands the nature of an oath; duly sworn; deposed;

22d Evidence.

I belong to Le Resouvenir; I was on that estate on Wednesday night, after the Monday when the war broke out. I know Quamina, of Success; I saw him that night. I and Quamina,

Quamina, with Andrew, came from the back dam; we came as far as the negro-houses of Le Resouvenir. Andrew went to call Miss Antje, to tell her that Quamina had come; Quamina went away with Miss Antje. I sat down at the door-mouth of Romeo. I saw Quamina afterwards that same night; he came back in about half an hour: he had a bottle in his hand; he had not that bottle in his hand when he first came: I cannot say where he came from with the bottle. Myself and Andrew went a-back of Le Resouvenir, and Quamina went on to the back of Success. Andrew carried the bottle a-back; when Quamina went away, he took the bottle from Andrew, and took it away with him. We came from the back dam about seven o'clock; it was moonshine.

Twelfth Day,
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Jenny Grant, black, understands the nature of an oath, duly sworn; deposed;

I live in town. I was on plantation Le Resouvenir on Wednesday night after the Monday the revolt broke out. I know Andrew of that estate. I saw him that night come to Miss Antje. I was sitting down at Antje's door. I saw Andrew come into Miss Antje's house, and then saw them both go out. I followed them, and peeped to see where they were going to. I saw them going and take a turn, and looking farther I saw Quamina of Success on the dam; as I peeped in his face he wished me good night, and then I spoke to him. He said nothing more to me; I did not remain with Quamina after that; I retreated back again to where I was sitting before. I have known Quamina a long time; more than two or three years. I did not know at that time that Quamina had any thing to do with the revolt; I had just come up from town to sell things.

23d Evidence.

Elizabeth, a negroe girl, understands the nature of an oath, duly sworn; deposed;

I belong to Plantation Industry; I have been living lately with Mrs. Smith, the parson's wife; the prisoner is the Mr. Smith I mean. I remember the night the negroes began to make war; I was in the prisoner's house that night; I saw a man come there with a letter that night; I believe he came from Dochfour, it was after dinner when he came; Mr. Smith dines about four o'clock; the sun was almost down; it was high a little bit. The man who brought the letter sat down a little time on the steps; when the boy went away the prisoner went to walk a little bit in the middle path; only Mrs. Smith was with him. The negroes rose on that night on that estate; it was about seven o'clock when the rising began; I was there on the Tuesday and Wednesday; I know Quamina, of Success; I saw Quamina in the parson's house on Wednesday night, inside of the hall I saw him; Mr. and Mrs. Smith were in the room with him: Mr. Smith was sitting in a chair close to a table; Quamina stood a little near him; only those three were there at that same time; Mrs. Smith remained in the room all the time that Quamina was there; I did not see Mrs. Smith go to the front door; I heard Quamina and Mr. Smith talk together; Quamina staid there longer than I have been here; I saw him go out; after Quamina went away, I saw Mrs. Smith, she told me I must not tell any body that uncle Quamina had been in the house, and that if I did tell any body she would lick me; during this revolt I did not see any of the negroes come to trouble the parson's house, or any thing belonging to him.

24th Evidence.

(Questions by the court.)—Has the prisoner a boy servant?—Yes.

Was Mr. Smith's horse in the stable when the man brought the note on Monday night?—Yes, the horse was in the stable.

Do you know the way to Dr. M^c Turk's, at Felicity?—Yes; I do.

Did you see the prisoner or his wife give any thing to Quamina, and what was it? I did not.

You say you saw Quamina go out, did you see any thing in his hand at that time?—He had a bundle on a stick behind his back; I did not see any thing else in his hand.

Kitty Cumming, black, understands the nature of an oath, duly sworn; deposed;

I live at Success, with Mr. Stuart; I was at Success at the time the revolt broke out; I did not remain there; on the Wednesday evening I went over to Le Resouvenir, because the people of Success were all moving a-back, and I was afraid to remain there alone. I saw the prisoner that night when I went to Le Resouvenir; he was in his house, I was there too; when I first went there I asked them to let me lodge there, they said I was welcome, and I might stop there; and while I was sitting down at the door, Antje came to me and said "Miss Kitty, you are lonesome here, you had better come over and stop with me, till Mrs. Smith go to bed, and then she will send and call you."

25th Evidence.

I was not at all wishful of going with her at first, then Mrs. Smith said, "go over with Antje, and when I am ready to go to bed I will send and call you," and I went with her; I stopt away about an hour and a half; in that time Mrs. Smith sent to call me, and I went back. At the time I left Success, the negroes were all in confusion, going away, taking their things a-back.

Thomas Nurse, Lieutenant 1st Battalion Demerara Militia, duly sworn; deposed;

I was on duty at Felicity on the Thursday after the revolt broke out; captain M^c Turk was the officer commanding, he gave me orders that day to call on Mr. Smith, the prisoner, and require his immediate attendance at Felicity, because the reports he continued to receive, respecting the strength and intentions of the insurgent negroes in the neighbourhood, were of so alarming a nature as to call for the assistance of every white and free

26th Evidence.

Twelfth Day,
25 October 1823.

coloured person in the district to bring them back to their allegiance, and restore tranquillity to the country. I was also desired to state to the prisoner, that if he had no arms of his own, he should be supplied with them at the post at Felicity; and that the duty he should be required to perform would be made as easy for him and comfortable as circumstances would allow; and with respect to his lady, she could, if she pleased, accompany him to Felicity, where a comfortable apartment would be provided for her accommodation, and every respect and civility shown her, or if she wished to be removed to George Town, or to any house or estate on the east coast, an escort of troops would be appointed to conduct her there in safety. I delivered these orders to the prisoner in person at his residence, at plantation Le Resouvenir; his reply was, that he would not obey the orders of Captain M^cTurk; that he had no authority to issue such an order, and if he had he would not obey it, as his clerical character and vocations exempted him from militia-duty; he concluded by saying that he was much obliged to Captain M^cTurk for his kind promises of civility to his lady and himself, but he should not avail himself of it; that their circle of acquaintance was small, and he had no wish that his lady should be removed from Le Resouvenir, or to quit it himself, for that notwithstanding the disturbed state of the country, and of that estate in particular, on which there were no other whites than Mrs. Smith and himself, he considered that he was as safe there as he would be in George Town, or in any other house or estate in the colony. I repeated my orders, and finding that he persisted in disobeying them, I inquired of him whether he knew that martial law had been proclaimed by the Governor, he replied that he did; I then asked him if he had seen the proclamation, he replied that he had. I begged to know if he had it at that time, he answered in the affirmative, and I asked him to show it to me, he said he would, and quitted the room, went up stairs, and returned with the proclamation, which I read to him. I reasoned with him on the impropriety of his conduct in refusing to obey Captain M^cTurk's order; when he saw the law was now absolute, and admitted of no distinction, as appeared by the proclamation of the commander in chief, he persisted in his refusal to obey, and told me that for his part he did not know what martial law meant; that after he had read the general's proclamation he had referred to his encyclopedia for a definition of the term, martial law, and when he read the explanation given of it in that work, he was just as wise as when he had finished the perusal of the general's proclamation.

I again warned him of the consequences of his conduct, and requested that he would allow me to explain what martial law was, and perhaps he would understand better from me than he had done from his encyclopedia, he said he had no objection to hear my definition of it; and when I had explained to him the positive and absolute nature of the law, and that it was his duty to comply with the orders of Captain M^cTurk, or of any other officer employed by the commander in chief, and that his clerical vocation did not exempt him, the inhabitants of the colony being called upon without distinction, to take up arms, he answered "I differ, Sir, from you in opinion; and I do not intend to join any militia corps or company, or do any duty with them." Captain M^cTurk gave me orders, in the event of his refusal to join the post at Felicity, not to enforce that order by personal violence or arrest, but to ask the prisoner for his papers and manuscripts, for the purpose of being sealed up, and if he refused to comply with that order, I must resort to force to carry it into execution; the prisoner agreed that I should seal his papers up, observing that he had nothing to fear from a fair and impartial examination of them; his manner during the conversation was very supercilious and offensive. I had a serjeant and 12 men with me at this time. I sealed up the papers. On sealing up his papers he made several observations on captain M^cTurk's and my conduct in doing it; telling me we did it at our peril. He asked permission to retain several manuscripts, among which were several sheets sewed together, which he called his class-books; these, he observed, could be of very little consequence, he supposed, to us, as they contained private memorandums as to the names of those negroes who had attended his chapel and contributed to its support, their periodical contributions being set opposite their respective names. I said, I supposed he could feel no reluctance in giving up these documents for examination, as on inquiry I had no doubt those negroes who possessed the advantage of regular attendance at his chapel would be found so much improved and benefited by his religious instruction, as to have taken no part in the revolt; he smiled, and answered, that I would be mistaken, as he knew that would not be the case: he was also reluctant to give up the letter he stated he had received a short time previous, and had not yet replied to; I insisted on taking every thing in manuscript, and after some further hesitation, he gave me up the letter in question, observing, that it was from his friend and brother missionary in Berbice, and that it contained pleasing information as to the manner in which the inhabitants of that colony had met the views of Government and the people of England, for ameliorating and improving the condition of the slaves, and by allowing them part or the whole of Saturday (I do not recollect which); that if the people of this colony acted with the same generous and liberal feeling, the revolt would never have taken place. I proceeded to collect his papers, and put them into a desk or drawer, which I sealed up; and having cautioned him against the violation of these seals, I reported my proceedings to captain M^cTurk; he then ordered me to go to plantation Brothers in search of captain Simpson, to tell him that the prisoner refused to obey his orders; captain M^cTurk also directed me to request captain Simpson to come up to Felicity with his corps, as it would be necessary to arrest the prisoner and send him to head quarters. I returned to the prisoner's house, in company with captain Simpson; he, the prisoner, was then arrested, and, with his papers, given in charge to captain Simpson and his corps.

(*Cross-examined by the prisoner*).—Did I not tell you that I was willing to give my services in any way, except that of taking arms?—No.

(*Question by the Court*).—Is the paper exhibited, to you, N° 8, a copy of the proclamation you read to the prisoner?—It is.

Twelfth Day,
25 October 1823.

Certified copies of the charges and sentences, with the approval thereof, in the following trials, were laid over to the Court by the Assistant Judge Advocate.

Telemachus, of Bachelor's Adventure	-	-	-	-	-	A.
Sandy - - of Non Pareil	-	-	-	-	-	B.
Paul - - of Friendship	-	-	-	-	-	C.
Quamina - of Nooten Zuyl	-	-	-	-	-	D.
Jack - - of Success	-	-	-	-	-	E.

The prosecution closed, and the prisoner being asked what time he required to prepare his Defence, stated four days would be necessary for that purpose; the Court therefore adjourned till Friday next at ten o'clock.

Thirteenth day, Friday, 31st October.

THE Court met pursuant to adjournment, and the prisoner being called on for his defence, stated, that in consequence of the indisposition of himself and his counsel, he had not been able to complete his statement, which at present embraced only the three first charges, and that so far only he was prepared to go.

Thirteenth Day,
31 October 1823.

The Court observed it would be very irregular to enter upon his defence if he were not prepared to go through with it at once, and desired to know what further time would be necessary to complete it; the prisoner stated, that at ten o'clock to-morrow morning he should be quite prepared.

The Court therefore adjourned till that time.

Fourteenth day, Saturday, 1st November.

THE Court met pursuant to adjournment, and the Prisoner read his statement in Defence as follows:

Fourteenth Day,
1 November 1823.

May it please the Court:

Mr. President, and Gentlemen,

Before I enter upon the immediate defence of my conduct from the charges which have been preferred against me, I beg leave to call the attention of the Court to a few preliminary observations. The Court is well aware that by profession I am a minister of the Gospel, ordained and sanctioned by the Missionary Society; a most respectable body of men, well known to and sanctioned by the Government at home, whose sole object is of a religious nature, the conversion of the heathen and other unenlightened nations to the Christian faith. With the civil or political state of those countries where its missionaries labour, it has nothing to do. Under the patronage of this society I chose to engage in the difficult and self-denying work of instructing the benighted natives in the principles of our holy religion. With this avowed intention I arrived here in February 1817; and having obtained permission of his Excellency the Governor to preach to and catechise the slaves, I commenced my labours with a full determination to keep to the letter of my instructions from the Society, in having nothing to do with the temporal condition of those who might be placed under my ministerial care. To this determination I uniformly adhered. So much was I impressed with the necessity of acting up to this resolution, that soon after my arrival I requested permission to remove the chapel to the side of the public road, that I might be farther from the negroes, and know less of what was transacted on the estate. The object of my mission, like that of my predecessor, was very differently regarded by the planters: some of them, from the time of my arrival, and long before, were strongly prejudiced against the instruction of the negroes, and have uniformly opposed it; but with others this was not the case. They allowed their people to attend the chapel, and observed, and from time to time commended, their general behaviour, and have repeatedly given proof of their approbation of the mission, not only by words, but also by deeds, by contributing to the Missionary Society.

The manner in which I have pursued the object of my mission deserves some notice. Having learned what kind of services had been performed by Mr. Wray, my predecessor, I endeavoured to adopt and follow his plan.

There were five services in the week in the chapel; three on the Sunday, one on Tuesday, and another on Friday: the negroes belonging to the estate were catechised on other evenings, in the school-room attached to the house.

After about twelve months I discontinued the Sunday evenings service; all the others were regularly continued till the end of last year, when I gave up one of the week-day evening services. Since then we have had three public services in the week, and a catechetical meeting, or school, on one evening in the week. A great part of the interval between the morning and the noon services on the sabbath was occupied in catechising the negroes in the chapel. This department was superintended chiefly by Mrs. Smith. White persons were often present. I was generally engaged at the same time in the school-room, catechising candidates for baptism.

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All these services were of a public nature; we had no private meetings; the plantation bell was rung to call the people: the doors were always open, and the place accessible to all. The constitution of the church was formed by Mr. Wray, and was what is usually called congregational. There were four deacons, their duties were to assist in the administration of the Lord's Supper, by handing the bread and wine to the members, to keep order in the congregation, to make inquiry into the moral conduct of such as applied for baptism, or admission into the church, and to collect the money spoken of in the evidence for the prosecution. They were not teachers by virtue of their office, nor did they, as such, even teach any one to my knowledge. Seaton was indeed the teacher at Success, but he was that long previous to his acting as deacon. In point of authority, they were in no respect superior to any other member.

As to the teachers, they were wholly unconnected with the church. The people themselves chose them on their respective estates, without my interference.

Their chief qualifications was a knowledge of the catechism.

I would now submit to the court a few observations respecting the journal, from which some extracts were read by the judge advocate. The Missionary Society wished me to keep a journal. On my arrival I commenced one, but soon found that there was too little variety in my labours, to render it a matter of consideration to the Society; yet I continued it merely for my own private use, as must be pretty evident, from the careless and irregular manner in which it has been kept, and from the nature of several of the notes and reflections therein contained; one or two extracts only have been given to the Society, which merely referred to the moral or spiritual state of the congregation.

No other part of the journal was ever read by or to any one besides myself, till it was taken from me. The contents of it were unknown, even to Mrs. Smith, and the greater part I myself had forgotten.

The notes in my journal relate chiefly to my ministerial labours among the congregation over which I was placed. Facts, and what were reported to me as such, are briefly stated, and such reflections sometimes subjoined as naturally arose out of them, Some parts refer to conversations with negroes, and are brought forward by the judge advocate to prove that I have interfered with their treatment.

As to conversations with negroes, the Christians in particular, from the very nature of my office, it was both natural and necessary that I should converse with them to a certain extent. No missionary or other minister of the Gospel can properly discharge his sacred functions without having some other intercourse with his people besides that of public teaching. He has to watch for the souls of every individual of his charge, see Ezek. c. 33. v. 7 & 8. He is commanded to be instant in season and out of season. If any of his flock go astray it is his duty to seek after them; he must know the cause of their declensions in religion ere he can rebuke and exhort them; and as I could not have access to them on the plantations, though enjoined by the instructions of the Society, which his Excellency has seen and read, to visit them in their houses, it was necessary that I should either make inquiry of others concerning such, or send for them to come themselves with another member. The latter mode I always preferred, when practicable. In all such conversations, I have abstained from making any remarks respecting their masters; and have uniformly exhorted them to a dutiful submission, as some of the witnesses for the prosecution have proved, and multitudes of the congregation can testify.

This brings me to the charges which are exhibited against me; they are four. The first is,—That long previous to, and up to, the time of a certain revolt and rebellion which broke out in this colony on or about the 18th of August last past, I did promote, as far as in me lay, discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers and overseers, thereby intending to excite the said negroes to break out in such open revolt and rebellion against the authority of their lawful masters, managers, and overseers, contrary to my allegiance, and against the peace of our Sovereign Lord the King, his crown and dignity. The second is, “That I having about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negro, named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he the said John Smith did further aid and assist in such rebellion, by advising, consulting and corresponding, touching the same, with the said negro Quamina, to wit, on the 19th and 20th August last past, I then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein.”

The Third is, “That on the 17th of August last past, and for a certain period of time thereto preceding, I having come to the knowledge of a certain revolt and rebellion intended to take place within this colony, did not make known the same to the proper authorities; which revolt and rebellion did subsequently take place, to wit, on or about the 18th of August now last past.”

Fourthly, “That I, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on or about Tuesday and Wednesday the 19th and 20th August last past, was at plantation Le Resouvenir, in presence of and held communication with Quamina, a negro of plantation Success, I then well knowing the said Quamina to be an insurgent engaged therein, and that I did not use my utmost endeavours to suppress the same, by securing or detaining the said insurgent Quamina as a prisoner, or by giving information

information to the proper authorities, or otherwise; but on the contrary, permitted the said insurgent Quamina to go at large and depart without attempting to seize and detain him, and without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of martial law, issued by his Excellency the Lieutenant Governor."

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The prosecutor in his address to the court enlarged upon these charges, and endeavoured to impress upon the court a belief that my conduct had been more guilty, my offences greater and more heinous than even these charges represent them to be. I am aware, at least I trust so, that the prosecutor is bound to adhere strictly to the charges, of which a copy has been regularly served upon me, and with this trust I should have rested satisfied, had not the prosecutor endeavoured to prove his own version of the charges, thereby attempting to draw down upon my character infamy and opprobrium; as it is, he has completely failed to make good his assertions, and I shall therefore but briefly notice them in the course of my defence.

I shall now take the Charges in the order they stand.

To make good the first, the prosecutor has endeavoured to prove—

- 1st. That I have an aversion to slavery.
- 2d. That I have endeavoured to mislead the negroes, by misinterpreting and perverting the scriptures.
- 3d. That I have taken money and presents from the negroes.
- 4th. That I have sold them books.
- 5th. That I have interfered with their treatment.
- 6th. That I have taught them to disobey their masters.
- 7th. That I have taught them that it was sinful to work or go to market on the sabbath day.

And first.—That I have an aversion to slavery:

That I have an aversion to slavery I cannot deny; for if it be a crime to cherish such an aversion, then I have as my associates in guilt the most liberal and best part of mankind. After the recent recognition by the House of Commons and the British government, of the proposition, that "slavery is repugnant to Christianity," it cannot be necessary for me, a minister of the gospel, to enter into any justification of my sentiments on this subject.

Secondly.—That I have endeavoured to mislead the negroes, by misinterpreting and perverting the scriptures:

To prove this, my journal, that journal which has been dragged forth from the privacy in which it was buried, has been produced, and several passages read from it. Witnesses have been called, and what have they all proved? the very opposite thing to that desired by my prosecutors. It has been objected to me that I expounded those parts of the sacred scriptures which allude to the condition of slaves.

Here it must be remembered, that it is a minister's duty to feed his people with knowledge and understanding. It was the boast of the apostle Paul, that "he had not shunned to declare *all* the counsel of God," Acts, c. xx. v. 27. Didactic discourses alone are not sufficient to enlarge the minds of the negro congregation. The biographical sketches and the historical incidents recorded in the Bible, are far better adapted to their capacities, as the striking examples of virtue and of vice powerfully impress the memory, and furnish reflections and motives to duty far more efficacious than mere abstract lessons.

With this view of the subject I commenced, about the middle of 1820, a regular course of historical reading and expositions, taking the Old Testament for the morning service and the New Testament for the evening. I began in the Old Testament with Genesis, and in the New Testament with the Gospel of St. Matthew. The Old Testament I read in order, with the omission of such chapters as appeared to me liable to be misinterpreted by the negroes. The passage which has been read from the journal, under date "8th August 1817," says, that I *omitted* to read or expound to the negroes a passage of scripture, (latter part Genesis xiii.) which I apprehended they might misconstrue. It contains a promise of the land of Canaan to Abraham's posterity. The journal adds the reason why I omitted the passage; viz. that I was fearful it might make a wrong impression on their minds, as I tell them some of the promises, &c. which were made to Abraham, &c. will apply to the Christian state. This proves that I was very cautious *not to apply to the negroes* those parts of scripture which relate to temporal possessions, and were peculiar to the patriarchs. That some of the promises and precepts made to them apply to the Christian state, is evident from the New Testament: compare Romans c. iv. v. 23, to the end. The Apostle, speaking of Abraham's faith being imputed to him for righteousness, says "now it was not written for his sake alone, that it was imputed to him, but for us also, &c."

Great stress has been laid on my reading of the deliverance of the Israelites from Egypt. Had that part of holy writ been omitted, the history of the church of God could not have been understood. The mercy the power and the providence of God are signally displayed in that part of sacred history, and cannot fail to impress with a sense of religious fear and trust even the stupid mind of a negro. For this reason, I suppose, the apostle Paul in 1st Cor. c. x. v. 1, to 11, presses upon our particular attention this very portion of the scriptures: "Now all these things happened unto them for examples; and they are written for our admonition, upon whom the ends of the world are come." In reading the portions of scripture, partially related by the witnesses, care was always taken

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to guard against perversion or misapplication; such reflections only being made at the end of the chapter as were of a moral and religious nature. Even those witnesses for the prosecution, whose memories were so very tenacious on the subject of Moses and Pharaoh, and the children of Israel, though it is two years since I have read to them about these persons, have stated that they never heard me apply the history of the Israelites to the condition of the negroes. If they themselves read the Bible, and so applied it, the fault must be charged upon their ignorance, and shows the necessity of their having more instruction. It is to the ignorance of men that the apostle Peter imputes the perversion of the scriptures. In his second Epistle c. iii. v. 16, where speaking of Paul's Epistles, he says, "In which are some things hard to be understood, which they that are unlearned and unstable, wrest, as they do also the other scriptures, to their own destruction."

The deacons praying extempore at the morning service, is repeatedly brought forward in the evidence for the prosecution, whereby it appears that an attempt was made to show that I taught them, in an insidious and artful manner, to reflect upon their masters, and thereby to infuse into the negroes a spirit of dissatisfaction. Extempore prayer is practised, I believe, in every Christian church, except those of England and of Rome; and among most, if not all, classes of Protestant dissenters, the deacons and members pray at meetings of that nature. With us it was not the deacons only that prayed, but any of the male members whom I judged capable of so doing: they prayed aloud, and were taught by me to pray with their eyes shut; this was for the purpose of abstraction. But surely it proves that I could not have taught nor allowed them to introduce any thing offensive in their prayers; for whilst they were praying, with their eyes shut, any black, coloured, or white person might have entered the chapel, as the doors were always open during such prayer-meetings. Instead of the witnesses having proved that I perverted and misapplied the scriptures, let the evidence be examined, and it will clearly show that the prayers and doctrines I taught them were calculated to instruct them in nothing but what was good, moral and religious. One of them (Bristol) has given a specimen of the prayers used by them; and what is it? He said, he prayed to God "to bless and help them all, that they may be enabled to seek after him more and more, and that he would bless their masters, and the governor and fiscal; that they (the negroes) might make good servants unto them, and that they might make good masters unto them (the negroes,) to give them health and strength to do that which it might be their duty to do; to bless all their brothers and sisters." Bristol was then asked, "If the negroes ever prayed about their master's heart," he answered that they prayed that the "Lord might bless them, and change their hearts, and their masters hearts also." This is surely not wrong.

He was asked if these prayers were taught him. He answered, "No, he prayed of himself, out of his own heart."

The memories of the negroes appear to have been tenacious of that part of sacred history concerning the deliverance of the children of Israel. This cannot be imputed to me as a crime, for there is not a chapter upon this subject that I have read to them twice. I went regularly through, except in omitting from caution such chapters as I thought might be misunderstood. Emanuel was asked, "Was it told you why God so commanded Moses." He answered, "That was because God did not wish that they should be *made slaves*." I certainly did not tell the negroes this. I read the lessons from the small pulpit, as Azor proves, and my sermons were delivered from the upper pulpit; it was not likely that in a mixed congregation, assembled with open doors, I should expound doctrines in a manner objectionable to the community at large. I boldly put the question to this very witness Azor, "When the prisoner talked or explained to you about the children of Israel, did he tell you that the state or situation of the negroes was like to that of the children of Israel?" His answer was "No." Had I been conscious that this question could have been answered in any other way, would I have dared to put it?

Thirdly.—It is alleged that I took money and presents of the negroes: This, I suppose, is to show that by so doing I impoverished them, and hence made them dissatisfied with their condition. The evidence for the prosecution clearly proves, that whatever money was contributed was entirely voluntary on the part of the contributors. Once a month, after the sacrament, a collection was made amounting, as Bristol states, to from *f. 30* to *f. 35*: I believe the average amount was about *f. 30*. With this money bread and wine for the communion, and candles for the use of the chapel were purchased. I presume no one will suppose that I was much the richer; for that Bristol further says, "Some that could afford it gave two bits, some one bitt, and some nothing; but whether they gave or gave not, still they were welcome to partake." I never said a syllable to them about collecting it: they had I believe been in the habit of doing so from the time of Mr. Post.

It is further said, that I took money of the negroes for the Missionary Society. I did so. It was by the society's request, and with the knowledge of their masters, some of whom approved of it. On commencing this contribution, I explained from the pulpit the nature and object of the society, and the necessity of their being supplied with money to enable them to carry on their designs, and invited those who chose to become contributors; many gave me their names, some of whom paid their subscriptions regularly, while others scarcely ever paid at all. A collection was made about once a year in the chapel. The money was reckoned by the deacons, the sum put down by myself, and the year's amount remitted to the society, as is apparent by the society's publications and letters. These contributions were entirely voluntary. No negro was asked personally to subscribe, they did it cheerfully, on being appealed to from the pulpit. This is not only according to the usage of all churches, but agreeable to the scripture.

Concerning

Concerning the fowls and yams which the negroes gave us, I can only say, it was very seldom they gave us one or the other. At the holidays, three or four of the people would bring each a fowl, or duck, or yam to Mrs. Smith, and in return for this, when they were sick, they would send to ask for wine—generally half a bottle was given; the quantity of wine thus given from time to time, I am pretty sure, more than overpaid every trifling present made by the negroes.

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Fourthly.—My selling books to the negroes has been spoken of with disapprobation. The books were Bibles, Testaments, hymn books, spelling books, and catechisms. The Bibles and Testaments were from the Bible Society; they were sent with invoices of cost and charges, allowing me, however, a discretionary power in the disposal of them. When it appeared to me that the applicants could afford to pay the full value of the book, I charged a guilder for a shilling in the invoice, which, with the charges and difference of exchange, was about their value. When the applicants could not afford to pay the full price, they had the book for what they could afford; frequently for half-price. Testaments I sometimes gave away, but for the Bibles something I believe was always paid. No one, to my recollection, ever said he could not afford to pay, either the whole or part of the price, though I frequently asked them when they applied. The other books I was obliged to pay for before they came from England, of course I could not afford to give those away; and charged for them the same, at the rate of a guilder to a shilling. Of catechisms I have given away at least 1,000. Had I sold a thousand Bibles, and each of them at double the price I did sell them at, yet, I would ask, what would that have to do with the charges? The negroes purchased them voluntarily, and had I forced them to purchase, and discontent had arisen therefrom, surely the consequences of that discontent would have fallen upon myself and not upon their masters. In selling the Bibles I have done no more than follow the instructions of the Bible Society, and the practice of many clergymen of the Church of England; one of whom feared not to sell Bibles in this colony.

Fifthly.—That I have interfered with the treatment of the negroes:—I have not interfered in any manner with the temporal concerns of the negroes, save in such cases as were intimately blended with their spiritual concerns; as for instance, in settling their disputes, rebuking the members for offensive language, taking two wives, and immoral conduct in general, and giving them such advice as I thought calculated to render them comfortable and happy.

This is what is meant by the passage read, "That a missionary must sometimes act the part of a civil magistrate." That this was proper and correct no one can deny, for the scripture enjoins it.

It is not, however, necessary to have recourse to subtleties or specious arguments to disprove that I have interfered in the treatment of the negroes; there has been no evidence adduced in support of this assertion of the prosecutor; nay, my own journal, under date 21st March 1819, ought to be sufficient evidence on my behalf: "I wish the negroes would say nothing to me of their troubles, which arise from the severe usage of their managers, &c. as it is not my business to interfere in such concerns, and only obliges me to treat such conduct with apparent indifference, and behave with coolness to those who relate it." In corroboration, Bristol, one of the deacons, a constant attendant of the chapel, and continually present at the services, swears, "that some people complained of being licked for not doing the work on a sabbath; they might have complained to Mr. Smith for something else, but I do not know it." The prisoner does not listen to the complaints of the negroes, only when they come to complain of what I have just spoken. He said, if there was any such thing, (*i. e.* flogging the negroes for coming to chapel,) he, the negro, must go to the fiscal or governor. Some of the planters have referred the quarrels of the negroes to me to be settled.

Sixthly.—That I have taught them to disobey their masters:

In support of this, Azor states, "That I called up all the members, and inquired where they had been; some said working half row, others said their managers gave them work; and that I thereupon remarked, that they were fools for working on a Sunday for the sake of a few lashes." This witness was asked, "Who was present?" and he was required to name some one of them. He declared that he knew no one; but, upon being pressed, said, "A driver of Mr. Postlethwaite's estate." That this witness is not to be believed is evident from the fact of his declaring that he knew not the names of the members present, although he is one of the oldest members, and is as well, if not better, acquainted with every member of the chapel than myself. His reason of forgetfulness on this head is obvious; he knew he was telling an untruth, and that if he mentioned any individual by name, that individual would be called to disprove his statements. Admit, however, that he has declared the truth, that his veracity is not to be questioned, how shall we reconcile this part of his evidence with that which followed, wherein he swears, "that I always taught the people, from the pulpit and otherwise, to do their work, obey their masters and all in authority over them." The part of this evidence to be believed can be easily ascertained by reference to the evidence of Romeo, a man that was present on every occasion, and who, upon his examination, being asked, "if he had ever heard me tell the negroes they must not mind for a few lashes," answered, "No," and added, "I did not hear him say so: he said, if their masters gave them work, to do it patiently; and if their masters punished them wrongfully, they must not grieve for it." Bristol also states, that he has heard me speak about working on a Sunday, and that I said, "if their masters gave them work to do on a Sunday, they must do it, because they could not help it;

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that they were not to break the sabbath day in doing their own work, because they must keep holy the sabbath day, which is a commandment of God ;” and he emphatically added, “ *that is all.*”

Seventhly.—That I have taught the negroes that it was sinful to work or traffic on the sabbath :

Every member of the court will, I am sure, allow, that in doing so I taught one of the first precepts inculcated in that holy book on which they have sworn to do justice.

From many passages of scripture which might be quoted, it is obvious that the violation of the sabbath by voluntary labour, which is not absolutely necessary, is regarded by our Maker as a heinous sin, and, on the contrary, the keeping of it in a religious manner is considered a virtue, and accepted as such through the merits of the Redeemer. In the face of so many precepts, could I tell the negroes there was no harm in working their grounds or in going to market on the sabbath? Was it for me to dispense with the commandments of God? Surely not. Voluntary and unnecessary labour on the sabbath I disallowed; I considered it a sin, and told them so. And if they are properly provided by their owners with the necessaries of life, as is asserted by all the planters, they can have no absolute necessity for going to market on the sabbath. One of the witnesses has stated that he heard me say, “ If your master has any work for you to do on a Sunday, it is your duty to tell him that Sunday is God’s day;” and that I said it “ often.” Even admitting this to be true, which I by no means do, I would ask, what crime have I committed? Are their masters greater than God? The very reverse is the case: Romeo and Bristol abundantly prove, that I taught the negroes to obey their masters if they were commanded to work even on a Sunday. Azor has sworn, that I told the negroes, that “ if half a row was left it was not right to finish it on a Sunday;” and upon cross-examination proved, that “ I did not tell them not to finish the half row, but merely said it was not right.” And who is there present that can truly say I was not justified in this remark?

Azor and Bristol say they have heard me speak about the people of England going to church: the former says he has heard me say, that this country was a very wicked country; in England they were all free, and they all kept the sabbath. Bristol says he has heard me speak about the people of England going to church. “ In this country we cannot attend church as we would wish, because that is a free country, and in this we are slaves: that we must pray to God to help us, that we may be enabled to attend as far as we can: in this country they could not attend chapel as they could in any free country.”

The allusion made by me to the churches in England, or in any free country, was merely for the purpose of showing some of the members, whose conduct was very faulty, that such behaviour in members would not be allowed in a free country; and it was only the consideration of their being slaves that made me tolerate many things in them which were not agreeable to the Christian religion, and for which, in a free country, they would be excommunicated: but that they must not make their condition in life an excuse for breaking the commandments, and neglecting religious duties; but they must pray to God to help them to serve him to the best of their power. I could never imagine that such an allusion to a free country would be construed into a crime.

I think it necessary to notice here the assertion of the prosecutor, that my interference related to the acts and deeds of the constituted authorities of this colony; to prove which, were produced some extracts from the journal, and two witnesses; Doctor M^cTurk and Lieutenant Nurse.

There is not one word of this in the charges; and I defy the most subtle ingenuity to show that the evidence on this point can be noticed by the court; however, extracts were read; one of them stated, “ That I believed the laws of justice, which related to the negroes, were only known by name here.”

Hearing of the cruelty of some manager to a negro, and soon after seeing the driver flog a negro in the absence of the manager and overseer, occasioned this remark; here it is evident that the laws of justice refer to the arbitrary punishments inflicted by managers, and to the drivers flogging negroes in the absence of a master. That these things were common on some estates, at the time this was written, viz. in September 1817, is too well known to be denied.

I am truly sorry to be obliged, in my own defence, to touch upon what I must now state; but I am not the aggressor, I did not bring the journal forward, it has been produced, and those passages read; I am obliged therefore in duty to myself to explain them. The extract under date, March 22d 1819, is, “ That from the grumbling of the negroes I was apprehensive of some disturbance; that I felt inclined to state my opinion to some of the rulers of the colony, but thought no notice would be taken of it, unless I criminated some one; i. e. lodged a complaint against some planter for violating the law in respect to the slaves.” The following facts will, I trust, sufficiently explain this passage. About Oct. 1818, the Missionary Society printed an extract from a letter of mine, in which it was stated, that the congregation at Le Resouvenir had lately decreased in number, owing to the planters working their slaves on Sunday. The fiscal saw this, sent for me, and insisted on my bringing forward legal proof of the planters working their slaves on Sundays, that he might prosecute the offenders. My object having been merely to account to the society for the cause of such decrease in the congregation, and not the prosecution of the planters, I declined bringing such proof. The fiscal then acknowledged, that he knew the negroes were worked on a Sunday, and that he had twice fined Mr. Benny for this offence, but that he wanted legal proof of other instances, or words to that effect.

The

The matter passed over, and the congregation continued to suffer from the same alleged cause. Hence arose my reflections.

That I was justified in these reflections will be shown, by proving what I have stated. My journal, however, was the depository merely of my own thoughts, and I never promulgated its contents; had I done so, there would have been witnesses found to prove it.

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I shall now take Dr. M^cTurk's evidence; it relates to two points,

1st. The small-pox.—2d. My arrest.

He could not prove any thing of recent occurrence, but he must prove something; and therefore has recourse to an affair that occurred in the year 1819, nearly four years ago; he has said much upon this subject, in fact, all that he could devise. It is unnecessary for me to go through his verbose evidence, its inconsistencies alone will I attack.

He says, that the small-pox occurred, or first broke out upon the estate in October 1819; on the 20th November he received a letter or order from his honor the Fiscal, enclosing one for me, bearing even date with his own. The letter to him desires him "to devise such means and take such steps as in discretion he should judge necessary, to see the order duly complied with." The order to me was, "that I should shut the chapel of plantation Le Resouvenir from all negroes not belonging to the said plantation, *as long as the small-pox* was upon that plantation," adding the reason "in order to prevent, as much as possible, the danger of spreading the infection further." The order was therefore *conditional*, and Doctor M^cTurk had a *discretionary power*; not only the letter states the doctor's discretionary power, but he has sworn he possessed it. Doctor M^cTurk was at that time the medical practitioner of the estate; he was also burgher-captain, and residing on the very next estate; he had known of the small-pox in October; not till the 20th of November was any step whatever taken by him to prevent the disease spreading; on the 20th November, however, this order, the first and only step taken, was given to me; I complied with it, Doctor M^cTurk says, partially; I shall come to that directly; no order was then issued to the managers to prevent negroes of other plantations from coming to Le Resouvenir, or to the manager of Le Resouvenir to prevent the negroes from going to other estates, or going to town. On the very day I received this order the negroes were assembling for chapel, for it was on a Sunday. I instantly dismissed those that were present, and employed persons to tell those who should come rather late, that they were not to stay, and to inform them of the cause.

About three weeks from the 20th November, elapsed.

The infected negroes, who had been placed at the back of the estate, were pronounced by Dr. M^cTurk, to be cured; they were allowed to return among the other negroes of the estate, and the house they had occupied was burnt; the cases not reported are admitted by Doctor M^cTurk, in his evidence, to have happened previously to the house being burnt.

Upon the house being burnt the disease was considered by every person on the estate to have been eradicated; this can be proved by Mr. Hamilton, then manager on Le Resouvenir, who at the time addressed a letter to Dr. M^cTurk on the subject; some of the negroes then began to attend the chapel as usual, nor did I prevent them. On the 24th of December an order is issued to the managers of the estates to prevent the negroes in general from coming to the chapel, and to Le Resouvenir; even then no order is given to the manager of Le Resouvenir to prevent the negroes from going to other estates, or going to town; no order is given to the managers of other estates to prevent the negroes of Le Resouvenir, from visiting their negroes; yet Dr. M^cTurk, the medical attendant, burgher-captain, and invested with discretionary power to carry the orders of the Fiscal into effect, under oath, "Supposes the disease is very dangerous;" supposes that it is more dangerous here than in Europe; and swears "that most assuredly a person may appear cured of the small-pox for months, and yet the disease may be lurking within him so as to be contagious." It is not necessary for me to seek after the cause of these extraordinary inconsistencies; Doctor M^cTurk has told the Court, under oath, that "the restriction applied *solely to the chapel.*"

He has said that the orders were partially observed for three weeks. Hamilton in his letter says, "to my certain knowledge there was no attendance by any negroes of the neighbouring estates to the chapel until the small-pox was considered by you, and me, and every person on this estate, as demolished." Doctor M^cTurk was asked, "who were the negroes that attended during the three weeks." He answered, "some negroes from Vryheid's Lust.

Vryheid's Lust is the property of H. van Cooten, the attorney of Le Resouvenir, and is to leeward, not far distant from Le Resouvenir. Had the negroes attended, H. van Cooten, the owner of one and attorney of the other estate, would most likely have known it. Hamilton's letter, however, is an answer to this.

Then we have a tale of Doctor M^cTurk's application to Doctor Walker, and his *anxiety* to get the Fiscal's permission to remove the restriction. The first is answered in his cross examination, where he declares, that "Doctor Walker never himself examined into the state of the negroes, but gave his opinion upon his (Doctor M^cTurk's) statement." With respect to the second, if it was necessary for Doctor M^cTurk to obtain permission of the Fiscal to remove the restriction, what became of the condition contained in the order of the 20th November 1819, and of the discretionary power vested in Doctor M^cTurk, with respect to that order?

Doctor M^cTurk then relates an attack, as he calls it, which I made upon him; but he

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did not say that he provoked any apparent disrespectful language I may have used on that occasion. He has not told the Court, what I shall prove, that he sneered at me, and mocked at the idea of the negroes being instructed in the tenets of our holy religion.

With respect, however, to the whole of Dr. M^cTurk's evidence on this subject, I have two objections :

1st. That if the whole of it were true, and taken in the spirit he gave it, still it cannot be received in evidence under any of the charges exhibited against me.

2dly, That it occurred upwards of three years ago ; and by the 158th section of the Mutiny Act all prosecution or trial on account of it is barred.

With respect to my arrest, I shall take the latter part of Doctor M^cTurk's evidence, and that of Lieutenant Nurse together.

I am described as setting at defiance the commands of Captain M^cTurk. At the time, that is on Thursday, when Lieutenant Nurse ordered me to enrol myself in the militia, under Doctor or Captain M^cTurk, I did consider myself exempted from duty on account of my profession.

That I was mistaken is my misfortune. I knew that by Act of Parliament all ministers of the Gospel were exempted from bearing arms ; and I considered that applied to my case in this colony. My counsel has since explained to me, and further told me, that in the eye of the law ignorance is no excuse. Lieutenant Nurse says, he explained the nature of martial law to me.—I deny that he did. I suspected the offer of Dr. M^cTurk, and more particularly as Mrs. Smith was mentioned in the instructions of a man who was my avowed enemy. I readily submitted to the sealing up of my papers. But when what I have since learned is known, *viz.* That Dr. M^cTurk's object was to arrest me, and that he did not want me for the purpose of bearing arms, let me ask in the name of candour and truth, what is all this evidence about my disobedience of orders brought forward for?—Had not Dr. M^cTurk, had not Lieutenant Nurse himself, sufficient force to have arrested fifty individuals like myself—why did they not do so?—No; if I refused, Lieutenant Nurse was not to use force. Had Dr. M^cTurk wanted me merely for a soldier I should not have been left by the lieutenant in the first instance.

After all, am I tried for disobedience of orders? the charges say nothing about this offence, even had I committed it, and I humbly trust the Court will view the evidence of these men in its proper light.

It has been stated that I remained at my house during the whole revolt in safety and without fear. I did so; but why?—I possess no slaves, or slave; I am not conscious of ever having wronged one. They had on the first night of the revolt, when I went over to Mr. Hamilton's, requested me to return to my house, as it was not their intention to trust any one, and I believed these assertions. Perhaps I placed more faith in the promise of the negroes than it was politic to do, or than others would have done; but too much reliance on such a promise surely cannot be an offence.

I have, I think, now stated sufficient to prove the fallacy and failure of the attempt of the prosecutor to prove that I was the cause of the revolt.

The prosecutor, however, in his zeal to throw the whole blame upon me, appears not to have foreseen the consequences of this attempt.

I shall now come to that part of the charges which regard the allegation of my having had knowledge of the revolt, and not having informed the constituted authorities of the same. As the first part of the second charge, and the third charge, appear to relate to the same supposed offence, in fact, to be one and the same, I will take them together.

The first part of the second charge, is, "That *having*, about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negroe named Quamina, touching and concerning a certain intended revolt and rebellion of the negroe slaves within these colonies of Demerara and Essequibo." The third is, "For that he, the said John Smith, on the 17th of August last past, and for a certain period of time thereto preceding, having come to the knowledge of a certain revolt and rebellion intended to take place within this colony, did not make known the same to the proper authorities; which revolt and rebellion did subsequently take place, to wit, on or about the 18th of August now last past."

With respect to the first part of the second supposed charge, it is impossible to make sense of it, either alone, or joined with the second part of the second charge. It does not charge me directly and positively with any offence, but appears to have been an introductory recital to the charge of some offence, which the learned prosecutor might have intended to make. An offence ought to be stated, in clear, positive, and direct terms; the offender ought to be charged with the offence in such a manner as to enable him to meet it; it ought not to be set forth as introductory matter, or by way of recital, for the law of England allows not this in criminal prosecutions, in any of its courts.

With respect to the third charge: the offence of which I am therein accused is expressly confined to the 17th of August last past, and for a certain period of time thereto preceding. The prosecutor is bound to confine his evidence to facts within the limit of that period; and although he may have attempted to introduce evidence of facts, which, he says, occurred on a day subsequent to the seventeenth, yet I do most solemnly protest against such evidence being taken into consideration by the Court, and I feel convinced the Court will allow the validity of my objections.

I shall, it is true, notice all the evidence, but I shall do so merely to explain it, that it may not hereafter prove injurious to my character, protesting, however, against its being noticed by the Court in any other way, under the charges preferred against me.

I have

I have told the Court that I wish to meet all the charges in a fair and impartial manner; I will endeavour to do so; but I will meet only the charges, for I am not bound to answer any extraneous matter, or any facts not happening within the time the prosecutor has stated. He has had many weeks to draw up his charges, and collect his evidence, and if he had not, still the law will not permit him now to supply defects.

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The evidence under this head is threefold:

- 1st. To prove that positive information was given me of the revolt on the 17th of August, and for a certain period of time thereto preceding.
- 2d. That after the revolt broke out I confessed or admitted a previous knowledge.
- 3d. That I was on the 18th informed of the intended revolt, &c.

The witnesses on the first point are Emanuel, to prove that I knew of it three Sundays before; and Bristol, to prove that I was informed by Quamina, on the Sunday immediately preceding. Manuel states, that "three Sundays before this war came, Quamina, accompanied by him, Manuel, came to my house, to make inquiry respecting a paper of freedom, of which Manuel had heard Jack speak; that Quamina asked "why Mr. Cort and Mr. Stewart had called on me the preceding Friday? and was answered, "to inquire whether any of the negroes ever came to ask me about this paper; and further, Quamina told me, in his hearing, to take Jack and Joseph, and talk to them, because they wanted to make trouble about this affair.

This statement is altogether false, Quamina never opened his lips to me about the paper, (as they speak), except on the 25th July. This witness says it was three Sundays before the revolt, *i. e.* the 3d of August, that Quamina and he came to make the inquiry alluded to, and to ask why Mr. Cort and Mr. Stewart had called upon me; now Mr. Cort and Mr. Stewart did not call upon me till the 8th of August, and how is it possible that on the 3d of August any conversation could have passed relative to Mr. Cort and Mr. Stewart having called upon me on the 8th. From what he says respecting Mr. Cort and Mr. Stewart having called upon me, it may be thought that Manuel made a mistake as to the particular day, and meant two Sundays instead of three. Could the Court be brought to allow any validity to the testimony of so incompetent a witness, I think I can satisfactorily prove, that on the second Sunday before the revolt I was not in my study, unless merely to fetch any thing out of it, from before seven in the morning, an earlier hour than he came to chapel, until past five in the afternoon, long after all the negroes had returned home. The second Sunday before the revolt was our sacrament day, and on those days, for many months past, I had no time for retirement after leaving my study at seven in the morning: The morning service continued from about half past seven till nine. From thence, till ten, I was fully engaged catechising candidates for baptism. Breakfast followed, and then, immediately after, the meeting of the deacons and myself, and the members mentioned by Azor, as taking place at ten o'clock on the first Sunday of the month. This was a prayer meeting preparatory to the communion. On the conclusion of this service, the noon service was commenced, which was followed by the administration of the Lord's Supper. These services concluded about three, or half past three o'clock, and I resumed the catechising of such of the candidates for baptism as had been omitted in the morning for want of time; and I find it noted in the journal, that on that day I had been fully engaged from seven in the morning till half past four, thus it was impossible for me to have been sitting in my study on that Sunday. This witness is also, in another place, inconsistent with himself: he says he heard all the conversation that passed between Quamina and me at that time, and yet while he went into the parson's kitchen to get water to drink, Quamina was in the room. He could not get water in the kitchen, he must either have gone some where else for it, or, which is more likely, have waited till some one fetched it for him.

Again, Manuel says, "Quamina went away from there" (the meeting in the middle path of Success,) "with Bristol the deacon, about four o'clock on the Sunday before the war began. I saw them go on the path towards Mr. Smith's. Bristol came back about five o'clock; he said it was wrong, and they were not to do any such a thing." With this it is necessary to compare the testimonies of Bristol and Seaton: the former of whom says, "I was not at the meeting in Success middle-path; was not in that middle-path on the Sunday before the revolt. I went with Quamina to Mr. Smith; I went direct from the chapel to Mr. Smith's house. After I had talked to Mr. Smith about my girl, I went to the chapel; after that I think I went home." Seaton says, "I did not see Bristol at the Middle Walk on that day." Again, Manuel says "the whole congregation was at the meeting in Success Middle Walk." Seaton says, "not many people were there." Lastly, this witness (Manuel) says, that "he heard of the revolt a month and a half ago, before it; and, in another part of his evidence, he makes it appear, that he had only just heard Jack speak about the free paper, and asked Quamina if he knew any thing about it, who said, follow me, and immediately came with Quamina to me to make the inquiry.

The simple facts of my supposed knowledge on the 17th of August are these: On that day, it being Sunday, I had been in the discharge of my ministerial duties in the chapel to a very late hour. It was at least four o'clock when I finally left the chapel to go to my dwelling-house. On arriving there, I found Bristol talking with Mrs. Smith about a little girl, a daughter of his, whom he wished to place under Mrs. Smith's care. I joined in their conversation, and found that the girl had had the measles, from the effects of which she was then stated to be only just recovering. On this ground I objected to her being brought to the house until she was perfectly recovered, as there were negroes on the estate whom she might have infected with the complaint. Whilst I was conversing with

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with Bristol, Quamina and Seaton, according to custom, came in, and were soon followed by two others. Their coming in was nothing unusual; it was not a circumstance to excite any particular notice. They seldom went away on a Sunday without coming in to the back gallery to bid us good bye. This was the case with many of the people, and I considered that they came in, on that occasion, merely for that purpose. They were all standing together, and I went into the hall to get a glass of wine. While drinking it, I heard Quamina and Seaton, who were talking together in a low tone of voice, use the words 'manager and new law.' This induced me to rebuke them for talking about such things. Quamina said "Oh, it nothing particular sir; we were only saying, it would be good to send our managers to town to fetch up the new law." I immediately replied, that such conversation was improper; that they would be fools to say any thing to their managers about it, for they were not the law makers; that if there was any thing for them they should wait patiently, and they would no doubt soon hear of it, either from the governor, or from their masters; but that if they manifested any impatience, or behaved insolently to their managers, they would lose their religious character, and would provoke the governor here, and the King and the Government at home. Quamina replied, "very well, sir, we'll say nothing about it, for we should be sorry to vex the king and the people at home." They then went out all together, each bidding me and Mrs. Smith good afternoon.

From all that passed I had not the smallest idea that they intended to revolt. The receipt of Jacky's note on Monday evening brought to my recollection what I had heard the preceding day, and caused me then to attach to it a meaning which I had not attached to it before.

I will examine the evidence given by the witnesses for the prosecution, and will not only content myself with pointing out the inconsistency and improbability of the whole, but endeavour to prove the facts as they really occurred.

Bristol is the only witness to prove that I was informed of the revolt on the 17th of August; Bristol says, "on the Sunday before the revolt Quamina and he came into our house to ask me about a paper that had come from home, to make the people free; when we went in, Quamina asked Mr. Smith if any freedom had come out for them, Mr. Smith told him no; Quamina said Jack and Joseph were speaking very much about it, and wanted to take it by force; Mr. Smith told them to wait, and not be foolish; 'how do you mean to take it by force; you cannot do any thing with the white people, because the soldiers will be more strong than you, therefore you had better wait;' he said, well, you had better go and tell the people, and Christians particularly, to have nothing to do with it." Seaton says, "Quamina came back to our house from the Success Middle Walk." It is possible he might have done so, but I neither saw nor heard of his coming to my house a second time. When Quamina and the others left, we immediately sat down to dinner, after which, we took a longer walk than usual, and returned in company with Mr. Hamilton and Mr. Van Ness, who remained with us till between eight and nine o'clock.

The statements of Bristol and Seaton are very incorrect, and in a great measure false. They say that Quamina came to ask if there was any paper of freedom come out. It was very unlikely that Quamina should come to ask such a question, when he had been told by me, in answer to his own inquiry on the 25th of July, that the report of freedom having come out was false, and must not be believed, for the king could not make them free.

Bristol states, that Quamina told me "Jack and Joseph wanted to take the freedom by force." Seaton represents himself as being present at least at the beginning of the conversation, when, according to Bristol, Quamina said, "Jack and Joseph wanted to take their freedom by force," but Seaton is silent on that, and swears, that nothing was said on that occasion about freedom having come out from England for the negroes. In his cross examination he is pointedly asked the question, "Was any thing said about freedom having come out from England for the negroes?" and he answered "No." I shall prove, that Seaton was there during the whole of the conversation, although he says, that he went away alone. A more cursory review of this part of Bristol's evidence will be sufficient to detect its prevarication and falsehood. He says, "when Quamina was going into Mr. Smith's house I went with him," and in another place, he says, "I believe I talked to Mr. Smith about my little girl before Quamina came in; Mrs. Smith was present; I can't tell whether any body came in while I was talking to Mr. Smith about my girl; may be some body might have come in. After I had talked to Mr. Smith about my girl I went to the chapel; after that I think I went home. I did not see Mr. Smith after I went home. When Quamina told Mr. Smith that the negroes were going to take their freedom by force, I did not see any body else present." Although other negroes were in the room during the conversation. Seaton also says, "there was no one else there but Quamina and Bristol and himself."

Many questions were put to the witnesses relative to the sermon I preached on the Sunday preceding the revolt. There is no length to which perversion will not lead men. Neither the text nor the sermon could have, nor had, in my mind, any reference to an event of which I was as totally ignorant as any member of the Court. It is a text which is frequently selected by ministers. I have myself preached from it before, and I am pretty sure in the same chapel. The circumstance of a number of our congregation being advertized for sale by auction, some on the day of the revolt, if I am not mistaken, and others soon after, was the cause of my choosing that text, as it certainly was on the second Sunday before the revolt. I expected that many of the people would be removed far from the means of religious instruction, and would probably never again enjoy the privileges they had in too many cases abused or neglected.

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The sermon was to a large congregation, and (though not larger than usual,) notwithstanding Doctor M^c Turk swears that many more people than usual came to Le Resouvenir that day, there were many white gentlemen present, and surely if any thing had been advanced indicative of what was about to take place, some of them would have come forward and testified to the Court. But strong as is the current of prejudice against me, no one has intimated any thing on that subject. Had I been aware of the intended rebellion, surely I must have been an idiot to have chosen a text which it was possible for the ingenuity of my enemies to turn against me.

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I cannot dismiss this part of my defence without noticing the extreme scantiness of the evidence produced to prove a previous knowledge of the revolt, and a previous correspondence with Quamina. Bristol, the only witness as to the communication of Quamina with me on the 17th of August, upon his cross examination was asked by me, "Were there any preparations made for the war before you and Quamina went to Mr. Smith?"—"No, I do not know of any." "Had the people no guns or powder or shot provided?"—"I did not see any." "Did Quamina tell Mr. Smith by what means they intended to drive the white people to town?"—"No, sir, no further than I said before, that Jack and Joseph had said their freedom had come out."—"Did he, Quamina, say when the white people were to be driven to town?"—"No."—"Did you hear all the conversation that passed between Quamina and Mr. Smith?"—"Yes."—"Will you state all that Mr. Smith said, as well as all that Quamina said?"—"I have already stated all I know." With the exception of the story about Jack and Joseph, which I will prove did not occur, what is the whole of this tale? why, that there was some sort of grumbling among the negroes; but was I to infer from this circumstance more than was inferred by others from things of greater magnitude? Does this evidence prove that I had a *knowledge* of the revolt? It would have been strange if such knowledge could have been derived without any mention of place, time, or circumstance.

The most that this evidence, were it all true, could prove, would be, that what passed might have awakened my suspicions. Had my suspicions been awakened, that was not knowledge; and I am not aware of any obligation I labour under to impart suspicions when I was not likely to meet with attention, especially as suspicions were at that time entertained by almost all persons in the colony.

2dly. That after the revolt broke out, I confessed or admitted a previous knowledge. To prove this two witnesses were called, John Baillie and John Aves.

John Baillie states, that on the first evening or night of the revolt he called at my house, where he saw me for the first time; that he said, What a piece of work is all this! that thereupon I asked what he meant by a piece of work; that he answered, about the negroes rising; and remarked that it was very extraordinary they should not hear of it in town before it came to the point; and that I made answer, and said, "I have known about this these six weeks." Were the evidence of this man borne out by that of John Aves, and had I even said that I had known about the revolt for six weeks, to what would it have amounted? Does the word "know" necessarily imply knowledge derived upon information or participation? Does it not also very often imply an opinion grounded upon certain data. But the truth is that I did not use the word know. I might have said "this was to be expected six weeks ago," or words to that effect. Indeed John Aves declared, that such was the expression used to him. John Baillie swears that John Aves and the two black men were present in a very small room during the whole conversation between me and himself. John Aves gives a different account of this, and says, that I said "this is a thing been expected these six weeks;" let the account given by each of these witnesses of their conversation with me be read, and it will be found that they so exactly agree in all things, save the words "know" and "expected," that no one can for a moment doubt that they were together during the whole conversation upon this subject. They both of them saw me for the first time, and this lasted for about a quarter of an hour, during which time it would appear, that upon a subject of such importance I held to two persons two different conversations, those persons being in hearing of each other, if they chose to listen to what was said. From the evidence of the negroes the revolt was not planned until Sunday the 17th, and yet I could on the 18th declare, according to John Baillie's evidence, that I had known of it for six weeks.

Gentlemen, such an event was not *surprising to me*, although I had no information or participation in the matter.

The negroes had on various occasions manifested a spirit of dissatisfaction. Instances of this I will prove. These instances were known to the different managers and attornies, for some of them communicated them to me. Mr. Cort and Mr. Stewart, men well acquainted with the negroe character, in consequence of my having voluntarily mentioned to Mr. Stewart, on the preceding day, "that Quamina had been there to inquire of me about the report of freedom," had called upon me to inquire whether I knew the state of their minds regarding the report which had got into circulation among them concerning the then last instructions from home: Mr. Cort can prove that I felt disposed to tell them from the pulpit that the report was false, which he advised me not to do, as it might give offence.

The negroes knew that some instructions had come out for them; their being held back gave rise to an opinion that it was unconditional freedom. I was asked about it by Quamina. I told the truth concerning the instructions regarding the whip; informed him that there was no freedom; and gave him such advice on the occasion as has been stated by several of them—to wait in patience for it. This was on the 25th July, and communicated to Mr. Stewart.

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As far back as under date 21 March 1819, my journal contains a passage, where, reflecting upon the murmuring and dissatisfaction of the negroes, I say, "nor should I wonder if it were to break out open in rebellion." It is a wonder that this has not been brought forward, to prove my knowledge of the revolt in August 1823. It was not myself alone that entertained fears and suspicions; others did; and I will prove that his Excellency was told, months before the revolt, that the minds of the negroes on the east coast were in a state of dissatisfaction, and that the informer apprehended that serious consequences would ensue. I knew not all this when I was arrested; but is it not a grievous hard case, that an attempt should be made to prove that I had knowledge of the revolt, and to punish *me for not telling what I did not know*, when the heads of the departments knew ten times as many facts upon which to ground their suspicions and expectations. I had suspicions only; and what would have been said to me, a poor despised missionary, had I imparted those suspicions, and they had proved groundless?

3dly. That I was on the 18th informed of the revolt.

I have already stated, that all the evidence produced on this point is extraneous and inadmissible. The period of time in the charges is confined to the 17th day of August, and a certain period of time thereto preceding; and the evidence must be also limited to the 17th of August; it cannot be extended to acts of the 18th, for I am not charged with having committed any act on the 18th: allowing, however, for argument sake, that such evidence might have been admitted—might have been taken into consideration by the Court, that it was so clear and conclusive as to satisfy the minds of any court that I so wilfully and illegally kept to myself what knowledge I possessed as to have incurred the penalty assigned by law for offences of the most heinous nature.

What are the facts attempted to be proved?—that about six o'clock a letter was sent to me, that at half-past six the revolt occurred, and I had not given notice of it to doctor M^cTurk!

The first intimation I had that the negroes had any improper intention was given me by Jackey's note. I have already stated that the contents of that note made me attach to what I had heard on the Sunday a meaning which I did not attach to it before. When Guildford arrived with the note, I and Mrs. Smith were going out for a short walk; she had her bonnet on, and was waiting for me; it was just six o'clock. Having read the notes, I inquired if he knew their contents, and who carried the inclosed note to Jackey; he prevaricated so much that I could learn nothing. I delivered to him a verbal message; I told him to return, making all possible haste, and tell Jackey that I was surprised, and vexed and grieved, to find that the people were meditating mischief, and that I hoped he would have nothing to do with the project whatever it might be, and endeavour to keep the people quiet. Just as he was going away, it occurred to me that Guildford might prevent the message if he was so inclined; to prevent which I told him to wait, and I would write an answer; it was too dark to examine the nib of the pen; I therefore wrote it in great haste with a pencil. When I gave the note to Guildford it was about a quarter past six. I put the notes in my pocket, and went a little way up the middle path with Mrs. Smith, consulting together as to the best step to be taken. We had not proceeded more than 70 or 80 rods when we heard a tumultuous noise at the manager's house.

We immediately turned back and went to Mr. Hamilton's door; seeing the negroes behave roughly to me for endeavouring to quiet them, Mrs. Smith ran away to get some body to fetch me away; she returned, and when the negroes had retired we went home together.

This is a simple and faithful statement of the facts of the case, upon which I will not trouble the Court with evidence, unless the Court should think (a thing hardly possible) the evidence of the prosecutor on this point admissible. But suppose then that the evidence was admissible, what does it prove; that I have done any more wrong than the burgher-captains, M^cTurk and Spencer, or Hamilton the manager of Le Resouvenir? M^cTurk swears that he knew it at four o'clock; Hamilton was informed of it in the morning; and though the one lived on the very next estate to Le Resouvenir, and the other on Le Resouvenir, neither of them imparted a syllable of it to me. Captain Spencer was informed of it by captain Simpson, yet did not believe it, and did not assemble the militia, nor even inform the managers of the different estates to be on their guard. Now here are men that had knowledge four hours before it broke out.

I knew of it a quarter of an hour only, and because I had not presence of mind, or even time to catch my horse, which I will prove, if required, for he was loose, and ride about the country, I am to be tried.

The reason of my tearing up the notes was, because, as the rebellion had broken out already, the communication of them to any one could not prevent it, and it never occurred to me that this might be otherwise useful.

I have at length arrived to the fourth and last charge, though, properly speaking, it is only the third offence alleged against me.

It consists of two parts:—

First, That on Tuesday morning Quamina was seen by the boy Mitchell coming to my house:

Secondly, That I held correspondence with him on the night of the 20th, well knowing him to be an insurgent and engaged in the revolt, without using my utmost endeavour to detain and secure him, and without informing the constituted authorities of his having been

at my house. And the second part of the second charge is to the same effect, and I shall take them together.

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The boy Mitchell is of notorious bad character, and what does his evidence amount to? that he saw Quamina come into my yard on Tuesday morning in open day-light, when the sun was high; and I most solemnly declare I never saw Quamina on the Tuesday morning. He may have gone into the yard, or he may not; I never saw him, nor had I ever any direct or indirect knowledge of his being there until I heard the evidence of Mitchell in court.

On the second point, viz.:—That I held correspondence with Quamina on the 20th of August, well knowing him to be an insurgent and engaged in the revolt, without using my utmost endeavours to detain and secure him, and without informing the constituted authorities of his having been at my house, &c.

Let us examine the evidence.

Antje says, that on "Tuesday, between twelve and two o'clock, Mrs. Smith sent for her, that she went, and on her arrival Mrs. Smith entered into conversation with her, and inquired of her what was the matter that the people were doing so?" Antje said, "I do not know Ma'am, the people wish to get their liberty." Mrs. Smith said, "the people did not behave well, for black people could not fight against whites;" she said "she had been afraid the whole night, and could not sleep"—That she (Antje) "was so afraid too, that she did not know where to go, either into the great house or the negroe house." Mrs. Smith said, "don't be afraid, they won't hurt you;" "then she went to lie down, and told me she wished to see Quamina or Bristol very much: I did not know any thing about it, but I then got a boy to send back to bring Quamina to the lady." Mrs. Smith said nothing in that conversation about which would conquer; she said nothing further; she said nothing about the mode in which the negroes were to carry on the war. By her evidence it appears that the next evening Quamina came to her, and she conducted him to my house, informing Mrs. Smith *only*, and *that* without my knowledge and out of my hearing, that Quamina was come; that she then conducted Quamina to my house; that Mrs. Smith received him and shut the door. The girl Elizabeth says she was in my house on Tuesday and Wednesday; knows Quamina, of Success, and saw him on Wednesday night inside the hall; that myself and Mrs. Smith were there; that I was sitting down in the hall close to the table on a chair; that Quamina stood a little near me; that no one else was in the room besides Quamina and Mr. and Mrs. Smith; that Mrs. Smith remained in the hall all the time that Quamina was there; I did not see her go to the front door during that time; I heard Quamina and Mr. Smith talk together; that Quamina staid there a little longer than she had been before the Court; that she saw him when he went out; that after Quamina went away she saw Mrs. Smith, who said she must not tell any body that she saw Quamina in the house, and if she told any body she (Mrs. Smith) would lick her; did not see the prisoner or Mrs. Smith give Quamina any thing; when he went he had a stick upon which there was a bundle.

Even though the whole of this evidence were true, there is nothing in it to show that I am guilty of the offence for which I am charged.

First, It is not proved that Quamina was a rebel.

Second, That I had any knowledge at the time of his being an insurgent.

Thirdly, Nor does it appear that I gave him any intelligence, or held any such correspondence with him as can subject me to punishment.

In the first place it is not shown that Quamina was a rebel. Some questions have been asked, and answers given, to show that Quamina was engaged in the revolt; but this is not sufficient; it ought to have been shown that he had been *convicted* as such. It is laid down in Hale's Pleas of the Crown, 234, "that if a person be arrested for treason, he that rescues him is guilty of treason," but according to the same author, 235, "*this case is not at all now in force, nor binding*." That therefore at this day, if one be committed for suspicion of treason, and another break gaol to let him out, yet unless the party imprisoned were really a traitor, this is no treason at this day." The same author in page 237, says, "he that rescueth a person imprisoned for treason, or suffers him voluntarily to escape, *shall not be arraigned for that offence till the principal offender be convicted of that offence*; for if he be acquitted of the principal offence, the gaoler that suffered the escape, and he that made the rescue, shall be discharged; and the reason is, because, though rescuing a person charged with treason, or suffering him wilfully to escape, be a great misdemeanor, yet it is not treason, unless in truth and reality he was a traitor; *for a man may be arrested or imprisoned under a charge of treason, and yet be no traitor*;" again, in page 238, "and though the receiver of a traitor *knowingly*, be a principal traitor, and shall not be said an accessory, yet this much he partakes of an accessory.

"That if he be indicted by a several indictment, *he shall not be tried till the principal be convicted*, upon the reason of the gaoler and the rescuer before given, for the principal may be acquitted, and then he is discharged of the crime of receipt of him. If he be indicted specially by the receipt, in the same indictment with the principal offender, as he may be, *yet the Jury must first be charged to inquire of the principal offender, and if they find him guilty, then to inquire of the receipt*, and if the principal be not guilty, then to acquit both; and accordingly it was ruled in Arden's case (G.) For though in law they be both principals in treason, and possibly process of outlawry may go against him that receives, at the same time as against him that did the fact, and though the principal appear, process may go

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go on against the other, *yet in truth he is thus far an accessory, that he cannot be guilty if the principal be innocent.*"

I said that it has not been proved that Quamina was a rebel. I maintain that to establish this, *conviction* was necessary. Even when he was shot, he had no arms, nor had any one that was with him, according to the testimony of captain M'Turk; and surely implicit reliance cannot be placed upon evidence of such witnesses as the negroes brought against me. The man was never tried; and however strong the presumption may be against him, still there is no saying, that had he been tried he might, upon cross examination of the witnesses against him, and by the evidence of his own witnesses, have so explained his conduct as to have shown that he was innocent. He might have been carried a-back by force, for any thing that appears to the contrary. It is contrary to the first principle of English law to believe a man guilty, until he shall have been proved to be so, that is, fairly *tried* and *convicted*.

Secondly, It is not shown that I had any knowledge of Quamina being an insurgent at the time he was at my house on Wednesday the 20th.

Criminality in this case entirely depends upon the *knowledge* I had of Quamina being an insurgent. The prosecutor has been aware of this, and has accordingly averred it. This averment was not only important but necessary, for in a case of this kind the very essence of the crime consists in the guilty knowledge of the defendant. Stark. Criminal Pleadings, 153. So the receiver of a traitor *knowingly* makes the receiver a traitor. Hale's Pleas of the Crown 237. It may be said that this knowledge may be implied. Implications and presumptions, however, are not to supply the place of positive evidence, where there exists a possibility of their being wrong.

There are three circumstances which deserve notice :

First, Mrs. Smith requesting Kitty Stewart to accompany Antje :

Second, Mrs. Smith shutting the door (as stated by Antje) :

Third, Mrs. Smith's threat to Elizabeth (as stated by Elizabeth).

I believe that a husband is responsible in civil courts for the acts of his wife, but that he is not responsible for any crime committed by her. I do not mean that it should hence be inferred that Mrs. Smith is guilty; but even were the evidence all true, it does not relate to me.

Mrs. Smith is my wife; but I solemnly declare I never knew any one of the three circumstances just enumerated until they were detailed in evidence. They relate not to *me*; and whatever suspicion they may carry with them, if believed, still that suspicion ought *not* in justice to operate against me.

Antje knew nothing about the revolt; and Jane Grant also swears that she did not know that Quamina had any thing to do with it. If then so many persons about me were ignorant of the fact, it surely could not have been notorious in my immediate circle; notorious or not, I did not know it. Had I known it, and desired to have a secret meeting with Quamina, I should certainly not have chosen my own house for that purpose; at all events I should have sent all the servants away.

Thirdly, It is necessary that the correspondence or communication should at least have a tendency to direct or embolden the enemy in his attack, or to weaken the efforts of the resistance prepared against him. See Samuel on Courts Martial, 581. It is surely necessary then to prove, in some manner or other, that my communication was of this tendency; but the prosecutor has been wholly silent; and surely the mere act of having seen an individual can never be construed into an aiding and assisting in rebellion according to the second charge. It has not been proved that Quamina was a rebel, if he was, I did not know of it. I did not send for him, nor did I know any thing of his arrival. I gave him no communication touching and concerning the revolt, for I had nothing to communicate, and if I had, still I would not have done any thing so improper; it was not until I asked him where he had come from that even his manner became changed, and without answering me, he suddenly turned round and went away. Mrs. Smith was the only person present, and if the Court could admit her testimony she could explain the whole. One of the facts which appear to militate against me, I think I can prove is incorrect, viz. that Mrs. Smith shut the door. I can do this, because I have a witness. With regard to the other two points, I could explain them also, had I any other witness than Mrs. Smith to support my statement.

From the nature of the whole evidence against me, explained and contradicted as it will be, I feel assured I have cleared up every point except one, and it will be apparent, that even that one could be cleared up also, did not the policy of the law, and the rules of evidence, prohibit my wife from bearing testimony.

With respect to my not attempting to secure the man, I did not know that he was *ever* a *reputed* rebel, and if I had known this, gentlemen, look at me, and ask yourselves how it was possible for me, unarmed, to secure the man. The attempt, therefore, would have been vain and ridiculous.

It will be asked why I did not give information. My answer is, again, that I knew not that the man was even a *reputed* rebel; and suppose that I had known this, of what utility could such information have been, when the man had gone I knew not whither?

Before I conclude, I feel it my duty to observe upon the nature of the evidence brought against me. It is either the evidence of slaves, or of persons, with a very few exceptions, grossly prejudiced against me; prejudiced from motives of interest, that is, from imagining that the diffusion of knowledge among the negroes will render them less valuable as property.

The first class of witnesses consists of persons extremely ignorant, and decidedly under the influence of their owners. It cannot be expected that the love of truth and justice will render them superior to the fear which must exist in their minds, of men by whom their fellow-labourers have been punished, even for attending divine worship. Some of them are extremely ignorant, and savage, as the boy Mitchell, who did not even pretend to understand the nature of an oath, until he was asked "if he believed God Almighty a-top;" of course he answered yes, and he was legally sworn. I am aware, that however necessary the policy of colonial governments in this hemisphere may have thought it to exclude negro evidence, still in a court martial it is strictly legal to admit it. In admitting it, however, the Court ought to be well aware of the negro character, and to be very cautious as to the degree of credibility to be attached to their evidence. Nothing can be more evident, even from the evidence before the Court, than that negroes have but little idea of the obligation of an oath; hence the prevarications, and falsehoods, and contradictions, so apparent in their evidence. They have no notion of time or circumstance, and it is but too clear that their evidence has been made up of shreds and patches, obtained from conversation, from hearsay, and from their own misinterpretations of what had been propounded to them. They are generally incapable of narrating a transaction, neither can they relate, with any tolerable accuracy, even the shortest conversation; so well known is this, that they are seldom intrusted to deliver a verbal message. Notwithstanding all this, what has the prosecutor been able to produce against me? Divest the evidence of all that I shall prove to be exaggerated, misrepresented, and false, and nothing will remain to prove me criminal, either in a moral, religious, or legal view.

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With respect to the other class of witnesses, I will abstain from saying more, than requesting a perusal of their evidence, and if its tenor, as well as the questions put by the Judge-Advocate, do not bear me out in asserting that a spirit of prejudice does exist against me, then I am incapable of forming an estimate of mens opinions from their words.

My journal must not be omitted. Its origin and nature I have explained. Whether it be evidence or not against me is not now a question to be determined; I am not ashamed of it, but I do feel aggrieved at its contents having been made public, for they were never intended for that purpose. Not only those parts of its contents read in court have been known, but other parts, the publication of which (however true the facts contained in my statements) may wound the feelings of many persons. Whether this would have a tendency to prejudice mens minds against me I leave to the consideration of the Court.

In conclusion.—Upon a fair and candid review of the whole evidence, it is not apparent that I am guilty of any one of the charges, and it might almost seem that my opinions, and not myself, have been tried. Those opinions are founded upon the Gospel that hath withstood for ages all persecution: its promulgation has increased from opposition, and its truths been made manifest by investigation.

It has prospered, and will prosper, and in its prosperity will impart happiness to all those who seek knowledge from it.

It has already produced a material alteration for the better in the minds of the negroes.

The love of religion is already so strongly implanted in them that the power of man will not be able to eradicate it.

I have been informed, and can prove, that even in the midst of the revolt, whilst the negroes were all assembled—all in arms, some of them were heard to say, "We will take no man's life, for we cannot give it."—"We will shed no blood, for it is contrary to the religion we have been taught." Which of the negroes said this? Not the lowest class of Africans—not the heathen, but the Christian negroes.

This revolt has been unlike every other I ever heard or read of. In former revolts in this colony, in Jamaica, in Grenada, and in Barbadoes, blood and massacre were the prominent features. In this a mildness and forbearance, worthy of the faith they professed, (however wrong their conduct may have been) were the characteristics: even the attempts at bloodshed in this have been confined to the Africans who were not yet baptized. This is apparent from the evidence already before the court.

(Signed)

JOHN SMITH.

Monday, Fifteenth day, 3rd November, 1823.

THE Court met pursuant to adjournment, when the prisoner proceeded to call evidence in support of his statement in defence.

Fifteenth Day,
3 November 1823.

Michael M^cTurk; duly sworn. (1st Evidence.)

What is your name?—Michael M^cTurk.

Are you the same witness that appeared on this trial before?—I am.

Have you brought with you the letter required by the summons?—I have.

Will you produce it? The witness produced the letter (No. 9).

Are you acquainted with the hand-writing of the person whose signature it bears?—I am.

Is that letter in the hand-writing of John Hamilton?—I believe it to be so; and for this reason, because it is a reply to one I addressed to him the previous day.

At the time you received the letter, where did the writer live, and in what capacity?—At plantation Le Resouvenir, as manager.

Did

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Did you receive it on or about the day it bears date?—I think it was on or about the day it bears date. [The letter before alluded to (N^o 9), read by order of the Court.]

(Questions by the Judge-Advocate.)—Did you reply to that letter?—Yes, by stating it was incorrect, both as to the two cases having been reported, and my considering the small-pox demolished, as he called it.

(Questions by the Court.)—Have you that answer with you?—I have a copy of it. [The copy of this answer produced and read (N^o 10).]

Is that a true copy of the original sent?—Correct.

2d Evidence.

H. van Cooten duly sworn.

What is your Christian name?—Henry.

Where do you reside?—On the coast, at Vryheid's Lust.

What is your calling in life?—A planter.

Do you know the prisoner?—Yes.

Do you remember his arrival in this colony?—Yes; but I don't recollect the precise time; it may be ten years.

After his arrival, do you remember the prisoner's expressing any particular wish concerning the chapel?—Not in particular.

Do you remember any thing being said by the prisoner about the removal of the chapel to the road-side?—Yes, I do. Mr. Smith, as far as I can recollect, wished me to write to the owner, to obtain leave to remove the chapel to the water-side, near the road.

Did you ever attend the prisoner's chapel?—Yes, frequently.

When you have so attended, what has been the tenor of his discourses?—It has not been for the last twelve months that I have attended, and I cannot recollect.

Do your negroes attend the chapel?—Yes, several of them.

Is this with your approbation?—Yes.

What sort of negroes were those of yours who attended?—The principal one was the carpenter, Mars, Azor, now in jail, and many field negroes.

Do you know any white persons in this colony that subscribe to the Missionary Society?—I have been myself a subscriber when I was asked by Mr. Smith, and I believe several on the coast.

Is that the society to which the prisoner belongs?—Yes, the London Missionary Society.

Have you perceived any alteration in the behaviour of your negroes since their attending the chapel?—Yes, I think so; that is to say, I think they have been rather more obedient than formerly.

Did you tell this to any one?—Yes, I have told it sometimes, I believe, but I cannot recollect well.

Did you ever tell it to the prisoner?—Yes, I think I have.

Were you acquainted with the fact of the negroes purchasing books from the prisoner?—I cannot absolutely say that they purchased them; but they have had books from the prisoner, I think I recollect.

Did you allow your negroes to have books from the prisoner; and if yea, why?—I have not objected to it; because I thought there was no harm in it.

Were you acquainted with the fact of the negroes throwing up money in the chapel?—I have heard of it, but was not particularly acquainted with it.

Were you ever present when money has been therein collected?—I don't recollect that I have.

Did you ever hear Mr. Davies preach a collection sermon in that chapel?—I do not recollect.

Where were you when you gave the first donation for the Missionary Society?—On my estate.

Was it your name or draft for the money you gave on the estate?—It was my draft on a house in London. I first put down my name, and then gave a draft.

Did you ever give any draft for the money to the society when you were in the chapel?—No.

Had you any suspicions previous to the revolt, that such an event would take place?—No, I had not.

Did any thing particular among the negroes of Le Resouvenir take place about ten or twelve days before the revolt?—Yes, some came to complain to me respecting the manager.

Did you hear any thing about some of the negroes laying down their tools, or refusing to work; if yea, state what it was?—It seems there were some unwilling to work, but they did not absolutely refuse to work that I know; there was a few absented themselves, but came back the next day.

Was there any particular reason for their returning?—Not that I know.

Did one of your sons, or son-in-law, go a-back and expostulate with them?—No, I don't recollect.

Do you remember any thing of a report which was said to be among the negroes concerning their freedom, which they had imagined had come out?—I remember some time before the revolt a rumour that the negroes expected something to be done for them at the sitting of the Court of Policy.

How many years have you been in this country?—These fifty years past; it was fifty years last February.

How

How much of that time have you been in the habit of observing the character of negroes?—I suppose from the beginning.

Are they in general capable of relating correctly any conversation that has taken place in their presence?—I think very badly in general; some of them may be more capable than others.

Is it customary to send negroes with verbal messages when accuracy is required?—No, it is not; at least I would not do it.

For what reason would you not send such messages verbally?—Because I think negroes in general bad messengers; ten to one if they carried it correctly.

Who is the attorney of plantation Le Resouvenir?—Myself.

Do you consider yourself or the manager bound to communicate to the prisoner all official orders regarding the negroes in general, which may be sent to either of you?—No.

Were they that attended the chapel, in appearance cleaner or better dressed after they attended the chapel, than they had been used to be before?—I don't know of any difference.

(Questions by the Court.)—In your judgment would not any negro remember the substance of a conversation about a revolt, or the soldiers being more strong than them if they revolted?—I think they might.

Do you know Bristol, Seaton and Manuel, witnesses on this trial?—I do not know them.

Were the negroes of Le Resouvenir also rather more obedient, as well as those of Vryheid's Lust since they attended chapel?—I cannot say that; I have not found any difference on Le Resouvenir estate; the negroes of Le Resouvenir did not attend chapel so well as those on the neighbouring estates.

How do you know that?—That I heard from the prisoner.

How did Le Resouvenir negroes behave during this revolt?—They came into the house, and forced the arms from the manager the first day, but I was not present.

Are you aware that these negroes joined in the revolt?—According to reports they certainly did.

Would you at any time, whilst Bethel chapel was shut, have prevented Mr. Smith (the prisoner) preaching to or instructing the negroes on your estate?—I would not have prevented it had I been asked; but it was not done.

In your opinion could the negroes recollect the heads of a short discourse, and accurately take up the meaning of the lectures?—Of a short discourse some might, I think.

The Court adjourned till the following day at ten o'clock.

Tuesday, Sixteenth day, 4th of November, 1823

THE Court met pursuant to adjournment.

John Stewart, duly sworn.

What is your name, place of residence, and calling in life?—John Stewart, manager of plantation Success.

Had you an opportunity before you became manager of Success, of observing the behaviour of other negroes?—I had.

Did you observe any difference between the behaviour of the Success negroes and that of the negroes of other estates, if yea, what difference?—I don't recollect observing any particulars.

What was the general conduct of those of the Success negroes who attended chapel?—Some good and some bad.

Did any one ever inquire of you concerning the behaviour or the Success negroes, if yea, who?—I really don't remember. I remember Mr. Smith once asking me about the character of Quamina.

Did you ever commend the behaviour of the Success negroes, who regularly attended the chapel, to Mr. Smith?—I do not recollect, but I may have done it.

Did you ever refer any quarrel or misdeed of a negro to Mr. Smith, to settle?—I think I have. The question sent by Mr. Cuming to me about Jack of Success I referred to Mr. Smith.

Is this letter in your hand-writing?—[Letter produced to witness marked (N^o 11.)] Yes.

[The letter admitted in evidence and read.]

Did you ever recommend any of the negroes of Success to the prisoner to be baptized?—Yes, I did.

What were the qualifications upon which you recommended them?—General conduct as to the duty of the estate.

Were the negroes that regularly attended the chapel insolent or disobedient?—Some were insolent, and some obedient.

Were there more or fewer of such negroes disobedient, than obedient?—There were more obedient than disobedient. I refer to the whole gang, and also to them that attended the chapel.

Were the majority of those negroes who attended the chapel disobedient or obedient? (for I am now speaking of those only.)—The majority were obedient.

Would you have recommended a bad-disposed negro to be baptized?—No, I would not, if I knew any thing bad about him at the time.

Did not the hope of obtaining your recommendation for baptism stimulate them to good conduct?—I cannot say.

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Sixteenth Day,
4 November 1823.

3d Evidence.

Sixteenth Day,
4 November 1823.

Is this letter in your hand-writing?—Yes.

[Letter (marked No. 12.) produced and read, dated 14th December, 1822.]

Did the prisoner ever send home to you a man who had absented himself?—I don't remember that.

Is this letter your hand-writing?—Yes, it is.

[Letter (marked No. 13.) produced and read, dated 12th April 1822.]

About how many negroes have you recommended to the prisoner for baptism?—I cannot recollect, I never kept any account of them, and it is impossible to remember them for seven or eight years.

Have you recommended many?—A good many.

Were you ever at Bethel chapel on a Sunday?—Yes, I have been.

Did you ever see there a larger congregation than the chapel could hold?—I have seen some on the outside of the chapel, but don't know whether the chapel could hold them or not.

What was the reason the people remained outside?—I don't know.

Did you make any observation, or remark to the prisoner concerning the crowd that was in or about the chapel the last time you were there?—I really don't recollect the last time I was at chapel.

Did you not on one occasion tell the prisoner that there were as many outside as inside of the chapel?—I may have told him so, but I don't recollect it.

Were you ever present in the chapel when money has been therein collected?—Yes, I was.

For what purpose did you understand was such collection made?—I understood it to be for the support of the Society to which the prisoner belongs, viz. the "African Society."

What do you mean by the African Society?—The London Missionary Society.

Did you contribute any thing, or give your name?—I did once or twice.

Did the negroes of Success who attended the chapel appear poorer or more miserable than those who did not attend?—There are very few Success negroes but who attend the chapel occasionally; I cannot point out any particular difference that I observed.

Do you remember there existing previously to the revolt a rumour among the negroes concerning the instructions which had been then lately received by the Governor regarding them?—The prisoner mentioned something of that kind to me some weeks previous to the revolt.

Did you never hear any thing about this report before the communication of the prisoner to you?—Never, that I recollect.

Did you previously to the revolt hear or know of any acts of the negroes by which they showed discontent and dissatisfaction?—I did not.

Do you know any thing of the behaviour of some of the negroes on Le Resouvenir about the period of which I have just spoken?—I know that ten or twelve of them (so the manager told me,) left their work two or three weeks previous to the revolt.

Did you communicate what you heard to any one?—I asked Mr. Smith, the prisoner, if he had heard it.

Be pleased to state Mr. Smith's answer, and all that passed between you and him when you asked him this.—He told me he did not hear that the negroes had left their work, and that he hoped it was not on account of the instructions said to have been received by the Governor from home; and that he knew some of them had an idea that their freedom had come out; that a number of them put the question to him; and amongst the first your man Quamina; that he always told them, no; that freedom had not come out, but something to better their condition, or some such expression.

Do you remember the prisoner calling upon you a short time before the revolt?—Yes.

Was he alone, or accompanied by any one?—Mr. Elliot was with him, the *missionary*.

Do you remember upon what day and in what month this was?—I believe it must have been in August, but I do not recollect the day.

Did you on that occasion tell the prisoner something that you had heard the head driver of Le Resouvenir say to the negroes?—I do not recollect whether I told him or not.

You said something just now about the head driver having told you something, what was it?—He told me that the negroes had been away, and he did not know what it was for; that they were turning out late that morning and the manager had ordered to punish them with a cat; and that he did not know whether it was on that account they ran away, or from their own bad hearts.

Was any one present during the whole of the conversation between yourself and the prisoner? if yea, who was present?—I have already stated Mr. Elliot.

Did you inform any one of what the prisoner told you concerning the inquiry of Quamina as to the instructions which had been received from home concerning the negroes?—Yes, I did; I told Mr. Cort of it.

Who is Mr. Cort? and what notice did he take of it after you told him?—Mr. Cort is the attorney of the estate; he went over to Mr. Smith with myself to inquire of him further of what Mr. Smith told me.

Did any, and what, consultation take place on this occasion?—When Mr. Cort went over, he stated to him what I had told him, and asked if it was correct; he said it was; Mr. Cort asked him if the negroes really had the idea that freedom was come out; he said, yes; and that several of them had put the direct question to him, and among the first Quamina of Success: Mr. Cort pressed him then to tell how the negroes came to know that; the

the prisoner said they might hear it in various ways; for instance, negroes could hear it from sailors when they came down from estates with produce; that sailors would introduce into their songs that they were great fools to be slaves; that they could also hear it from hucksters in town: Mr. Cort still pressed him further if he knew of any other person that told the negroes any thing about it; he declined giving a direct answer to that, as he did not wish to criminate any one; he also told Mr. Cort that he was thinking of telling the negroes from the pulpit that the idea of freedom was erroneous, and to tell them what he believed it was: Mr. Cort told him he thought it would be as well not to take any thing of that sort upon himself, that it might be exaggerated to his own prejudice; and I think Mr. Cort recommended, if he did mention it, to mention it to the proper authorities, but I am not certain. Mr. Cort also stated to him the reason why he supposed the court of policy did not do something previous to that; that one of the members of the court of policy was sick, and another, I believe, out of the country; that they were then sitting, and that he was sure something would be done very soon in the instructions said to have been received from Government.

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What rank did Mr. Cort and you, at that time, hold in the militia?—Mr. Cort, I believe, was second lieutenant, and I was serjeant.

(Questions by Prosecutor.)—What were Quamina and his son Jack on the estate?—Quamina was head carpenter and Jack was head cooper.

Were not all the negroes of Success engaged in the revolt?—I believe they were.

For what period of time did the negroes of Le Resouvenir leave their work?—I don't know when they returned.

Was the communication the prisoner made to you respecting Quamina the only one?—Yes, the only one; he made it twice.

(Questions by the Court.)—Were the Jack, and Quamina, and Grace, and Ben, whose misconduct you mention in the letters read to the court, attendants on the chapel?—I believe they were.

Did Quamina, Jack, Bethney, Britton, Dick, Frank Hamilton, Jessamin Quaco, Ralph, and Windsor, belong to Plantation Success at the time of the revolt?—Yes, they did.

Did any of them attend the chapel?—The whole of them occasionally, except Ralph.

Have they all been tried by a court martial, except Quamina, for being actively engaged in the late rebellion?—I believe they have, but am not quite certain; I have been present at Jack's, and Ralph's, Befney's, and Dick's trial, also Jessamin's.

What became of Quamina?—He ran away;—was shot in the bush, and is now hanged in chains in front of the estate.

Who were the most active of the insurgents on Plantation Success?—Richard was the most desperate character I have seen there; Befney was very active; Jessamin, and all those who have been tried, except Quamina and Jack, whom I did not see do any harm; they were keeping the rest back, and preventing them from doing me any injury.

Was not Quamina a reputed leader in the revolt?—I heard he was such, but I did not see it.

Was the conversation with Mr. Smith and Mr. Cort in your presence after the 25th of July?—Yes, it was.

Did he tell you he himself had told Quamina what had come out regarding the whip?—He did not; he only said that he told him that something had come out to better their condition.

Did you make a special report to Mr. Cort of what Mr. Smith told you about Quamina, or did you mention it in casual conversation?—I mentioned it in course of conversation.

John Hamilton; duly sworn.

What is your name, and were you manager on Plantation Le Resouvenir in November and December 1819?—John Hamilton; yes, I was.

4th Evidence.

Do you remember any cases of small-pox among the negroes of that estate at that time?—I do.

Are the contents of this letter your own diction, and are the facts therein stated true? [Letter produced, marked No. 9.]—They are; it is my hand-writing; I have signed it, and will stand to it.

Where were the infected negroes placed?—On the plantain walk of the estate a-back.

How far was the place where they were from the chapel?—About 1,400 or 1,500 roods.

Were the infected negroes in a house, if yea, what became of it?—A temporary house was erected for them, and when the infection was supposed to be gone, Dr. M^cTurk then the medical practitioner of the estate, went a-back in my absence with an overseer, and had it burned.

After that house was burnt, were you aware of any other of the negroes having the small-pox?—I was not myself, but doctor M^cTurk, the medical practitioner, was the best judge of that.

Did you ever hear any conversation between doctor M^cTurk and Mr. Smith concerning doctor M^cTurk's sending a circular to the planters to prevent their negroes coming to chapel?—I recollect a conversation that took place in my house betwixt Dr. M^cTurk and Mr. Smith, but not about the circular, that I recollect.

Did Dr. M^cTurk, by words or manner, sneer at the prisoner?—I do not recollect; there was a disagreeable conversation between them, but it is a long time ago, and I cannot remember.

Did

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Sixteenth Day,
4 November 1823.

Did he ridicule the idea of the negroes being instructed in religion?—I don't recollect that he did; he found fault with Mr. Smith for opening the chapel before the Fiscal's order was fulfilled.

Was any certificate given concerning that conversation?—I signed a certificate concerning that conversation.

Was that certificate sworn to?—No, sir.

Did Dr. M^c Turk in that conversation say that he never had but one opinion of religion, or words to that effect?—I really cannot remember, it is so long ago.—I recollect Dr. M^c Turk finding fault with Mr. Smith for opening the chapel to strange negroes. Mr. Smith said, he did not care about opening the chapel, as he was not paid by the head for preaching to negroes.

Have you never told any one that you recollected these things?—Not latterly, I believe.

From the manner and language of the prisoner and Dr. M^c Turk, was it not evident that they were quarrelling during the conversation?—There was improper language passed on both sides.

Were you in the habit of attending the prisoner's chapel?—Sometimes.

Did you ever see more people there than could get inside the chapel?—Yes, often.

Did you ever see the negroes throw up money in the chapel?—Yes.

At what hour was the noon service commonly concluded?—At 2 o'clock.

Did you see Mr. Smith the Sunday evening before the revolt?—I did.

Where was he when you first spoke to him that evening?—Walking in the Middle Walk: I was walking down, and he was walking up with his lady.

What middle walk do you mean, and by "up and down"?—Plantation Le Resouvenir. I mean I was going towards the water side, and Mr. Smith was going from it; there was another gentleman along with me.

Is the middle walk where you saw the prisoner in front or back of the house on Le Resouvenir?—In front of the house and all the buildings.

What time in the evening was it when you saw Mr. Smith?—About 6 or $\frac{1}{2}$ past 6 o'clock; it was in the gloaming.

Did you address the prisoner, or accompany him?—His lady asked us to go into the house, and we went.

How long did you remain in the prisoner's company on that evening?—About an hour, to the best of my recollection.

Did you see the prisoner on the evening of the revolt?—I did.

Where did you see him?—In the Middle Walk in the front of the house.

What time was this?—About $\frac{1}{4}$ or $\frac{1}{2}$ past 6 o'clock in the evening.

Did any thing particular happen on the estate that evening?—Yes, a revolt.

At what time?—About the same time, $\frac{1}{4}$ past 6 o'clock in the evening.

Did you call out the name of Mr. Smith at that time?—Yes, I called him to my assistance.

Did he come when you called him?—He did.

Did you hear what the negroes said to him, or said in his hearing?—I did hear some conversation between him and some of the negroes, 5 or 6. I heard them persuade Mr. Smith to go to his house; they wanted the manager, and not him. Mr. Smith persuaded them not to trouble the manager, or any white person on the estate.

Did you hear Mr. Smith order them, or instruct them, or did he exhort them to be quiet?—He exhorted them to be quiet.

Did you consider the gang of Le Resouvenir, in general, a religious gang?—Far from it.

Were they punctual in general in their attendance at the service in the chapel?—A few were, but not generally speaking.

Were you not informed by captain Simpson on Monday the 18th August of the intended revolt?—I was.

What time were you so informed, and did you inform the prisoner of what you had heard?—I was informed on the Brick-dam in town by Captain Simpson, between one and two o'clock. I did not inform the prisoner.

Whilst residing as manager on Plantation Le Resouvenir, did you inform the prisoner of all official orders which were sent to you by the burgher captains and constituted authorities?—I did not.

The Court then adjourned till the following day at ten o'clock.

Seventeenth day, Wednesday, 5th November.

Seventeenth Day,
5 November 1823.

THE Court met pursuant to adjournment.

John Hamilton's evidence, continued.

(Questions by prosecutor.)—Did you hear the prisoner, during the conversation at your house which you had with Doctor M^c Turk, say any thing about the influence he had on the negroes minds?—I do not recollect.

Is this your handwriting and signature?—Yes.—[Document (N^o. 14), produced and read.]

Is that the certificate you alluded to yesterday?—Yes, it is.

When did you return to Le Resouvenir, after receiving the communication from Captain Simpson?—About three or four o'clock afternoon.

What was that communication?—He asked me if I was going home, I said I was not; I had

I had just come to town, and had some business to do previous to going out of town; I had also promised a gentleman, a friend of mine, to dine with him. He advised me to go home as soon as possible, as something was likely to occur on the coast that evening. That was all that passed between us to the best of my recollection. Seventeenth Day,
5 November 1823.

When you called to the prisoner that same evening of the revolt, had he been walking out for any length of time previously?—I do not know how long Mr. Smith was out walking; when I first saw Mr. Smith, he was coming towards the buildings from the water-side.

In going from his house to the water-side, must he not pass near your house?—No.

At what distance is the residence of Mr. Smith from yours?—I suppose 100 paces.

At the time you called to him, were not the negroes round your house?—They were, and in the house.

Can you then positively take upon yourself to say, that it was not later than half-past six when you called to the prisoner?—I cannot exactly say; it must have been somewhere from that to seven

(Questions by the Court.)—What distance was Mr. Smith from his house when you met him on Sunday evening?—From 100 to 150 roods, I suppose.

What distance is it from Mr. Smith's house to Success Building?—About 600 to 700 roods, I suppose.

Do you know if Quamina of Success was concerned in the revolt which took place on or about the 18th of August last, and what time did you gain your information of his being so engaged?—I did not know, until informed at three o'clock by Mr. Mackie, manager of Montrose, on my way home on Monday, who informed me that he had seen the letter from Quamina to Mr. Simpson's boy Joe.

Did you receive an answer to your letter, addressed to Doctor M^cTurk, dated 19th December, 1819, relative to the small-pox on Le Resouvenir estate, if so, did that reply acknowledge your opinion of the disease being eradicated, to be correct?—I cannot recollect.

Did you ever mention to the prisoner what Mr. M^cKay told you respecting Quamina?—I never did.

John Thomas Leahy, Lieutenant Colonel 21st regiment, duly sworn.

Do you remember the revolt of the negroes which broke out on the east coast of this colony in August last?—Yes.

Had you any duty to discharge on that occasion?—I was sent up the east coast on the evening of the 19th, in consequence of the revolt of the negroes.

Did you come up with or meet any of the revolted negroes?—I came up with them at Bachelor's Adventure, or rather met them.

Had you any, and what conversation, with the revolted negroes?—I had, on the morning of the 20th at Bachelor's Adventure; they assembled in great force, and took up a position, some on the bridge on one side of Bachelor's Adventure, and some on the bridge on the other side; they were armed with guns, fire-arms, cutlasses, muskets and pistols; the men under my command stood at their arms, and I went forward to the bridge to speak to them, and try to persuade them to lay down their arms and return to their work. I was conducted to the party on the right by some men, who promised that nothing should occur to me; after conversing with that party, they conducted me to the body assembled on this side of the estate; the negroes spoke differently as to what they wanted, some wanted three days, and the Sunday to go to church, some wanted two days, and the Sunday to go to church; some said they wanted their freedom, and some wanted to tie me up as there were prisoners tied in the yard. I explained to them that I would use my exertions with General Murray to obtain for them part of Saturday, and of course Sunday to go to church, but they must first lay down their arms. Further, some of them said that if they did ask leave to go to church on Sunday they got punished for it, or got cotton to gin, or the middle dams to clear the grass away from; that when they complained of it, they were told by doctor M^cTurk it was the Governor's orders, and when they spoke to Mr. Spencer, he said it was the Fiscal's orders; I told them that of course they could not come to town as it was martial law, but I would mention the circumstance to the General, and I hoped they would lay down their arms; Jack, Telemachus, and Seaton, and Tom Gibson, I think, promised to communicate to the rest of the negroes what I said I would tell the Governor, and they went away for that purpose, and I returned in half an hour afterwards. Seeing they were not inclined to lay down their arms, I went out again, and requested some of them I met out on the road to tell Jack or Tom Gibson, or some of them who were about me, to come and tell me why they did not lay down their arms; they were not forthcoming, but the people who then came up and addressed me said they wanted to be free; in consequence of which I marched out the troops for the purpose of dispersing them;—that is all I know.

Did you not make some memorandum or other, in writing, of what the people had told you?—I did; and I have related, as far as I can recollect, the substance of it; but I have since destroyed it as useless.

Was there no other grievance stated by the negroes except those which you have stated?—None, that my memory will allow me to recollect, more than what I have already stated.

Did you show the memorandum to any one before you tore it up?—Yes, I did; I showed it to the other officers who were with me at the house of Bachelor's Adventure.

Who were those officers, or if you do not remember, what companies were there?—Captain Stewart was there with his company; captain Appellius with his company; lieutenants Peddie,

5th Evidence.

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Seventeenth Day,
5 November 1823.

Peddie, Booth, Anstruther; I believe lieutenant Peddie saw it; captain Appelius and lieutenant Booth; but I am not quite certain if lieutenant Anstruther, or captain Stewart saw it; Mr. Richard Reid was there also, and saw it.

Did the negroes on that occasion, at Bachelor's Adventure, say any thing about the prisoner?—I don't think I heard the prisoner's name mentioned until I returned to town.

(*Question by the Court.*)—Did the majority of the negroes, with whom you conversed in the first instance, demand their freedom?—At first there was more demand for freedom and three days, than any thing else; but latterly, when I came out again, they were all for freedom, and all of them dwelt considerably on going to chapel on Sunday.

6th Evidence.

John Reed duly sworn.

What is your name, calling in life, and place of residence?—John Reed, a planter, residing on the East Coast.

Is this your hand-writing?—It is. [Document (N° 15) produced and read.]

Did you send the paper or letter just read, or deliver it to the prisoner?—I delivered it to the prisoner.

Where were you when you so delivered it?—I was on my sick bed at Dochfour. The prisoner intruded himself at my domestic board, even at my sick bedside; asked and obtained permission to erect a place of worship on disinterested though legal conditions.

How many times was the prisoner at your house?—I think three or four times.

Do you remember at what time of day, and on what occasion did the prisoner go first to your house?—It was early in the morning, for the purpose of obtaining leave to erect a place of worship.

Where did you, on that morning, meet with the prisoner, and did you ask him to stay breakfast, or did he remain without invitation?—I met him on the road leading to the estate and I believe I asked him to stay breakfast.

Did you present him with the deed of gift on that occasion?—I did not.

Did you promise him to consider of it, and let him know if he came again?—I did.

What reason did the prisoner assign for wishing to obtain the piece of land for the erection of a chapel?—For the purpose of benefiting the negroes in that neighbourhood, by his presence amongst them.

Did the prisoner not also say that it would save the negroes from walking so far, which was a subject of complaint among some of the planters?—He said so.

Did any and what conversation pass between you on that occasion, touching or concerning the probability of his Excellency's leave being obtained?—My recollection does not serve me as to the conversation that passed between us respecting it.

Did you give it as your opinion that his Excellency would not grant the leave desired?—I do not recollect that I did.

(*Questions by the Court.*)—Had you any cause to withdraw your permission respecting the erection of a chapel at Dochfour, and if so, state it?—My permission for the erection of a chapel depended on his Excellency's approval; and his Excellency was pleased to disapprove of it in consequence of complaints made against the prisoner.

What do you mean when you say the prisoner intruded himself?—I was unacquainted with the prisoner before, and on one occasion he brought Mrs. Smith along with him; perhaps I should not have deemed it an intrusion but for his subsequent conduct.

Did the prisoner go into your sick bed-room without being asked?—No, he did not.

7th Evidence.

The Reverend W. S. Austin duly sworn.

What is your name, profession, and where do you reside?—Wiltshire Staunton Austin; my profession a minister of the Established Church; my residence George Town.

Where do you officiate?—At St. George's church, the only place of public worship of the Established Church in George Town. I am also chaplain to the garrison.

Of what kind of persons does your congregation consist?—At morning service the respectable inhabitants of the colony, white, free coloured, and very few slaves; in the afternoon we have few whites, the respectable free coloured population to a greater extent than in the morning, and a considerable number of slaves, and they average, perhaps, about three hundred slaves, principally domestics.

In what manner do you read the Scriptures to them; i. e. do you select chapters, or do you read the chapters consecutively?—In the morning service I read the chapters pointed out by the Church of England; in the afternoon I follow the example of my predecessor in reading the Bible through. I must observe, however, that I occasionally omit some chapters. I read Ostervald's explanation of the chapters, the translation of which is sanctioned by the Society for the promotion of Christian knowledge.

Is public teaching alone sufficient for the instruction of the uneducated slaves?—Certainly not; in my humble opinion, I should consider it almost the least essential part of a minister's duty, at least, with respect to that part of the population.

Can any minister of the Gospel properly discharge his sacred duties without having some other intercourse with his congregation besides public teaching?—I have already answered that question.

Will you be pleased to state what other intercourse you consider necessary?—I consider that familiar intercourse between a minister and his parishioners must exist, particularly the more ignorant part of them, as would enable him to explain in a more familiar manner than he could do in a public discourse, many observations which he may then deliver; it would be impossible to apply a moral lecture, for instance, to the case of every individual there present;

present; it would be subject to a variety of objections; an individual with whom he might privately converse would feel offended at being publicly reprimanded; were a minister to deny access to such humbler parts of his congregation as would approach him, he would most effectually, I think, unless under a miracle, thwart the object of his public discourses. The spiritual wants and feelings of the humbler parts of my congregation can only be ascertained by personal application and intercourse; and I deem that one of the most important of my ministerial duties.

Have you ever been applied to by any of your congregation to settle disputes between any of them?—Frequently; I have settled disputes between mother and daughter, father and son, and in some instances, between master and slave.

Had you ever any Bibles sent out to you by the Bible Society?—Never.

Do you know whether Mr. Straghan, your predecessor, had any Bibles sent out to him by that Society?—I am not certain.

Do you remember the revolt which occurred in August last?—I do.

Did you go up the coast on that occasion?—I did.

Did you see any of the revolted negroes, if yea, did they say any thing particular to you?—I saw many of the revolted negroes in company with Lieutenant Peddie and his party; I met two or three on Monday night. On Wednesday morning about six o'clock, I disembarked in a schooner on the coast opposite or nearly opposite Plantation Lowlands; I was on my way to Haslington. I met a great number of the insurgents, they were induced to come to me, principally, I believe, by their ascertaining who I was. I reasoned with one or two of the more intelligent, stating, that I was shocked at what had occurred, and came up the coast with a view of preserving the lives of my fellow creatures. I was anxious to ascertain the cause of such extraordinary conduct, and was particular and minute in my inquiries. I had received an impression, that the prisoner, Mr. Smith, was highly instrumental to the insurrection, and proceeded to inquiries. A variety of reasons were given, which I do not consider necessary to recapitulate, further than as they apply to the prisoner. I must add, that in no one instance among my numerous inquiries, did it appear, or was it stated, that Mr. Smith had been in any degree instrumental to the insurrection; a hardship of being restricted in attendance on his chapel was however, very generally, a burthen of complaint.

Will you be pleased to state the other reasons; as you have said the restriction from attending Mr. Smith's chapel was one?—The inquiry was either made by me, or by some one in my presence expressing surprise that bloodshed had not marked the progress of this insurrection; the answer was, "It is contrary to the religion we profess, we cannot give life, and therefore we would not take it."

Do you remember any negroes coming to you previously to the revolt, from the East Coast?—Yes, I do.

What was the object of their coming to you?—To make a complaint, as they termed it, of the ill treatment they had received from an individual.

Will you state the nature of those complaints, and how many negroes there were?—The nature of the complaint was put in the shape of an appeal to me as minister, whether it was not a very great hardship that their religious duties should be interfered with; whether they ought to be prevented attending Mr. Smith's chapel; whether their evening meetings on their estates for religious purposes were improper; whether their reading of the Bible was improper, an instance being quoted by one of them of his Bible having been taken from him. I first inquired why they had not gone to the Governour or Fiscal with their complaint, they stated some case which had occurred, I think a short time before, of some complaints having been made and not having been attended to. In hopes of settling it in a quiet and amicable manner, I waited in Mr. Harper, and related all that had been said to me, requesting him to take it on hand and arrange it, giving as my reason, the probable indelicacy that there might be in my interference between master and slave, that master being a stranger to me. Mr. Harper declined doing so, giving me very satisfactory reasons. Their complaints, I must observe, were uttered in a very extraordinary style and tone; and after some consideration, I thought it necessary to report the circumstance to the Governor. The number of negroes was considerable; I did not reckon them, but I imagine there were about twenty men and women.

Did you ever see any of those negroes afterwards?—Not one, that I am aware of, except during the insurrection on Thursday or Friday, when I saw two of them on their own estates.

Did they state whether they had made these complaints to the prisoner?—I remember asking them whether the prisoner was aware of the complaints, and had referred them to me; I cannot exactly charge my memory, but I think in neither case did they say the prisoner had influenced them to come to me. I believe I recommended them to speak to the prisoner on the subject, thinking, that as they represented themselves to be members of his congregation, he would have more influence in regulating their conduct than I should.

Did these complaints, and the manners of these negroes, give rise to any suspicion that any thing unpleasant might ensue?—I must say that I did feel serious apprehensions from that, combined with other circumstances, and I mentioned the same to the Governor.

What were those other circumstances upon which your apprehensions were founded?—A variety of little differences between the negroes and their masters; several reported differences between Mr. Smith and the managers and burgher-officers; several instances of the exercise of undue authority from masters to their slaves, that, particularly, of punishing them for their attendance at a place of religious worship; these, I must observe, were reports to me, not circumstances to the truth or validity of which I can bear witness.

54 PROCEEDINGS OF A COURT MARTIAL IN DEMERARA,

Seventeenth Day,
5 November 1823.

Is it customary with you to administer the sacrament with the church doors open or shut?—Closed; to exclude those who are not communicants, and to prevent intrusion.

Will you have the goodness to look at the 41 and 42 verses of the 19 chapter of Luke, and say whether you consider that an improper text for a sermon?—I consider it one of the most beautiful texts in scripture.

Have you ever taken these two verses and preached from them as a text?—I am sorry to say I have not.

Is it not a text very often preached from?—I believe so; the passage is very frequently introduced in sermons, and I believe I have introduced them myself.

The Court adjourned until ten o'clock the following day.

Eighteenth Day,
6 November 1823.

Eighteenth day, Thursday, 6th November, 1823.

THE Court met pursuant to adjournment.

The Rev. *W. S. Austin's* evidence resumed :

(*Questions by the Prosecutor.*)—You had stated that some of the negroes complained of being prevented from attending divine service on a Sunday; was such a complaint ever made to you by any negro of your congregation?—Not to my recollection; what I stated was entirely in reference to Mr. Smith's chapel.

When was it that the negroes you have alluded to came to make the complaints stated in your evidence?—The date I cannot specify; it was about a fortnight previous to the Governor's proclamation respecting some attendance on the chapel, accompanied by a document from Lord Liverpool.

Do you refer to their language when you say that their complaints were uttered in an extraordinary style?—I do; one of the expressions made use of was, there was an attempt made to set down their religion, and that they would sooner die than give it up.

Did you see two negroes, Sandy and Telemachus, apparently engaged as leaders in this revolt?—I did see Sandy and Telemachus; and I think from some expressions they made use of, that they were men possessing considerable influence, or were actually leaders; I have since been convinced that they actually were leaders.

Did not Sandy speak to you about the restriction of the prisoner's chapel, and admit that this cause of complaint had been removed?—He did say words to that effect.

Was Sandy the man who said in your presence, they would not take life?—It might have been Sandy, but Telemachus is the man on whom I can more particularly charge it.

Have you ever conversed with any of the negroes during the revolt; with reference to it up to the present time?—Yes, I have.

Did any of these negroes ever insinuate that their misfortunes were occasioned by the prisoner's influence over them, or the doctrines he taught them?—I have been sitting for some time as a member of the Committee of Inquiry; the idea occurs to me that circumstances have been detailed there against the prisoner, but never to myself individually in my ministerial capacity.

(*By the Court.*)—Did you hear before the Board of Evidence any statement by the negroes to the effect of imputing their misfortunes to Mr. Smith?—I believe I have.

8th Evidence.

John Davies, duly sworn.

What is your name, where do you reside, and what is your profession?—My name is John Davies, I reside in George Town, and my profession is that of a Protestant Missionary.

Is it customary for the members of missionary congregations to pray extempore at the prayer meetings held in the chapel?—Yes.

Did you ever find it necessary, as a minister, to converse privately with any of the individuals of your congregation?—I have.

Of what class or classes of persons does your congregation consist?—Of free people and of slaves.

Do you often converse with the slave part of your congregation, and for what purpose?—I frequently converse with the slaves, and for the purpose of more familiarly instructing them in the doctrine and precepts of Christianity, and also to attend to such little differences as arise among the members of the church; and further, when they come to me respecting marriages, and differences which arise sometimes between man and wife.

Did you ever preach on Luke 19th chapter, 41 and 42 verses?—I may have done so, but I do not recollect.

Is it a text frequently made use of for a sermon?—Very frequently; some of the most famous sermons have been preached from that text.

What do you mean by famous?—Best known; most extensively known.

Is it customary for missionaries to collect money of their congregations to defray the expenses of lighting their chapels, and to purchase bread and wine for the Lord's Supper?—Yes.

Are you aware that any of the missionary congregations in this country were in the habit of contributing money to the missionary society?—Yes: I know my own does, and I believe those of my brethren.

Was that with the approbation of the Missionary Society at home?—Yes.

Did you ever receive any Bibles and Testaments from the British and Foreign Bible Society?—Yes, many.

Are

Are you acquainted with the handwriting of their Secretary, and are these three letters from that Society?—I have received a letter from the person who has signed one of the three now produced (marked N^o 16), and I believe it to be his handwriting. Eighteenth Day,
6 November 1823

[The letter and invoice read—from G. O. S. H. Tarn—addressed to the Rev. Mr. Smith.]

What are the instructions of the Bible Society to you, concerning the disposal of the Bibles sent to you?—Similar to those in the letter just read.

At what rate used you to sell them when the applicants appeared able to pay the full price?—Generally about one guilder for a shilling; but when unable, often at a much lower price. For instance, Bibles that cost, including charges, about f.18 sterling, I sold for f.15, when the exchange was as high as f.14. 10. Others at a lower price than that.

Do you know James Mercer, missionary, now of Trinidad?—Yes.

Did you and he ever make any attempt to obtain land for him to erect a place of worship in this colony, and if yea, when was such attempt made?—We did; and I conceive, but I am not perfectly certain, that it was in 1820.

Will you detail the ultimate success of the steps taken by you and Mr. Mercer to accomplish that object?—I know nothing of the ultimate success; I was in Europe at the time. As far as I had any thing to do with it, it failed.

Do you remember the prisoner and yourself calling upon Mr. Cort to request his signature to a note of Mr. Van Cooten?—Yes?

Did any, and what, conversation pass on that occasion?—Some conversation passed, but what I cannot recollect.

Was any thing said about the evening meetings in the chapel of Le Resouvenir once a week?—Yes; Mr. Cort objected to them; Mr. Smith replied he would give them up if the gentlemen on the coast would allow the negroes some other time for attending on his ministry; I do not recollect any thing further on the subject.

Did the prisoner say he would give up the evening meetings on Le Resouvenir if Mr. Cort would allow him to preach once a-week upon any of the four estates of which Mr. Cort was attorney?—To the best of my recollection, he did.

Did Mr. Cort consent to this?—The impression on my mind is, that he did not.

Were you ever present when money has been collected from the negroes at Bethel chapel?—I believe I have.

Do you remember any whites contributing in the chapel, and if yea, do you remember who they were?—I believe there were whites present, but who they were I do not recollect; I am not certain but Mr. Van Cooten was there.

The Court adjourned till the following day at 10 o'clock.

Nineteenth day, Friday, 7th November, 1823.

THE Court met pursuant to adjournment.

Bristol, a negroe, understands the nature of an oath; duly sworn.

Are you the Bristol who has been before examined on this trial?—Yes.

Were you regular in your attendance at the services in Bethel chapel?—I was.

Do you know Jack, of Success; and, if yea, was he a regular attendant at the chapel?—I do know Jack, but he did not attend regularly at chapel.

How often was Jack at the morning service?—Sometimes he did not come for two or three Sundays; I have seen him there very seldom.

Did he attend service on Thursday evenings?—Sometimes; very seldom.

Do you know Paris, boat-captain of Good Hope; and, if so, what sort of an attendant at the chapel was he?—I know Paris, of Good Hope; he very seldom attends chapel.

Was Paris baptized, or was he a Christian?—That I don't know.

Did you know Richard and Hamilton, Beffony or Bethney, Britton, Dick, Jessamine, Frank, Windsor, Ralph, and Quaco, belonging to Plantation Success; were any, and which, of them Christians?—I know them all except Quaco; none of them are Christians.

Did these people, or any of them, often attend the chapel?—Sometimes, but not often; I mean all of them.

Did you ever know any of the people who attended the chapel to beg wine of the prisoner or his wife, for their sick friends; and, if so, was it given?—I have known them to do so, when it was given.

Did you, at any time, hear the prisoner say, "if your master has any work for you to do on a Sunday, it is your duty to tell him Sunday is God's day?"—He did not tell us so; he told us if our master gave us any thing to do on a Sunday, we must do it; he never told us not to do it.

What sort of conduct was it for which the prisoner prevented members receiving the sacrament?—Sometimes they went to do their own work on Sunday; and some of them again went and did things which were sinful, such as taking away a man's wife.

Did the prisoner ever punish the negroes, who were members of his congregation, for running away from their masters?—Yes; if they happened to be members of the church they would not be allowed to come to the table any more.

Did the prisoner ever give you or the people any advice concerning your spending money at funerals?—Yes; he said if any body died, he told us that we must not buy hogs or fowls, but rather to use our money to buy mourning.

Did the prisoner ever say any thing to you about getting drunk at funerals?—Yes; he

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said we must not buy so much rum and other liquors to make people drunk when they come to funerals.

Do you remember the small-pox being on Le Resouvenir?—Yes.

What day was it that you first heard of its being there?—I cannot remember the day rightly now.

Was it on a Sunday?—I cannot tell.

Do you ever remember being turned away from the chapel, and not being allowed to remain in the service?—Yes.

On what occasion did this happen, and what was told you on that occasion, and by whom?—On account of the small-pox; Mr. Smith, the prisoner, told us that the doctor said that the small-pox was there, and that we must not come.

(*Questions by the Prosecutor.*)—Did you ever see the prisoner give wine to the negroes for their sick friends?—Yes.

How often?—I cannot tell.

To whom did you ever see it given?—I saw him give some to an old man named Appia, living at Van Cooten's, and some to Azor when he was sick; he lives also at Van Cooten's; he gave to others, but I don't recollect their names.

Where were you when you saw this?—I was at chapel.

Was it after the ordinance?—Yes.

Did you ever see any negroe punished by the prisoner for running away from his master?—Yes.

Who?—I saw York, of Success, for one; he is the only member I have seen punished; the rest are Christians, I can't remember their names; some Christians from Mahaica-side; can't remember their names.

How long ago was this?—It is almost a year now.

(*Questions by the Court.*)—How are they punished?—York is a member, and he would not allow him to come to the ordinance any more; the others, he said if they ran away they must not come to chapel.

In what manner were the hogs and fowls disposed of at funerals?—They killed them to eat.

10th Evidence.

Richard Elliot, duly sworn.

What is your name, place of residence, and calling in life?—My name is Richard Elliot, my abode Ebenezer Chapel, West Coast of Demerara River; my profession is a minister of the Gospel, and missionary.

Of what class of persons is your congregation composed?—I have two congregations, the one down the coast principally of slaves, and one in town in Cumingsburgh consists of slaves, white and coloured people.

In what order do you read and expound the Scriptures to your congregation?—Down the coast I read the Scriptures in rotation; in the Old Testament in the morning, and expound the chapter which is read. I then read a chapter in the New Testament, not in rotation; generally the chapter from which my text is taken.

What sort of communication do you find it necessary to hold with individuals of your congregation?—I find it necessary to converse with them frequently and freely about religion.

Were you ever at Bethel chapel when money has been collected for the Missionary Society?—Yes, I have been there repeatedly.

Did any white persons contribute on those occasions?—Yes, there were some.

Did you ever hear any of the planters of the East Coast speak of the behaviour of those of their negroes that attended the prisoner's chapel?—I have heard several speak of the negroes attending chapel conducting themselves generally better, and some of them I have heard spoken very highly of.

Do you remember the last time you visited the prisoner at Le Resouvenir?—Yes, I visited the prisoner on the 5th of August last.

How many days did that visit last?—Three days. I left Mr. Smith on the 7th of August.

Did you and the prisoner go any where together during your visit?—On the morning of the 7th, previous to my leaving Mr. Smith, Mr. Smith and I went to Success. I likewise went up the coast with Mr. Smith, and called on Mr. Hopkinson.

Did you see Mr. Hopkinson, and if yea, did any, and what, conversation take place relative to the religious negroes belonging to him?—Yes, we saw Mr. Hopkinson. Mr. Hopkinson was speaking of the religious negroes, and told Mr. Smith, some of his negroes attended his chapel. Mr. Smith said he believed not; or if they did, he did not know their name. Mr. Hopkinson mentioned the names of some of the negroes who attended the chapel. Mr. Smith inquired how those negroes that attended behaved; and Mr. Hopkinson said they behaved remarkably well; indeed he could not wish them to behave better.

Were you and the prisoner at the house of Mr. Stewart on plantation Success?—Yes, we were there on the 7th of August last.

After you left the prisoner's house to return home, when and where did you next see him?—The next time I saw Mr. Smith, the prisoner, it was in the street near the Gazette office; I think it was the Friday after the revolt.

Did you see him down the West Coast the week before the revolt?—Yes, I did.

How long did the prisoner remain on the West Coast?—I am not certain; Mr. Smith went

went down on the Monday or Tuesday previous to the revolt, and I returned with him on the Friday.

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Did you mention to any person on the West Coast that a report was among the negroes that their freedom had come out from England?—Yes, I mentioned it to Mr. Newton the burgher-captain.

Does Mr. Newton hold any other, and what, rank or station in this colony?—I don't know that he holds any other station; he is a planter.

Is he a member of the Court of Policy?—Yes, I believe he is.

Was any one present when you mentioned this report to Mr. Newton, and if yea, whom?—Mr. Smith was present; and I think Mr. Allan was present; but I am not certain whether Mr. Allan was present at the same time with Mr. Smith. I mentioned it to Mr. Newton several times.

Were you ever present at any interview between the prisoner and his honor the First Fiscal?—Yes, I was.

(Questions from the Court.)—Who informed you that a report was in circulation among the negroes that their freedom had come out?—I heard Mr. Smith state it to Mr. Stewart on the 7th of August last.

Philip, a negro, understands the nature of an oath; was duly sworn.

11th Evidence

What is your name, condition in life, and where do you reside?—Philip; a cooper, and live in Cumingsburgh, George Town. I am a free man.

Are you a member of Bethel Chapel, if yea, are you a constant attendant there?—I am, and I attend every sabbath, if not sick.

Do you know the prisoner, and if yea, how came you acquainted with him?—I do know him, and became acquainted with him by going up to hear him preach.

Did you ever on any occasion go to the prisoner for his advice?—I did.

Do you recollect any particular instance, and if yea, will you state what passed on that occasion?—When I was at the Kitty from a change of my owner, I felt the treatment very severe, and I went to complain to the prisoner, and when I went up to him, I laid my case before him; after Mr. Smith had given me knowledge, and I returned home, I found myself entirely in the wrong; and from Mr. Smith's advice to me, I became a faithful servant until I was sold.

What was the *advice* Mr. Smith gave you?—He told me a servant must be dutiful to his master and all that are put over him.

Do you remember any of the doctrines and duties taught you and the people by the prisoner?—I do. He told me, if my master sent me any where about his duty, that I must be very particular in seeing it done; and if I had not got this advice from Mr. Smith, the prisoner, I should not have been my own man this day.

Do you remember the prisoner calling up all the members, and asking them where they had been, and when they said their masters gave them work, he told them they were fools for working on a Sunday for the sake of a few lashes?—I do not know any thing of that; it did not happen in my presence.

Did you ever know of any extraordinary meetings of the members at the chapel?—No, I do not.

Were you at the chapel the Sunday before the revolt?—I was.

What time did you leave on that day?—At three o'clock.

Is it customary for any of the members to call in at the prisoner's house on the Sunday afternoon to bid him good bye?—I generally do it before I come away, but I do not see any others.

Do you leave before or after the others?—I leave before the others; I leave a good many in the church.

When you used to leave, how was the parson usually employed?—He generally takes his hat and goes right to his house, and I sit on the step when he comes down.

Did he catechise the people after the service is over; if yea, did you ever see him when you left?—That I cannot say; I have never seen it done yet.

The Court adjourned until ten o'clock the following day.

Twentieth day, Saturday, 8th November.

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THE Court having met pursuant to adjournment.

The negro *Philip's* evidence was resumed.

(Questions by the prosecutor.)—When did the prisoner give you the advice you mention?—To the best of my memory, about five years ago.

Did your master after this continue to give you as much work as before?—He did.

When did you obtain your freedom?—I got my free papers about two months before this revolt began.

How did you obtain it?—When I was sold, a lady, named Mary Long, bought me, and she gave me time to work for that money back again, which she had given for me.

When were you sold to Mary Long?—At the Kitty vendue, about five years ago, to the best of my memory.

Jason, a negro;—understands the nature of an oath; duly sworn.

12th Evidence.

What is your name; are you a slave, or free; and where do you reside?—Jason; I was a slave

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a slave at first, but on the death of my master I was made free. I now live on Plantation Turkeyen, with my grand-daughter. Mr. Van Cooten is my guardian, and takes care of me.

Do you know the prisoner?—Yes, sir.

Are you a member or deacon of Bethel Chapel;—I am a member and deacon.

How long have you been a deacon?—From the time that Mr. Wray first preached the Gospel.

What is your duty as a deacon?—My duty as deacon is to hand the bread and wine, as also to make people, who are wishful of being baptized, sensible; if any of those who are baptized are wishful of becoming members, or are wishful of coming to the sacrament, it is the duty of the deacon to teach them those things which they require; after that, it is the study of the deacon to go round to collect the sums, half a bitt from one, and a bitt from another, as they can afford, for the purpose of buying candles and wine; and further, to reckon the money correct. When I reckon the money, it sometimes amounts to *f.* 25, sometimes to *f.* 24, and sometimes to *f.* 23.

Where are these duties of making the people understand the meaning of baptism, and of being made members, performed?—In the chapel, always.

What were the doctrines and duties which the prisoner taught the people that used to go to the chapel?—The catechism for one. When we came to the chapel, the parson told us we were to believe in God, and that we were to obey our masters in all things; that we were not to steal, nor to lie, as it was a great evil; that whatever our masters commanded us to do, we were to do it without speaking again.

Were you a regular attendant in Bethel Chapel at the morning service?—Yes, I was, except when sick.

How did the people know when it was time to begin the morning service?—The bell rang at seven o'clock.

Did any member of Bethel Chapel ever pay for his seat?—No.

Did you remember Mr. Smith reading about the children of Israel, and Moses and Pharaoh?—Yes, I heard that.

How long ago is it since you heard him read about those persons?—I can't recollect the time; I must speak the truth.

Is it a short time, or a long time since?—About two months before the negroes came to trouble the white people.

(Questions from the Court.)—How comes it that your recollection serves you now?—Because it was quite out of my thoughts before.

(Questions from the Prisoner.)—Do you know how much a month is?—Four weeks.

Did you ever hear the prisoner read about David and Saul?—Yes.

How long ago was that?—I cannot recollect properly; one year perhaps, but not two years.

Were there ever more people attending divine service at Bethel Chapel than could get in?—Yes.

How often was that the case?—Every Sunday.

Could you afford to throw up the money you did for the Missionary Society?—Yes, I could.

Did any body, to your knowledge, who could not afford, throw up money for that society?—I do not know of any.

Did you attend the services at Bethel chapel on *Thursday evenings*?—Yes.

What did the prisoner then read about?—About John the forerunner of Jesus Christ; that we might believe in God and Jesus Christ's soul.

Do you know Azor?—Yes, I do; he belongs to Van Cooten.

How long has he been a member of the chapel?—From Mr. Wray's time.

Is he well acquainted with the members?—Yes.

Do the people of Le Resouvenir attend the chapel as much as the negroes of other estates are in the habit of attending?—The other estates attend more than the Le Resouvenir gang.

Was it customary for any of the deacons or members to call in at Mr. Smith's house on a Sunday when they were going home, to bid him good bye?—Yes, they called, and said "*How d'ye Massa,*" and "*good bye.*"

Did you attend to your duties as a deacon until the time of the revolt?—Yes.

(Questions by the Prosecutor.)—What is your trade, or what do you work at?—When I was with my master, I was a driver; but since I have got my freedom I have been a *Yager*.

Can you recollect the time when the prisoner told you what you have stated about obeying your master?—He told me that at all times, and frequently.

Was the bell rung to call the people to the Thursday evening service?—No.

(Questions by the Court.)—Were you at chapel the Sunday before the revolt?—I was.

Can you read?—No.

Were there many people present, more than usual on that day?—Yes, there were more.

Previous to your going to chapel on Sunday, were you told that there would be a great many people there?—No.

13th Evidence. *Mary Chisholm*, free woman, of Success, understands the nature of an oath; duly sworn.

What is your name, place of abode, and calling in life?—*Mary*; I live at Success; I make bread occasionally, and am free.

Were you a member of Bethel Chapel, if so, how long have you been a member?—Yes; a length of time before Mr. Smith arrived here.

Could

Could any of the members of Bethel chapel read before Mr. Smith came?—Yes.

Have you any slaves of your own; and did they attend on the prisoner's chapel?—I have; and they did attend the prisoner's chapel.

Had you ever any fear that the prisoner's instructions would make your slaves dissatisfied with you as their mistress?—No, I never had any fear of that.

Did you attend the Sunday morning services?—Sometimes.

Were you when you attended, attentive to the prayers offered up by the deacons and members on those occasions?—Sometimes I was.

When you were attentive did you hear any thing particular in those prayers?—Yes, I heard them pray for the world at large, the King, and their master, and for themselves, their children, and every body.

Were persons in the habit of coming in during the prayers of the deacons?—Yes.

Did you hear the prisoner read about Moses delivering the children of Israel from Egypt?—I have heard Mr. Smith read it some time back, not long ago, but I cannot remember the time.

Can you form any idea how long ago it is since you heard him read about Moses delivering the children of Israel from Pharaoh and Egypt?—No, I cannot rightly say.

Is it a month or two months, or a year, or longer or shorter than a year?—I cannot rightly say how long it is.

What did you last hear the prisoner read about?—To my best knowledge, I think he read, Luke, the Sunday before the rebellion.

Did you hear the prisoner read the history of David?—Yes.

Do you remember what he read about David?—He read about when Saul pursued after David; one night Saul dropped asleep, and David came over to him with his men, and they took away his spear, and his water-cruise, and when Saul rose up, David hallooed to the men of Saul to come for the spear. Another time, David cut the skirt of Saul's coat; then the men of David said they must slay Saul, and David said, God forbid that they should put their hands upon the Lord's anointed.

Were there any comments, remarks, or reflections made by the prisoner on what he read, if yea, what were they?—Yes; he remarked what a good man David was not to revenge upon Saul; when he had it in his power to take his life he would not do it. On one of the members observing to the prisoner, why David did not slay him, the prisoner replied, "it was better to leave him to God's mercy, to do with him as he pleased."

How long is it ago since the prisoner read about David and Saul?—Not very long; I cannot say, exactly.

Did you ever hear the prisoner read about any thing else, if yea, what?—Yes; I remember a man had a piece of land, and the King wanted it; he wanted to exchange the land, or buy it for money; the man would not sell it; and the king's wife borrowed the king's seal, and sent to his officers, saying, put a guard over such a man; and to say that the man had blasphemed God and cursed the king; and then he was stoned to death for so doing. And his wife said, rise and take possession of the land, for the man who would not sell it was dead; and when the prophet met with the king going to take possession of the land, he inquired of him, "have you killed, and are you now going to take possession?" and the king said unto the prophet, "my enemy, have you found me out."

How did the prisoner apply this story?—He read it, and then we asked for remarks upon it. Mr. Smith said, if we did any thing bad, God would always find us out; and that God sent this prophet to tell the king that he would punish him for taking away the man's land; and that if we did any thing bad, if we did not suffer for it ourselves, our children or our grand-children would suffer.

Did you notice any thing particular in the sermon on the Sunday before the revolt?—It was something about Christ's going through Jerusalem; I cannot say, exactly.

Were there any whites present at that sermon?—I believe there were.

When the service was over, did the people go away directly, or did they loiter about the chapel any time?—They went very quick away.

Do you know a woman named Dora, who was a member of the church?—Yes.

Had you any thing to do with her on the Sunday before the revolt, and if so, what was it?—Yes, the Sunday before that, Mr. Smith turned her out of the chapel, and she got me and another free woman to speak to Mr. Smith for her.

Did the prisoner speak to Dora, if yea, where?—Yes, he did in the vestry.

Had you to wait any time before the prisoner was ready to converse with her?—I had to wait while the prisoner went to his house and got some refreshment.

How long did the prisoner remain at his house?—About a quarter of an hour.

When he came back, did he converse with you and Dora immediately?—I think there was one or two more people to whom he spoke, and when he had done, he spoke to Dora.

Where were the other people to whom the prisoner spoke, before he spoke to Dora?—In the chapel.

When the congregation broke up on the Sunday afternoon before the revolt, did you see Quamina, of Success?—Yes, I saw him come out of the chapel, follow the congregation, and go towards Success side.

Where were you at that time?—I was in the chapel.

Where was the prisoner at that time?—He was in his house.

What o'clock was it when the prisoner left off conversing with Dora that afternoon?—Between three and four, I believe.

Did

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Did all the conversation between Dora, and yourself and the prisoner, on that afternoon, pass in the vestry?—Yes.

After you saw Quamina follow the congregation, where did you go?—I was in the chapel when Quamina followed the congregation, and after that I went home.

Where did you go from the time that you saw Quamina follow the congregation, to the time Mr. Smith spoke to you and Dora?—I was in the chapel.

What time was it that you went home?—Between three and four, I believe.

After you saw Quamina follow the congregation, in what part of the chapel were you?—I was sitting down at the side of the chapel, near the road, next to the Jalousie.

From where you sat could you see any body go into the parson's yard or house?—Yes.

Did you sit there all the time the parson was in his house?—Yes, I did.

Why did you sit there?—I was waiting there for the purpose of seeing Mr. Smith about the woman; I had no where else to go.

Did you see any body go into Mr. Smith's yard while you sat there?—I can't say rightly if any body went in or not; I saw some women pass through the yard.

The Court adjourned until Monday the 10th instant.

Twenty-first Day,
10 November 1823.

Twenty-first Day, Monday, 10th November, 1823.

The Court met pursuant to adjournment.

Mary Chisholm's evidence resumed.

(*Questions by the Prosecutor.*)—Can you read?—I cannot.

How many slaves have you got?—Five.

What are their ages?—There is a little girl about eight years old; two stout women, an old man I bought lately, and a girl who is pregnant now with her first child.

Were there more people at chapel on the Sunday before the revolt than usual?—Yes.

Did they go quicker away from chapel than usual?—Yes, they went away very quick.

Did they go away towards Success side in a large body, or in small parties?—I cannot say; I saw them go away in a large body; when I saw them there were plenty of people going to Success side.

Were you in the chapel or the vestry when you saw Quamina follow the congregation on that day?—I was in the chapel.

Can you state positively the prisoner was not in the chapel when you saw the congregation go away?—They began to go away before he left the chapel, then he went to his house and they were still going.

Did you not see Quamina follow the congregation before the prisoner left the chapel?—Mr. Smith was in his house when Quamina followed the congregation.

Did you see Seaton and Bristol at church on that day?—I cannot say for Seaton; but I saw Bristol follow Quamina.

Did not Quamina, the head deacon, usually go into Mr. Smith's house after chapel to wish him good bye?—I cannot say. I generally leave him there, and go home.

(*Questions by the Court.*)—Did you never see Quamina go into Mr. Smith's house after chapel?—Yes, I have seen him go there.

Did not Quamina go to Mr. Smith's house or yard from the chapel the Sunday before the revolt?—I did not see him. I don't know whether he went in my absence.

Did Quamina go into Mr. Smith's house or yard whilst you were waiting for him?—I did not see him.

Could he not have gone into Mr. Smith's house or yard without your seeing him?—In the place where I was sitting he could not have gone in without my seeing him, unless I had been looking in another direction. I cannot swear that I did not look any other way. I was conversing at the time with Dora.

Where was Dora at that time?—Dora was sitting down in the vestry; I was sitting at the window, and then I went in to Dora in the vestry.

What particular part of the chapel were you sitting in when you saw Quamina follow the congregation towards Success side?—I sat near the pulpit, to the left.

How long did you sit there before you went into the vestry?—I sat there till almost all the people had gone away from chapel.

How far did you see Quamina go?—I saw him till he passed the middle walk of Le Resouvenir, going towards Success.

Why did you watch him so particularly?—I thought it wonderful for him to go with the congregation, because he generally remained behind.

Where were you on Monday, the day of the revolt?—I was at Success until about two o'clock. I left there about two o'clock to come to town.

Before you went to chapel, did you hear the people say, or did you understand, that there would be a large congregation on that Sunday?—No; because where I live nobody lives, but me.

14th Evidence.

Charlotte, negro slave, understands the nature of an oath; duly sworn.

What is your name, to whom do you belong, and where do you reside?—Charlotte; I belong to Miss Mary Rose; I reside at North Brook.

Have you lived as servant with the prisoner; if yea, when?—Yes, I have; some time before Christmas last; I lived with him till he was taken and carried to town.

Were

Twenty-first Day,
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Were you mostly at the prisoner's house on a Sunday?—Yes.

Were you at the chapel the Sunday before the revolt?—Yes.

Were there a great many more people at chapel on that day than on any other fine Sunday?—There were not more people than always came.

How do you know that?—There is a bench made between Mr. Smith and Mrs. Smith, before the pulpit, and when there are a great many people I can never get my own seat.

Had you your seat on that Sunday?—Yes, I sat in my own seat.

Were there any white people at the chapel on that Sunday?—Yes, I saw two white men in chapel in the afternoon service. I don't know who they were.

Did you remain in the chapel until service was over?—I staid in the chapel until service was done, and then went to the house to get dinner ready.

Who cooked the prisoner's dinner on that Sunday?—I did.

At what hour did Mr. Smith dine on that Sunday?—Between 4 and 5 o'clock.

Where was Mr. Smith while you were cooking the dinner?—He was in the chapel.

How long after Mr. Smith came in from chapel was it before you carried in the dinner?—As he came from chapel I carried in the dinner.

Did Mr. Smith talk with any body after he came in from chapel that Sunday?—I saw some people go into the house; Quamina was one, and Peter; but I was in the kitchen, and I don't know what they had to say.

Was Bristol one of them?—Yes.

When they went away which of them went first?—They all came out together.

How long did you remain in or about the prisoner's house after dinner on that day?—

About $\frac{1}{2}$ past 5 o'clock I went to the negro-houses.

Did any body come to the prisoner's house during, or after, dinner, before you went to the negro-houses?—No, I did not see any body.

Had any body come during that time, is it likely you would have seen them?—If they had come by the front gate and door I could not have seen them.

When any negroes came to speak to Mr. Smith the prisoner, at which door did they enter the house?—Some of them come in at the back door: the people that are going along the road, and want to speak to Mr. Smith, enter by the front door; those that come out of chapel enter at the back door.

On a sacrament Sunday, when Mr. Smith first got up in the morning, what did he do?—I can't say.

At what hour does Mr. Smith come down stairs on Sunday mornings?—After the sun has risen; I cannot rightly say, but I suppose about seven o'clock.

After the morning service, on sacrament Sundays, is the prisoner occupied with any, and what people?—I don't know any thing about that.

Does he examine the people to see if they are fit to be baptized, or does he catechise them?—Yes; when people come to be baptized, and they are not fit to be baptized, he will not baptize them.

Does he catechise the people after noon service; if yea, where?—No.

Have you ever seen Mr. Smith with any people in the chapel after the noon service?—I have seen him stay sometimes with some plantation people.

Was this often the case?—Not often.

Do you know what Mr. Smith stayed with those people for?—No.

Did the prisoner's horse remain in the stable in the evenings?—He is loosed, and generally walks about the yard.

When was he loosed?—About five o'clock.

Was this always the case?—Yes.

Was there a great noise on Le Resouvenir on the Tuesday evening after the revolt?—No; I did not hear any noise.

Were you on Le Resouvenir on that evening?—Yes.

Did you ever keep any water to drink in the kitchen?—No.

Were you at the prisoner's house on the Monday evening of the revolt?—Yes, I was.

Did you see a man bring a letter; if yea, who was he?—I saw a man that belongs to Dochfour, (I don't know his name,) but did not see a letter.

When did that man go away?—He stayed a little while, and as he went out of the yard the sun began to get dusk.

Did you see Mrs. Smith on that evening?—No, not in the house; I saw her walking with Mr. Smith in the middle path.

Did Mrs. Smith say any thing to you?—She did not tell me any thing until the noise was made at Mr. Hamilton's house; she told me then to go and call Mr. Smith, but I was too much afraid to do so.

Did Mrs. Smith appear frightened?—Yes.

Where had she been, and where did she come from, when she told you to go and call Mr. Smith?—She came from Mr. Hamilton's house.

When did Mrs. Smith tell you to go to call Mr. Smith?—Mrs. Smith being alarmed at the noise, came from Mr. Hamilton's house, desired me to go back and call Mr. Smith.

(Questions by the Prosecutor.)—When Quamina and Bristol went to the prisoner's house the Sunday before the revolt, did they go immediately after chapel?—They came directly after church.

Was any one there besides Bristol, Quamina and Peter?—No; that I can't say.

Are you certain that Seaton was not there?—I did not see him.

Where

62 PROCEEDINGS OF A COURT MARTIAL IN DEMERARA,

Twenty-first Day,
10 November 1823.

Where were you when they came out?—I was in the kitchen.
Did you speak to any of them when they came out?—When they came out and went away I was getting some dinner for myself to eat, and I saw Bristol going, and I ask him to come and dine, but he refused, saying it was too late.

Was Quamina with Bristol at that time?—Yes.

Has not the prisoner a grass-cutter in his employ?—Yes.

(Questions by the Court.)—Were there not fewer people at chapel that Sunday than usual?—Just the same as always.

Were there any outside the chapel that Sunday?—Some were outside, but that is always the case.

Was not Mary Chisholm at Mrs. Smith's house after chapel on that Sunday?—I did not see her.

Is not the seat where you sit railed off from the great body of the chapel?—Yes.

15th Evidence.

The negro *Mars* understands the nature of an oath; duly sworn.

What is your name, and to what estate do you belong?—Mars; I belong to plantation Vryheid's Lust.

Are you a member of Bethel Chapel; if yea, are you regular in your attendance at the services in that chapel?—I am a member; and regularly attend unless when sick.

How long have you been in the habit of attending that chapel?—From the time that Mr. Wray came.

By what road had you used to go to the chapel?—By a road that Mr. Post made from our place to the chapel, and not the public road.

Is it still there?—They have broken it up.

Who broke it up?—The white people belonging to the estates through which the road passed.

Did you see more people at the chapel on a Sunday than could get in?—Yes.

Were you at the chapel on the Sunday before the revolt?—Yes.

Were more people there that Sunday than on the other Sundays?—Just the same.

Used every part of the chapel, including the vestry, to be filled with people on a Sunday?—Yes.

Did Mr. Smith a few weeks before the revolt make any observations to you about building a larger chapel?—Yes. He said that if he could get money enough from people's collections, he would put up a larger chapel, as the present one could not hold us. We said we would all set to and speak about it.

Did you ever give any money to the prisoner for the Missionary Society?—Yes.

After you had given the money did you ever feel that you wanted it back; or did you ever wish that you had never given it?—No.

Did you ever find that the prisoner's reading or preaching made you unhappy, or dissatisfied?—It satisfied me.

Did it make you dissatisfied with your condition as a slave?—It did not; it made me satisfied.

Was it customary or usual for the principle or head people to go into the parson's house on a Sunday after service, to bid him good bye?—Yes, sometimes.

Do you know whether the prisoner used to catechise the people in the chapel after service?—No; before the service; only those who went to be baptized were catechised after the service.

(Questions by the Prosecutor.)—Had not the chapel been enlarged and repaired since the prisoner began to preach there?—Yes, they put a floor to it.

Was there not a gallery erected?—There was.

Did the members of the chapel throw up money to pay for these repairs, &c.?—Yes, they did.

(Questions by the Court.)—Was the gallery added before or after the conversation with the prisoner about building a larger chapel?—It was put there before.

The Court then adjourned until the following day.

Twenty-second day, Tuesday 11th November, 1823.

Twenty-second
Day,
11 November 1823.

THE Court met pursuant to adjournment.

London, a negro slave, understands the nature of an oath; duly sworn.

What is your name, and to what plantation do you belong?—London; I belong to Plantation Brothers.

Were you a member of Bethel chapel; if yea, were you a regular attendant?—I was; and attended regularly.

Can you read, and who taught you?—I can read a little; Romeo taught me a little, and Mrs. Elliot taught me more, until Mr. Smith came.

Did Mr. Smith ever teach you?—No.

Have you a Bible; and if yea, do you use it in chapel?—I have, and use it in chapel.

Can you follow the parson as he reads the Bible from the pulpit; if yea, were you in the habit of doing so?—Yes, I can, and am in the habit of doing so.

Do you remember the prisoner reading about Moses delivering the children of Israel from Pharaoh, at the morning service?—I heard him, but very long ago, about two years.

What

16th Evidence.

What books of the Bible did he read last year, at the morning service?—He began with Leviticus, until Numbers, and then Deuteronomy.

What books did he read this year?—He read Kings, Samuel, Judges; he had not finished Kings.

Does Mr. Smith at the morning service read straight on, or does he ever turn back to read chapters over again which he had read before?—He reads it straight forward; he does not come back; he goes on before.

Were you at chapel the Sunday before the revolt?—Yes, I was.

Were there more people there that Sunday, than were usually there upon any fine Sunday?—No.

How many Sundays before the revolt was sacrament Sunday?—Two Sundays, including the Sunday before the revolt.

Did you learn the catechisms taught at the chapel?—Yes.

Are these the same?—[Two catechisms produced (Nos 17 and 18). *The witness being required by the Court to read a part of them, did so, and declared they were the same.*]

How often were you taught the catechism?—Every Sunday.

Was the congregation assembled when the catechisms were taught?—Yes.

(Questions by the prosecutor.)—Did not the prisoner read Exodus to you a few Sundays before the revolt?—No.

Did he read Joshua to you?—Yes, a little long before the revolt began, at the morning service.

What did you hear read in Joshua?—When Moses was dead, Joshua took his place, and God Almighty put him over these people.

Look at the eighth chapter, and state if he read that?—I did not hear him read the eighth chapter of Joshua.

Now look at the seventh chapter, and state if he read that?—No, I did not hear him.

Have you never read the eighth chapter of Joshua before to-day?—No, I did not, but I may have seen it, looking through the book.

Peter, a negro slave, understands the nature of an oath; duly sworn.

17th Evidence.

What is your name, and to what plantation do you belong?—Peter; I belong to Le Resouvenir.

Are you an attendant of Bethel Chapel?—Yes.

Were you at that chapel the Sunday before the revolt?—Yes.

Did you see Quamina, of Success, on that day?—Yes.

Where did you see him?—At Mr. Smith's house.

Were there any other persons present?—Bristol, Seaton, a boy named Shute, a field negro of Le Resouvenir, and Mr. Smith, were present, and with myself made six.

Did Quamina say any thing to the prisoner, if yea, what was it?—Yes. He said that they should drive all those managers from the estates to the town, to the courts, to see what was the best thing they could obtain for the slaves; then Mr. Smith answered, and said that that was foolish; How will you be able to drive the white people to town? and he said further, the white people were trying to do good for them; and that if the slaves behaved so, they would lose their right; and he said, Quamina, don't bring yourself in any disgrace; that the white people were now making a law to prevent the women being flogged; but that the law had not come out yet; and that the men should not get any flogging in the field, but when they required to be flogged they should be brought to the manager, attorney or proprietor, for that purpose; and he said, Quamina, do you hear this? and then we came out.

What did Quamina say in answer, when Mr. Smith said "You hear?"—He said "Yes, Sir;" that was all.

How long were you and Quamina, and the rest, at the prisoner's house?—We did not stop a minute.

Was Seaton with you the whole time at that conversation?—Yes.

Which of you all went out of the prisoner's house first?—We all five came out together.

Had Mr. Smith dined when you were at his house that time?—No; because he was sitting on a chair.

Was the table laid for dinner?—When we were inside the house the table was laid for dinner.

(Questions by the Prosecutor.)—Did Quamina state when they were to do what you state about driving the managers to town?—He did not tell the time.

Did you know of the meeting on Success Middle Walk?—Yes; on the same day I went to the meeting at the Success Middle Path from the chapel; and then came from the Success Middle Walk to Mr. Smith's house, to tell him about the thing. Quamina came to tell Mr. Smith they intended to drive the white people.

Was Charlotte, Mrs. Smith's servant, there? and if so, did she give Quamina any dinner?—She was in the kitchen, and gave Quamina dinner as we came out.

(Questions by the Court.)—Did you hear Mr. Smith say any thing about the Christians?—Nothing.

Did you hear Mr. Smith say any thing about the soldiers?—No.

Did you hear Quamina say any thing about Jack and Joseph?—No.

Did you hear their names mentioned?—No, he did not call anybody's name.

64 PROCEEDINGS OF A COURT MARTIAL IN DEMERARA,

Bill, negro, understands the nature of an oath; duly sworn.

Twenty-second
Day,
11 November 1823.
18th Evidence.

What is your name, condition in life; and where do you reside?—*Bill Rogers*, a tailor; reside in Cumingsburgh; I have bought myself, but am not manumitted yet.

Were you not a member of Bethel Chapel? If so, how long have you been a member?—I was; for about three years.

Can you read? If yea, who taught you to read?—I can read a little; I got it here and there; and had no particular instructor.

Have you a Bible; and if yea, were you in the habit of using it in chapel?—Yes, I have; and used it in chapel.

Did Mr. Smith teach you to read?—No.

In what order did Mr. Smith read the Bible at the Sunday morning services?—He reads a chapter, and then stops; next Sunday he reads another chapter; sometimes the succeeding chapter, and sometimes from another place.

Did he keep going forward, or did he go backward?—Forwards.

Did you ever hear Mr. Smith tell any of his congregation any thing likely to make them unhappy and discontented with their masters?—No, I never heard him.

Did you ever hear the prisoner tell the negroes “that if their masters had work for them to say that Sunday was God’s day?”—No, I never heard him say that.

What time was it in general before the services were over on Sacrament Sundays?—Generally about four o’clock.

19th Evidence.

Nino, a negro, understands the nature of an oath; duly sworn.

What is your name, and to what estate do you belong?—*Nino*; I belong to Le Re-souvenir.

Were you a regular attendant at Bethel Chapel on that estate?—Yes.

Can you read, and have you a Bible?—I have just tried to read, and have a Bible.

Where did you get it, and how much did you give for it?—I bought it from Mr. Smith, and gave *f.3.* for it; he charged me *f.4.* for it, but took *f.3.*

What was the usual price of the same sized Bibles?—They might give *f.6.* for such Bibles; I mean some people have given *f.6.* for the same sized Bibles for which I gave *f.3.*

(*Question by the Prosecutor.*)—What day did you buy that Bible?—It is so long ago I cannot recollect.

(*Question by the Court.*)—What are you on the estate?—A field negro.

The Court adjourned until the following day.

Twenty-third day, Wednesday 12th November, 1823.

Twenty-third Day,
12 November 1823.

THE Court met pursuant to adjournment.

20th Evidence.

Robert Edmonstone, duly sworn.

What is your name, calling in life, and place of abode?—*Robert Edmonstone*, a merchant in George Town.

Are you acquainted with Frederick Cort, and his handwriting?—I am.

Are these notes and letters in his handwriting?—They are.

[*Three documents, marked N° 19, 20, and 21, produced and read.*]

Are you acquainted with John Stewart, manager of Success, and his handwriting?—I am; and know his handwriting.

Are these notes in his handwriting?—To the best of my belief they are.

[*Nine documents, marked N° 22, produced and read.*]

Are you acquainted with John G. Abbott, late or at present manager of plantation Vigilance, and his handwriting?—I am not.

Are you acquainted with R. Murray, of Lusignan, and his handwriting?—I know Mr. Murray, but have never seen him write, although I have received letters from him.

Are these letters in his handwriting?—I believe they are.

[*Seven documents, marked N° 23, produced and read.*]

Were you acquainted with the late W. B. Panye, and his hand writing?—I was not, nor did I know his handwriting.

Are you acquainted with Morrison Jack, late manager of Lusignan, and his handwriting?—I could not swear to it.

Are you acquainted with L. Cuming, and his handwriting?—I am.

Are these notes in his handwriting?—I believe them to be so.

[*Two documents produced, marked N° 24, read.*]

Are you acquainted with James Todd, of New Orange Nassau, and his handwriting?—I am acquainted with him, but not well acquainted with his handwriting.

Are you acquainted with John Stewart, of North Brook, and his handwriting?—I am.

Is this note in his handwriting?—Yes.

[*Note produced and read, marked N° 25.*]

Are you acquainted with C. A. Van Grovestins, and his handwriting?—I am acquainted with him, but not with his handwriting.

Are you acquainted with L. Forrester, late manager of La Bonne Intention, and his handwriting?—I know him, but am not much acquainted with his handwriting.

John

ON TRIAL OF JOHN SMITH, A MISSIONARY.

65

John Spragg, duly sworn.

What is your name, calling in life, and place of abode?—John Spragg, a merchant in George Town.

Are you acquainted with Samuel Orford, late manager of plantation Industry, and his handwriting?—I am acquainted with him, but not much with his handwriting.

Is this note in his handwriting?—I believe it is.

[*Note produced and read, marked N° 26.*]

Are you acquainted with George Donaldson, late, or at present, of plantation Industry, and his handwriting?—No, I have no knowledge of him.

[*Fifty-seven documents produced and read, marked N° 27; these documents were admitted by the prosecutor, the proof of the handwriting dispensed with.*]

John Davies, Missionary, again called, duly sworn.

Are you acquainted with George Burder, secretary of the Missionary Society, if yea, is the signature, Geo. Burder, the signature of that person?—I am; to the best of my belief it is. [*Letter of instructions from the London Missionary Society, produced and read, marked 28.*]

[*Note. This witness was allowed to be recalled at the request of the prisoner, simply to prove the handwriting of the documents just read, and marked N° 28.*]

Shute, a negro, understands the nature of an oath; duly sworn.

What is your name, and to what plantation do you belong?—Shute; I belong to Le Resouvenir.

Are you an attendant of Bethel Chapel?—Yes.

Were you at that chapel the Sunday before the revolt?—Yes.

Did you see Quamina of Success on that day?—Yes.

Where did you see him?—At the chapel.

Did you see him any where else?—Yes, I saw him at Success middle path, and I saw him after that come over from Success to our place, to Mr. Smith;

Did you see him at Mr. Smith's?—Yes, I saw him there, and was there myself.

Was any body, and who, present when you saw him at Mr. Smith's?—Seaton, Bristol, and Peter, with Quamina and myself.

Did any, and what, conversation pass on that occasion?—Yes; Quamina said to Mr. Smith he was going to drive all the managers down; and Mr. Smith told him, no; for the white people are doing many good things for you; and if you are going to do that—you must not do that, Quamina, I tell you; Quamina said, yes, I will see; and after that we all came out of the house from Mr. Smith.

Did Quamina say what he was going to drive the managers down for?—That they must come down, that they may have a good law to give them a day or two for themselves.

Was Seaton there all the time?—Yes.

Which of you went away from Mr. Smith's house first?—We all together went.

When the drivers flogged the negroes on Le Resouvenir, was the manager or overseer always present?—Sometimes they are there, and sometimes they are not at home.

(*Questions by the Prosecutor.*)—How far is Success Middle Walk, where the meeting was, from the prisoner's house?—As far as from this to the old jail on the Brick-dam.

Were there many persons collected at the meeting, before you left it to go to the prisoner's house?—Plenty of people were there.

Were Jack, of Success, and Joseph, of Bachelor's Adventure, there?—Jack, of Success, was there, but I don't know Joseph, of Bachelor's Adventure.

Why did you go to Mr. Smith's after you had been in the Success Middle Walk?—Quamina sent Bristol to call me and Peter to go to Mr. Smith's house, to tell him they were going to drive all the managers.

Where did you go after you left Mr. Smith's house?—I went home.

Do you know where Quamina went?—He went over to his own place, Success. I saw him and Seaton go along together.

(*Question by the Court.*)—How long were you together in Mr. Smith's house?—I cannot tell the exact time; the time I have been before the Court is longer than the time I was with Mr. Smith; I was not long there.

Polly understands the nature of an oath; duly sworn.

What is your name, and to what plantation do you belong?—Polly; I belong to Mon Repos.

Were you an attendant of Bethel Chapel?—Yes.

Did Mr. Smith ever catechise the negroes in classes, in the chapel, on a Sunday?—Mr. Smith did not, but his lady did; I don't attend morning service.

Were the different estates people ever catechised together in the chapel after the noon service?—Mr. Smith catechises them when the time comes round in the year, but not every Sunday.

Do you mean that Mr. Smith, or Mrs. Smith, catechises the different estates negroes in the chapel on a Sunday, after the noon service?—Mr. Smith catechises the people after service, and Mrs. Smith before the service.

Did the people of your estate usually attend in time for the catechising before service?—Some of them; those that had time to come.

Why had not the others time to come?—Some of the people that were employed in the boiling-house had to wash it down, and some of the women had to carry megass.

Susannah

Twenty-third Day,
12 November 1823.

21st Evidence.

22d Evidence.

23d Evidence.

24th Evidence.

66 PROCEEDINGS OF A COURT MARTIAL IN DEMERARA,

Twenty-third Day,
12 November 1823.

Susannah, understands the nature of an oath, and was duly sworn.

25th Evidence.

What is your name, and to what estate do you belong?—*Susannah*; I belong to Le Resouvenir.

Were you an attendant of Bethel Chapel?—Yes, I was.

How is the top pulpit in the chapel made, *i. e.* when you are sitting on one side of the pulpit, can you see under the top pulpit to the other side of the chapel?—The pulpit is made round; yes, I can see under the top pulpit.

Do you remember the revolt?—Yes.

Where were you on the evening after it began, that is, Tuesday evening?—I was on the estate.

Did you hear any noise on the estate that same evening?—I don't think I heard any noise on Tuesday evening.

26th Evidence.

T. C. Hammill, a member of the Court, Lieutenant 21st Regiment R. N. B. Fusileers, late Government Secretary, duly sworn.

Have you ever seen this Petition before?—Yes, I have. [*Petition and order of the Governor produced and read, marked N° 29.*]

Was a second petition presented by the prisoner?—Yes.

Did the petitioner call often, and how often, for an order on the second petition?—He called often, but how many times I can't exactly say.

Did he obtain any order?—Not on the last petition, as far as my memory serves me.

The Court adjourned till the following day.

Twenty-fourth day, Thursday, 13th November.

Twenty-fourth
Day,
13 November 1823.

THE Court met pursuant to adjournment.

Thomas Finlayson, duly sworn.

27th Evidence.

What is your name, calling in life, and place of abode?—*Thomas Finlayson*, merchant, in George Town, Demerara.

Are you acquainted with *John George Abbott*, manager of Plantation Vigilance, and his handwriting?—Yes.

Is this letter his handwriting?—Yes. [*Letter produced and read, marked N° 30.*]

28th Evidence.

Elizabeth, a negro girl, understands the nature of an oath; duly sworn.

What is your name, and to what estate do you belong?—*Elizabeth*; I belong to Industry.

Do you remember the evening of the revolt; if yea, did you see *Mrs. Smith* after she returned from *Mr. Hamilton's* house on that evening?—Yes, I do; I saw her when she came from *Mr. Hamilton's* house.

Was she alone the time you saw her when she returned, or was *Mr. Smith* with her?—*Mrs. Smith* came home first, she then sent *Romeo* to call *Mr. Smith*.

Did she go back herself again, or did she wait till *Mr. Smith* came?—*Mrs. Smith* went back to *Mr. Hamilton's* house.

Was *Mrs. Smith* frightened?—Yes, she was frightened; and when she came home she was crying.

When you saw *Quamina* go into *Mr. Smith's* house on Wednesday evening, did *Mrs. Smith* shut the door?—I did not see the door shut when *Quamina* went in.

Whilst *Quamina* was there, was the door shut or open?—It was open. I mean the back door of the hall?—I don't know any thing about other doors.

Where were you when you saw *Quamina* with *Mr. and Mrs. Smith*?—I was in the kitchen.

Did *Quamina* go in at the front door or back door?—I did not see him go in at the back door, but I saw him come out at the back door.

Had *Mr. Smith* prayers every night, if yea, where?—Yes, sometimes in the house, and sometimes in the church.

When prayers were in the house, was the front door usually shut or open?—Sometimes shut, and sometimes open.

Had *Mr. Smith* prayers the night that *Quamina* was there; if yea, was it before or after *Quamina* went away?—Yes, after *Quamina* went away.

29th Evidence.

Alexander Simpson, duly sworn.

What is your name, calling in life, and place of residence?—*Alexander Simpson*; I reside at Le Reduit, and am a proprietor of that estate, and *Montrose*, as also captain of the Demerary cavalry.

Do you know the prisoner, if yea; who arrested him?—I do; and I arrested him at the request of captain *M^cTurk*, communicated to me by Lieutenant *Nurse*, on the 21st August last.

Do you know upon what grounds the prisoner was arrested?—On Thursday the 21st I called with the cavalry under my command at *Felicity*, captain *M^cTurk's* post. I stated to captain *M^cTurk* that it had a very bad appearance that *Mr. Smith*, or *Parson Smith*, and his wife remaining on an estate with the negroes all to a man in a state of revolt; and that they could not remain there, his wife especially, in a state of safety, unless they were in collusion with the negroes so revolted. That as he, captain *M^cTurk*, was the burgher-officer of

of the district it more properly came under his department to have them removed from the estate; but that if he would not do so, I would, by my own authority. Captain M^cTurk said he would have that done.

Was the prisoner required or wanted as a soldier?—I did not hear that he was, and not to my knowledge; he stated to me he could not serve in a military capacity.

When you arrested the prisoner, what was his behaviour?—He submitted immediately; he made use of no offensive language to me; he said, if he must, he would submit if I ordered him.

Were Doctor M^cTurk and the prisoner on good terms?—No; it comes within my knowledge they were not.—[*Eighty-four documents, being recommendations for marriages and baptisms were then produced and read, No 31, these documents were admitted by the prosecutors, the proof of the hand-writing dispensed with as before.*]

The Court adjourned until the following day at ten o'clock.

Twenty-fourth
Day,
13 November 1823.

Twenty-fifth day, Friday, 14th November, 1823.

Twenty-fifth Day,
14 November 1823.

THE Court met pursuant to adjournment; when the Prisoner read the following OBSERVATIONS on the nature of the Evidence adduced:—

Mr. President, and Gentlemen,

I have closed my Defence; and will, by permission of the Court, offer a few Observations upon the Evidence adduced by me in support of it, in the order of the defence, dividing my observations accordingly into three heads.

With respect to the first charge, I shall not say much, as I consider the evidence on that head so clear and satisfactory as to leave no doubt upon the mind of any person that it has been not only not made out, but that it is completely disproved.

I will therefore content myself with simply referring to the different sub-divisions which I think embrace all the points contained in that charge, and note the evidence applicable to each.

My Preliminary Remarks are*, I trust, supported in those cases in which it was necessary for me to adduce evidence. In (*page 1,*) by the instructions from the Missionary Society; in (*page 2,*) by H. Van Cooten and the instructions. In (*page 3,*) by H. Van Cooten, John Stewart, and Richard Elliot; by my journal, and Bristol. In (*page 4,*) by Polly, Mars, and London; by Bristol, Jason, and Azor. In (*page 5,*) by the instructions. In (*page 5*) B. by the Reverend Wiltshire Staunton Austen, Richard Elliot, and John Davies. In (*page 6*) by my instructions. In (*page 7,*) by Azor, Bill, London, Philip, Mary Chisholm, Mars, Romeo, and others.

The first division of the first charge requires no evidence. The second, That I have endeavoured to mislead the negroes by misinterpreting the Scriptures, is disproved by Romeo, Bristol, Azor, Jason, Mary Chisholm, and London in particular.

The third, that of taking money and presents from the negroes, it is true, has been proved; but they were given voluntarily, of their own free will and accord, as many of the witnesses have proved. The money collected for the Sacrament was applied, as Jason has proved, in the purchasing bread and wine, and candles. The money collected for the Missionary Society was regularly remitted. The planters knew of the collection, and not only allowed it, but some were themselves contributors as proved by H. Van Cooten, John Stewart, and John Hamilton.

Fourthly, it has been established that the sale of the Bibles was ordered by the Bible Society, and Mr. Davies has proved that he charged at the same rate for those he sold. I took no unfair advantage of any negro or other person in the sale of either the Bibles or other books. Nino has proved that I sometimes sold the Bibles for half price.

Fifthly, That I have interfered with the treatment of the negroes. Not a single instance of interference has been produced; but evidence to the contrary has been brought forward by me in my journal, and by Mr. Austen, independently of Bristol's evidence on this head.

Sixthly, That I have taught them, (the negroes) it was sinful to work, or go to market on a Sunday. Upon this head I think it has been satisfactorily shown by the evidence of Romeo, Jason, Bristol and Manuel, that though I taught the negroes in obedience to the commandment of God to keep holy the Sabbath; yet that I invariably advised them to a dutiful submission in performing their work if assigned them even on Sundays.

Seventhly, That I have taught them to disobey their masters. This is disproved by Bristol, Romeo, Jason, Mars, and Mary Chisholm, herself an owner of slaves.

Before I enter upon the first part of the second and third charges together I cannot omit commenting upon some part of the evidence introduced on the first charge, because from it will appear what my conduct has ever been, and therefore that it was impossible for me to have been guilty of the third, and of the second part of the second and fourth charges unless I had become suddenly insensible to every obligation moral and divine.

It is evident from the evidence that I have always acted with the greatest uprightness and integrity; that I have gone farther, and conducted myself with prudence and caution from the time of my arrival in the colony to the revolt; nay Hamilton proves that even in the

* see p. 31.
sic. orig.
[but these references are to the divisions of the Prisoner's defence, which commences on page 31 supra, and is continued to p. 45; and also subsequently from this place to p. 72.]

Twenty-fifth
Day,
14 November 1823.

very midst of the attack on his house, I hastened to his assistance, and used all the means I possessed in his favour; that I exhorted the negroes to be quiet; it was all I could do.

All the negroes, both for the prosecution and defence, who were questioned on this point, agree that I always taught them to be obedient to their masters, and to submit themselves to all in authority over them; not an individual exception is there to this train of evidence. My Journal, read from page to page, will not disclose one single passage emanating from bad feeling towards any individual. The vices and follies of some may have therein been reprobated, but even the reprobation of those persons was confined to myself. I did not commit, in many instances, even their names to paper.

The certificates for baptism from the various proprietors and managers of the estates on the east coast abundantly show that even in the performance of the rite of baptism I was peculiarly cautious with respect to the characters I admitted into my congregation. George Donaldson states, as the pass given was not sufficient, he would give another. Nicholas Van Cooten says, that finding I was wishful of some testimony of the negroes character, he therefore recommended. But had the negroes been excited to disobedience by me, would I have required testimonials of character before I bestowed upon them what they considered a valuable acquisition? Many of the certificates were destroyed, but even those that have been preserved are sufficient to convince the most prejudiced that my requiring certificates was from principle, as they form a regular series during the whole course of my ministry at Le Resouvenir.

It has been attempted, and in fact the whole drift of the prosecution, of the charges, and of the questions of the prosecutor, was to show that the religious negroes were the most refractory and rebellious. What do the certificates of baptism say, that only they were recommended by their owners, managers or overseers, who behaved well, who were well disposed, and who were thought worthy of reward. Do not all these proofs, from even interested parties, clearly demonstrate that the effect of religious instruction was beneficial? Independently of this, the witnesses, H. Van Cooten, himself a proprietor of one, and attorney of another large estate; and John Stewart, unwilling as he was to answer my questions, have sworn, that the religious negroes were the most obedient in general. Every planter, every master, can tell how very intractable and unruly is a dissatisfied negro—he will not be obedient. The series of written evidence proves that those negroes who were allowed to attend the chapel conducted themselves in a dutiful manner. Should any object that the certificates relate to the characters of negroes previous to their becoming christians, Mr. Haig's note will be a satisfactory answer. I quote from memory:—He says, ‘I have hitherto refused to give such and such negroes a certificate of characters in consequence of some that were baptised by Mr. Wray behaving amiss; but as they now behave better, I comply with their request, and recommend them to you as well disposed people.’ Thus I think the very reverse of the first charge, (that I have as far as in me lay promoted discontent and dissatisfaction in the minds of the negroes, thereby intending to excite them to break out in open revolt and rebellion against the lawful authority, &c.) is manifested. Doctor M^cTurk's evidence is of itself sufficient to condemn itself; but the testimony of Messrs. Hamilton and Simpson is conclusive against him.

It is a bold assertion, but not more bold than true, that there is not a single negro witness upon any material point, either in support of the second and third, and fourth charges, or in support of the defence, who is not either contradicted by himself or by some other witness. In some part of his evidence Bristol contradicts himself; he is also contradicted by Emanuel, Seaton, Peter, Shute, Mary Chisholm, and Charlotte. Emanuel is contradicted by Bristol, Seaton, Mr. Stewart, Mr. Elliot, Mary Chisholm, and Bill. Seaton is contradicted by Bristol, by Peter, Shute and Charlotte. Peter is contradicted by Bristol, Seaton and Shute. Shute is contradicted by Bristol, Peter and Seaton. Charlotte is contradicted by Peter and Shute; and Antje is contradicted by Elizabeth; and Elizabeth is contradicted by Antje, Dora and Mr. Hamilton.

Bristol says, He is a deacon, and one of the duties of the deacons is to instruct candidates for baptism, and to teach them to read.

Contradicted.—Bristol himself says he cannot read.

He was not at the meeting in the middle path of Success on the 17th of August.

Emanuel says Bristol was present at the meeting in the middle path of Success on the 17th of August.

He staid a little while after the noon service near the chapel, from whence he went direct to Mr. Smith's house with Quamina on the 17th.

Mary Chisholm says the congregation on that day went quick away; that Quamina followed them directly from the chapel; that Bristol followed Quamina; and Bristol himself says that he was in Mr. Smith's house talking about his little girl, when Quamina came in.

Mr. Smith told the negroes if they ran away they must take care, and not let them catch them again.

Bristol himself says Mr. Smith never encouraged any negro to run away, and punished York for so doing.

Did not see any body else present during Quamina's conversation with Mr. Smith,

Peter, Shute, Seaton and Charlotte, prove that Peter, Shute, and Seaton, were with Quamina

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in his presence on the 17th, and makes out that he was only once at Mr. Smith's house on that day.

He never heard the people talk about any one else fighting but the Jews or Israelites.

All and every one of the doors were shut during the Sacrament.

After he left Mr. Smith's house after service, he went to the chapel, from thence home.

When we went in Quamina asked Mr. Smith if any freedom had come out for them, and Mr. Smith said no.

Bristol says, Quamina said Jack and Joseph were speaking very much about it, *i. e.* freedom; that they wanted to take it by force.

Mr. Smith said to Quamina, 'The soldiers will be more strong than you.'

Mr. Smith told Quamina he had better go and tell the people, and christians particularly, they had better have nothing to do with it.

Quamina said he would drive all the white people, and make them go to town.

Quamina said the white people were to be driven to town, because the negroes freedom had come out.

Emanuel says: Three Sundays before the war came, he and Quamina went to Mr. Smith's house, and then he relates a conversation which he says occurred; and amongst other things that Quamina asked the parson, and said, I understand that Mr. Stewart and Mr. Cort came here on Friday. By this it would appear that Mr. Cort and Stewart had called upon me on the 3d of August.

He is then asked, did the parson say thing about Jack and Joseph; and though just before he could not recollect any more, and had added, it is on paper taken down by Mr. Smith and Mr. Croal, yet he immediately remembers a tale about Jack and Joseph.

He heard of this revolt about a month and a half before it.
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Quamina and Bristol on that day in Mr. Smith's house, and as Bristol says he was there only once, it must of course have been on that very occasion; and Shute says that Bristol came to call him and Peter.

Bristol says he has heard of the French and English fighting from people all about.

Bristol says the little door in the gallery was open, and the little door of the gallery communicating with the body of the chapel was also open.

Manuel says Bristol came back to the Middle Walk at five o'clock.

Seaton says he was present at the commencement of the conversation, and nothing was said about freedom having come out.

Peter answers to the question by the Court, "Did you hear any thing about Jack and Joseph?" "No, Sir."—Did you "hear Jack and Joseph's names mentioned at all?" "No; he did not call any body's name."

Peter is asked by the Court, "did you hear Mr. Smith say any thing about the soldiers?" He answers, "No."

Peter is asked by the Court, "Did Mr. Smith say any thing about the christians?" His answer is "nothing."

Bristol in his cross-examination says it was the *managers* who were to be driven to town. Peter says, Quamina said he would drive all them *managers* from the estates to the Court. Shute also says it was the *managers*.

Peter says, Quamina said they were to drive the managers to the Court, to see what was the best thing they could obtain for the slaves. Shute was asked, "Did Quamina say what he was going to drive the managers down for?" He answered, they must come down to make a good law, and give them (the negroes) a day or two.

Contradicted.—Mr. Stewart and Mr. Elliot prove that Mr. Cort and Mr. Stewart did not come to me until the 8th of August.

If this be true, why should Bristol also state, that on the 17th Quamina told me that Jack and Joseph wanted to take their freedom by force. Bristol is contradicted, and so would Emanuel have been, had he stated there was any one present. I never saw the man with or without Quamina upon any such subject.

All the witnesses prove that it was only determined upon on the 17th of August, the day

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He is asked who was present when the parson said, If your master had any work for you to do on Sunday, it is your duty to tell him that Sunday is God's day. He answers, Joe, Jack, of Dochfour, Bristol, and Bill.

That when he went with Quamina to my house he went in the kitchen to get water to drink.

Bristol was at the meeting in the Success middle path; came away with Quamina to me, and returned to the meeting about five o'clock.

Seaton says:—He was only once at Mr. Smith's house on the 17th of August, and that on that occasion Bristol and Quamina were present; and that only Bristol was present with Quamina and himself at that time.

I left Mr. Smith's house without any one with me. I fell in with Emanuel in the way.

After I heard that, (meaning a conversation between Quamina and Mr. Smith,) Quamina told me to go to the Middle Walk of Success with Emanuel. I went and stopped the people till he came.

Was present with Quamina and Mr. Smith in Mr. Smith's house only once on that Sunday, and that was after service, before he went to the Middle Walk of Success. The meeting at the Middle Walk took place at two o'clock.

Peter states a conversation which he says passed on the 17th August, between myself and Quamina, and that there were three others present, viz. Bristol, Shute, and Seaton.

The parson said, Quamina, do you hear this? and that Quamina answered, "Yes."

Shute says, Quamina said to Mr. Smith he was going to drive all the managers down; and upon being asked, "did Quamina say what he was going to drive the managers down for?" he answers, That they must come down to make a good law, and give them (the negroes) a day or two for themselves.

Is this Evidence sufficient to convict any individual of an offence; much more one of so high a nature as that with which I am charged? It is true that it would seem as though these various tales had some foundation. I have stated clearly in the Defence the simple facts from which all these various tales have sprung. Men who cannot remember simple facts, such as knowing whether any one was present during a conversation, or whether they left a house alone, or in company with another, are not likely to be very accurate in the narration of a conversation. Which of these witnesses is the one to be believed? they are all alike; they are all at variance with each other: and whether one is to be selected in preference to the rest, or all are to be discredited, is a matter to be determined solely by the Court. I think I have shown that it will require at least some dis-

crimination
day before it broke out; and he is then asked, Did any one disclose to you the time that the revolt was to break out? He answers, "O yes, plenty of people from Mehaica-side in the Middle Walk of Success."

Bill and Bristol are both pointedly asked whether they ever heard me say so, and declare they never did.

Charlotte proved that no water was ever kept in the kitchen to drink.

Bristol says he was not at the meeting in the Success middle path. Seaton swears that he left Bristol at Mr. Smith's, and did not see Bristol at the Middle Walk on that day, but that Manuel went with him to the Middle Walk.

Contradicted.—Peter, Shute, and Charlotte, prove that Peter and Shute were present in Mr. Smith's house with Quamina, Bristol, and Seaton on the 17th August, and as Seaton swears that he was there only once, they must have been present on that occasion.

Peter, Shute, and Charlotte, swear that Seaton left my house in company with Bristol, Quamina, Shute, and Peter.

In addition to the above, Peter is asked, "Was Seaton with you the whole time of that conversation?" He answers, "Yes."

Mary Chisholm says she saw Quamina follow the congregation towards success. It was between three and four o'clock when Mr. Smith left talking to Dora. Charlotte says when Quamina, Seaton, &c. were there, she was bringing in the dinner, and that I dined that day between four and five o'clock. Peter, when he, Seaton, &c., were in Mr. Smith's house the table was laid for dinner.

Contradicted by Bristol, Shute and Seaton, not one of whom relates the conversation in the same way.

Shute says the parson said you must not do that, Quamina; and he said, "Yes, I will see, Sir."

Contradicted.—Neither Bristol, Seaton, nor Peter, bear this witness out, and more especially with respect to the day or two for themselves.

crimination to discover the one worthy of any credit. They cannot all be believed; no two of them can be believed together. Three of them have certainly made use of the word drive: it was not the word that Quamina used to me; and how the negroes have got hold of it is obvious to every one. They have drivers who drive them to their work. Seaton says nothing about driving; the word is more familiar to them than any other word: they have used it among themselves, and now they hesitate not to assert under oath that Quamina used it to me; but let me remark, that under the same oath they have asserted other parts of the conversation, which unfortunately for themselves are contradicted by each other in every way possible.

Seaton and Bristol state they were standing in the back gallery, and I was in the hall, at some distance from them, when Quamina made his communication; this renders it highly improbable that the conversation with Quamina should produce any effect on my mind; for it was certainly a strange mode of making so important a communication to be standing at a distance, which would necessarily require a louder tone of voice than ordinary. It appears also highly improbable that a communication of so serious a nature should be made in the hearing of Mrs. Smith, and four men who were standing near him. If he said any thing about driving the managers or white people to town, it was not in my hearing. What passed between me and Quamina was in a loud tone of voice, and heard, though not heeded, by Mrs. Smith, she being at the time attending to other concerns. I have already in my Defence, (page 58, 9,*) stated all that passed relative to the matter in question. How far the evidence, divested of its inconsistencies and contradictions, bears me out, I must leave to the judgment of the Court. The evidence, in fact, is such as to render it impossible for any one to say, that from it alone the real truth can be ascertained. That negroes are not verbally accurate in general is not only well known and proverbial, but has been proved by H. Van Cooten, a resident among them for 50 years: he swears he would not intrust even a common message to the memory of any one of them, for ten to one if they'd carry it correctly, though some might do so. I need not tell this Court that positive assertions *alone* are evidence in a case of this kind. Negroes may speak to facts, but in their notions of time and in verbal accuracy, they are miserably deficient; and even had there been no positive evidence on this point, it would have been apparent from the evidence of the whole of them on this trial. The whole conversation occupied but two or three minutes, and I had no conception that even negroes were so ridiculous as to have chosen such a time and such a manner to have given information upon any serious subject. I did not consider it as information, or I should have acted accordingly.

My letter to Jackey; I have already stated in my Defence, that it was Jackey's note that first made me attach any consequence to what Quamina said on the preceding day. His observations about sending the managers to town to get the new law was made with good humour. None of the other negroes present spoke a syllable except "How are you, master, and "good bye, master." Jackey's note struck me with fear and terror. In addition, however, I must observe upon Mr. Stewart's evidence, he proves that I communicated to him, unasked, the circumstance of Quamina's coming to ask me about the report of freedom; he says, I stated that *several* negroes had made the inquiry. I did not say *several*. I mentioned only Quamina, for he was the only one. Still, from the unwillingness of the witness Stewart to answer, and from the circumstance of his denying having heard of any rumour or report of the idea of freedom having got among the negroes; and denying that he knew any acts of discontent or dissatisfaction among the negroes previously to the revolt; and afterwards admitting that he told me of the negroes of Le Resouvenir having laid down their tools and gone a-back, it is evident that he had every inclination to disguise the truth relative to that circumstance.

The word *several*, being then introduced by such a witness, cannot be attended to. Stewart's and Elliot's evidence, however, prove that I made no secret of that knowledge. For it was told freely by me to Mr. Stewart, Mr. Cort, and Mr. Elliot, the last of whom told it to Mr. Newton, a member of the Court of Policy, in my presence. Was this the behaviour of a man plotting and conspiring? Had I had the least idea of the revolt, I most assuredly should have made it known; but I had not. Jackey's note brought before me what Quamina said in a light in which I had not viewed it before; and therefore it was, that hurried and anxious, I wrote a note, the meaning of which appeared ambiguous until explained.

My not going over immediately to doctor McTurk's is explained by the evidence of Guildford, who says that he went away just as the sun was down. At that season of the year the sun sets at as near six as possible; there are not twenty minutes twilight in this country; yet, after Guildford went away, Mrs. Smith and myself went to walk a little bit in the Middle Walk, according to Elizabeth, where Hamilton saw, as he says, it was in the gloaming after he was attacked; what time was there for communication? Besides, the inclosure in Jackey's note to me said the negroes were to begin at the Thomas, a distance of seven miles from Le Resouvenir; how then was it possible, in so short a space of time, for me to come to a determination as to the steps to be taken, particularly as I had my wife to protect; indeed there was no time even for reflection.

On the last charge.—Romeo, one of the witnesses for the prosecution, says that he came to visit me on the Tuesday evening after the revolt, that is, on the 19th of August, and that I expressed a wish to see Quamina or Bristol. No one but Mrs. Smith being with me that evening I could not bring forward a witness to prove that he did not come to me that evening; but I have proved that the circumstance which he said occasioned his coming to me never occurred. He said, I went to visit Mr. Smith in the evening, seeing the negroes

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were making a great noise, and my heart was uneasy: both Charlotte and Susannah have proved that there was no noise on the estate that evening. I deny that he came to me that evening; and I further deny, that after the revolt I expressed any wish to see either Quamina or Bristol. With respect to my seeing Quamina on the Wednesday, the only one of the three circumstances apparently militating against me, which was capable of being disproved, has been so by Elizabeth. Antje swears Quamina went in at the back door, and as he entered Mrs. Smith shut the door; Elizabeth swears she saw Quamina with myself and wife, and that the back door was open all the time Quamina was with us. Elizabeth swears she was in the kitchen, and yet we talked so loud that she could hear us; not a very natural tone of voice this for a conspirator, and aider and assister of sedition and rebellion; nor was it very natural that the doors should be all open. Antje was asked if Mrs. Smith appeared anxious that Kitty Stewart should go over; she answered she could not tell, but that Mrs. Smith stood over her, and bid her to go with me. Kitty Stewart's evidence gives a very different colour to this. But I have already said I knew nothing of these circumstances, nor can the evidence on that head affect me.

The third circumstance is related by Elizabeth, viz. that Mrs. Smith threatened her; but even Elizabeth is not altogether a correct witness, she says the revolt began at Le Resouvenir at seven o'clock. Dora and Mr. Hamilton (the latter of whom must certainly be credited in preference to the others, with respect to the time) from circumstances, fix the commencement of the revolt at a quarter past six, at all events, "in the gloaming." When the negroes revolted, it was so light as to allow Mr. Hamilton and Dora to ascertain persons at the distance from sixty to eighty roods. I do on this last charge insist that I am innocent. It has not been shown that Quamina was a rebel; even if the Court should come to the determination that it is unnecessary to prove Quamina to have been a rebel, still I must insist that proof of my *knowing him at the time to have been a rebel is necessary*.

I must observe, that it is impossible to come to a conclusion upon any one of the charges without taking the whole of the evidence into consideration; if this be done, it is manifest that neither myself nor my doctrines were the cause of the revolt; that my name was never mentioned by any of the negroes as being connected with the revolt. Mr. Austin declares he went up amongst the revolted negroes, prejudiced against me, yet he in his examination says, "I must add, that in no one instance among my numerous inquiries did it appear that Mr. Smith had been in any degree instrumental in the insurrection." Lieutenant Colonel Leaby, who was in command of the whole coast, who was amidst the negroes on every occasion, and who had every circumstance worthy of notice conveyed to him, says, "I do not recollect hearing the prisoner's name mentioned till I came to town." Take, then, Hamilton's evidence, that of Stewart, Elliot and Davies, and the certificates, and what will not their testimony weigh against a number of ignorant negroes, under the influence of their masters, under the fear of punishment for their conduct; and therefore glad to throw the blame upon any one rather than allow it to remain with themselves, as it really does. Contradicting themselves; contradicting each other; and no two of whom agree upon any material point. One would think that Quamina's motive for driving the white people would have been remembered by four persons, in whose presence he is said to have assigned it, yet Bristol says, "it was because the negroes freedom had come out." Peter, "to see the Court, to get the new law;" Shute, "to get something good for the negroes," and "a day or two for themselves;" and Seaton remains silent on that point, assigning a direct falsehood that he was not present.

Bristol and Jason, witnesses called by me to prove when I read about Moses and Pharaoh, say about two or three months before the revolt. These witnesses could not read. London, however, who could read, and whose knowledge was tried by the Court, proved that it was two years ago, the time stated by me in my defence. This is sufficient to show how inaccurate is negro evidence in general; add to all this the scantiness of the evidence against me, notwithstanding the immense exertions that have been made to procure it. That my Defence was written upon my suggestion before my counsel had seen my witnesses; and done so on my own consciousness of innocence; that many of my questions have been bold, even to rashness, from any other than an innocent man; and, let me ask, what evidence is there before the Court that is sufficient to condemn me?

Gentlemen, I have done; to you my case is now confided. Whatever may be your determination, I do, as a minister of the Gospel, in the presence of my God, most solemnly declare my innocence.

(signed) John Smith.

The Defence being closed, the Prosecutor requested to be allowed till Tuesday to prepare his reply, and the Court in consequence adjourned till Tuesday morning at ten o'clock.

Twenty-sixth Day,
18 November 1823.

Twenty-sixth day, Tuesday, 18th November.

THE Court met pursuant to adjournment; when the Prosecutor requested the indulgence of the Court till the following morning, some accidental circumstances having occurred which prevented his being fully prepared with his reply.

The Court adjourned till to-morrow morning at ten o'clock.

Twenty-seventh day, Wednesday, 19th November.

Twenty-seventh
Day,
19 November 1823.

THE Court met pursuant to adjournment, and the Prosecutor read his Reply, as follows:

Mr. President, and Gentlemen of the Court Martial,

The Prisoner having closed his defence, the task of reviewing the evidence now devolves on me, in consequence of the absence of my learned friend, the Judge Advocate General. I cannot but regret, in unison with what I am aware must be the feeling of the Court, that the indisposition of the Judge Advocate should have thrown this arduous task on one so little able to discharge it properly, and so new to such proceedings, as myself; but I rely, gentlemen, on your sense of the difficulties I have to contend with, and, above all, on a continuance of your kind indulgence to excuse the numberless imperfections of this reply; and I trust you will patiently bear with me, whilst I endeavour, without further preface, and with as much conciseness as time and circumstances will permit, to go through the principal and leading facts proved in the prosecution, and the points urged in the defence.

Prosecutor's Reply.

It appears in evidence, that the prisoner commenced his labours as a missionary at plantation Le Resouvenir, on the east coast of this colony, early in the year 1817; under special instructions from the London Missionary Society, warning him that he was sent here, not for the purpose of attempting any alteration in the temporal condition, or any interference with the political state of the slaves, but simply and solely for the great end of instructing the negroes in the pure doctrines of our holy religion: and it is worthy of remark, as connected with this case, that these instructions direct his attention entirely, I might, perhaps, say exclusively, to the plain truths of the gospel, and never glance at, or allude, even most distantly, to the Old Testament.

The prisoner, however, feeling, as he avows, an aversion to slavery, soon forgot these precepts, and the great and ostensible object of his mission, and seems to have directed his whole attention to obtain over the minds of his hearers an undue influence, and gradually to dissolve the tie that bound the slave to his master. The prisoner in his defence accuses the Judge Advocate, who opened the case, with having gone, in his statement on this head, far beyond the charges, and having adduced evidence wholly irrelevant to them. In answer to this accusation against my learned friend I shall content myself with referring to the statement itself, and I am convinced the perusal of it will show that the Judge Advocate, from the most honourable motives, has refrained from saying much he might have said, and from painting the conduct of the prisoner in the strong colours which he might have employed.

The charge of bringing forward irrelevant evidence is easily made, but it would have been better to allege some instance of this, to enable us to judge of the truth of the accusation; this not having been done, it would be but fighting a shadow to attempt any refutation.

I am well aware, gentlemen, that the evidence in the first charge is very diffuse; but I must beg that you will, at the same time, remember the tenor of the charge, and the difficulties inseparable from any attempt to establish it. These difficulties exist and are inherent in the very nature and essence of the crime charged. The prosecutor is called on to prove, by legal evidence, that a missionary of the Gospel has sown amongst his negro flock the seeds of dissatisfaction, with intent to rouse them to rebellion. The crime presupposes great secrecy, and great caution; for the criminal is placed in a situation of extreme delicacy, where one false step, one precipitate movement either on his own part or on the part of the negroes, may at once ruin all his projects: He must hold out one character to the world, and another to the negroes; he must endeavour to conceal even from them the end he has in view, else their rashness may betray him; and he must thus strive to poison the minds of his victims without their being themselves aware of the hand which administers the potion.

Can it then be an easy or a simple task to bring forward legal proof of this crime? more particularly as all the witnesses must be taken from that very congregation which has been for years under the thralldom of the criminal himself; men, who unaccustomed to investigate the operations, and trace back the movements of their own minds, have for years looked up to him as their pastor, their friend, their guide to happiness here and hereafter. These are some of the obstacles which this prosecution has had to encounter; but then, notwithstanding, there are on the records of this Court facts proved and incontrovertible, which seem to me to carry with them the fullest conviction of the prisoner's guilt.

The congregation which the prisoner collected around him consisted of the unbaptized, of the Christians, as those were more particularly termed who had been only baptized; the members of the chapel who were admitted to the sacrament of the Lord's Supper, and the deacons; besides these, there were on the different estates, classes, each under its own teacher, who was nominated, or at least sanctioned by the prisoner, as is proved by Romeo and Bristol. With respect to admission to the chapel, it appears that the candidate, after having passed through the necessary examinations of the deacons in due order, and lastly of the prisoner, was by him introduced into the assembly of the members, and proposed as worthy of being received amongst them. One of the members spoke in his behalf, and the prisoner then asked them if they were willing to admit this person as a member, direct-

ing

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ing such as approved of him to hold up their right hands. When this was done, the prisoner took him by the hand, and shaking it, said, I receive you as a member of this church; and the various members went through the same ceremony, each saying I receive you as a brother. Such was the mode of permitting a communicant to participate in the holiest rites of religion; or more properly, of receiving him into an association linked together under the name of brothers, each individual of whom seems to have had a voice in the admission of others.

Above these were the deacons, whose duties were of various kinds, and necessarily gave them considerable authority and weight as to the rest of the congregation. The prisoner, indeed, denies this, but he himself states that they were to keep order in the chapel, and the witnesses Azor, Romeo, and Bristol, &c., prove that they, the deacons, received all candidates for baptism and for the sacrament; that they examined them; and not till they were satisfied with them did they hand them over to the prisoner; this alone is sufficient to mark their authority. Furthermore, Bristol says he had to keep an eye to the conduct of the members on his master's estate, and if his report of them was unfavourable they were excluded: and it is evident from the statement of Bristol, namely, that he was to show the candidates to Quamina; that he was to instruct them in the first duties, and then hand them over to the other deacons, &c.; that even amongst these officers of the chapel there was a regular gradation of ranks.

The teachers from their office must also have possessed considerable influence, and they seem to have been the channel of communication to the others, and the conveners of these meetings; for when the prisoner sent Jackey of Dochfour to the negroes of Orange Nassau, he directed him to call for the teacher, to let him commence by singing a psalm, and praying &c. &c., and then to open the subject of his mission.

Over the congregation thus modelled, the prisoner, it may be supposed, soon obtained great influence; of this he himself boasted to captain M^cTurk; nor was it an empty boast, for the whole evidence before you, gentlemen, shows the truth of it; the various instances will, of course, not escape from your observation as I proceed; but I shall not detain you by enumerating them, I shall only point out for the present their contributions of money for the purchase of wine for the sacrament, and the other purposes of the chapel, for repairs and enlargement of the chapel; for the Missionary Society in England; the purchase of books, the poultry, &c., and yams furnished by them to the prisoner. The prisoner says, as to the presents he received, he gave more wine in return than compensated for them. It is strange that he should forget that this wine was purchased by the negroes themselves, for the sacrament, as Bristol proves; how does his giving away the wine at their expense mend the matter; does it not make it worse? for the more he gave away, the more must they have bought.

The prisoner says, all these contributions were voluntary, and were given in consequence solely of his addresses from the pulpit; but this only establishes still more clearly his influence. It proves that it was so great as to make the negroes, of all people on the face of the earth, part with their money freely, and not on any principle of force. Vast indeed, must have been his ascendancy over the negro mind, when he could induce them to contribute their money to a society for spreading the gospel through distant regions, the very names of which were unknown to them. One of the great means by which the prisoner obtained this influence was by his being at all times ready to listen to their complaints against their masters, and to settle their disputes amongst themselves.

These latter which were formerly carried to their masters, were now addressed to him. He was to be the arbiter of their quarrels, or, as he terms it, to act the part of a civil magistrate amongst them; the prisoner wishes to explain this by saying, he never received such complaints except they related to church-matters; and he rests the proof of this in his defence, on two grounds; first, on his interpretation of the evidence of Bristol, who, in his cross-examination, after having said the negroes complained to the prisoner of their being licked for going to chapel, is asked, "Did they complain to Mr. Smith, that they were licked for any thing else?" to which he answers, "They might have done so, but I do not know of it." The second is an allusion to an extract from his Journal, quoted in his defence, and under date 21st March 1819. The whole passage is as follows: "I wish the negroes would say nothing to me concerning their troubles, which arise from the severe usage of their managers, &c. as it is not my business to interfere in such concerns, and only obliges me to treat such conduct with apparent indifference, and behave with coolness to those who relate it. I observed in the slaves a spirit of general murmuring and dissatisfaction, nor should I wonder if it were to break out into open rebellion; however I hope it may not." Bristol's testimony is no disproof of the charge; it goes only to what he himself heard. As to the passage from the Journal, it admits the fact that the negroes did complain, and did continue to complain to the prisoner of their treatment, which is borne out by many other parts of the evidence, and this once admitted, I ask no further proof. This passage so far from proving what the prisoner wishes, shows that the prisoner did not treat their complaints with even apparent indifference, or listen to them with coolness; for who is there at all conversant with the negro character, who does not know that a negro never will continue to carry his complaints to one who receives them with coolness. Is not this stated by one of the prisoner's witnesses, that the negroes said they would not go to the Fiscal, because once when they went he

he did not attend to them. I do not believe the statement of the negro as to the fact, but the reason is perfectly in character. Even then if argument could do away with facts, the prisoner's defence here would not avail him.

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To prove these facts, I do not consider it necessary to repeat to the Court the numerous complaints of the negroes with which the Journal is filled, not only as to religious matters, but as to other points. The complaint of Ned, the complaint of the negroes of Success, the disputes between Emanuel and Coffy, &c. they must be fresh in the recollection of the Court; and the declaration and admission in the Journal of the prisoner himself, as to the truth of the fact, render any thing further useless. Whether these complaints were well or ill founded is not the question, nor have we the means of knowing, but I cannot help observing, that in the only instance where a negro was interrogated as to the complaint mentioned in the journal, he was obliged to confess it was not true. I allude to Jackey of Dochfour. The prisoner in the course of his defence to this part of the evidence, says, the planters themselves referred the quarrels of the negroes to me to settle. But this does not accord with what he had before stated; he has at all events shown no proof of it; there is an instance, and it is a solitary one, of a manager sending to him a negro to be reprimanded for immoral conduct. It is the case of Mr. Stewart, of Success, who wrote to the prisoner, telling him, that Jack, a teacher of Bethel Chapel, had turned his wife out of doors to bring in other women, with whom he lived; and Mr. Stewart then begs the prisoner to reprimand these parties for their disgraceful conduct, but this case is no answer to the facts I have stated; and yet it would appear, that the prisoner can adduce nothing more, unless, indeed, the evidence of the Rev. Mr. Austin, as to the familiar intercourse which ought to subsist between the pastor and the flock, be meant to apply to this point; but if so, the answer is still plain.

Mr. Austin states, the object of this intercourse is to discover their spiritual condition, not to listen to their complaints against their masters. In a few words, this interference on his part was either necessary or unnecessary. It could not be necessary, or the prisoner would never have described himself in his Journal, a document meant for the eye of the Missionary Society, as checking these complaints; if it was unnecessary, it was clearly unjustifiable, as tending, inevitably, to destroy all confidence between master and slave. The man who really meant to support the authority of the master would never do any thing to lessen this confidence in the mind of the slave; he never would teach him to look to any one but his master for the settlement of the disputes between him and his fellow slave.

As to the advice which he gave them when such complaints were made, and the coolness with which he treated them, the Court will be further able to judge from the following facts;—Bristol says, “when the people come to complain, or when they are hindered from coming to chapel, and some of them get licked, then he tells them, well, I cannot help that; but it is not right for your masters to lick you, and hinder you from coming to the chapel.”

Manuel states, the prisoner said, if your master have any work for you on Sunday, it is your duty to tell him that Sunday is God's day; that if the water-dam broke on Sunday, it was our duty to go and stop it.

Romeo says, the prisoner told them, if the water-dams break, to be sure you must attend to your master's duty; if they force you to do it, you must do it, and your master will answer for it.

Azor says, the prisoner told us, God keeps the sabbath-day holy; that this country was a very wicked country; in England, they were all free, and they all kept the sabbath-day holy; that it was very hard to work on a sabbath-day, but in case of fire, or the koker giving way, we must work; but if half a row was left, it was not fit to finish it on a Sunday; that it was not right to work on the sabbath; and that we were fools for working on a Sunday, for the sake of a few lashes.

On this evidence a great many remarks have been made by the prisoner, but he has never attempted to contradict the answer which Bristol says he gave to their complaints, nor yet what Romeo asserts about their working, not if ordered, but if forced, because their masters would have to answer for it. These, therefore, stand uncontraverted, and the spirit of them is well worthy of observation. In like manner he admits what Manuel, Romeo and Azor, have stated, as to the necessity of their working in case of fire, or the dams breaking, &c. He does not deny his stating this, but he has attempted to deny their evidence as to some of the other points. He wishes to make it appear that he always enjoined on the negroes the necessity of working on Sunday when ordered; but if such were the case, why should he tell them it was incumbent to assist in repairing a breach in the dam, or putting out a fire on a Sunday? Surely if they were directed to do all manner of work if ordered, the prisoner never would have deemed it necessary to point out the propriety of stopping a breach in the dam on Sunday. The very nature of the thing shows this was, as stated by Manuel and Azor, an exception to the general rule which he had laid down for them; and, as he does not deny his stating the exception, I do not see how he can contradict the general rule, for this must in fact be presupposed, otherwise the exception is nonsense; nor do I see that the negative evidence of Bristol and Bill, who say they did not hear the words, can, especially under such circumstances, do away with the positive testimony of Manuel. The evidence of Azor is what the prisoner principally aims at destroying, but as far as I can judge of it, his efforts have been fruitless.

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It is asserted that Azor is not to be believed because he could not remember the names of all who were present. Yet he mentions expressly the driver of Postlethwaite's Plantation, Friendship, as being there; and on the list of the prisoner's witnesses there is a man of the name of Friendship, but this man was not called. Of what importance then is the prisoner's remark? The witness who can contradict the testimony of Azor, if it be false, is pointed out; the prisoner does not examine him, but he summons other persons of whom Azor makes no mention, to prove that they never heard such an expression.

The prisoner then strives to show that if he did give such instruction, he at the same time directed them to finish their work on the Saturday, and certainly if he wished to prove that he did not encourage the negroes in idleness or disobedience, it was incumbent on him to show this. With this view he asks Azor, "Was any thing said about finishing the half row "on the working days?" to which Azor answers, "No;" and the prisoner never again hints at this subject.

It is in points such as these that we must expect to find the true character of the prisoner's doctrines. The general precepts of obedience on which he so much rests are mere shadows if they be not carried into the every-day practice of life. The negroes on the estate where Azor lived seemed to have had a certain task assigned them, some of them did not finish it on Saturday, and took their Sunday to do it. The case comes before the prisoner, he remains perfectly silent on the necessity of their doing their work on the Saturday, but he exclaims against them for putting their hands to it next day, and working on Sunday to save themselves being punished. Is this a lesson of obedience? You are fools to work for the sake of a few lashes. Was this intended to raise in their minds a respect for their masters, or to make them look on his indignation as a thing to be dreaded? No; they were told to despise it. And shall the man who acts thus shelter himself behind such an excuse as his preaching up at other times obedience to their owners?

The very nature of the punishment which he inflicted on the delinquents for Sunday work was such as to make them look on their masters as beings under the curse of Heaven. The working voluntarily on a Sunday was considered such a crime as to render the negro unworthy of partaking of the Sacrament. In what light must the masters have been held! And is not this in accordance with the statement of Romeo? Work if your masters force you, for they will have to answer for it. Could this lowering the master in the eye of the slaves be intended to make them more obedient? Were they more likely to be submissive to men whom they believed exposed to the wrath of God? The negroes had been told, as Bristol and Manuel prove, that the enemy the Jews fought against and conquered meant the men that did not believe in or fear God; that Jerusalem was to be destroyed because the men of that city did not believe in God. Was any good point to be gained by representing their masters as of much the same character.

But to proceed with other instances of advice: Bristol says the prisoner told the negroes "when they run away or so, you must not let them catch you again, for they will punish you."

The prisoner asks him, Did I ever encourage the negroes to run away? Bristol says, No; I dare say he did not openly or directly do so; for where an indirect hint would answer, I do not suppose he would ever go farther. Bristol indeed states in his evidence, that York, a member of Bethel Chapel, was once punished by the prisoner for running away, and that the Christians from Mahaica-side who had also run away, were told not to come to his chapel. It moreover appears that a negro who had left Success in the day, and had been troublesome in the prisoner's yard at night, was sent home by him the next morning; and also that a negro of plantation Vigilance, who had absconded, had come to him seemingly to get him to intercede with his master for him, which he did, and sent him home, and the negro was pardoned, but I do not see how this meets, or does away with, the evil tendency of his declaration, as stated by Bristol, and which is not controverted. He is not accused of harbouring runaway negroes? surrounded as he was by the different estates he could not have done it; and besides he had a character to support before the public, or his private machinations would fall to the ground. For aught that appears to the contrary this declaration may have been made to some of these runaways whom Bristol mentions.

I shall cite only one instance further on this point. The negroes at Dochfour had obtained leave to have meetings on their estate at any time they chose for the purpose of learning the catechism, on two conditions, however; First, That they should not admit strange negroes, and secondly, that they themselves should not go abroad to other estates. Jacky Reid, the teacher, at Dochfour, tells this to the prisoner, and what is his remark? Is it an injunction not to abuse the indulgence of their master, but strictly to adhere to his commands? far from it; he tells him there is no harm in your letting negroes join you from other estates, and you may go abroad without doing any thing wrong. This is precisely the tenor of his whole conduct, as far as the evidence traces it. In his public sermons he sometimes tells them to be obedient to their masters; but when it is reduced to any one specific circumstance, he does not hesitate to hold forth the very opposite doctrine; but the prisoner in the present case was not contented with merely telling Jacky to disregard his master's orders, but he actually sent him in defiance of these orders to a meeting of the negroes at plantation Orange Nassau.

On the head of keeping the Sabbath, the prisoner prohibited the negroes from working on that day in their own grounds, going to market, or even washing their clothes under pain of incurring the vengeance of their Creator.

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Whatever he may urge on this point, I believe there is no one who looks at the constitution of society in this colony, but will, without hesitation, admit, that there exists no means so well calculated to render the negroes dissatisfied as this very one, to deprive them of their Sunday, the day which they have to themselves; and you find, gentlemen, by the positive testimony of Manuel and Bristol, uncontradicted by any one witness, that this measure did produce the effect to be expected, that the negroes began to murmur, and require another day for themselves, and that this was one of the great causes of that dissatisfaction which at length drove them to open rebellion.

The prisoner asks Bristol, did the negroes not talk of having a day to themselves in the time of Mr. Wray, to which he receives a decided negative. By this comparison between the former missionary and the prisoner, both placed in the same situation, both sent to teach the same religion, this discontent is most clearly and forcibly brought home to the prisoner.

The prisoner pleads that he was actuated in this matter solely by a sense of religion. It is not by any one isolated act that the intention of the actor can be proved. The point in question is a part of a system, and must be judged of by the whole tenor of that system.

But if this dissatisfaction be the effect of religion, and religion only, why did not the negroes during Mr. Wray's time feel the same dissatisfaction, and require another day for themselves. There must have been something in the system of the prisoner very different from that of his predecessor; though the religion they taught was, or ought to have been, the same.

But was religion the cause also of the prisoner's drawing an invidious comparison on this point between the slaves of this colony and the people of a free country.

If it be so, the prisoner's zeal for the gospel of peace has most unfortunately led him to adopt the very measures which appear the most likely to upset society, and carry discord through the land.

I may remark, that his explanation of the above comparison, which he admits he made, might have been proved by the witnesses themselves, if that explanation were true; but the prisoner never hazards a single question on the subject, and the inference is not to be mistaken.

There is another circumstance which leads us to a different conclusion from that which the prisoner wishes to be adopted. The murmuring of the negroes, as to their having another day, was not unknown to him, for he himself within a few hours after the revolt broke out, assigned this to John Aves as one of the causes of their rebellion; they wanted their Saturday and Sunday. This is a strong fact against the prisoner; Who told him this? it could not have been after the revolt, for you have the conversation between him and the negroes in Hamilton's evidence, and nothing of this kind is mentioned. This conversation consisted, on the part of the negroes, of a declaration that they would not hurt him; that they wanted the manager, not him; and on his part of an exhortation not to injure the whites, and to go away peaceably; nor is any thing of this kind hinted at in the interview of the negroes on the 17th. Much more might be said on this point of the evidence adduced as to this system; but I feel how impossible it is in me to pretend to give due weight to all the various parts of this mass of evidence, and the further I get on, the more reason do I find to congratulate myself that the Court is so fully master of the subject, and that my want of knowledge and omissions are so little likely to lead them astray.

Further, it has also been proved that the prisoner did receive the negroes at his chapel, though at the time he knew they came in direct contradiction to their masters orders. This he admits in his Journal under date 6th July 1817, and in many other parts. Nay more, he taught the negroes to consider any attempt on the part of their masters to restrain them from coming to his chapel, whatever the masters motive might be, as an act of gross injustice and oppression. He aimed, in fact, at making them believe they were an oppressed and persecuted race.

He told them, as Bristol admits, that though they did come to chapel in contradiction to their masters commands, it was not right in their masters to punish them for that.

To impress on their minds his sense of these persecutions, he read to them, as he mentions in his Journal, a part of Scripture which he conceived addressed to persecuted Christians, as being best suited to their condition. And so far did this spirit go, that he permitted them to pray in his presence, publicly in the chapel, "That God would overrule the opposition which the planters make to religion for his own glory." The words of the prisoner in his entry of this circumstance are worthy of remark. "In such an unaffected strain he breathed out his pious complaint, and descended to so many particulars relative to the various arts which are employed to keep them from the house of God, and to punish them for their firmness in religion, that I could not help thinking that

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that the time is not far distant when the Lord will make it manifest by some signal judgment that he hath heard the cry of the oppressed, Exod. iii. 7, 8."

The arts which their masters use to keep them from religion is a curious phrase in such a situation. After all this, it would be as ridiculous to say that he did not teach them to consider themselves oppressed and persecuted, as it would be useless to bring forward any further proof of the fact.

The prisoner makes no comment in his defence on any of these facts; he passes them over without the slightest notice; and his silence is decisive on this point. There remains on this head one circumstance still to be noticed. I have already remarked the prisoner's knowledge of the discontent of the negroes as to their wanting a day. I have now to call the Court's attention to the evidence of Colonel Reid.

The witness observed to the prisoner, he feared that he, the prisoner, had been preaching very improper doctrines to the negroes, as the principal members of his chapel had been leaders in this insurrection; on which the prisoner replied, by endeavouring to show that if the negroes had acted rebelliously they had misunderstood his doctrine, and to prove this he said that on one occasion they thought he had been abusing the manager, whilst in truth he was recommending to them obedience. And he then adds, this was not the first insurrection that had taken place in the colony. The witness said it was one of a peculiar nature; and the prisoner replied, that much blood had been shed at different periods in religious wars, or on account of religion.

Take the whole of this from his preaching down to the bloodshed for religion, and what is the meaning of the remark. Does it not clearly point out the connection in his mind between religion and the revolt. He best knows how he comes to have such an idea, or to attribute the revolt to their religion.

The next leading feature in the prisoner's system is the part of Scripture he selected for reading to the negroes at morning service, namely, the Old Testament. In justification of this he says, that didactic discourses were of little avail; that the instances of virtue and vice in the Old Testament would make a greater impression on the negroes minds. His instructions from the Missionary Society do not agree with him here. And they cite not speculative reasons, but practical proof of the propriety of what they state, by referring to the success of the Moravians. But it is not a mere error in judgment that the prisoner here committed, but something of a very different nature, as I shall endeavour to prove by the evidence on the minutes of the Court. The first point which I shall notice is the particular passages to which the negroes minds seemed always ready to revert. The deliverance of the children of Israel from Pharaoh: the reason which was assigned for this deliverance, because God did not wish them to be slaves. The overthrow of Pharaoh and his soldiers in the Red Sea. And the subsequent successful engagements of the Israelites in conquering the enemy, which, as Bristol mentions, was the people that did not believe in God.

These things have been detailed in evidence with great accuracy by the witnesses, and of their having been read to them there is the fullest proof. That the prisoner not only read these passages to the negroes, but read them in such a manner as to impress them on the negroes minds, is established by their being so well remembered by men who cannot read; his intention in doing so must now be shown. To prove that his intention was good, the prisoner, besides alleging the above reasons for reading the Old Testament in general, says, in defence of this particular part, that without this the history of the church of God would have been imperfect; and that the display of the power and mercy of God in this eventful history was most likely to impress their minds with a religious fear; and he further refers to a passage in his journal, under date 8th August 1817, viz.—“Having passed over the latter part of chapter xiii. as containing a promise of the land of Canaan, I was apprehensive the negroes might put such a construction upon it as I would not wish; for I tell them that some of the promises, &c. which were made to Abraham and others, will apply to the Christian state. It is easier to make a wrong impression upon their minds than a right one.”

This passage is, like most of the writings of the prisoner, cautiously worded; but the meaning of it is in plain English this,—I have told the negroes that the promises to Abraham and others will apply to them, the negroes, in this world; for, gentlemen, if he attached to the word Christian state any other meaning than what I have above given, whence could the fear in his mind arise? What chance was there of the negroes taking exclusively to themselves in a temporal sense (for that is the only thing he could fear) these promises, which they were told were meant to their masters as well as to them, and applied to the world hereafter: but even supposing this interpretation wrong, let us carefully examine the passage, and see if any other which can be given differs very widely from it.

It is evident that the fear is founded on experience; and his reason for not reading the latter part of this chapter of Genesis to the negroes is because it contained a promise of deliverance from slavery, as he seems to have first intended to express it, or as he afterwards amended it, a promise of the land of Canaan. His idea was clearly that the negroes would take it as a promise of a change in their temporal condition, for it never could enter his
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mind that they were theologians enough to reason improperly on it in a spiritual sense, and adopt some heretical ideas: and then what does this come to?—That though he had told them the promises were made to all the Christians, bond and free, here and elsewhere; and that these promises alluded not to their temporal condition, but to their eternal state, the negroes were still so stupid and so apt to catch at every thing which could in any the most indirect way be applied to them, that they would take these promises as meant to themselves alone, and as applicable to their state in this world. If this be the meaning, and I really can find out no other, I do not see that it is one whit more in the prisoner's favour than the former. Take it which way you will, it is certain that the prisoner was perfectly aware that the negroes were liable and ready to misinterpret and pervert the Scriptures; and yet, with this conviction on his mind, he thought proper to read to them the history of the deliverance of the Israelites. The prisoner says he never applied it to the negroes. It is probable that he never did in express words; but after what he himself knew of their character, is he to impress such passages as these on their minds, and be excused because he did not sum up by saying, This was meant for an ensample to you, "Go ye and do likewise." What necessity was there for any such exhortation; the business was done without it, and he knew and felt this, and why should he expose himself needlessly: the application made by him in direct words might be repeated by a negro, and blazon the whole prematurely to the world.

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There is another point connected with this, which, though in itself apparently trifling at first sight, yet taken with the rest, seems to me to prove still further the bad faith of the prisoner.

The witnesses who have detailed to you the different Bible histories have in general kept pretty fairly to the words of the original, except in the instance of this very tale of Moses. Here we find them talk of slaves and slavery, and Pharaoh's soldiers; but not one of these words slaves, slavery, or soldiers, is to be found in this portion of the Bible history; and this proves that the prisoner as he went along explained the passages of the Bible, and explained them in the words which brought the tale most completely home to the negroes. He may say it was done to make them understand it. The word servant in the Bible is perfectly within the comprehension of the negroes; but if the prisoner thought it necessary to explain it to the full, what becomes of his caution: what sort of caution is that which would pass over the latter part of the chapter of Genesis, containing a promise to Abraham, and yet read to them of the deliverance of the Israelites from Egypt, explained down to the very situation of the negroes themselves, represented to them as a struggle between the slaves and the soldiers, in which the former were victorious, and the latter destroyed.

The same sort of thing is observable in the story of David, who is said to have run away into the bush, and would not go into a friend's house for fear of trouble. Azor, when he repeated this, added, "we understand that;" and indeed well they might.

The prisoner has attempted to show that this reading could not have influenced the negroes, as it is so long since he read it to them, but in this point he has decidedly failed, for only one witness, London, says it was two years ago, but the rest all declare it was a few months before the revolt.

The prisoner rests much on London's testimony, but London's memory is not very correct, for he says the prisoner never read the 7th chapter of Joshua, in which he is contradicted by the Journal 5th August 1822. The time which he chose for reading this part of the Bible is also to be observed. It was not at noon service where whites sometimes might be found—no, it was at the morning service, when whites never come. He rests much on the circumstance that the doors were open, and that whites might have come; but the very licence under which he preached at all bound him not to close the chapel doors. Besides, the shutting of them might awaken suspicion, and experience had fully assured him that there was no likelihood of a white coming to that service.

But not only their masters were held up to the slaves as opposing religion, the highest authorities in the colony were represented as pursuing the same course; and it is impossible not to observe with how much contempt the prisoner has generally treated the commands of Government. The effects of such an example would not fail to be felt.

The conduct of the prisoner in the instance of the small-pox at Le Resouvenir is a glaring proof of this.

The prisoner received, as he acknowledges, a communication from Government through captain M^cTurk, directing him to shut the chapel to all strange negroes as long as the small-pox was on the estate, and informing him that the captain of the district was instructed to see the order complied with. Captain M^cTurk, the captain of the district, was desired to devise such means, and take such steps, as in discretion he would judge necessary, to see the order duly complied with: this was on the 20th November 1819. On the 11th December following he writes to captain M^cTurk to take off the restriction, which the other refused. Finding he could not obtain his end in this way, he determined on setting at nought these orders, and actually opened his chapel to the neighbourhood in open defiance of the commands of Government: Captain M^cTurk then found it necessary to address a circular to the representatives of the different estates, calling on them to support the orders of Government,

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and assist him in carrying them into effect, by preventing the negroes from attending chapel.

The prisoner tells the negroes he did not believe the order for them to stay at home was from the Fiscal, and to make themselves easy about it. He meets captain M^cTurk that evening, and declares to his face that he, the prisoner, had great influence over the negroes minds, and that he would use it to bring them to chapel the two following days, and preach to them in defiance of all the power and authority captain M^cTurk possessed. On what principle of respect for the commands of Government is this to be explained?

The prisoner wishes to represent this conduct of captain M^cTurk in an invidious light. But Government fully approved of what he had done, and the restriction was continued till the 29th January. Had the prisoner really felt the anxiety he pretends to have felt to preach to the negroes, he might have gone to other estates, for the restriction was only on the chapel, but this was not his object; and an opportunity of carping at Government, representing it to the negroes as wishing to deprive them of the power of going to chapel, was of too much consequence to be lost.

The same spirit of rank disobedience to the orders of those in authority marked his conduct on the Thursday after the revolt. He was ordered by captain M^cTurk, the officer commanding the district, to repair to the post, and to remove all pretext for his not coming: an offer was made to take Mrs. Smith to any place of safety she might point out, and at the same time a guard of twelve soldiers attended to protect him on the way to captain M^cTurk's; but, notwithstanding this, he flatly and positively refused to obey. He now pleads his ignorance; the plea might have served him better had his manner to lieutenant Nurse, the officer who conveyed the order, been any thing but what it was—supercilious and offensive. These facts require no observations, but I cannot dismiss this part of the subject without replying to the remarks made by the prisoner on captain M^cTurk's evidence. It is said to be inconsistent with itself; and in the enumeration of his inconsistencies the prisoner says the small-pox first broke out in October, and the order from Government is in November: that may be, but what has that to do with captain M^cTurk? Of the same style are his remarks respecting captain M^cTurk not having sent round the order to the estates till the 23rd of December: captain M^cTurk had to carry into effect the instructions he had received to see the chapel shut, and no more. He trusted that it would be sufficient to inform the prisoner of it; but when he found the prisoner openly set it at defiance, and received the negroes, as he admits, from other estates at chapel, then captain M^cTurk was forced to adopt other measures; and since the prisoner would not go on quietly, he was compelled to call to his aid the whites on the neighbouring properties. But even here he was bound by his orders to a certain point, and the prisoner charges him with inconsistency because he did not do what the Government never directed him to do.

The prisoner next remarks on the opinion of doctor M^cTurk, as to the danger of the small-pox in this climate, and perverts a plain answer of the witness to what he did not say to make him appear ridiculous. Doctor M^cTurk had stated, two of the negroes had gone through the small-pox in the negroe-houses, and as their habitation could not be destroyed without destroying the rest of the houses, and consequently, as there was no possibility of preventing communication, there was every reason to dread the contagion spreading. He is then asked, although a person is apparently cured of small-pox as to any outward appearance, may not the infectious or contagious powers of the disease remain? he answers, most assuredly, even for months. What inconsistency is there here? if his opinion be incorrect, it might have been controverted by that of other medical men. It was, however, confirmed by doctor Walker, the officer of health here, who, on a statement to him of the simple fact, that two of the negroes had had the small-pox in the negroe-houses, deemed that ground sufficient to continue the restriction.

The prisoner next says, doctor M^cTurk pretended to be anxious to obtain the Fiscal's order for the removal of this restriction. If it was necessary for doctor M^cTurk to obtain permission of the Fiscal to remove the restriction, what became of the condition contained in the order of the 20th of November, 1819, and the discretionary powers vested in doctor M^cTurk with respect to that order?

To this I answer, doctor M^cTurk was directed to use his discretion as to the means to be employed in carrying the order into effect; he could have had no power to remove the restriction whilst the small-pox continued, for that would have been in direct contradiction to the very tenor of the order; and he accordingly states, he had no power which could justify him in removing it so long as the small-pox continued. He had a discretionary power to continue the restriction after the disease had disappeared, but certainly not to remove it whilst the disease was on the estate. At the time the prisoner alludes to it is evident the disease had not been eradicated; but as doctor M^cTurk wished not to act solely on his own responsibility, he addressed the officer of health and the Fiscal on the subject, and the Fiscal directed him not to remove it then, but to examine the negroes twice at a distance of eight days, and then if there were no symptoms of the disease, to take off the restriction. Where is the contradiction here? I may here add, that the witness Hamilton, who was brought forward to contradict doctor M^cTurk, has fully corroborated his testimony.

In another instance, a circular was issued by his Excellency the Lieutenant-Governor, respecting the negroes attending chapel, to this was annexed an extract from a letter of Lord Liverpool on the same subject.

The

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The prisoner receives this on the 23d May, and he thus characterizes the circular of his Excellency: "The substance of this comment is to persuade the planters not to allow the slaves to attend chapel on Sundays without a pass, and in an indirect manner not to allow them to come at all in the evening; and even on a Sunday to send an overseer with the slaves, as judges of the doctrines we preach. The circular appears to me designed to throw an impediment in the way of the slaves receiving instruction, under colour of a desire to meet the wishes, or rather comply with the commands, of his Majesty's Government."

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The pass which he thus endeavours to represent as a crafty invention of the Governor, he was at the time well aware, is the common law of the land. No negro could at any time leave his estate without a pass from the manager, wherever he might be going to. The law is, I believe, nearly co-existent with the colony, and every day's experience shows us that it is still in full vigour.

The pass was required not to permit them to go to chapel, but to protect them on the road, that they might not be taken up as runaways. Some days after this was published, Isaac, of Triumph, went to the prisoner, as he states in his Journal, to ask him if the Governor's new law forbid the negroes meeting on the estates to which they belong, for the purpose of learning the catechism. Their managers, he said, had threatened to punish them if they held any meeting. The prisoner says, "I informed him that the law gave the manager no such power; and that it had nothing to do with that subject: still I advised them to give it up rather than give offence, and be punished."

Look, I beg of you, gentlemen, at the plain words of Lord Liverpool's letter; and can any thing be more explicit. He says, "It must, in the first place, be understood, that no limitation or restraint can be enforced upon the right of instruction, and of preaching on particular estates, provided the meetings for this purpose take place upon the estate, and with the consent and approbation of the proprietor or overseer of such estate."

Yet the prisoner would hold out to the slaves that this was not the law; that they had a right to meet when they chose, without asking any one's leave: a right, by the by, neither their masters here, nor their masters in England possess. Was this not in the same spirit as his other lessons on their persecuted state.

Was it not telling them that their masters break through the laws, and oppress them in violation of all justice? He further accuses his Excellency the Lieutenant-Governor in express terms of setting his face against the moral and religious improvement of the slaves, and of being desirous of perpetuating the *present* cruel system.

I cannot help remarking here the word on which the emphasis is directed to be laid in the passage just read, "the present cruel system;" a casual reader might, perhaps, think the word cruel the strongest in the sentence; but this is not what is meant. The emphatic word is present; the present system, in contradistinction to that which is to be. The same idea seems to have dictated the passage of July 7, 1823, where he says that Mr. Elliot told him he had met opposition as to having night meetings of the negroes on the west coast; and he then makes this reflection, "It will be so as long as the present system prevails, or rather exists." What the word system means may be gathered from the next passage of the 15th July, one month before the revolt. There, speaking of Mr. Hamilton's remark on what he terms Mr. Canning's project, and his opinion that it would not be carried into effect; he says, "In this I agree with him, the rigours of negro slavery can never be mitigated, the system must be abolished."

Sentiments of much the same kind the prisoner has avowed openly. In the conversation with Mr. Watt and Bond he spoke of the slaves as being cruelly treated; that they would do as well without whites; that they would not better their condition till something took place such as had been done in St. Domingo. Bond replied, would you wish to see such scenes here as had taken place there. He said that would be prevented by two or three missionaries.

There is a strange coincidence between the last remark respecting the missionaries, and the boast of the prisoner in his defence, that in the course of this revolt the baptized negroes had shed no blood. I am aware the fact is really otherwise, but I now allude to his statement of it.

The treatment of the slaves, as represented by the prisoner, I cannot now notice, but I must observe a passage in his Journal relative to this, and which shows that the prisoner was well aware of the tendency of his own instructions. He says that it is a common, though not false notion, that the negroes must be kept in a state of brutal ignorance. Were the slaves generally enlightened they must and would be better treated. This remark is made by him on his not being permitted to erect another chapel, and thus enlarge his sphere, and spread his doctrines over a wider surface.

But he speaks out still more plainly in another passage on the same subject, where, after a sufficient quantum of abuse on the Governor about this second chapel, he thinks of applying to his brother missionaries to aid him; but he subjoins, fortunately for the colony, though unfortunately for the cause of religion and just rights, the Governor and Court have bought them, the one for 100 joes, and the other for *f*.1200 per annum. What comment could heighten the force of the passage? What could more plainly point out his own conviction that the interests of the colony were incompatible with the promulgation of his doctrines?

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doctrines? with the religion he taught, and the rights which he declared to be justly due to the negroes.

And, Gentlemen, the full, the fatal confirmation of this we have seen—we have beheld effects which I can attribute to no other source. Of all the negro population of this extensive colony there are, perhaps, none who have fewer difficulties to contend with than the negroes of the east coast. There are but few sugar estates there, comparatively speaking, the greater part being in cotton. With all these advantages in their favour, we find that on the 18th August last they rose in arms against their masters, and broke out in open rebellion.

This rebellion commenced at plantation Le Resouvenir, the residence of the prisoner, and plantation Success, the next estate to windward: it spread up the coast for several miles, and down nearly to town; but it was confined entirely to the east coast, and to that part of the coast: it stopped on this side of Mahaica. To assign, as has been attempted, the late instructions from home as the sole cause of this revolt will never bring us to the point.

This is assigning a general cause for the production of a particular effect, on a particular body of men. A general cause will produce a general effect, the same in all, unless there be some circumstances in the particular body of men different from those of the rest of the community; and therefore, if this were the proximate cause which operated on the minds of these men, there must have been something in the state of their minds very different from that of their fellow colonists.

Their minds must have been predisposed; they must have been ripe for rebellion before; and therefore the assigning this general cause only carries us a step back, but does not assist us in explaining the problem. If we inquire who were the rebels, we find that their principal leaders were, as nearly as I can gather from the evidence, Quamina and Jack, of Success, Joseph and Telemachus, of Bachelor's Adventure, Jack, of Vigilance, Sandy, of Nonpareil, Paul, of Friendship, and Paris, of Good Hope; all (save this last Paris) deacons, members, teachers and attendants of Bethel Chapel. If we carry this investigation further, we find that the congregation of Bethel Chapel, on the day previous to the revolt, went together in the middle walk of Success, and there laid their last and final plans for this rebellion, and that they were all more or less implicated in it: we find that plantation Success was the head quarters of this rebellion, the estate of which almost all the negroes attended Bethel Chapel: we find by the letter of Jack Gladstone that all the brothers of Bethel Chapel were engaged in it: in fine, go which way we will, we are brought up at last with Bethel Chapel. This is almost the only bond of connexion to be traced amongst the leaders of this rebellion—their being attendants of Bethel Chapel. It is a staggering fact, but it is a fact proved beyond the possibility of a doubt: and their leaders, who are they? the principal tradesmen on their estates, men in the confidence and favour of their masters, who knew the hardships of slavery only by name. Be the proximate cause what it may, there must have been some predisposing cause operating on the members of Bethel Chapel, something operating on them which did not operate on the negroes of the other coast.

The prisoner does not deny the fact of the attendants of Bethel Chapel being deeply involved in it. On the contrary, he admits it in his defence, and in what he stated to Lieutenant Nurse.

But his answer to this embraces, in fact, the chief scope of his defence, which is to show that his doctrines tended to make the negroes more obedient; that the negroes had long been discontented; and that this discontent arose from the treatment of their masters.

On the first of these points he adduces one planter, Mr. Van Cooten, who says, he thinks his negroes have been more obedient since they attended chapel than before; and gentlemen, this opinion of Mr. Van Cooten is the only evidence he has produced in his favour from amongst all the planters on the coast. Mr. Stewart sees no difference between the attendants on Bethel Chapel, and the rest of the gang; some were insolent, but the majority was obedient. The evidence of Mr. Stewart goes much farther, however, on the other side. What descriptions of some of these attendants at chapel; Jack and Gray, Ben, &c.; then the long list of Success negroes, who have been tried for being engaged in this rebellion, who though they were not a part of his baptized congregation, yet attended his chapel.

Mary Chisholm, who sometimes attended morning service, and sometimes when she was there, listened to the prayers of the deacons; had no fear that what the prisoner taught would make her negroes dissatisfied with her as their mistress; and she states, that the prisoner made some moral and religious comments on passages in the history of David and Ahab.

From the manner in which this witness gave her testimony, and the inconsistencies as to what she saw at chapel on the 17th, it may perhaps not be necessary to notice her statement, but it seems to make little difference any way.

The same kind of testimony as to the prisoner's doctrines is given by Bill, and Mars and Jason; but the only one who speaks positively as to any good advice being given to him in a particular case, is Philip; and if we are to exclude all evidence older than three years, this witness is inadmissible, as the fact to which he speaks happened five years ago. But I do
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not wish to deprive the prisoner of one particle of evidence which he can adduce in his favour. There is something not very clear in this witness's statement, about his master buying him at the Kitty Vendue, and this master afterwards turns out to be Miss Mary Lemon. He says he had too much work to do, and yet that he had time to work for himself; and that he actually from the profits of his labour, during this time, purchased his freedom.

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These, of the whole of his congregation, are the witnesses whom the prisoner has produced to speak as to the purity of his doctrines; and amongst these is only one man who says, that in a special case the prisoner gave him good advice. The prisoner complains of the scantiness of the evidence for the prosecution, but what is to be said to the evidence in his favour.

I might safely admit the whole of the above testimony; and what, I would ask, what would it weigh against the facts proved?

It is not his sometimes preaching doctrines of obedience in the abstract that can protect the prisoner from the punishment due to his inculcating at other times the doctrine of disobedience. In one word, the prisoner is not called on to show that he was sometimes innocent, but he must prove that he was never guilty.

The prisoner seems to rely much on Mr. Austin's testimony as to what the negroes said during the revolt; but what does the same witness state to be their feelings at a calmer moment after the revolt, when they had had leisure to reflect? why, that they imputed their misfortunes to the doctrines they had heard at Bethel chapel.

The next point relates to the negroes being in a state of great dissatisfaction. The prisoner has declared over and over again he was aware of this. Does this diminish his guilt? on the contrary, it increases it an hundred fold. The more dissatisfied the negroes were, the more caution he was bound to use. He must have known that their minds in that state of irritation would be the more easily affected; that a word, which at other times would pass by unheeded, might in such a situation produce the most fatal consequences. On this principle, even could the prisoner establish the third point, which he insinuates rather than attempts to prove, namely, that the discontent arose from their treatment, it would not benefit him, for he is not charged with being the sole head and origin of the revolt. That charge, whatever might be my own conviction on the subject, it would be impossible to prove under any circumstances; all that he is charged with is exciting discontent in the minds of the negroes, as far as in him lay. He is not cleared because others did wrong; and he must show that whatever others may have done he at least had no part or share in the transaction. The prisoner is to exculpate himself, and surely cannot do this by pleading that there were others guilty besides him.

I am far, very far, from throwing out any insinuation against the planters, but I feel that I have, in this trial, nothing to do with their cause; the point at issue is the innocence or guilt of the prisoner, and with that alone have I to deal.

Thus far, however, I may go, and observe that there is great inconsistency in the defence of the prisoner. In one part he describes the negroes as the most oppressed and persecuted of human beings, who have not, in the cotton crop, fifteen minutes during the whole day to eat their food—none to cook it; and are in fact obliged to eat raw yellow plantains, and all this time they are constantly flogged. At the same time, gentlemen, it has been proved that these negroes, aye, even the field negroes, can afford to make presents to him, raise money to pay the expenses; nay, more, the repairs of the chapel; to buy books at an advance of 66 per cent on the original cost in England, and to contribute to the Missionary Society to further the propagation of the Gospel in other countries; how these miserable beings contrive this passes my comprehension. In much the same style the prisoner accuses the planters of opposing religion, and preventing the negroes attending chapel; yet the prisoner hands over to you a host of passes from these planters to their negroes to have them baptized; and he tells you, and proves it, that though his chapel had been enlarged, yet it could not contain all his congregation, and that numbers were obliged to remain outside every Sunday.

I suppose it is to this part of the subject that colonel Leahy's testimony is meant to apply; but as colonel Leahy only speaks of what the negroes told him, it leaves the matter where it was. The same remark may perhaps apply to what Mr. Austin relates; but were it otherwise, that witness proves at the best, only this, that the planters did not wish their negroes to attend Bethel Chapel, but that they did not prevent them attending the clergyman of the established church.

They had, in the character of these clergymen, and in these situations, a guarantee against any improper doctrines being taught. The prisoner, however, has himself proved, that not only were complaints made against him individually, but that the complaints were of such a nature and of such weight as to induce the governor to withhold the permission which he sought to erect another chapel. The prisoner's attempt to prove, by John Davies, that Mr. Cort said he would not grant the prisoner leave to preach on his estate is, perhaps, wholly unworthy of reply. The prisoner summoned Mr. Cort as a witness, but he would not examine him: the reason is obvious; either the thing was not so, or if it was, Mr. Cort could have

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have given good reasons for his refusal. The same thing precisely took place with regard to Mr. Hopkinson, and serves to show to what a strange mode of proceeding the prisoner was obliged to have recourse. At all events Mr. Austin has himself proved, that whatever might have been the complaints, this particular one about attending Bethel Chapel was removed previous to the revolt.

Not to detain the Court longer on this branch of the subject as to the doctrines of Bethel Chapel, I shall make but one remark more.

The prisoner asserts, that he made it a rule to admit no negroes to his chapel or baptism unless recommended by their masters as good and obedient servants. If these negroes were obedient when they first went to listen to his doctrines, and these same men afterwards rose in rebellion against their masters, what must we think of the doctrines which have been preached to them?

On the subject of the instructions from home regarding the slaves, and to which, as the proximate cause, this revolt has been ascribed, how did these first become known to the negroes. It is proved in evidence, and admitted by the prisoner, that Mr. Stewart heard from the prisoner, early in the month of August, of Quamina being acquainted with these instructions. The prisoner states, that Quamina had come to him to ask him about them, and he told him what they were. The prisoner is pressed to point out who first mentioned is to Quamina, and he evades this by saying he did not wish to criminate any one. This is too flimsy a pretext to deceive the most unthinking; and if the prisoner assign the knowledge the negroes had of these instructions as the cause of the revolt, it was at least incumbent on him to show that he was not the person who first gave them that knowledge or information. At present the credit of doing so rests with him; all efforts to trace it farther back are unavailing.

I have now, gentlemen, gone through the principal points, I believe, of the evidence more peculiarly belonging to the first charge; I say more peculiarly, for the whole of the evidence on all the charges seems to me to prove more or less the intention ascribed to the prisoner in the first charge.

The conduct of the prisoner through the whole appears, from beginning to end, one consistent system, one uniform plan; and, therefore, in judging of intention, it may be taken altogether; but the parts which I have thus far detailed seem to form the groundwork of the first charge, and I beg leave, ere I proceed to the next charge, to bring before you in one view the various points which I conceive already proved.

These are, that the prisoner possessed great influence over his congregation; that he was ever ready to receive and listen to the complaints of the negroes; and frequently in these cases advised them to disobey and disregard their masters.

That he taught them to consider their masters hostile to religion, and exposed, by their conduct, to the indignation of the Almighty.

Which interference with the master, and which representation of him, inevitably tended to destroy all their confidence in him, and to degrade him in their eyes. That further, the negroes were taught by the prisoner to look on themselves as persecuted for religion: that there existed great irritation and dissatisfaction amongst them; and that they murmured at not having a day to themselves. That though the prisoner well knew their minds were thus irritated, and though he was well aware that they would pervert and take as applicable to themselves any passage which could at all be brought to bear on their situation as slaves, he yet read to them the history of the deliverance of the Israelites from Egypt, and of the wars of the Jews, &c. and explained it to them in the words most exactly fitting their own condition. That he led them by example and precept to treat lightly the orders of Government.

Further, that rebellion did break out amongst the negroes on the 18th August last; that the attendants of Bethel Chapel were deeply implicated in this rebellion; and that in fact, some of the principal men in that chapel were the leaders or head men in it. Should these facts be proved, the first charge is clearly made out.

I shall now proceed to the next charges.

In his defence, the prisoner mixes up the second charge with the third and fourth; but these charges are perfectly independent of each other. To shorten the matter as much as possible, however, I shall go straight through with the facts of the case, in the order of time, up to the conclusion and close, the arrest of the prisoner; and afterwards apply them to the charges to which they belong. By what has been already stated, and by the Journal of the 23d May last, it appears, that the prisoner was well aware of the discontent amongst the negroes, and also of their being informed of the arrival of the late instructions, if, indeed, he did not himself make the first communication on this head to Quamina.

It will be proper to bear these circumstances in mind, in examining the evidence on these charges.

Manuel

Manuel states, that on Sunday the 3d, which he had mistaken for the 10th of August, Quamina and he went to the prisoner in his room up stairs, where the conversation which he then details, took place. There is an accidental confirmation of the testimony of this witness, which deserves to be marked; the commencement of the conversation refers to Mr. Cort and Mr. Stewart's interview with the prisoner, and is most fully corroborated by Mr. Stewart's own statement of that conversation. Where did Manuel learn what passed at this conversation, if not as he states, from the prisoner himself; Manuel, after mentioning this and some other points of minor importance about the paper, as he terms it, goes on to say, that Quamina begged the prisoner to take Jack and Joseph, and talk to them, as they wanted to make trouble about this paper; they wanted to make a push for it; that the prisoner agreed to do so; and he declares, that after church he saw the prisoner take these two men aside and converse with them, namely, Jack, of Success, and Joseph, of Bachelor's Adventure, two noted ringleaders in the revolt.

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This conversation the prisoner denies, but the only disproof attempted is, that he was engaged that day from seven to past four o'clock, and therefore it could not have taken place. Even in trying to prove this defence, weak as it is, he has failed completely; and had he proved it, there was still time enough in the day for such a conversation to have taken place. There was no attempt to show that Manuel had not been there; as to Manuel not finding water in the kitchen, it is unworthy of an answer.

We now come to Sunday the 17th. On this day there was a much larger congregation than usual, at least, if we are to believe the witnesses for the prosecution, together with Jason and Mary Chisholm, of the defence, in preference to Charlotte, Mars, and London.

The text which the prisoner preached from on that day, beginning at the 41st verse of the 19th chapter of St. Luke, he admits was a text so liable to be interpreted against him, that he argues from this very circumstance his ignorance of the intended revolt. Certainly, if it was by pure accident that he was led to choose a text so appropriate to the occasion, it was, to say the least of it, a most extraordinary circumstance; but when all that the prisoner admits he knew of the state of the negroes minds, and also the positive information he had already received of this intended rebellion, are considered, I may be permitted to doubt this explanation of the fact.

With regard to what took place after church on this day, there is a great deal urged by the prisoner respecting the contradictions of the witnesses on both sides, as to the time when the negroes went to the prisoner's house; some saying they went straight from chapel, others they went first to the middle walk of Success.

The witnesses for the prosecution may be easily reconciled with each other. The negroes coming out from chapel went across the middle walk of Le Resouvenir in crowds, or in a body, to the middle walk of Success, they talked of this matter as they went along; and it is very probable that Manuel had not got out of the middle walk of Le Resouvenir when he advised Bristol to go and speak to Mr. Smith. This simple explanation would remove the only difference between him and Bristol.

It is indeed precisely what Bristol says, and accords exactly with Seaton, who declares that Bristol did not go to the middle walk of Success; and further, that after he had heard a few words of what the prisoner said about the paper from home, he was told by Quamina to go to the middle walk of Success and stop the people there; that he went away, and overtook Manuel on the road to the middle walk of Success. This statement also is the one adopted by the prisoner in his defence—that he found Bristol talking to Mr. Smith about his little girl, and the rest of the negroes called in to bid him good bye before they went away. His witness Charlotte supports this, but Peter, Shute and Mary Chisholm, deny it; but how far Mary Chisholm could see may perhaps be doubted; and Shute is evidently wrong in his statement; for he says he was at the middle path, and yet Quamina, who was at the middle path also, sent Bristol to come and call him and Peter, in order that they might go to the prisoner's together; this is in direct contradiction to the prisoner's own statement. The testimony of Bristol seems therefore to be the most accurate, and indeed agrees best, as I observed, with the prisoner's own account of this transaction; nor is it contradicted by any but Shute and Manuel, the former of whom is liable to great objection, and the latter easily explained. The distance of the chapel from the meeting, I may remark, was not five minutes walk. The substance of this communication, as detailed by Bristol, is that they plainly told the prisoner they intended to take their freedom by force; that the prisoner asked them how they intended to do it; and observed that the soldiers were too strong for them; and what would they do with the whites; they answered they would drive them to town: he told them they would not go, and the soldiers would drive them back, and therefore they must not do so; they, especially the Christians, must have nothing to do with it.

Peter states it thus: Quamina told the prisoner they would drive all the managers of the estates to town, to the Courts, to see what was the best thing they could obtain for the slaves; the prisoner said that was foolish. How will you be able to drive the whites to town; and added, there was a good law now making for them, and they would lose it if they behaved so; and said, Quamina, don't bring yourself into any disgrace. To which Quamina answered, yes, sir.

Shute

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Shute does not go so much into detail even as Peter, though to the same effect, but says Quamina's answer was, I will see.

The statement of Bristol is more extended than those of Shute and Peter, the prisoner's witnesses, but these witnesses all agree as to the main point, namely, their declaring to the prisoner their intention of driving the whites to town; and if this be the only thing admitted, as proved, it is quite enough for the charges which have been preferred against the prisoner. If all that Bristol stated about the soldiers be struck out, what remains is ample proof of the prisoner's guilt. At the same time the evidence of Bristol seems to me the most to be relied on, from many other parts of the evidence, and from his intelligence, which was doubtless the cause of his being raised to the post of deacon. The points at variance between the witnesses, on which almost the whole of the prisoner's summing up turns, are of little consequence. The testimony of the negroes may not agree in the insignificant parts, but it is on all essential points the same in substance. The disagreement, indeed, only removes all suspicion of collusion amongst the witnesses.

The prisoner attacks, however, the competency of negroes to give testimony at all, and seems to argue that negroes are not admitted as evidence in our ordinary Courts here. But, Gentlemen, this is contrary to the fact, and had he thought proper to raise an objection to them at the commencement of this trial, I could have brought you the decisions of the Court of Justice of the colony to show that white and free criminals have been tried and convicted on negro evidence; but the objection comes too late, and it comes with an especial bad grace from the prisoner, who rests his own innocence principally on the testimony of these people.

His arguments against their credibility, founded on their want of memory, are at once rebutted by the tales which they have told you from the Bible. This correctness as to the substance of the tale, in men who cannot read, totally disproves the prisoner's assertion. Mr. Van Cooten, though the prisoner rests much on his testimony, gives merely his opinion on this point; and even he says negroes may remember a short discourse; but you, gentlemen, have yourselves seen that they can remember a good deal more. And if the prisoner's statement be correct, that he never read the chapters to them twice, and that it is two years since he explained the history of Moses, their memories certainly cannot be called in question. I might further remark, that the prisoner formerly held these men, whose memory and whose veracity he now so violently impeaches, in a very different light. He intrusted Bristol with the examination of the candidates for baptism, with preparing them for admission to the Lord's table, instructing them in all the duties; and he now wishes to say, that Bristol is not to be believed on oath. He tells you in one part of his defence, that the negroes have no such love for truth and justice as would induce them to tell the truth on oath; and a few pages after he most inconsistently lauds them for the love of religion, a love so strongly implanted in them, that the power of man will not be able to eradicate it. And he avers, that in the midst of the revolt, and whilst they were in arms, this sense of religion governed their conduct, and restrained them from shedding blood. Surely these inconsistencies are much greater than those with which the negroes evidence is charged.

But the prisoner himself admits in his defence, that they did say something about their sending their managers to town. Let it be considered that this conversation, according to the evidence of his own witnesses, Shute and Peter, if they are to be taken in preference to Bristol, was after they had been at the Middle Walk of Success settling their plans; and then is it likely they should use the phrase of sending their managers to town, especially as he himself says they are more accustomed to the word drive; but even if they had used only the words which the prisoner says, were they not sufficiently indicative of their evil intent. But furthermore, gentlemen, that the communication of the negroes was so plain and open as to distinctly show him there was some plan on foot, we have his own admission in his letter to Jackey Reid, a point which he has carefully avoided touching on in his defence as tending to show his knowledge on the 17th.

This letter, were further proof required, demonstrates the positive knowledge of some scheme being in agitation; and therefore does away with the ignorance which the prisoner now affects.

There is no evading, no getting rid of this; and it carries back his knowledge to the 17th. I learned yesterday there was some scheme in agitation. All the witnesses who speak to this point declare that they went to the prisoner for the express purpose of telling him what they were going to do. And is it credible that they would walk to his house with this very intent, and then not tell him what they meant to do. He says, it is not probable Quamina should tell me of a revolt in the presence of four men; but these four men went with Quamina, as his own witnesses say, for this express purpose, and would their presence then deter him from speaking out?

This, however, was not the only interview he had this day with Quamina; Seaton states positively, that he returned after the meeting in Success Middle Walk had finally broken up, to Le Resouvenir with Quamina, whom he saw go into the prisoner's house; he, Seaton, went into the Negro Yard about some corn, which a woman of the name of Asia had for him. The prisoner brings against this testimony, not the evidence of Asia, who could at once have spoken

spoken to the fact, but the evidence of Charlotte and Mr. Hamilton; Charlotte, it seems was about the house till past five o'clock; though she admits people might have come into the house without her seeing them. Mr. Hamilton proves he met the prisoner walking out at a quarter or half-past six, this does not touch Seaton, who states, that when Quamina came out of Mr. Smith's house he went to Success with him, and that they reached home just as the sun went down; this would leave the prisoner time enough before he met Mr. Hamilton. We next find, that on the morning of the 18th the prisoner comes to town in his chaise; that he passes the residence of the burgher-captain of his district, the quarters of Colonel Leahy, and the garrison, and very near the residence of his Excellency the Governor, and that of his honour the President; that he repasses all these places on his way out of town, and that he returns home without breathing a syllable of what he had heard. If he did not make the communication, it certainly was not from want of opportunity.

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With respect to the proof of his knowledge on the 18th, the prisoner feels himself so completely cut off from the possibility of denying it, that he has recourse to an evasion which cannot serve him, he has objected to the admissibility of the evidence as to what took place on the 18th, as he says the third charge limits the day to the 17th. In answer to which, I refer to Philips' Law of Evidence, p. 229. "It is a rule in pleading, that every material fact which is issuable and triable must be averred to have happened at a certain time and place. However, it will not generally be necessary to prove the time precisely as laid, unless that particular time is material. This is the constant course of proceeding in criminal prosecutions, from the highest offence to the lowest. In high treason, evidence may be given of an overt act either before or after the day specified in the indictment; the particular day is not material in point of proof, and is merely matter of form. Objections of this kind, on behalf of the prisoner, have been repeatedly overruled." And it may be remarked, if this is the practice of ordinary courts, how much less reason to complain has the prisoner in a court martial, where he is allowed so many days to prepare his defence after all the evidence has been gone through, and where, of course, he cannot be taken by surprise. This objection, therefore, cannot stand. The letters of Jacky Reed and Jack Gladstone, which were given in evidence, were too explicit to be misunderstood. The prisoner received these letters, and returned an answer to Jacky Reed before six o'clock that evening; when the messenger Guildford got out of the estate the sun was just down.

The letter of Jack Gladstone pointed the writer himself out as one of the principal men in the intended insurrection, and mentioned that the brethren of Bethel Chapel were all engaged in it. This man Jack was on the next estate to the prisoner on the one side, and the burgher-captain was on the next estate on the other side; besides which, there was the manager on the estate and two overseers close to him. He had a horse in his stable, as Elizabeth says, which Charlotte denies, asserting it was loose in the yard, a thing not very likely, as the prisoner had a grass cutter in his employ; he had at all events three servants in the yard, this grass cutter, Charlotte, and Elizabeth, and what does he do? Does he make an attempt to secure the ringleader, or to give information even to the manager who was within a few roods of him? No; he was so much agitated that he went out to take a walk with his wife; and the only use he makes of these letters, the proofs of the conspirator's guilt, is to destroy them.

The revolt breaks out about half past six, as Hamilton states, or later as the other witnesses say; but up to the moment of its actually breaking out the prisoner never gave to any human being the slightest hint which might put him on his guard. He attributes this all to his agitation, yet he was so far composed as to write a most cautious and guarded answer to Jacky Reed.

Cautious as the answer is, and much as the prisoner talks of his readiness to give information, do we find that he here tells Jacky to warn his master of what was to happen? Not a hint of such a thing. Would it have escaped the attention of any well-meaning man to have directed Jacky to go and tell his master immediately of this plot, and put the whites around on their guard? but he is totally silent on this head.

The more this letter is considered the more clear does the prisoner's connection with this revolt appear; the more evident is his determination not to give information on the subject, which may lead to the discovery of it; nor even in his letter to Jacky Reed does he call on him to suppress it. It is a strange fact, that the prisoner seems to have taken a resolution to this effect long before. I refer to his Journal, where he says, "Having just finished reading Mr. Walker's Letters on the West Indies, I have thought much of the treatment of the negroes, and likewise the state of their minds. It appears to me very probable that ere long they will resent the injuries done to them. I should think it my duty to state my opinion respecting this to some of the rulers of the colony, but am fearful from the conduct of the Fiscal in this late affair of the negroes being worked on a Sunday, that they would be more solicitous to silence me, by requiring me to criminate some individual than to redress the wrongs done to the slaves, by diligently watching the conduct of the planters themselves, and bringing them to justice (without the intervention of missionaries) when they detect such abuses of the law as so frequently take place." So that it is plain he had even then made up his mind, that if any thing of the kind should take place he would let it take its course, he would not warn the authorities. The further proofs of the prisoner's previous knowledge of the revolt, are to be found in the testimony of John Bailey and John Aves.

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The cross-examination of John Aves has clearly established that there was no mistake between these two witnesses, as to the prisoner's having declared he knew of the revolt six weeks ago. Aves says he was walking in and out of the room, and sometimes spoke to the prisoner; that Bailley was sitting down, carrying on a conversation with him, which does away with all the prisoner's remarks on the subject.

It must strike every observer with the same surprise as it did John Bailley, that the prisoner should be living on the estate, the only white there except Mrs. Smith, perfectly unmolested, and as he said, perfectly secure; and the suspicion of captain Simpson, that he must have been in collusion with the negroes, is the most natural inference to be drawn from such a circumstance. But to go beyond suspicions, we find by the testimony of Mitchell, collaterally strengthened by that of Doos. That on the morning of the 19th, Quamina is traced to the prisoner's yard; at this time Doos and Mitchell prove that the men of the estate had all left it; and there was the less probability of Mitchell mistaking some of them passing for Quamina. The prisoner has said this witness is unworthy of credit; but he has neither attempted to make good his assertion, nor to disprove, by the testimony of his servants, this visit of Quamina. If his only reproach to the evidence of Mitchell be, that he expressed, in his negro language, his belief in a God above, the reproach is nothing. Peake in his work on evidence, page 149, says, in a late case Mr. Justice Buller would not suffer the particular opinions of a man professing the Christian religion to be examined into, but made the only question, whether he believed the sanction of an oath, the being of a Deity, and a future state of rewards and punishments; but a person who has no idea of the being of a God, or a future state, is not admitted. Mitchell was therefore a perfectly competent witness. The next visit of Quamina to the prisoner, on the night of Wednesday the 20th August, is fully admitted by the prisoner, and therefore it would be waste of time to go into the proof of it. The only point of difference is with regard to the shutting of the door; Antje declares it to have been shut as soon as Quamina went in; Elizabeth is brought to contradict this, she says the back door was not shut, but she admits she did not see Quamina go in; she only saw him in the hall, and when he came out. The fact of the door having been shut rests therefore uncontradicted; for all that can be said of Elizabeth's evidence is, that the door was afterwards opened, but when or by whom, whether by accident or intention, does not appear.

The fact being so fully proved, the prisoner in order to defend himself from the consequences of it starts, the three following objections:

First, He says, It is not proved that Quamina was a rebel:

Second, That he had any knowledge at the time of his being an insurgent:

Third, Nor does it appear that I gave him any intelligence, or held any such correspondence with him as can subject me to punishment.

On the first point, the prisoner admits the evidence has gone to show that Quamina was engaged in the revolt. It has indeed gone thus far and much farther, for it is proved that he was a ringleader in the rebellion, and that he was shot by an expedition sent into the bush in pursuit of him, with a promise of a reward of *f*.1000 for his capture. It is true the shooting of him was of course subsequent to his interview with the prisoner, and this part of the proof does not apply there; but it alone answers all the arguments of the prisoner on the subject of the necessity of Quamina's being tried and convicted before he the prisoner can be punished for holding correspondence with him; for Sir William Blackstone in his Commentaries, Book 4, c. 3, and c. 25, in treating of this law, as regards the trial of accessory, points out the reason of the law to be the fear of contradiction, if the accessory were condemned to-day, and the principal acquitted to-morrow; but he adds by statute of 1 Ann. c. 29, if the principal be once convicted, and before attainder delivered by pardon, the benefit of the clergy, or otherwise; or if the principal stands mute, or challenges peremptorily above the legal number of jurors, so as never to be convicted at all in any of the cases in which no subsequent trial can be had of the principal, the accessory may be proceeded against as if the principal fellow had been attainted, for there is no danger of future contradiction.

It has been proved that Quamina was shot in open rebellion; that he is now hung in chains in Success Middle Walk, and that he declared he would never be taken alive; and can the guilty escape who aided him in his rebellion, because he, Quamina, was so bold a traitor as to persevere in his desperate career even unto death. On the second point, Of his not knowing Quamina to be a rebel;

If you, gentlemen, are to believe the conversation between the prisoner and the negroes on the Sunday, there can be no doubt of the prisoner's knowledge of Quamina being engaged in this revolt; and I beg it may be observed, that though he says he did not conceive that to be his meaning at the time, yet he admits Jacky Read's letter opened his eyes on this point, and therefore he at all events must have been perfectly aware of Quamina's guilt on Monday night. Besides, the rebellion on the same Monday night must have surely rendered it impossible for him to doubt on this point any longer. He himself tells Bailley that the negroes were all in rebellion around him: but besides this, Kitty Stewart, on the very Wednesday night of Quamina's visit, runs away from Success, the estate where Quamina lived, and comes to the prisoner to beg for protection, and to be allowed to remain in his house,

house, as all the negroes of Success were in a state of rebellion. Look then at the anxiety of Mrs. Smith to get this woman out of the way, so that she might not see Quamina; the shutting of the door after he went in, and the threat of punishment to Elizabeth if she told any one of his having been there.

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The prisoner says these were the acts of Mrs. Smith, and do not touch him, and that he did not send for Quamina; but if he did not send for Quamina, it was at all events in unison with his wish, as is proved by Romeo.

An attempt has been made to invalidate Romeo's testimony, by proving that there was no noise on the estate on Tuesday evening; but this is beside the question, for the witness meant to describe the revolt when he spoke of the noise amongst the negroes.

The third objection, viz.—As to the kind of correspondence he had with Quamina, applies only to the second charge, and not to the fourth.

As to the precise words which at this time passed between the prisoner and the rebel Quamina, that I cannot undertake to prove, nor indeed is it at all necessary; the friendly nature of the interview is shown by the fact of Quamina's coming out of the prisoner's house with a bottle of porter, which he had not when he went in. It was most probably this bottle tied in a handkerchief, and slung at the end of his stick, that Elizabeth meant, when she said he had a bundle over his shoulder. After half an hour's conversation at the very least, Quamina departs without let or molestation; nor did the prisoner attempt, either before or after his departure, to give to the authorities any information as to this visit. He cannot plead the difficulty of making the communication as an excuse for his silence the next day, for on that day he saw Lieutenant Nurse at his own house with a strong escort of soldiers, sufficient to take him to the post at Felicity, but he never hints at any thing of Quamina's visit. Nor can it be passed over in silence that the prisoner during this revolt remained quietly seated in his house, and that no negro ever came near him to offer him any insult, or to touch his property: that every other white person within the reach of the rebels, along the coast, was treated with indignity, or forced to fly, except where protected by the soldiery.

The prisoner indeed asserts that this insurrection has been unlike any other that ever took place, either here or in Barbadoes, &c. and marked by a spirit of mildness and religion; but in the revolt of Barbadoes there was only one white man killed, and against this, what a frightful set-off does the insurrection here furnish? the violent assaults at Golden Grove and elsewhere, in which many of the whites were wounded, and above all the murders at Nabacles; these murders took place in the presence of the very Sandy, who was one of them that said we will not take life, because we cannot give it, and who by his own confession shot a negro boy; nor do I believe that any one act of violence was committed at which the christian leaders were not present.

In his defence on these charges, the prisoner avers that the negroes did not enter into a full detail of time, place and circumstance, and therefore that he could not be said to have any knowledge. What he heard could excite nothing but suspicion, which suspicion he was not bound to communicate; that all persons in the colony had at that time suspicions as to the state of the negroes.

The first part of the reasoning merits no reply, for the communication of the intention to drive the managers to town, which all the witnesses agree in saying was made, gave the prisoner the knowledge of the fact; and if all mens suspicions were at that time awake, ought he not to have treated this communication with more attention, than if made at a time when he had no previous suspicion, otherwise the effect of suspicion must be to throw a man off his guard.

In his observations on the evidence of Aves and Bailey, he asks, does the word, know, necessarily imply knowledge derived upon information or participation; does it not often imply an opinion grounded on certain data; his question answers itself. But he says, this evidence cannot affect me, for it goes to prove me to have known of the revolt six weeks before, whereas that revolt was not planned till the day preceding.

The evidence of the negroes shows the revolt was planned previous even to the six weeks; the minute details may not have been told to the common people till Sunday the 17th. The prisoner goes on to attempt to show that the revolt was to be expected from a variety of circumstances, and to defend himself, charges the authorities with being aware of the bad state of the negroes minds.

Admitting, for the sake of argument, that the authorities had reason to believe the negroes were dissatisfied, does this excuse the prisoner for not communicating to them his positive knowledge that a rebellion was actually about to break out.

With regard to the information conveyed by Jacky's letter, the prisoner says, admitting this, what further crime did I commit than captain M^cTurk and others who knew it at an earlier hour; the crime does not consist in the knowledge of the revolt, but in the concealment of that knowledge. Had he done what captain M^cTurk and the others did; had he given; information, had he prepared to suppress it, he would have then stood on a more equal footing with them, but instead of this, he never gives any warning to a human being; he

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writes to a negro on the subject, and never tells him to use his efforts in putting a stop to it, or to discover it to his master, and he destroys the strongest proof of the guilt of the ringleaders. Was this the conduct of captain M^cTurk?

What he asserts of captain Spencer and others not believing it, is not proved, if it were, it would only go to show how much less certain their knowledge was than his, who held in his hand a written declaration of the intention to revolt.

Independent then of what the prisoner himself confessed to Bailey and Aves, it has, I think, been shown that he, the prisoner, came to the knowledge of the intended revolt amongst the negroes on the 10th August; that he received on this subject further information on the 17th August.

That before six o'clock on the evening of the 18th August he had in his possession a letter from one of the ringleaders, stating the time and place when and where the revolt was to commence, and that he never gave any information thereof to the proper authorities.

Any one of these facts being proved establishes the third charge, which is confined to the mere previous knowledge.

The fourth charge is satisfied by proving the bare circumstance of his being in presence of Quamina at his house on the 19th and 20th August and the friendly communication which he held with him at that time, together with the interview on the 10th and 17th of August, make out the second charge.

As in going through the defence I omitted one or two points, it is necessary for me to notice them ere I conclude, though, perhaps, this may not be the most proper place.

On the subject of the Journal, the prisoner dilates in many parts of his defence. He admits it was intended for the Missionary Society; and the instructions which have been read to you, Gentlemen, direct his keeping such a Journal. He admits further that he has sent extracts from it home; but states that for some time past he has kept it for his private use.

Whatever credence may be given to the latter part of this statement, it can have no effect on the extracts of the Journal which have been referred to in evidence, for these prove clear and distinct facts on the admission of the prisoner himself. That some of the prisoner's opinions have been mingled up with these facts, so that in quoting the one, the other came out and that these opinions have been invariably hostile to Government, and the due subordination and peace of society, is the fault not of the prosecutor but of the prisoner.

The prisoner has himself, however, cited his opinions in the Journal in his Defence, and nothing further need be said on this subject.

In his reply to the 1st charge, the prisoner sets out by avowing his aversion to slavery; whether it be well or ill-founded; whether his opinion on this head be true or false, is not the question; but it seems to me that no man has a right to publish sentiments which can only tend to the subversion of the society in which he lives.

The remarks on Dr. M^cTurk's evidence were answered in their proper place; but the prisoner urges two objections against this evidence altogether, which have been omitted; first, that it cannot be received under any of the charges; second, that it relates to matter more than three years ago, and is barred by the 158th section of the Mutiny Act.

It may be very convenient for the prisoner to get rid of all evidence that affects his character, or that goes to show he was a bad subject; that he possessed great influence over the negroes, and determined to use that influence in defiance of the constituted authorities; but if evidence such as this be not admitted, how can any man be convicted of the crime here charged. The 158th Section of the Mutiny Act has, as far as I can see, nothing to do with the question. It declares that the specific act for which a man is tried must have taken place within the three last preceding years, but it does not prohibit evidence tending to establish the crime being adduced, though of a date antecedent to that. It in fact never hints at fixing any period as to the admissibility of evidence. Supposing a man had been for ten years gradually sapping the principles of the soldiers with intent to excite them to mutiny, and that such mutiny had at length broken out in the year, 1820 for instance; I should suppose he could plead this section of the act if tried for that specific meeting in the year 1824; but if brought to trial within the three years, can there be any doubt of the admissibility of evidence to prove the system on which he had been acting, though that evidence went back to the very commencement of his seditious practices ten years before.

The prisoner proceeds to animadvert on Dr. M^cTurk's conduct in arresting him; he says that he was not required as a soldier, and Dr. M^cTurk's order was a mere pretence. To support this he has produced captain Simpson, who says the ground of his arrest was that he looked on the prisoner's remaining on the estate alone as a very suspicious circumstance. Supposing then that Dr. M^cTurk did not require him as a soldier, taking his own version of it, what does he make of it after all, why, that Dr. M^cTurk, who in such times had full power to arrest all suspicious characters, did not wish to use any harshness which could

could possibly be avoided, and chose rather to remove by gentle means, without hurting his feelings, the prisoner, to a place of security, than to do this by a direct arrest. It was not his wish to arrest him; on the contrary he wished to avoid it. Supposing this, does it discredit Dr. M Turk?

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I have now gentlemen, gone through what occurred to me as the principal parts of this most important trial. No one can be more sensible than myself of the inefficient manner in which this task has been executed; but gentlemen, I throw myself on your candour, and freely acknowledge all its defects. I have only to thank you, as I do most heartily, for the great indulgence you have shown me during these proceedings. I shall not detain you longer, but commit at once the case into your hands, fully convinced that whether your decision be the acquittal or condemnation of the prisoner, it will do ample justice between the parties at your bar.

(signed) J. L. Smith, Jun.

The Court was cleared for deliberation, and subsequently adjourned.

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THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charges preferred against the prisoner, John Smith, as well as the statements made by him in his defence, and the evidence thereon; With respect to the first charge, to wit, "For that he, the said John Smith, long previous to and up to the time of a certain revolt and rebellion which broke out in this colony on or about the 18th of August now last past, did promote, as far as in him lay, discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers, he, the said John Smith, thereby intending to excite the said negroes to break out in such open revolt and rebellion against the authority of their lawful masters, managers, and overseers, contrary to his allegiance and against the peace of our Sovereign Lord the King, his crown and dignity," Is of Opinion, that he, the prisoner, John Smith, is guilty of thus much thereof, to wit, "For that he, the said John Smith, long previous to and up to the time of a certain revolt and rebellion which broke out in this colony on or about the 18th of August now last past, did promote discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers," but acquits him of the remainder of the said charge, for want of sufficient proof in support thereof.

With respect to the second charge, namely, "For that he, the said John Smith, having, about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and, further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did further aid and assist in such rebellion, by advising, consulting, and corresponding touching the same, with the said negro Quamina, to wit, on the 19th and 20th August last past he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein," the Court is of Opinion, that he, the prisoner, John Smith, is guilty of so much thereof as follows, viz. "For that he, the said John Smith, having, about the 17th day of August last, and on one day theretofore preceding, advised, consulted, and corresponded with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and, further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did further aid and assist in such rebellion, by advising, consulting, and corresponding, touching the same, with the said negro Quamina, to wit, on the 20th August last past, he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein," and acquits him of the remainder of the said charge.

With respect to the third charge, "For that he, the said John Smith, on the 17th August last past, and for a certain period of time thereto preceding, having come to the knowledge of a certain revolt and rebellion intended to take place within

this

24 November 1823. this colony, did not make known the same to the proper authorities ; which revolt and rebellion did subsequently take place, to wit, on or about the 18th of August now last past, the Court is of opinion that he, the prisoner John Smith, is guilty thereof.

With respect to the fourth charge, *viz.* “ For that he, the said John Smith, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on or about Tuesday and Wednesday the 19th and 20th August now last past, was at plantation Le Resouvenir, in presence of and held communication with Quamina, a negro of plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein ; and that he, the said John Smith, did not use his utmost endeavours to suppress the same, by securing or detaining the said insurgent Quamina as a prisoner, or by giving information to the proper authorities or otherwise ; but on the contrary permitted the said insurgent Quamina to go at large, and depart without attempting to seize and detain him, and without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of Martial Law issued by his Excellency the Lieutenant Governor.” The Court is of opinion, that he, the prisoner, John Smith, is guilty of so much thereof as follows, namely, “ For that he, the said John Smith, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on Wednesday the 20th of August now last past, was at plantation Le Resouvenir in presence of, and held communication with Quamina, a negro of plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein ; and that he, the said John Smith, did not use his utmost endeavours to suppress the same by giving information to the proper authorities, but on the contrary, permitted the said insurgent Quamina to go at large, and depart without giving any information respecting him to the proper authorities, against the peace of our sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of Martial Law issued by his Excellency the Lieutenant Governor,” and acquits him of the remainder of the said charge.

Sentence.

THE COURT having thus found the prisoner, *John Smith*, guilty, as above specified, does therefore sentence him, the prisoner, *John Smith*, to be hanged by the neck until dead, at such time and place as his Excellency the Lieutenant Governor and Commander in Chief may think fit to direct. But the Court, under all the circumstances of the case, begs humbly to recommend the prisoner *John Smith*, to mercy.

(signed)

S. A. GOODMAN,
L^t C^l and Pres^t

(signed)

J. L. Smith, jun.
Assist^t Judge Advoc^e

Approved,

(signed) *John Murray.*