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P A P E R S

PRESENTED TO PARLIAMENT BY HIS MAJESTY'S
COMMAND,

In Explanation of the Measures adopted by His
Majesty's Government,

FOR THE MELIORATION OF THE CONDITION OF

THE SLAVE POPULATION

IN HIS MAJESTY'S POSSESSIONS IN THE

WEST INDIES, AND ON THE CONTINENT OF
SOUTH AMERICA.

LONDON:

PRINTED BY R. G. CLARKE,

AT THE LONDON GAZETTE-OFFICE, CANNON-ROW, WESTMINSTER.

SCHEDULE.

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A.*Copy of a Letter addressed to Governors of Colonies, having local Legislatures.*

SIR, *Colonial Office, Downing-Street, 28th May 1823.*

I ENCLOSE you a copy of a letter which I have this day addressed to the Governor of Demarary, inclosing a copy of Resolutions lately passed by an unanimous vote of the House of Commons, and my object in this transmission is to take the earliest opportunity of apprising you of the measures which His Majesty's Government have thought proper to direct with respect to Demarary, and of the spirit in which they have enforced such direction. You will be prepared to recommend similar measures to the consideration of the Colonial Legislature whenever that body may assemble, and, in the mean time, you will take every opportunity of explaining the nature of these measures to individuals of influence within the Colony, and of pressing on their attention, in the strongest manner, how desirable it is that the conduct of the planters and the proceedings of the assemblies should even anticipate the suggestions of His Majesty's Government, and that such regulations should be spontaneously adopted as will fairly execute the principle of these Resolutions.

28th May,
1823.
Vide B.

There are other measures which His Majesty's Government will direct to be enforced in those Colonies which are more immediately under the controul of the Executive Government, of which I shall not fail to give you the earliest notice.

I have, &c.

(Signed) BATHURST.

B.*Copy of a Letter addressed to the Governors of Demarara and Berbice.*

SIR, *Colonial Office, Downing-Street, 28th May 1823.*

I TAKE the earliest opportunity of communicating to you the resolutions which were unanimously agreed to by the House of Commons on the 15th instant, and in order that you may better understand not only the general impression of the House in coming to these resolutions, but more particularly the principles which have guided His Majesty's Government in proposing them, and which will continue to guide them in the measures to be adopted for the furtherance of the important objects to which they relate, I have inclosed the best report that I can procure, although it may not be altogether a correct one, of the speech of Mr. Secretary Canning.

15th May,
1823.

I do not propose in this despatch to call your immediate attention to all the subjects to which that speech refers, but to confine myself to one of those points on which I have not found that any difference of opinion exists, and which, being simple in its nature, may be at once adopted, viz. an absolute prohibition to inflict the punishment of flogging, under any circumstances, on female slaves.

The system of meliorating the condition of slaves, to which His Majesty's Government stands pledged by these resolutions, cannot better commence than by the adoption of a principle which, by making a distinction of treatment between the male and female slaves, cannot fail to raise this unfortunate class generally above their present degraded level, and to restore to the female slaves that sense of shame which is at once the ornament and the protection of their sex, and which their present mode of punishment has tended so unfortunately to weaken if not to obliterate.

I should therefore have communicated to you His Majesty's commands that the punishment of flogging should for the future cease with respect to females, had I not been desirous that the prohibition should proceed from the Court of Policy, as I am unwilling to deprive them of the satisfaction which I am sure they will feel in originating and supporting a measure which has been approved by all classes.

With respect to the practice of driving slaves to their work by the sound of the whip, and to the arbitrary infliction of it by the driver as a stimulus to labour, I am equally disposed to trust to the Court of Policy to originate measures for the cessation of this practice, which I need not to state must be repugnant to the feelings of every individual in this country. I am aware that a necessity may exist for retaining the punishment of flogging with respect to males, though at the same time it should be subjected to defined regulations and restrictions; but as an immediate measure, I cannot too strongly recommend that the whip should no longer be carried into the field, and there displayed by the driver as the emblem of his authority, or employed as the ready instrument of his displeasure.

I have the honour to be, &c.

(Signed) BATHURST.

HOUSE OF COMMONS.

RESOLVED,

Jovis 15^o die Maii 1823.

THAT it is expedient to adopt effectual and decisive measures for meliorating the condition of the slave population in His Majesty's Colonies.

That through a determined and persevering, but at the same time judicious and temperate enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave population, such as may prepare them for a participation in those civil rights and privileges which are enjoyed by other classes of His Majesty's subjects.

That this House is anxious for the accomplishment of this purpose at the earliest period that shall be compatible with the well being of the slaves themselves, with the safety of the Colonies, and with a fair and equitable consideration of the interests of private property.

Ordered, That the said resolution be laid before His Majesty by such Members of this House as are of His Majesty's most honourable Privy Council.

C.

Copy of a Letter addressed to the Governors of Trinidad and St. Lucie.

SIR,

Colonial Office, Downing-Street, 28th May 1823.

I ENCLOSE you a copy of a letter which I have this day addressed to the Governor of Demerara, and you will not fail to follow the directions therein contained, as far as may be applicable to the Colony under your government, where no public body exists with similar functions to those of the Court of Policy. You will therefore prepare the slave proprietors in the Colony under your government to expect that an Order in Council will be passed for the same object, that the Court of Policy are invited in the first instance spontaneously to enforce, and I trust that they will be equally disposed individually and in concert to anticipate, the designs of His Majesty's Government.

28th May,
1823.
Vide B.

I have, &c.

(Signed) BATHURST.

D.

Copy of a Letter addressed to all the Governors of Colonies.

SIR,

Colonial Office, Downing-Street, 28th May 1823.

WITH reference to my public letter of this day, I have to instruct you that in the event of any misunderstanding taking place on the part of the slave population, as to the intentions of His Majesty's Government, founded upon the resolutions lately passed in Parliament, which shall be brought to your notice in the form of a requisition, signed by persons of sufficient influence and property within the Colony under your government, who shall therein state their knowledge that these intentions of His Majesty's Government have been so misunderstood by the slave population, and that a considerable fermentation has resulted so as to endanger the peace of the Colony; you are hereby authorized in that case, and in that case only, to issue a Proclamation in the spirit of the one which I enclose.

You will not suppose that such a contingency is expected, but it has been thought expedient to frame this Proclamation as a measure of precaution under the possibility of its occurrence.

I have, &c.

(Signed) BATHURST.

PROCLAMATION.

VARIOUS measures being in contemplation by His Majesty's Government, for the purpose of meliorating the condition of the slave population in the Colonies, and of progressively qualifying them for an extension of privileges, I hereby notify that I am authorized by the Secretary of State, under

the special command of His Majesty, to explain that such measures will be rendered utterly abortive, in the event of any general misconduct, or acts of insubordination on the part of that population, as it is upon their peaceable, temperate, and industrious behaviour, and upon their anxiety to avail themselves of all means to improve their moral and religious condition, that the success of these measures necessarily depends. An opposite line of conduct will forfeit all their claims upon the liberality of the British Parliament, and deprive His Majesty's Government of the means of carrying into effect the resolutions which have been unanimously adopted by the House of Commons.

E.

Copy of a Letter addressed to the Governors of Demerara, Berbice, Trinidad and St. Lucie.

SIR, *Colonial Office, Downing-Street, 12th June 1823.*

12th June
1823.
Vide F.

I AM directed by Lord Bathurst to transmit to you the accompanying copy of a letter which his Lordship has addressed by the present mail to the several Islands in the West Indies having local legislatures, in order that you may be fully apprized of the views and proceedings of His Majesty's Government in every stage of the important measure to which it refers.

I am, &c.

(Signed) R. WILMOT HORTON.

F.

Copy of a Letter addressed to Governors of Colonies having Local Legislatures.

SIR, *Colonial Office, Downing-Street, 12th June 1823.*

I AM not as yet prepared to communicate to you the definite instructions which His Majesty's Government will issue, with respect to the immediate measures for the improvement of the condition of the slave population, necessary to be enforced by the Colonial Legislature at their next meeting, and the adoption of which you will be directed in my despatch, by the early July packet, to recommend in the most earnest manner.

His Majesty's Government feel in the strongest degree the necessity of the most careful consideration of all the practical measures which they will feel it their duty to recommend; they are sensible that all changes must not only be progressive, but adapted to that peculiar state of society upon which they are to operate, and that they must be calculated to secure that gradual improvement of the moral condition of the negroes which is contemplated in the resolutions of the House of Commons, and which, if undertaken with prudence, it will not only be the duty, but the interest of the proprietor to promote.

I have the honour to be, &c.

(Signed) BATHURST.

G.

Copy of a Letter addressed to the Governors of Demerara and Berbice.

SIR,

Colonial Office, Downing-Street, 9th July 1823.

I ENCLOSE, for your information and guidance, the copy of a despatch that I have addressed to the Governors of the other West India Colonies, and in order that you may communicate it to the Court of Policy, upon whom you will press the necessity of adopting the regulations and suggestions therein contained, and of applying them to the Colony of Demerara, in such manner as is most suited to the existing laws and usages of that Colony, preserving at the same time their entire spirit.

9th July
1823.
Vide H.

You will remark that I have instructed them to press upon the consideration of their respective Assemblies, the expediency of the abolition of markets on the Sundays, and the substitution of some other time for that purpose.

It has, however, been represented to me that the situation of Demerara is different from that of the other Colonies in two respects;—first that the slaves are not left to their own labour for their subsistence, a given proportion of land being in each plantation set apart for provision ground, in the cultivation of which they are employed during the other six days of the week; and secondly, there being but two markets established throughout the whole Settlements of Demerara, Berbice and Essequibo, the whole line of coast being of not less than about 250 miles in extent, that portion only of the slave population which is in more immediate contiguity with the two market towns, is in the habit of frequenting them, and that the rest are supplied by hucksters who travel about for that purpose. If this be the case there may not be the same immediate necessity for applying the same measures to those Settlements which I have recommended to the Governors of the other Colonies, more particularly as it is stated that the slaves who attend the markets have no other places of worship except what are to be found in market towns.

But there can be no difficulty in the Court of Policy at once prohibiting the markets to continue beyond the hour of half past nine in the morning at the very latest, and adopting some efficient measures to provide for the due attendance of the slaves who shall frequent the markets, at some place of religious worship, after the time the market shall have been closed.

This may be done by requiring that every master or overseer shall deliver tickets of leave to his slaves who are to frequent the market, and that their names shall be inscribed on the list of some place of religious worship, and that these tickets of leave shall not be renewed on the following Sunday, except on their respectively producing certificates that on the preceding Sunday on which they had attended the markets they had afterwards attended at the chapel, on the list of which their names had been inscribed.

Unless some measures of this description shall be adopted, by which the great object of religious instruction shall be duly secured, you will give it to be understood that the abolition of the Sunday markets, and the substitution of some other time for that purpose, must be immediately enforced. And you will distinctly understand that this qualified permission to hold markets on the Sunday is only conceded with reference to the special circumstances of the Colony as now existing, and will be subject to revision at some future period.

I have, &c.

(Signed) BATHURST.

H.

Copy of a Letter addressed to Governors of Colonies having Local Legislatures.

(Circular.)

Colonial-Office, Downing-Street, 9th July 1823.

IN my despatch of the 12th ultimo, I apprized you that it was my intention to communicate to you by the first packet in the present month, further instructions respecting those improvements in the slave code of the Colony under your Government, which, in conformity with the recent resolutions of the House of Commons, it is the earnest desire of His Majesty's Government to carry into effect.

The suggestions which I am about to make, are not to be understood as affording a full developement of what His Majesty's Government have in contemplation on this important subject; it is my purpose rather to point out such changes in the law as may be conveniently adopted at present, and which will (it is hoped), lay the foundation for a further and more effectual reformation. I am therefore to direct you to lay before the Colonial Legislature of the following remarks and propositions, and you will not fail to press upon that body the importance of directing their immediate and most serious attention to them.

It would be superfluous to insist upon the indispensable necessity of religious instructions as the foundation of every beneficial change in the character and future condition of the slaves; so deeply, indeed, is His Majesty's Government impressed with this truth, and with the necessity of maintaining an adequate number of Clergymen and Teachers throughout the West Indies, under Episcopal controul, that, if it shall appear that the revenues of the Colonies are insufficient for this purpose, they will not hesitate to apply to Parliament for such pecuniary grants as may be necessary for supplying the deficiency; nor can they doubt that the anxiety which has been manifested by the Legislature, and by the public at large, for the welfare of the slave population, will induce Parliament cheerfully to contribute such funds as may be required for effecting this important object; but this disposition must be met on the part of the Assembly by a Legislative provision for the abolition of markets on the Sunday, and the substitution of some other time for that purpose, so that the Sabbath may be appropriated to the purposes of rest from labour, and of moral and religious instruction. Unless the time withdrawn from the market were employed in the more becoming occupations of the day, it would too probably be passed by the slaves without benefit to themselves, and perhaps with material detriment if not danger to the Community. The immediate abolition of Sunday markets, is not insisted upon until the means of religious instruction shall have been provided. But His Majesty's Government will not recommend to Parliament the grant of any pecuniary assistance towards the expence of a religious establishment, in any case in which the abolition of Sunday Markets and the substitution of some other day for that purpose, shall not have been prospectively secured.

Religious instruction is also a necessary preliminary to another important

improvement in the condition of the slaves, the admission of their evidence in courts of justice. The permanent exclusion of the testimony of slaves must essentially interfere with the provisions adopted for their protection. On the other hand, to declare that all slaves shall be qualified to give evidence, would be a change in the system of administering justice in the Colonies too momentous to be introduced suddenly; it can only be consequent upon the moral and religious improvement of the slave population. It is highly expedient, therefore, that in furtherance of the resolutions unanimously adopted by the House of Commons, a law should be passed, declaring that the evidence of a slave shall be received in all, except perhaps certain cases, if upon his appearing in Court to give testimony, he shall produce, under the hand of some of the parochial Clergymen, or of the religious Teacher authorized by the master or overseer to instruct him, a certificate, stating that the proposed witness has been so far instructed in the principles of religion as, in the judgment of the party certifying, adequately to understand the obligation of an oath. The cases to be considered must be those in which the master of the slaves is directly concerned, and such as would affect the life of a white person. For the better preventing the fabrication of certificates, it may be necessary to keep parochial registers of the persons whose competency to give evidence shall from time to time have been certified by the proper authority, and the being enrolled in such a list may be made an object of laudable ambition, and a stimulus to attention and good conduct. Perhaps such certificate should not of itself be an absolute qualification to be received as a witness, but it might be regarded as raising such a presumption of competency, that the party producing it should be taken and adjudged to be competent, unless he should be proved to labour under some such disability, as would, according to the law and usage of English courts of justice, disqualify a free person.

Religious instruction is not less necessarily the foundation of that relation, the want of which in the system of Colonial slavery excites a deep and general commiseration in this country, that of marriage. Where the conjugal and parental rights of the father of a family cannot be maintained, it would be vain to expect from this institution that infinite variety of salutary consequences which naturally belong to it in civilized society. The present want of religious teachers in the Colonies presents another difficulty, for without their instrumentality it will scarcely be possible to impress the mind of a slave with a due sense of the sacred obligations of matrimony, or even to celebrate the mere ceremonial of marriage with any proper and impressive solemnity.

Advantage cannot be too soon, or too anxiously taken of the opportunity of establishing this salutary institution; in doing so, care must be taken to encourage, as far as possible, marriages between slaves attached to the same estates, since the insecurity of conjugal and parental rights is manifestly increased by distant connections, which moreover tend to withdraw the interest and attachment of the slave from the plantation to which he belongs. As part of this system, provision ought to be made by law for exempting from future labour in the field the mother of a given number of children born in lawful wedlock. Until the religious establishment shall be completed, the solemnization of marriages by persons who are not in holy orders might be permitted, and any Minister of religion not engaged in any secular calling might be employed, in cases where the attendance of a Clergyman of the Church of England cannot be procured. Care however should be taken that all marriages should ultimately be registered at the parish church, and none celebrated without the consent of the master given in writing; but in the event of the master feeling it necessary to object to the marriage, he should be called upon to communicate the cause of his resistance to the Clergyman of the parish to which the parties belong.

The next subject to which I must draw your attention is the manumission

of slaves, every unnecessary obstacle to which must be removed. Although it appears from the recent returns that taxes have in almost every Colony been imposed on manumissions, I am gratified to learn that they have in practice been generally discontinued. No difficulty can therefore be anticipated in obtaining the concurrence of the Colonial Legislature in the final repeal of all such charges, and in this I include all official fees which may have been collected either by usage or under positive enactment. The first obstacle to manumission arises from the apprehension of this being resorted to by the owner for the purpose of relieving himself from the burden of maintaining infirm or aged slaves. I conceive it would be necessary to require the appearance of the person to be manumitted at the office, either of the Colonial Secretary or Treasurer, whose duty it should be, before registering the deed of manumission, to satisfy himself that the slave was not less than six nor more than fifty years of age, and that he did not labour under any permanent sickness or infirmity. In cases of slaves below six or above fifty years of age, or labouring under sickness or infirmity (but in whose cases only) the Secretary or Treasurer should be required before recording the manumission, to take from the owner a bond to the King, with a condition that the penalty should not be enforced, unless the manumitted slave should, within ten years in the case of the child and fourteen in the case of the adult, become incapable of earning his own subsistence. A second obstacle to manumission seems to arise from a presumed legal difficulty. It has been urged that a slave not being capable of making contracts, cannot legally contract for, or become the purchaser of his own freedom; now as this is plainly a difficulty of form only, and not of substance, a remedy may of course be readily devised. Either the competency of the slaves to make contracts respecting his freedom might be acknowledged by a declaratory act, or it might be provided that all such contracts should be made in the name of the King, in whose name also all actions might be brought to enforce the performance of it. A third and much more serious obstacle to manumission arises out of the legal limitations under which slaves are legally held. Thus, for example, a slave and his issue may have been made the subject of entails or of family settlement, or may be held under two or more successive mortgages, &c. and his manumission cannot be effected without the concurrence of a series of reversioners, remainder men, mortgagees or mortgagers, some of whom may be infants, and others who may not even be in existence during the life of the slave. A difficulty analogous to this arises from the case of doubtful or disputable titles, and from the circumstance of a slave being regarded as assets for the payment of the debts of a deceased owner, since in either of these cases it is impossible for the individual prepared to emancipate such slave to know in whom the legal right to the slave is vested. The pendency of a suit or action involving the question of the title of the two litigant parties to a slave, imposes on the latter the necessity of waiting the determination of the controversy before he can safely pay to either the price of his freedom.

To remove all the preceding obstacles to manumission you will therefore propose to the Legislature of _____ to pass a law to the following effect: Permanent Commissioners should be appointed, who (on application being made by or on behalf of any slave with his master's consent), should ascertain the names and places of abode of every person having any interest or probable interest in him, either as tenant for years or for life, as reversioner, remainder-man, mortgagee, mortgager, trustee, executor, receiver or creditor of any deceased owners or their agents; all these persons should be summoned, by personal notice if possible, and if not, then by public advertisement, to attend at the time and place of the appraisal of the slave. The appraisal should take place at the time and place to be thus appointed, in the presence of at least one Commissioner, and by at least one sworn appraiser, and the Commissioners should have authority, on application made within

one month by any of the parties interested, to direct a new appointment in case there should seem reason to dispute the justice of the original valuation. The second appraisement should be final. The appraised value should then be paid into the Colonial Treasury. The Treasurer should invest the amount on good security, and every right which formerly existed in the slave should thenceforward exist, not in him, but in the fund to be thus purchased by the appraised price of his freedom.

The last topic relating to manumission, to which I think it necessary at present to advert, is the loss of the deed of manumission. It will be expedient that provision should be made for the registration of all manumissions, and that to secure punctuality in this respect, a simple form of manumission should be prescribed by legislative authority, and that the appearance of the party before the Registrar, or one of his deputies, should be an essential part of every act of manumission.

I have next to advert to the subject of the sale of slaves in satisfaction of the debts of their owners. Among the whole range of projected improvements in the Colonial system, there is, perhaps, none which, on an attentive consideration, will be found to present more difficulties than this.

As far as the rules of Colonial law, respecting the sale of slaves, are to be collected from the documents in this office, they may, I conceive, be stated, without any material inaccuracy, as follows:—

First, it appears to be a general maxim in our Colonial jurisprudence, that the whole property of the debtor, whether real or personal, and all his interest in real estates, whether legal or equitable, may be taken in execution, and sold in satisfaction of any judgment against him. I further collect that in the order of sale, the executive Officer of the Courts (the Sheriff or Provost Marshal) is bound to seize and sell such property in the following order;—that is,—he is first to take the severed crops; then the moveable goods; then the debts due to the defendant; then his plantation utensils; then his slaves; and lastly his land; resorting to the two latter descriptions of property only in case of a deficiency in the former. It also seems that in every one of the Colonies, a judgment has the effect of a mortgage upon all the immovable property, and upon all the interests in such property which were vested in the debtor when the judgment was entered against him; lastly,—it seems that an earlier judgment will, in the order of payment, take precedence of a later mortgage.

A judgment having so much greater effect in the Colonies than in England, the number entered in the West Indies bears a most unusual proportion to the number of the free inhabitants, and to the extent of their pecuniary transactions. Another result has been, that mortgagees have usually taken judgments as a collateral security for the advances they have made. There is, therefore, a large body of persons holding charges on the slaves throughout the Colonies, which they have acquired on the faith of laws passed by the Assemblies, and subsequently approved by the Crown. Now, if a law were introduced by which the sale of slaves, under legal process, in satisfaction of the debts of the proprietor, were prohibited absolutely and without qualification, the rights thus acquired under acts of Assembly would be subverted, and I am not prepared to recommend a measure trenching so largely on the rights of private property. Supposing that the prohibition were prospective only, and that it therefore should affect merely those debts which might subsequently be contracted, still the Provost Marshall might put up the utensils and the land itself to sale; and it is obviously immaterial to the present question, whether the slaves are sold without the land, or the land without the slaves; supposing further, that both the land, the slaves, and the utensils, were withdrawn from legal process, if the proprietor still retained the power of voluntary sale, the practical result would be this,—that men would then

relieve their necessities by selling their slaves as they could find purchasers, instead of borrowing money on the credit of them as at present. It seems then to follow, that the absolute prohibition of the sale of slaves, in satisfaction of the debts of the proprietor, would not have the effect of preventing the forced separation of the slave from his home, unless the right of voluntary sale were also taken away. But a prohibition thus extensive is a more considerable innovation on the law than I am prepared to recommend.

It is satisfactory, however, to remark, that although the theory of the law allows the sale of slaves to pay the debts of the owner, yet in practice such sales can only take place where the owner has the fee simple of the land and slaves, (which, from the practice of strict entails, in the West Indies, is, in many of the Colonies unusual) and has also not contracted any mortgage debt, which (I am afraid) is, in most of them still more uncommon. The land and the slaves being almost universally settled, or mortgaged as one consolidated property, the rights of the reversioner, or remainder man in the one case, and of the mortgagee in the other, necessarily prevent the creditor from selling the slaves apart from the land. I am, therefore, disposed to infer that the great majority of slaves who are brought to sale for payment of their masters debts, whether under the Old English Writ of "*Venditioni exponas*" in Jamaica, or under the general Executions directed by the Court Acts of the smaller Islands, are sold with the land, and suffer no other alteration from the transaction than that of a change of masters. The slaves who are sold separately, are therefore, in all probability (for the returns give no accurate information on this point) for the greater part, those who are not habitually worked upon the plantations and are in general the domestic servants of their owners, or are employed by the lower classes of freemen in various menial occupations for the profit of their masters—slaves thus circumstanced are not perhaps materially injured by a compulsory sale, since their employments are not such as to create strong local attachments.

Still to whatever degree the removal of slaves from their homes to satisfy the debts of their owners, may occur, it is obviously fit that it should if possible be prevented, and that precaution should be taken against the more frequent occurrence of such removals hereafter. I am, therefore, with reference to the preceding remarks, to direct you to call the attention of the Legislature of the Colony of _____ to the following amendments of the law upon this subject, without infringing on the rights of any judgment creditors, who may at present hold unsatisfied judgments, provision might be made for preventing the keeping of such judgments alive after the debts for which they may have been obtained shall have been really satisfied. A time should also be fixed beyond which no existing judgment should be capable of being enforced. With reference to judgments which may, be hereafter obtained, the executions to issue on them, might perhaps be, both in form and effect a sequestration rather than a sale, that is to say, the creditor might be permitted to take possession of the estate, slaves, and utensils, and to hold them together until his claims were satisfied by the proceeds, or the rents and profits of the land, slaves, and utensils, might be put up to sale as one entire lot, without removing them, one from the other. If, however, the substitution of a sequestration for a sale, should not be practicable, the only other plan which I can suggest, is that of directing, that the land slaves and plantation utensils, shall always be sold together in one entire lot. It may, also be expedient to provide, that slaves shall not in future be considered as separate assets for the payment of debts of the deceased owner, but that the land, and slaves, and plantation stock, shall always be sold together.

With regard to all slaves, whether attached to estates, or not, you will propose an enactment prohibiting their being sold apart from their husbands, or wives, or apart from any child, who may be under the age of 14. As unhappily the disuse of marriage has prevented the growth of any legal rela-

tionship between the slaves, the prohibition must extend to the case of *reputed* husbands, wives or children. I have, also to suggest, that if the debtor should not be the proprietor both of the husband and wife, or of the parents and children, an appraisal should be made of the value of such members of a family as are the property of the debtor, and they should be offered at something below such appraised value to the proprietor of the other members of the family.

On the subject of the punishment of slaves, I have already in some degree anticipated the object of the present dispatch, by directing that Legislative measures should be proposed for preventing the punishment of flogging in every case where the offender is a woman, I also pointed out the necessity of prohibiting the use of the whip in the field; I have now in addition to those instructions, to direct that you will cause some effectual law to be submitted to the Legislature, for preventing any domestic punishment whatever, until the day following that on which the offence may have been committed, and even then, except in the presence of one free person, besides the person under whose authority the punishment may be inflicted. If the punishment should exceed three lashes, it should be provided that a regular entry should be made in a plantation-book to be kept for that purpose. First, of the nature of the offence; secondly, of the time when, and of the place where it was committed; thirdly, of the names of the free persons present at the punishment, and fourthly, of the number of lashes received. The accuracy of the entries in this book should be certified quarterly by an oath to be taken by the owner, manager, or overseer, before a magistrate. As the offence of punishing a slave in the absence of any free person, would not be susceptible of direct proof if it should happen, that the slaves themselves were not among that class, whose evidence it is proposed to admit, to ensure as far as possible the detection of any such counteraction of the law, it should be enacted, that if the person of a slave should exhibit marks of recent flogging or mutilation, which he or any other slave should state to be the traces of punishment not duly registered, such appearances should be considered sufficient to raise a presumption of the law having been broken, and the manager or overseer should be condemned to suffer a given penalty to be enacted, unless he could repel that presumption by sufficient evidence.

The last subject to which I propose at present to advert, is the necessity of insuring to the slave the enjoyment of whatever property he may be able to acquire. For this purpose, *Savings Banks* should be established under Legislative Authority, upon the model of those in England; but, with this alteration, viz. that the depositor should at the time of first becoming a subscriber, state to whom, in the event of his own death, the fund is to devolve. An entry of this declaration being duly registered at the Bank, should be declared equivalent to a will in the absence of any other.

In conclusion, I have most earnestly to impress upon you the necessity of proceeding to carry these improvements into effect, not only with all possible dispatch, but in the spirit of perfect and cordial co-operation with the efforts of His Majesty's Government. More particularly, you will be attentive to have the necessary laws framed with such precaution and foresight, as, if possible, to provide an effectual security for the faithful observance of them. To this end, you will consult with the legal advisers of the crown on the frame of the necessary bills, and you will from time to time communicate with me upon the progress you make in this work, or upon the difficulties which may obstruct its completion, and if, (what I am unwilling to imagine) you should meet with any serious opposition, you will lose no time in transmitting to me the necessary communication, in order that I may take the earliest opportunity of laying the matter before Parliament, and submitting for their consideration such measures as it may be fit to adopt in consequence.

I have the honour to be, your obedient servant,

(Signed) BATHURST.

I.

Copy of a Letter addressed to the Governors of Trinidad and St. Lucie.

SIR,

Colonial-Office. Downing-Street, 9th July 1823.

9th July,
1823.
Vide H.

I HAVE to enclose a copy of my despatch of this date to the Governors of His Majesty's Colonies in the West Indies having Legislatures, in order that you may take the necessary measures for preparing the slave proprietors in the Colony under your Government to expect that regulations to the same effect, in addition to those specified in my former despatch upon this subject, will be provided for by an order of His Majesty in Council.

I have, &c.

(Signed)

BATHURST.

No. 2.

Schedule of Letters (and Enclosures) addressed to Earl Bathurst by the officers administering the Governments of His Majesty's Possessions in the West Indies, and on the Continent of South America.

Colony.	No. and Date of Governor's Letter transmitting.	SUBJECT.	Page.
JAMAICA.	No. 1. Nov. 10.	Transmitting Copy of Speech to the Council and Assembly, at the opening of the Session, and their Replies. (Three enclosures)	1
	No. 2. Dec. 23.	Transmitting Resolutions entered into by the House of Assembly. Message of the House on Consolidated Slave Act. Copy of an Address to His Majesty. (Four enclosures.)	4
BAHAMAS.	No. 1. Dec. 12.	Transmitting Governor's Address to Council and Assembly at the opening of the Session. Message to House on the subject of the Melioration of the condition of Slaves, and their Reply and Resolutions. (Four enclosures.)	9
BARBADOES.	No. 1. June 14.	Transmitting Proclamation by Sir H. Warde. (One enclosure.)	17
	No. 2. Oct. 3.	Transmitting Answer to Speech by Council. Ditto, by Assembly. (Two enclosures.)	18 <i>ib.</i>
	No. 3. Oct. 1.	Transmitting Copy of Answer to Letter addressed to Council by Sir H. Warde. (One enclosure.)	20
DOMINICA.	No. 1. July 5.	Transmitting Report of the Committee of the Legislature, and Extracts from the Minutes of the Privy and Legislative Council. (Five enclosures)	21
	No. 2. August 22.	Letter from Governor respecting Circular of July 9th.	37
	No. 3. Dec. 5.	Transmitting Bill for Meliorating the Condition of the Slave. (One enclosure.)	<i>ib.</i>
GRENADA.	No. 1. July 4.	Letter from Acting Governor respecting Circular of May 25th.	60
	No. 2. August 22.	Transmitting Copy of Resolutions in answer to Circular of July 9th. (One enclosure.)	61
ANTIGUA.	No. 1. July 7.	Extract of a Letter from the Governor, acknowledging Circular of May 25th.	62
	No. 2. August 9.	Transmitting draft of Bill for Meliorating Condition of Slaves, Lost in the Third Reading. (One enclosure.)	<i>ib.</i>
	No. 3. Aug. 26.	Letter from Governor acknowledging Circular of July 9th.	63
	No. 4. Oct. 10.	Letter detailing further proceedings on Circular of July 9th.	<i>ib.</i>
	No. 5. Dec. 1.	Transmitting Message to Committee of Legislature, on Measures for Meliorating the Slave Population, and their Reply. (Two enclosures.)	67
ST. CHRIS- TOPHER'S.	No. 1. July 4.	Enclosing Letter to the Council and Assembly, and their Resolutions on Circular, of 28th May. (Two enclosures.)	69
	No. 2. Dec. 10.	Transmitting Extracts of Governor's Speech to the Council and Assembly, and of their Replies. (Three enclosures.)	71
ST. VINCENT.	No. 1. Sept. 26.	Transmitting Report of Legislature and Replies to Circulars of May 28th and July 9th. (Three enclosures.)	73
TOBAGO.	No. 1. Sept. 28.	Transmitting New Slave Court Act. (One enclosure.)	93
	No. 2. Oct. 30.	Transmitting Answers of Assembly, respecting Circulars of 9th July last. (One enclosure.)	102

Colony.	No. and Date of Governor's Letter transmitting.	SUBJECT.	Page.
TRINIDAD.	No. 1. July 13.	Transmitting Resolutions of Council. (One enclosure.)	105
	No. 2. Dec. 5.	Transmitting Ordinance and Proclamation, exhorting a more punctual Observance of the Sabbath. (Two enclosures.)	107
ST. LUCIE.	No. 1. July 21.	Transmitting Copy of Circular sent by Council, recommending the Suggestions contained in Circular of May 28th. (One enclosure.)	111
	No. 2. August 8.	Transmitting Protest of the Privy Council. (One enclosure.)	112
DEMERARA.	No. 1. August 11.	Transmitting Extract of Proceedings of Court of Policy, on Circular of May 28th. (One enclosure.)	115
	No. 2. Aug. 24.	Enclosing Heads of Instructions to be adopted towards the Rebels, and Copies of Proclamations. (Three enclosures.)	116
	No. 3. August 31.	Extract of a Letter from the Governor respecting State of the Colony	120
	No. 4. Aug. 31.	Extract of a Letter from the Governor, acknowledging Circular of July 9th.	<i>ib.</i>
BERBICE.	Nos. 1 and 2. Oct. 20.	Transmitting Extract from Proceedings in Council, relative to Circulars of May 28th and July 9th. (Two enclosures.)	121
	No. 3. Aug. 25.	Extract of a Letter from the Governor, stating, that in compliance with his Instructions of May 28th, he had issued a Proclamation	124
	No. 4. Aug. 27.	Extract of a Letter from the Governor, stating what had been the effect of the Proclamation	<i>ib.</i>

P A P E R S

RESPECTING THE

SLAVE POPULATION IN THE WEST INDIES,

&c. &c.

J A M A I C A.

No. 1.

Extract of a Despatch addressed to Earl Bathurst by the Duke of Manchester, dated Jamaica, 10th Nov. 1823.

I HAVE the honour to enclose, for your Lordship's information, copies of my speech to the Council and Assembly, at the opening of the session, and of their addresses to me.

Extract from the Speech of His Grace the Duke of Manchester, to the Legislature of Jamaica.

Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

It is very satisfactory to me that nothing has rendered it necessary to call you together sooner than I have been accustomed, and I am confident that you will now apply yourselves to the discharge of your public duty with that zeal which you have afforded me so many opportunities to acknowledge.

I have one subject to recommend to your particular consideration, a careful revision of the Consolidated Slave Law.

Knowing, from long experience, the disposition you have constantly shewn to improve the condition of the slave population, I am persuaded that the same liberality of sentiment which has already conferred upon them so many important benefits, will suggest to you such further means of promoting their comfort and moral improvement, as may seem best adapted to the state of society on which they are to operate, strengthening and confirming that dutiful attachment with which they look up to you as their natural protectors, and to whom they will be exclusively indebted for any increased advantages which can with propriety be extended to them.

I am more earnest in pressing this subject on your earliest attention, as in all parts of the civilized world there exists the strongest desire to improve the condition of the lower orders of society, and no where is this feeling more prevalent than in the British empire.

I am certain I shall not weaken the force of my recommendation when I assure you that any effective measures, which your wisdom may adopt, for meliorating the condition of the slave population will be most acceptable to His Majesty's government.

Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

The anxiety I feel that your deliberations may terminate in a result satisfactory to yourselves, and beneficial to the public, whose interests are confided to you, encourages me to hope that you will proceed to the consideration of the Consolidated Slave Law, with that temper and prudence which the importance of the subject calls for, steadily pursuing the great object of improving the condition of those to whose unshaken fidelity and good conduct much is due, and whose comfort and happiness are inseparably connected with your own.

Extract from the Address of the House of Assembly, to His Grace the Duke of Manchester, on the opening of the Sessions. Dated 30th October, 1823.

To His Grace William Duke of Manchester, Captain-General and Governor-in-Chief of this His Majesty's Island of Jamaica Sessions. Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same.

The Humble Address of the Assembly of Jamaica.

May it please your Grace,

We, His Majesty's dutiful and loyal subjects, the Assembly of Jamaica, return you our thanks for your gracious speech at the opening of the Sessions.

We join in the satisfaction of your Grace, that nothing has occurred to make it necessary to call us together sooner than you have been accustomed.

In compliance with your recommendation, we will carefully revise the Consolidated Slave Law.

We are grateful to your Grace for declaring that you have observed, from long experience, a disposition to be constantly shewn by us to improve the condition of the slave population, and which has already conferred on them so many important benefits. The same disposition will suggest to us such further means of promoting their comfort and moral improvement as may seem best adapted to the state of society in which they are to operate. It has always been our object to strengthen and confirm that dutiful attachment with which the labouring classes look up to us as their natural protectors, and to whom they must be exclusively indebted for any increased advantage which can with propriety be extended to them.

We are most happy to learn from your Grace that in all parts of the civilized world there exists the strongest desire to improve the condition of the lower orders of society, and that this feeling is no where more prevalent than in the British empire; we can say with truth that the same desire of meliorating the condition of the lower orders has for a long time back guided the proceedings of the Jamaica legislature.

We participate in the anxiety of your Grace, that our deliberations may terminate in a result satisfactory to ourselves and beneficial to the public, whose interests are confided to us, and we will endeavour not to disappoint the hope expressed by your Grace that we will proceed to the consideration of the Consolidated Slave Law with that temper and prudence which the importance of the subject calls for, steadily pursuing the great object of improving the condition of those to whose unshaken fidelity and good conduct much is due, and whose comfort and happiness are inseparably connected with our own.

Extract from the Address of the Council to his Grace the Duke of Manchester.

To His Grace William Duke of Manchester, Captain-General and Governor-in-Chief of His Majesty's Island of Jamaica Sessions. Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same.

Your Grace's long residence in this island, your well known kindness and benevolence towards all, but particularly towards the lower orders of this community, and your Grace's repeated and continued visits to every part of the island, whereby you have obtained a thorough knowledge of the habits, dispositions, and comforts, or wants of those who are the object of the law which has been recommended by your Grace to our particular consideration, enable your Grace, more than it is possible for any other, to estimate the progressive improvement in the condition of the slave population, and we are most happy in having so public and satisfactory a testimony of the many important benefits which have already been conferred upon that class of the population of this colony.

That liberality of sentiment which your Grace has been pleased to attribute to us, is perhaps founded upon a disposition, which we are happy to observe is now prevalent to meliorate the condition of the slave population, both in comfort and moral improvement to the greatest degree, interchanging with them the common duties of life; exacting from them not more than our unremitted care and protection of them well sanctions, and providing as much for their intellectual improvement as they may be gradually able to bear. Nor is this feeling towards them diminished by the very circumstance of their being dependent upon us, for thus do they ensure our constant protection in sickness and in health, without any regard to expense, without contemplating a calculated equivalent for such protection, nor regarding the total absence of all assistance from the aged, weakly, and infirm. With sentiments, we may say, of affection towards them as dependent upon us for comfort and support, and with due regard to their moral and spiritual welfare, your Grace may be assured that we shall be ready most heartily to concur in any further measures that may be proposed, and be brought before us for improving in every respect the condition of the slave population of this island.

No. 2.

Extract of a Despatch, addressed to Earl Bathurst, by the Duke of Manchester, dated Jamaica, December 23, 1823.

“ The Assembly have separated without adopting any measure in favour of the slaves, with the single exception of extending to them the Statute of Elizabeth with respect to violence to females.”

“ Various propositions were suggested by the committee to whom the revision of the Consolidated Slave Act stood referred, but without success, and the House sent me a message, of which I enclose your Lordship a copy.”

“ I also enclose copies of certain resolutions entered into by that body, on the 11th of December, together with the copy of an Address to his Majesty.”

Jamaica Sessions.

TO THE KING'S MOST EXCELLENT MAJESTY.

The humble Petition and Memorial of the Assembly of Jamaica.

WE your Majesty's dutiful and loyal subjects the Assembly of Jamaica, have of late years frequently prayed your Majesty to take our oppressed state into your royal consideration.

It is with pain that we once more remind your Majesty of our grievances. Our fellow-subjects in Great Britain and Ireland, have been relieved of their burdens; but the sufferings of this colony have even increased since our last address was presented to your Majesty.

Instead of repealing the war duties on our produce, which have reduced our constituents to the condition of bailiffs on their own lands, the protecting duty on East India sugar has been lowered, and our situation in consequence made worse than before.

We are aware of the vast debt that was incurred during the late war, and that a great revenue is necessary for the wants of the empire, but your Majesty's Ministers should assess your subjects equally, and not confiscate the wealth of a few who are weak, and at a distance to lighten the contribution of the remainder, who are powerful and who surround the seat of government.

And this unjust measure of taxation is the less patiently borne by us, since it is a fact not to be disputed that the wealth and resources of Great Britain multiplied during the war, and that her agriculture, manufactures, and commerce, wonderfully flourished, while we your Majesty's West India subjects suffered throughout the contest all its disadvantages in the increased difficulties of navigation, in the higher price of British goods, and the reduced value of our own.

The conquest of the hostile Colonies by your Majesty's arms caused the British market to be over-stocked with our commodities, and the splendid triumphs of your royal navy, which gave birth to the decrees of the French ruler, and to the retaliatory orders of your Majesty's council,

closed every continental port against us, thus for a considerable period, sugar did not repay the cost of production, and coffee could not find purchasers at any price.

Hitherto our complaints have been confined to the injustice of seizing on the entire revenue of the colony, but we are now threatened with a new calamity, which if it overtake us, will destroy even the hope we have always reposed in the beneficence of your Majesty.

Resolutions have been moved by one of your Majesty's Ministers, and agreed to in the lower House of Parliament, falsely assuming that the labouring population of this island are ill-treated and unhappy, and voluntarily pledging that House to interfere in their behalf, with a view to their emancipation.

It is our duty humbly to represent to your Majesty, that we have taken an oath of allegiance to the Imperial Parliament, and that we cannot submit to the degradation of having our internal interests regulated by the Commons of Great Britain, whose powers within that realm are not superior to those which we, the Assembly, have ever exercised within the island of Jamaica.

Should your Majesty's Parliament proceed in their attempt to subvert our constitution, and offer for the royal assent any act that arrogates an authority over the interior of our island, we beseech your Majesty to reject the act, and by that timely interposition of your royal prerogative to save us from utter ruin.

We need not point out to your Majesty's wisdom the certain destruction that awaits the colony, should the negroes be taught that in us their natural protectors are to be found their enemies, and in the distant country of Great Britain their friends and liberators,—when this new light bursts on their uninformed minds, Jamaica will soon be as lost to the mother country, as St. Domingo is to France.

But if this Island is to be the scene of a dreadful experiment, we claim that we may not be involved in the awful consequences. If slavery be an offence to God, so are anarchy, desolation, and blood. Let your royal Parliament become the lawful owners of our property by purchase, and we will retire from the Island, and leave it a free field for modern PHILANTHROPY to work upon. The Deity who sees into the heart, is not to be propitiated by laying on his shrine the possessions of our brethren, but only by the sacrifice of what is our own to offer.

House of Assembly, 11th December, 1823.

Mr. Speaker,

Your Committee appointed to inquire into and report to the House what steps are necessary to be taken in consequence of information received from the agent of this island, of proceedings adopted by the House of Commons and his Majesty's Ministers, in respect to slavery in the British Colonies in the West Indies,

Report,—That on the 15th May last, Mr. Canning, one of his Majesty's Secretaries of State, proposed the following Resolutions, which were adopted by the House *nem. con.*—"That it is expedient to adopt effectual
" and decisive measures for meliorating the condition of the slave popula-
" tion in his Majesty's colonies: That through a determined and perse-
" vering, but at the same time judicious and temperate enforcement of
" such measures, this House looks forward to progressive improvements

“ in the character of the slave population, such as may prepare them for a
 “ participation in those civil rights and privileges which are enjoyed by
 “ other classes of his Majesty’s subjects: That this House is anxious for
 “ the accomplishment of this purpose at the earliest period that shall be
 “ compatible with the well being of the slaves themselves, with the safety
 “ of the colonies, and with a fair and equitable consideration of the inte-
 “ rests of private property.”

That your Committee observe with surprise and regret, that his Majesty’s Ministers have by the above Resolutions sanctioned the principles laid down by our enemies in the mother country, and pledged themselves to enforce such measures as shall tend ultimately to the final extinction of slavery in the British colonies; and your Committee have also learned from the agent that in his conference with Ministers it has been refused to acknowledge our claim to compensation for the injuries the colonies must sustain in the mere endeavour to carry the scheme of emancipation into effect; by which refusal the Ministers have shewn an inclination not only to dispose of our property without our consent, but even to violate those common rules of honesty which ought to govern nations as well as private persons.

The Committee cannot forbear to express their decided opinion that the proceedings of the House of Commons, and the conduct of his Majesty’s Ministers are a direct attempt to violate the constitution of the colony, and they recommend to the House to adopt the most firm, strong, and constitutional measures to resist such attempt, and to preserve to the inhabitants of this colony those rights which have been transmitted them from their ancestors.

House of Assembly, 11th December, 1823.

May it please your Grace,

We are ordered by the House to wait on your Grace to acquaint you that in compliance with their answer to the speech your Grace was pleased to make at the opening of the present session, they have proceeded to a deliberate and careful revision of the Consolidated Slave Law, and find it as complete in all its enactments as the nature of circumstances will admit, to render the slave population as happy and comfortable in every respect as the labouring class of any part of the world. The House most solemnly assure your Grace, that they will at all times be ready (if left to themselves) to watch and take advantage of every opportunity of promoting the religious and moral improvement of the slaves, and to make such meliorating enactments as may be consistent with their happiness and the general safety of the colony; that under the critical circumstances in which the colony is now placed by reason of the late proceedings in the British Parliament, the House think the present moment peculiarly unfavourable for discussions which may have a tendency to unsettle the minds of the negro population, which the House have the greatest reason to believe is at present perfectly quiet and contented.

House of Assembly, 11th December, 1823.

Resolved, *nem. con.*—That the patient endurance with which the people of this Island have for years past struggled against pecuniary difficulties, proves how much they are disposed to submit to, when the evil arises from inevitable causes, or from circumstances affecting the general interests of the empire. But this House would be unmindful of their duty, were they not to protest most solemnly against the continuance of heavy and ruinous taxation on the produce of their soil, at a time when the demands of a state of warfare can no longer be urged in its defence, and the blessings of restored tranquillity have been extended to their fellow-subjects in the mother country.

Resolved, *nem. con.*—That this House cannot contemplate without sensations of astonishment and the most serious apprehension, the measures which have been adopted by the Commons House of Parliament in their unanimous vote of the 15th May last; as if the machinations of a powerful and interested party were not sufficiently active for the work of destruction, the sanction of ministerial authority has been made subservient to their views, and a decree has gone forth whereby the inhabitants of this once valuable colony (hitherto esteemed the brightest jewel in the British crown,) are destined to be offered a propitiatory sacrifice at the altar of fanaticism.

Resolved, *nem. con.*—That this House composed of the representatives of the people, are bound to guard the rights of their constituents against every endeavour that may be made to infringe upon them. The House pause in awful expectation of the consequences which must result from the threatened innovations; and whilst they wait the event they are prepared to meet it. The blood which flows in their veins is British blood, and their breasts are animated with the same fearless determination which enabled their ancestors to resist with success every encroachment of despotic power.

Resolved, *nem. con.*—That the enactment of laws for the internal regulation of the Island is exclusively the province of the local legislature, subject to the sanction and approval of his Majesty: this House, however, will at all time receive with attention and respect any suggestion of his Majesty's Ministers relating to legislation, when offered in a consistent and becoming manner, and will be ready to adopt such regulations as can be introduced without hazard, and may appear likely to promote the welfare of the Island; but the House cannot yield to any measures proposed for their consideration when the unqualified right of legislation is denied, however specious the object may be, or however high the authority from which it emanates.

Resolved, *nem. con.*—That this House, impressed with a due sense of their own dignity, and the integrity of the Colonial character, set at nought the malicious and unfounded aspersions which have been cast upon the inhabitants of Jamaica. Proud of their attachment to his Majesty, his family and government, devoted to the interest of those they represent, and alive to the impulse of humanity, the House need no Pharisaical dictator to prompt them to the discharge of their duty, but will, if left to their own guidance, steadily pursue the line of conduct which comports with the loyalty of their feelings, their regard to the safety, honour, and welfare of the Island, and the peace and happiness of their fellow-subjects and dependants.

BAHAMAS.

No. 1.

Extract from a Despatch addressed by General Grant to Earl Bathurst, dated Government-house, Bahamas, December 12, 1823.

Accompanying this I have the honour to transmit to your Lordship as follows, viz :—

1. Extract from my Address to Council and Assembly at the opening of the Session, and their respective replies.
2. Copy of a Message to House of Assembly, dated 12th November, on the subject of the melioration of the condition of the Slaves.
3. Reply of House of Assembly to that Message.
4. Resolutions of House of Assembly connected with that Message.

Extract.

Mr. President and Gentlemen of the Council.

Mr. Speaker and Gentlemen of the House of Assembly.

On the present occasion of our meeting I have to inform you that I have received a communication of a very important nature, which I have been instructed to lay before the legislature of the Bahamas. In order to afford full opportunity for the various circumstances and bearings of a subject of such magnitude being deliberately, leisurely, and thoroughly studied, as also from a desire to obviate any impressions which may possibly, and perhaps naturally, have arisen out of previous suppositive views of it, I have got prepared for your perusal, printed copies of the despatch and of the other documents connected with it, and shall avail myself of an early opportunity of putting them in possession of your Honourable Board and Honourable House.

LEWIS GRANT.

Council Chamber, Bahamas, 7th November, 1823.

*Address of the Legislative Council to his Excellency.**Bahama Islands.*

To his Excellency Lewis Grant, Esquire, Major-General of his Majesty's Forces, Captain-General and Governor-in-Chief, in and over the said Islands, and of the garrisons there, or that may be sent thither; Chancellor, Vice-Admiral and Ordinary of the same.

The Address of the Legislative Council of the Bahama Islands.

May it please your Excellency,

We his Majesty's dutiful and loyal subjects, the Legislative Council of the Bahama Islands, request your Excellency to accept our thanks for your speech at the opening of the present Session.

When the copies of the despatch, and of the other documents connected with it, to which your Excellency has alluded, are laid before us, they shall have our most deliberate and attentive consideration.

We are much gratified by your Excellency's favourable report of the state of the public treasury; and we beg your Excellency to be assured of our unremitting attention to the business of the Session, and of our disposition to co-operate most cheerfully in all measures that may tend to the benefit of the Colony.

By order of the Board,
WILLIAM VESEY MUNNINGS, President.

Council Chamber, November 10, 1823.

His Excellency's Answer

Mr. President and Gentlemen of the Council,

I have every confidence in the assurance you give me on this occasion, being satisfied it proceeds from a sincere disposition to fulfil it.

LEWIS GRANT.

Government House, Nassau, Bahamas, November 10, 1823.

*Address of the House of Assembly.**Bahama Islands.*

To his Excellency, Lewis Grant, Esquire, Major-General of his Majesty's Forces, Captain-General and Governor-in-Chief in and over the said Islands, Chancellor, Vice-Admiral, and Ordinary of the same.

The Humble Address of the House of Assembly.

May it please your Excellency,

We, his Majesty's dutiful and loyal subjects, the House of

Assembly of the Bahama Islands, have to thank your Excellency for your speech at the opening of the present Session.

The communication which your Excellency has been instructed to lay before us, printed copies of which your Excellency has been pleased to prepare, in order that it might be leisurely and thoroughly studied, shall, when laid before us, receive every deliberation, and that attention and respect paid thereto which are due from us to the wishes of his Majesty's Government.

By order of the House.

LEWIS KERR, Speaker.

House of Assembly, November 10, 1823.

Mr. Speaker, and Gentlemen of the House of Assembly,

Accompanying this I forward copies of the despatch and other documents which, at the opening of the Session, I mentioned my having got printed for your more easy perusal. I am aware, that before these documents were received, and when we had nothing but reports, or, at best, *exparte* informations, whereupon to form opinions, many conclusions were drawn and impressions made, which I think I may venture to say, would not have arisen had the subject in question earlier appeared in its present shape. Therefore, with all deference and due appreciation as to the manner in which the House of Assembly is ever disposed to take under its consideration subjects of importance, I have to express my hope, that when the discussion of the one herein alluded to, may come before you, no unfavourable impressions, which may have been prematurely formed, will be suffered to interpose. You will perceive that the leading Minister of the Crown in the House of Commons, in consequence of the nature of the discussions in the House, had been induced to assume the subject into the disposal of the executive, for the express purpose of making it a matter entirely between the executive and the Colonial Assemblies, and the extract of Earl Bathurst's circular to West India Governors, dated 9th July, 1823, I have been in express words instructed to lay before the legislature of the Bahamas as being, "the suggestions," "remarks," and "propositions" of Government, and as such it is now presented to you.

I will not quit the subject here without bearing testimony that, as far as has come within my knowledge, I verily believe that the lenient treatment of the description of persons alluded to, and the ample provision which is made for them in the Bahamas, is no where surpassed. But it will be seen that the propositions of Government are not directed to the physical condition of these people, merely and simply as an extract question, but rather as requiring some alterations for the purpose of removing certain impediments which appear to stand in the way of their moral and intellectual melioration.

(Signed)

LEWIS GRANT.

Government House, Nassau, November 12, 1823.

May it please your Excellency,

After deliberate and respectful attention to your Excellency's message of the twelfth inst. and the Extract from Lord Bathurst's despatch of the ninth of July, the Copy of a previous despatch from the Colonial Office, to Major-General Murray, of the twenty-eighth of May, and the printed report of Mr. Canning's speech in Parliament, relative to the subject of those papers which accompanied your Excellency's message. We have to thank your Excellency for the pains you have taken to explain to the House, the precise footing on which the matter in question stands, as one at present exclusively between the executive branch of His Majesty's Government and the Legislature of the Colony; and in that view of the subject, we have much pleasure in giving your Excellency our assurance, that every such suggestion from that quarter will ever be met by us with due respect, and a sincere disposition to comply with such suggestions, so far as the general interests and peculiar localities of the Colony may admit of.

In answer to your Excellency's message accordingly, We send herewith a Copy of sundry Resolutions, recommended by the Committee to which your Excellency's message was referred, and since adopted by the House—and lest those Resolutions should fail to give to His Majesty's Government full satisfaction, we humbly beg leave to enter into some explanations as to the actual state of the Colony; in order to shew how far some of the views of Government in this matter have been already anticipated by the existing laws and usages of the Colony, and at the same time demonstrate the impracticability of an entire compliance with those views.

We concur with His Majesty's Government as to the importance of promoting correct religious instruction among our slaves; not only as a sacred duty which we owe to them, as our fellow-creatures, but also from a conviction that the owner participates largely in every temporal benefit to be derived from all due improvement in the moral as well as physical condition of the slave. Legislative provision has accordingly been made, for dividing these Islands into ten parishes; two of which only are at present provided with incumbents, at a stipend of five hundred pounds of this currency each per annum, besides the usual surplice fees. The same stipend has been provided for the incumbents of four other parishes; but we must freely state, that the present finances of the country would not admit of equal liberality towards the remaining four, were incumbents provided; these last-mentioned parishes being thinly inhabited, and most of them contributing very little towards the revenue of the Colony. To this may be added, a Presbyterian church in this town, the officiating minister of which has hitherto received from the Colony a stipend of five hundred pounds per annum, with other advantages; such as a part of the pew rents, and of course some fees. We have besides, six Wesleyan Missionaries licensed to preach, and, although they receive no aid from our treasury, are not subject to any inconvenient restraints in the exercise of their vocation, even among our slaves. We have, also, some licensed negro preachers, one of whom has a small stipend from the country.

In a sincere endeavour therefore to forward the cause of true religion among our slave population, your Excellency, we trust, will do us the justice to believe, that we have already gone to the full extent of our means. And as most of our parishes are without incumbents, for want of

a sufficient provision for their due maintenance, we shall thankfully receive the pecuniary aid which Lord Bathurst is pleased to say will be extended to so many of the Colonies as may be in need of such aid, and whose institutions should not be at variance with the views of Government on that head. Sunday markets, such as we understand have crept into use in other Colonies, are altogether unknown here. From the effect of the climate on the more perishable meats and vegetables, we must have daily markets, or we could not eat; but on Sundays, the markets, in compliance with a law of long standing, are never suffered to remain open after nine o'clock in the forenoon.

For the views of the House, respecting the marriages of slaves, their occasional emancipations, and our sincere desire of perpetuating, by positive enactment, the existing usages of the Colony, respecting the sale of slaves in families only, we beg leave to refer your Excellency to the accompanying Resolutions. On our plantations, it has long been the established policy of the country, to promote and encourage marriages, and our emancipations have never been taxed, in any shape; slaves, with us, are personal and not real property, and may be lawfully manumitted, even by a verbal declaration of the owner, without any instrument in writing whatever. And we have already, a law, by which we assert with confidence, the amplest possible protection is afforded to every just claim to liberty. To establish any particular form of emancipation, as being necessary to its validity, would in this Colony, therefore, be calculated rather to narrow, than enlarge, the facilities of obtaining freedom.

With respect to the idea of so far attaching slaves to the soil, as to make them inseparable in the event of a sale, we entirely concur with his Lordship, that "among the whole range of projected improvements to the Colonial System, there is perhaps none which, on an attentive consideration, will be found to present more difficulties than this;" for, in addition to the objections in such a measure already judiciously suggested by the despatch now before us, on the score of its probable interference with the sacred rights of private property, there are in this Colony many further objections of a local nature, which are conclusive against it. As one instance, if our lands (the lands in these Islands being of very little value,) and slaves must be sold together in one entire lot, particularly when sold under execution for ready-money, we have so few capitalists in these islands, competent to become purchasers, that the property would inevitably be sacrificed; and for that reason also, very often fall into the hands of mere speculators, who, regarding the lands as little else than an useless incumbrance, and the slaves only as an article of merchandise, would abandon the former to desolation, and remove the latter for sale, to be distributed among other places of more fertility.

With respect to the legal capacity of a slave to contract for the purchase of his own freedom, it never has been questioned in this Colony, but, on the contrary, recognised by judicial decisions. The right of the slave to private property also, has always been held equally sacred among us. But at present we are not prepared to confirm either of those rights by legislative enactment; in the first place, from a conviction of its being altogether uncalled for by circumstances, but more particularly from a fearfulness of rashly interposing the palpable arm of the law between the master and slave in questions which might be unhappily raised concerning matters, with respect to which all have hitherto tacitly acquiesced in harmony and mutual good will.

There remains now to be noticed at length little else, we presume,

than the suggestion that female slaves should not any longer suffer, under any circumstances, the punishment of flogging. Without the slightest feeling of partiality to that mode of punishment, as respects either sex, we have only to regret that the total absence of all other possible means of chastisement within these Islands, for the present altogether precludes its abolition in cases of sufficient delinquency. To negroes, confinement is little or no punishment. Under the influence of their present habits and impressions, exemption from labour would, nine times in ten, compensate them amply for the loss of locomotion. We have no workhouses, no tread-mills, no places of solitary confinement; and even if the offending slave were sentenced to hard labour, in lieu of flagellation, the whip would still become necessary at last to compel him to work. To exempt female negroes from corporeal punishment, therefore, would be at once to proclaim freedom to nearly one half of the slave population of the Bahamas.

With respect to the establishment by law of saving banks, there could be perhaps but little objection, except on the score of its difficulty in a Colony like this, where a small population is thinly scattered over an immense space; and to the very nature of which institutions requiring both numbers and compactness, would of course be utterly irreconcilable.

We have now only to add, that we cannot but observe with deep anxiety, in the speech of Mr. Canning and the tenor of his resolutions in the House of Commons, that a case is anticipated at least as possible, in which the Imperial Parliament might be justified in an interference between the colonist and his present rights, and that a period is in contemplation, sooner or later, when our slaves are to have "a participation in those civil rights and privileges which are enjoyed by other classes of His Majesty's subjects." That such an idea should at this time be held out to the slave population in the West Indies, in any shape, would be in itself alone pregnant with results of the most fearful character. But there is perhaps something still more unfortunate in the uncertainty of the actual length of time, a consummation of circumstances, which is eventually to produce the contemplated result. It may mean a lustrum either of years or of centuries, and in the mean time, the uninformed minds of slaves, knowing too much on the one hand, and too little on the other, are kept in a constant state of excitement, which in a body of such overwhelming physical power is alarming and terrific in the extreme. The fate of St. Domingo, thirty years ago, the disturbances of Barbadoes, in 1816, and the late dreadful insurrections at Demerara, all arising out of the same one cause, namely, an interference of undefined extent from Europe, between the master and his slave, furnish an awful lesson, which every day's experience forces more and more upon our most serious consideration. With sentiments of the highest respect to every branch of His Majesty's Government therefore, we humbly beg leave to be understood, that in the measures which we have now in contemplation for the further improvement of our slave system, we by no means offer them as any manner of pledge for further measures of a similar character, or as necessarily leading to any ulterior results, affecting, in the slightest degree, our existing right of property, in our present slaves or their descendants.

L. S. KERR, Speaker.

House of Assembly, 3rd December, 1823.

House of Assembly, December 3rd, 1823.

1st. Resolved, that it be recommended to the House to cause the several laws relating to slaves within these Islands to be revised, and a general bill to consolidate the same to be prepared and brought in with such amendments as the present circumstances of the country may require.

2nd. Resolved, that it be recommended to the House to direct a clause to be inserted in the said bill authorizing magistrates to solemnize marriages between slaves, and between slaves and free people, with the permission in writing of the owners of such slaves, and declaring all such marriages valid in law, and the issue of such marriages legitimate.

3rd. Resolved, that it be recommended to the House to direct a clause to be inserted in the said bill, to suspend all laws, or parts of laws interposing any serious impediments to the manumission of Slaves, excepting only with respect to such as from age or infirmity, are likely to become a charge on the public for maintenance. No tax whatsoever to be imposed on manumissions, further than some small fee to the public officer recording, or otherwise giving legal effect to such manumissions.

4th. Resolved, that it be recommended to the House to direct a clause to be inserted in the said bill, authorizing persons having a legal interest, and actual possession of any slave or slaves to manumit the same at their discretion, upon paying into the public treasury the fair value of such slave or slaves, to be paid over to any person or persons eventually entitled to the same by judgment, or mortgage or otherwise; due provision being made that the value of such manumitted slaves, shall be ascertained by some certain criterion, so that the just rights and lawful interests of all concerned in the said property shall be duly respected.

5th. Resolved, that it be recommended to the House to direct a clause to be inserted in the said bill to prevent the sale, either by private contract, public sale, or under execution for debt, of slaves otherwise than in families; that is, that the wife and husband, or reputed wife and husband shall not be separated, and that the children or reputed children of such marriage under the age of fourteen years, shall not be separated from their parents.

6th. Resolved, that it be recommended to the House to cause a clause to be inserted in the said bill, containing such regulations respecting the punishment of female slaves, as may be due to the sex.

BARBADOES.

No. 1.

Barbadoes, 14th June, 1823.

MY LORD,

I consider it necessary to acquaint your Lordship, that since a report has arrived here of Mr. Buxton's intended motion on the subject of Slave Emancipation, considerable uneasiness has prevailed among the inhabitants, and that various false reports of a speedy emancipation of the Slaves having been circulated among them, which, aided by the continued discussions of the inhabitants themselves, and the evil designs of some few, has created much restlessness among the former, and given rise to a report of an intended insurrection; some circumstances have occurred to give a colour to this report, though none yet of sufficient strength to cause me to entertain much apprehension that such a measure is *at present* in agitation, but at the request of the Council I have issued a short Proclamation to the Slaves, a copy of which is annexed, and I trust that nothing unpleasant may occur, but I shall endeavour to be prepared as well as possible to act according to circumstances in such an horrible event, and to furnish your Lordship with any further information by the next packet, which I may receive.

I have, &c.

(Signed.)

HENRY WARDE.

The Earl Bathurst, K. G.

Barbadoes.

By His Excellency Sir Henry Warde, Knight, Commander of the most Honourable Military Order of the Bath, His Majesty's Captain-General and Governor-in-Chief of this Island, Chancellor, Ordinary, and Vice Admiral of the same.

(L. S.)

HENRY WARDE.

A PROCLAMATION.

Whereas it has been represented to me that various unfounded reports have been spread among the Slaves in this Island, stating, that they may shortly expect their freedom.

I feel it my duty to assure them, that no grounds exist for such false reports: had they been true, I must have been the first person to

have been made acquainted with them by His Majesty's Government, and any intelligence which might in any respect have been beneficial to them would have been immediately publicly proclaimed for their information, in the same manner, and with the same kind feelings with which I now declare to them, that the rumour of a speedy emancipation is false, and that all persons who may fill their minds with such falsehoods must be their enemies and wish to urge them to misconduct, which would entirely put an end to the benefit otherwise to be expected from any kind intentions towards them.

The Governor earnestly requests that all owners and managers of estates will cause this Proclamation to be read to their Negroes and fully explained to them.

Given under my hand and seal at Arms, at Government House,
this 10th day of June, 1823, and in the 4th year of His
Majesty's Reign.

GOD SAVE THE KING.

By His Excellency's Command.

(Signed)

WM. HUSBANDS, DEP. SEC.

(A true copy)

G. A. DITHORTE,
Act. Private Sec.

No. 2.

Government House, Barbadoes, October 3d, 1823.

MY LORD,

I deem it proper to transmit for your Lordship's information copies of the replies made to my address to the legislature, delivered on the 2d ult. on the opening of the present Session by the Council and the House of Assembly.

I have, &c.

HENRY WARDE.

To Earl Bathurst, K. G.

Council Chamber, September 23, 1823.

May it please your Excellency,

We, the Members of his Majesty's Council, beg to offer our acknowledgments for the speech with which your Excellency was pleased to open the present Colonial Parliaments. Whenever your Excellency may deem it expedient to consult us on public measures, we shall always give such advice as to our judgments may seem most conducive to the public welfare, and we beg to assure your Excellency that we will not only give the despatch of Lord Bathurst all the consideration due to the importance

of the subjects contained in it, but that we shall be ready to adopt any measures which his Lordship may suggest, not inconsistent with the interest and safety of the Colony.

We have the honour to be

Your Excellency's very obedient humble Servants, —

(Signed)

JOHN BECKLES,
JOHN BRATHWAITE,
R. A. ALLEYNE.
R. HAMDEN,
NATHAN LUCAS,
R. SKINNER,
J. H. GITTENS,
PHIL. L. HINDES,
JOHN ALLEYNE HOLDER.

(A true copy.)

G. A. DITHORTE,
Private Secretary.

Barbadoes.

To His Excellency Sir Henry Warde, Knight, Commander of the most Honourable Military Order of the Bath, His Majesty's Captain-General and Governor-in-Chief of this Island, Chancellor, Ordinary, and Vice-Admiral of the same.

May it please your Excellency,

We, the Representatives of the people, in General Assembly assembled, beg leave to return your Excellency our best thanks for the speech which your Excellency was pleased to deliver at the opening of the present Session, and we promise and assure your Excellency, that in all matters submitted to our consideration, especially those to which your Excellency is pleased more particularly to direct our attention, we shall deliberate calmly and dispassionately, and adopt such measures as shall appear to us, best calculated to promote and confirm the true interests, the permanent welfare, and the security, both in person and property, of all classes and descriptions of persons within this Government.

By order of the House of Assembly,

(Signed)

CHEESMAN MOE, Speaker.

September 23d, 1823.

(A true copy.)

G. A. DITHORTE,
Private Secretary.

No. 3.

Extract from a Despatch addressed to Earl Bathurst by Sir Henry Warde, and dated Barbadoes, 1st. October, 1823.

“ I have thought it proper to annex a copy of the answer to my letter addressed to his Majesty’s Council, recommending that a Committee might be formed from both branches of the Legislature, assisted by the Crown Lawyers, for the consideration of the Acts to be adopted for the amelioration of the situation of the Slaves, in consequence of your Lordship’s Circular despatch of 9th July last.”

Council Chamber, September 30, 1823.

May it please your Excellency,

The members of his Majesty’s Council beg leave respectfully to state, in reply to your Excellency’s letter of the 8th September, addressed to the President, that they have already made considerable progress in the materials of a new Slave Code, and that as soon as they have determined on all the various points which must be embraced in such a Code, they shall request your Excellency to procure the aid of the Crown Lawyers in framing the Bill.

(A true copy,)

G. A. DITHORTE,
Private Secretary.

DOMINICA.

No. 1.

*Extract of a Letter addressed by the Earl of Huntingdon to the Earl of Bathurst,
dated Government-House, Dominica, July 5th. 1823.*

“ It affords me much pleasure in acknowledging the receipt of your Lordships’s despatch of the 28th May, enclosing the copy of a letter to the Governor of Demerara, to have it in my power to forward herewith a Report of the Committee of the Council and Assembly on the condition and treatment of the slave population of this island, by which your Lordship will perceive that the Legislature had in a great measure anticipated the Resolution of the House of Commons.”

“ I have also the honour to forward herewith a minute of his Majesty’s Privy Council on the 1st July, and extracts from the minutes of the Legislative Council and of the House of Assembly of the 3d. instant, shewing that a Bill is now under the consideration of those respective bodies for the further melioration of the condition of the slave population, and which I hope to transmit by the next packet, and that the enactments therein will meet your Lordship’s expectations and wishes.”

Dominica.

Government-House, 19th. November, 1816.

At a meeting of the Privy Council, present

	His Excellency Chas. W. Maxwell, Governor,
	The Honourable Archibald Gloster,
”	Robert Reid,
”	William Bremner,
”	Robert Garraway,
”	H. C. C. Newman,
”	John H. Hobson.

His Excellency called the attention of the Board to the punishment inflicted on Slaves by their owners, and other persons having authority over them, by placing iron collars, puddings, and chains with weights round the neck, legs, and other parts of their bodies, in direct violation of humanity and the law, and expressed his wish of having a stop put to such practices. It clearly appearing that punishments of this description were unauthorized by law, His Excellency suggested to the Board the propriety of sending a circular letter to the magistrates of the town of Roseau, and of the different parishes, requesting them to make inquiry in their different neighbourhoods for all instances of cruelty, and to notify

to all persons who may be discovered to use such punishment in future, that the law will be enforced on any repetition of such offences. The Board readily agreed with his Excellency in the propriety of this step, and the following circular was sent to the magistrates in conformity.

(CIRCULAR.)

Government-House, Roseau, 19th November, 1816.

SIR,

The Governor in Council has desired me to intimate to you his wish that you do make inquiry throughout the estates and other places in your vicinity, whether any and what cases occur of abuse of the law, by placing iron collars, chains, or weights round the necks, legs, or other part of the bodies of slaves, or any other species of cruelty; and that you will be pleased to report the same to his Excellency, and to notify to all persons discovered to have been guilty of such offences, that the law will in future be rigorously enforced against them.

To
Justice of the Peace,
&c. &c.

I am, &c. &c.,
JOSEPH COURT,
Clerk of the Council.

(A true copy from the minutes,)

HENRY B. TULLOH.
Acting clerk of the Board of Privy Council.

Dominica.

Government-House, 1st July, 1823.

At a meeting of His Majesty's Privy Council, present,
His Excellency the Earl of Huntingdon, Governor and Commander-in-Chief,
The Honourable Archibald Gloster,
" Robert Reid,
" Robert Garraway,
" John Laidlaw,
" William Blanc.

His Excellency the Governor having laid before the Board a despatch from his Majesty's principal Secretary of State for the Colonies, dated the 28th May last, transmitting certain Resolutions of the House of Commons relative to the melioration of the condition of the slave population in the Colonies, and communicating at the same time to the Board the wishes of his Majesty's Government as to the adoption of certain measures by the Colonial Legislatures for carrying into effect the Resolutions of the British Parliament; the Board having taken the same into their consideration were unanimous in highly approving of the measures recommended by his Majesty's Government, and strongly recommended his Excellency to lose no time in communicating to the several branches of the Legislature the substance of the said despatch, and recommending the immediate adoption of every practicable measure for meliorating the condition of the Slave population of this island,

It cannot but be highly gratifying to the Board to remark that both

branches of the Legislature of this island had in a great degree anticipated the wishes of his Majesty's Government in several of the most important particulars recommended by them.

(A true copy.)

HENRY B. TULLOH,
Acting clerk of the Board.

Extract from the Minutes of the House of Assembly, dated 3d July, 1823.

Mr. Nisbet gave notice of his intention of bringing in a Bill, entitled, "An Act to alter and amend an Act for regulating the government and conduct of Slaves, and for the more effectual protection, encouragement, and the general melioration of their condition."

(A true extract from the minutes of the Assembly.)

THO. THILLINGFORD,
Acting clerk of the Assembly.

Dominica.

The Report of the Committee of the Legislature appointed to inquire into and report on certain queries relative to the condition, treatment, rights, and privileges of the negro population of this island.

Your Committee beg leave to state to your Honourable House, that, though the pressure of the important subjects submitted to their consideration, has not allowed them to devote to their examination so much time and attention as they deserve, they nevertheless have been enabled to procure from the most respectable and authentic sources a mass of information, which completely establishes that every care and attention is paid to the happiness and comforts, as well as to the moral and religious instruction, of the slaves.

From many individuals possessing, from others having the superintendence and care of the largest estates belonging to resident and absent proprietors, from the clergymen of the different religious persuasions, from medical gentlemen of high character and extensive practice, from the register of slaves, from the records of the courts of justice, and from the laws of the island, they have procured a body of evidence upon which they have founded their Report, to the truth of which they challenge the severest investigation.

Your Committee beg leave to state to your Honourable House, that the general and individual condition of the negroes is such, as to secure to them every comfort and enjoyment, consistent with their situation in the country.

The state of slavery, established not by the laws of the colonies, but by those of Great Britain, is soothed and ameliorated by the kindness and humanity of the West Indian proprietor. Amply provided by the care of his owner (enforced by the authority of the law), with every necessary and comfort of life, the negro can never feel the hardships of want, is never distressed by the cares of a starving family, and secure in the possession of a comfortable house, can never know the misery of seeing

his family and children driven from the shelter of his roof, by the cruelty of a creditor or the hardships of the times, nor doomed to depend on charity for the support of a wretched existence.

In sickness he is provided with medical attendance, and every attention and care is bestowed upon him which his situation requires. That this is not a vain but effectual provision of the law and strictly attended to, your Committee refer to the annexed certificates of three medical gentlemen, who attend the greater number of estates in this island.

Your Committee declare that punishments have greatly decreased, that the use of the cart whip has very generally been laid aside, for which the cat used in the army has been substituted; that for the greatest offences the number of thirty-nine stripes never is and cannot by an express law of the island be inflicted for much less offences than which a soldier would be condemned to the horrible and disgusting punishment of two or three hundred lashes; and the cat in use, is much smaller than the one used in the army.

By a law of the island, the various provisions of which are enforced by severe penalties of fine or imprisonment, every proprietor of slaves is compelled to provide for his negroes sufficient and wholesome food with a comfortable house; and in sickness medical attendance with wine, and every necessary indulgence which the physician may direct. If the proprietors prefer it, they also may allot a sufficient piece of land, not less than half an acre, to each negro, for his provision ground, with time for the proper cultivation. In addition to which they are allowed to cultivate as much land as they please without any restriction whatsoever; and it is the particular duty of the manager and overseer to see that the time allowed by law for cultivating their grounds is properly applied to that purpose.

It is a notorious fact that many industrious negroes, from the produce of their grounds, have obtained their own freedom, as well as that of their families, and some have even purchased, and are actually owners and possessors of other negroes; and for the truth of this statement your Committee refer to the accompanying certificate from the register of slaves, by which it will appear that their owners have returned slaves, not as their own property, but as that of these negroes; thereby furnishing evidence against themselves, and in favour of the negro proprietors.

Their property of every kind is secured to them by the law, and any person guilty of depriving a negro of his property, is compelled by summary process to appear before a magistrate to be fined for such offence, and the magistrate is authorized to direct such fine to be paid to such slave.

In the moral character of the country they have even a stronger protection, in the execration and contempt with which any individual of the community will be followed, who should presume to deprive a negro of any part of his property. Slaves are competent, under certain restrictions to give evidence in courts of justice; and on reference to the records it will be found that the property and persons of this class have enjoyed equal protection with that of the white inhabitant. At this moment there are two informations on the files of the court of chancery, one on behalf of a poor negro boy named John, by his Majesty's Attorney-General, and another on behalf of seven slaves, claiming their freedom, and which suits are conducted free of any expense whatever, as will appear by the annexed certificate of the register of that court. In the last of these

suits the plaintiffs claim their freedom absolutely, on an account of rents and profits of a negro which they claim as their own, for the purpose of purchasing their manumission.

By the law, religious instruction is strictly enjoined, and it will appear by reference to the accompanying certificates of the Catholic and Wesleyan clergymen, that the greater part of the negro population enjoy the blessings of religion to the fullest extent.

Your Committee call the attention of this House to the fact that a public school has been lately established, for the purpose of religious instruction, for the support of which many of the first and most respectable individuals in the colony have contributed. For further information on this head, your Committee refer to the accompanying papers which have been furnished by Mr. Dawes, the church missionary and director *pro tempore* of the school, and to the letter of that gentleman to Mr. Henry Glanville, one of your Committee.

With regard to discipline, the law specially provides for the protection of the negro from severe punishments. The owner of a slave cannot inflict more than thirty-nine lashes, the manager is limited to twenty, and the overseer cannot exceed five.

Any person accused of cruel treatment, must submit to be examined before a magistrate upon oath, and in case of his refusal to answer, his contumacy is taken as an admission of guilt, an anomalous precedent in British jurisprudence in favour of the slave, by which the party accused is compelled to furnish evidence against himself, and power is given to the court to order the slave to be taken from his owner, to prevent the possibility of his again becoming the victim of a cruel master; an instance of which actually occurred in the case of the negro Thornton, who, by the order of the Court of King's Bench, was transferred from his owner to another master.

Your Committee further state, that the baptism of negroes is directed and enjoined by the law, and the increase of late has been very considerable, as will appear by the returns of the Protestant and Catholic clergymen, and of the Wesleyan methodist missionary accompanying this Report; the reason why the two latter so much exceed the former is, that the mass of the negro population are Catholics, and those who are not adhere principally to the Wesleyan missionaries.

On the subject of marriages your Committee beg leave to observe, that they have lately increased, but not so much as is to be desired; that this however is not to be attributed to any defect of the law, nor to any impediment offered by the planters, who encourage and promote matrimony amongst such slaves as have a just idea of its moral obligation, and only object to it on occasions when the character and conduct of the individual shows him incapable of estimating the duties and advantages of the married state.

With regard to the transfer of negroes your Committee report that it is the universal practice to dispose of negroes in families. And it is so evidently the interest of the planter, that scarcely one would be found so blind to their own advantage as not to purchase them in families; in addition to which the law specially provides that no child under twelve years of age shall be sold without the mother.

With regard to manumissions, the colonial tax is trifling, not exceeding seven guineas; but the negro, who has purchased his manumission, is totally free from the power of his master, even before payment of the tax, and the tax is not for the purpose of revenue, but to secure a

provision for poor free persons, many of whom are on the Pension List of the colony. The number of manumissions since January 1821, amounts to one hundred and eight, and the free persons enjoying pensions from the colony, in a list of twenty-seven individuals amount to ten, as will appear by the annexed returns under the hand of the public treasurer.

Your Committee feel convinced that the condition of the negroes has much improved and is daily improving; that their wants and comforts in health and sickness are carefully attended to; that punishments are proportioned to offences and have greatly decreased; that they enjoy the benefits of religious instruction; possess the means of acquiring property and freedom; and your Committee feel no hesitation in saying, that the generality of the negroes are happy and contented, and will so remain, if their minds are not excited and inflamed by the delusive hopes of emancipation.

(Signed)

JOHN LAIDLAW,
WILLIAM BLANC,
HENRY J. GLANVILLE,
JOSEPH COURT,
ROBERT BURT.

Dominica.

CERTIFICATE OF DR. GREENWAY.

I do hereby certify, that for upwards of thirty years past I have had the medical care of several of the largest plantations in this island, and that during that period I have in general found every attention paid to the comforts of the negroes, in providing them with wine, medicines, and every other necessary, and that my instructions in regard to their proper diet have been strictly attended to, and have witnessed the greatest solicitude for their recovery. And I do further certify that for several years past the situation of the negro population, as far as they come within my knowledge, has been gradually much ameliorated in every respect.

Given under my hand at Roseau, this 5th day of June, 1823.

(Signed)

JOHN GREENWAY, Surgeon
and Practitioner of Physic.

Dominica.

CERTIFICATE OF DR. SPALDING.

I do hereby certify, that for upwards of three years past I have had the medical attendance of several plantations in this island, and that during that period I have in general found every attention paid to the comfort of the sick, in providing them with medicines, wine, and every other necessary; and that my instructions in regard to their proper diet have been strictly attended to. And I do further certify, that the negro population, as far as they have come within my knowledge, are comfortably lodged and furnished with every thing that relates to the necessaries and conveniences of life.

Given under my hand at Roseau, this 6th day of June, 1823.

(Signed)

JOHN SPALDING, Surgeon.

Dominica.

CERTIFICATE OF DR. JOHNSTONE.

I do hereby certify, that I have resided in this colony thirty-two years, and that during the greatest part of that time I have had the medical care of a number of large estates in different parts of the island; that for the last six years I have had the care of all the principal estates in the quarter of St. Joseph's, and that I always found the proprietors and attorneys of the different properties anxious that every attention should be paid to the comfort of the sick negroes, by allowing them wine and every article of nourishment necessary for their situation; and that my directions respecting their medicines and diet have been uniformly attended to.

I do further certify, that the condition of the negroes generally in this quarter has been very much ameliorated in every respect during the six years that I have resided in it.

(Signed)

JAMES JOHNSTONE, M.D.

St Joseph's, June 8th, 1823.

CERTIFICATE OF REGISTRATION.

Treasury Office, Roseau, Dominica, June 12, 1823.

I do hereby certify, to all whom it may concern, that the following slaves, viz.:

Victorie, a female black, 46 years, an African,

Rosalie, ditto ditto 2 ditto, a Creole,

have been duly recorded in my office by R. Burt, Esq., as the joint property of Moise Jude and Harriet, slaves on the Resource Estate, the property of Burt and Charrarier, conformable to law, and that the foregoing is a true and accurate description of said slaves, faithfully extracted from the original slave registry of this island.

For JAMES CORLET, Treasurer,

(Signed) **W. H. REDMAN,**

CERTIFICATE OF REGISTRATION.

Treasury-Office, Roseau, Dominica, June 12th, 1823.

I do hereby certify to all whom it may concern, that the following slave, viz.:

Francoise, female black, 46 years old, an African, hath been duly recorded in my office as the property of Veronique a slave on Geneva estate, the property of the Hon. J. P. Lockart, and purchased by herself conformably to law, and that the foregoing is a true and accurate description of said slave, faithfully extracted from the original slave registry of this island.

For JAMES CORLET, Treasurer.

(Signed) **W. H. REDMAN.**

Dominica.

CERTIFICATE OF THE REGISTER OF THE COURT OF CHANCERY.

I do hereby certify, that on the 7th day of May in the present year, an information was filed in the Court of Chancery, by Mr. Henry Glanville, barrister-at-law, and solicitor in the cause, in the name of his Majesty's Attorney-General, on behalf of John, an indigent negro boy, praying the establishment of his freedom.

Also, that a bill was filed on the 11th day of November last past, by Mr. Henry Glanville, on behalf of Pauline, an indigent negro woman, her five children, and grand-child, praying that their freedom might be established by their next friend Ellinor; that the said bill was afterwards withdrawn at the suggestion of the Court, that an information might be filed on their behalf by his Majesty's Solicitor-General, Mr. Henry Glanville, to enable them to prosecute their suit free of expense, and that Mr. Henry Glanville as Solicitor-General, has this day filed an information accordingly.

(Signed) HENRY B. TULLOH,
Act. Register in Chancery.

June 19th, 1823.

Dominica.

CERTIFICATE OF THE REV. JAMES CATTS.

I do hereby certify, that full liberty is granted at present to the Wesleyan missionaries to visit the estates where the slaves are not Roman Catholics, for the purpose of imparting religious instructions, by all the proprietors or their representatives, to whom application has been made.

(Signed) JAMES CATTS,
Superintendent of the Wesleyan Missionaries.

June 5th, 1823.

Dominica.

CERTIFICATE OF THE CATHOLIC PRIEST.

I do hereby certify, that since my arrival in this island in the year One Thousand Eight Hundred and Nineteen, every facility has been granted by the proprietors of estates, to enable the negroes to attend divine service on Sundays, and the holidays at the Roman Catholic Church; and that the attendance of the negroes is so great that the church is crowded to excess, and that every attention is paid to their religious instruction, and that hardly a Sunday passes without the communion being administered to slaves.

Given under my hand at Roseau, this 11th day of June, 1823.

(Signed) JEAN DE LA HOS. XIMENO, *Curé.*

LETTER OF MR. DAWES.

Roseau, *Dominica*, 6th June, 1823.

SIR,

In compliance with your request, that I would furnish you with a statement of my experience of the disposition evinced by the community

of this island toward the instruction of the lower orders in the doctrines and duties of the Christian Religion, I herewith present you with a few printed copies of an account of the formation of a Dominica Auxiliary Church Missionary Society, which took place in February last, in consequence of a representation from myself (as agent to the Church Missionary Society instituted in London,) to his Excellency the Earl of Huntingdon, governor, and as many of the most respectable characters in the community as I could meet with in town.

This account I conceive, Sir, speaks almost as forcibly to the purpose as can be desired. It may not, however, be irrelevant to add, that in making the representation, I was much gratified by obtaining the signatures to a written paper on the subject, of thirty-one persons in succession, among whom were his Excellency the Governor, the Honourable the Chief Justice, and all the other members of the Council then in the island, the Honourable the Speaker, and ten other members of the assembly. The Reverend the rector of the parish of Saint George, one gentleman of the legal profession, a fourth resident in the country, has since become a subscriber, and five of the most respectable merchants, two of whom have been since elected into the Assembly. A society was in consequence formed on the 14th of February, but the opening of the school was unavoidably delayed from the want of a suitable teacher, until the 3rd May, when a young gentleman with respectable testimonials having been appointed*, a school-room kindly lent to the society, by Charles Court, Esq., was opened in form by the Rev. H. C. C. Newman, the Rector, when his Excellency and suite with several other gentlemen and some ladies attended, and a very appropriate and impressive prayer, composed for the occasion was put up by the Rector. A gentleman having the care of many estates in the island, the second time I met him on the business in question, expressed his readiness to receive a teacher, whenever a suitable one could be procured on one estate which is central to two others, for the exclusive purpose of affording instruction to the slaves, to allow him a house and sufficient salary. The school above mentioned is situated in this town, and has now twenty-seven scholars, which number is rapidly increasing. The scholars are in general tractable, and making as good progress as can reasonably be expected. A sufficient supply of school books has been furnished by me, on account of the Church Missionary Society, and some bibles and testaments by the Antigua Auxiliary Bible Society. If you conceive that I may be able to afford any further information on this truly interesting subject it will give me pleasure to do so.

I am, Sir, your obedient Servant,

(Signed) WM. DAWES, Agent and Director of
Schools in the West Indies, for the
Church Missionary Society.

Henry J. Glanville Esq.

* With a salary of one hundred and fifty pounds per annum.

Formation of a Dominica Auxiliary Church Missionary Society.

At a meeting of several of the principal inhabitants of the island of Dominica, held at Mrs. Anderson's Tavern in the town of Roseau, on Friday the 14th of February, 1823, for the purpose of considering of and adopting the most effectual mode of affording instruction in reading and Christian knowledge to the lower orders of the community.

The Honourable Archibald Gloster, Chief Justice, in the chair.

The following Resolutions were unanimously passed.

First Resolution, moved by the Honourable William Anderson, seconded by Frederick H. Garraway, Esq.

1st. "That the views and objects of the Church Missionary Society established in London, have the most cordial approbation of this Meeting."

Second Resolution, moved and seconded by the same.

"That therefore, for the effectual promotion of these views and objects, an Auxiliary Society, to be designated, the Dominica Auxiliary Church Missionary Society be now formed."

Third Resolution, moved by the Honourable the Chief Justice, seconded by Alexander Dalrymple, Esq.

"That the Honourable Robert Reid, be elected President of the Society."

Fourth Resolution, moved by Henry Trew, Esq., seconded by Edward Dowdy, Esq.

"That the Honourable Archibald Gloster, President of the Council, and the Honourable William Anderson, Speaker of the Assembly, be elected Vice-Presidents of the society."

Fifth Resolution, moved by the Honourable Robert Garraway, seconded by Alexander Dalrymple, Esq.

"That James Corlet, Esq., be elected Treasurer of the Society for the ensuing year."

Sixth Resolution, moved by Lieutenant-Colonel Lodington, seconded by Edward Dowdy, Esq.

"That the Honourables Robert Garraway and William Blanc, Ralph Ashton, John Lodington, Edward Dowdy, Alexander Dalrymple, Frederick H. Garraway, Henry Trew, Henry Glanville, and Adam Patterson, Esqs. be appointed a Committee for managing the affairs of this society for the ensuing year."

Seventh Resolution, moved by the Honourable William Blanc, seconded by Ralph Ashton, Esq.

"That a Deputation consisting of the President, Vice Presidents, Treasurer, and two other members of the committee, do wait on his Excellency the Right Honourable the Earl of Huntingdon, and most respectfully solicit the favour of his countenance and support, by becoming the patron of this society."

Eighth Resolution, moved by the Rev. H. C. C. Newman, seconded by James Corlet, Esq.

"That the existing state of the lower orders of this community is such, as to demand the utmost exertions of all its powers to be exclusively directed to the instruction of such individuals as need it in reading, so as to enable them to peruse the Holy Scriptures, and to afford them such other instruction in the principles of the Christian Religion, as is not inconsistent with the Articles, Homilies, and Liturgy of the United Church of England and Ireland. This society however, does not, in its present infant state, feel competent to offer any contribution to the funds of the parent society, but will thankfully avail itself of any assistance, with

respect to bibles, testaments, school-books or otherwise, which that society may think proper to afford."

Ninth Resolution, moved by Ralph Ashton, Esq., seconded by Henry Glanville, Esq.

"That the following be adopted, as the standing laws and regulations of this Auxiliary Society."

1st. That this institution shall be designated "The Dominica Auxiliary Church Missionary Society;" and shall consist of a Patron, a President, two Vice Presidents, and a Treasurer, and also of life and annual members, together with such other officers as may be deemed necessary, for conducting the affairs of this society.

2nd. Every person subscribing annually, the sum of two pounds ten shillings and upwards, shall be deemed a member of this society, during the continuance of such subscription.

3rd. Every person giving a benefaction of twenty-five pounds and upwards shall be a member for life.

4th. Every clergyman subscribing one pound five shillings annually, shall be considered a member during the continuance of such subscription.

5th. The Committee shall have the power of appointing such persons as shall have rendered essential services to the society members for life.

6th. The annual meeting of the members of the society shall be held in Roseau, on the third Friday in January, when the proceedings of the foregoing year shall be reported by the Committee, the accounts presented, and a treasurer and a Committee chosen for the ensuing year.

7th. A special general meeting of the members of the society, at which not less than ten shall constitute a quorum, shall be called at any time at the requisition of the committee, or of any seven members on addressing a letter to the secretary, specifying the object of the meeting. Ten days' notice shall be given in the newspaper of any such intended meeting, and of the purpose for which it is called, which shall be deemed sufficient publicity.

8th. At all general meetings and at those of the Committee, the Patron or in his absence, the President, or in his absence, one of the Vice Presidents; should neither of the Vice Presidents be present, the Treasurer, and in his absence, such member as shall be voted for that purpose, shall preside at the meeting.

9th. None of the rules of the institution shall be repealed or altered, or any new one established, but at the annual meeting, or at a special meeting called for that purpose.

10th. An anniversary sermon shall be requested to be preached in the the established church in Roseau, and a collection made at the doors of the church for the purpose of this institution.

11th. The Committee shall consist of ten members, exclusive of the Patron, President, Vice Presidents, Treasurer, and of all such clergymen as are members of the society; and it shall meet at least once in three months, on the third Friday in January, April, July, and October, for the despatch of any business which may be brought before it, and any five of the Committee shall be a quorum.

12th. The Patron, President, Vice Presidents and Treasurer, shall be ex-officio members of the Committee.

13th. When any vacancy shall happen in the Committee by death or absence, the remaining members shall have power to supply such vacancy from among the members of the society until the next general meeting, provided that no member of the committee shall be considered as having vacated his seat, until he shall have been absent from the island six months.

14th. A Secretary and Collector in one person shall be chosen by the Committee, who shall attend all meetings of the Committee and general meetings; He shall collect all subscriptions and donations within the town of Roseau, and pay them regularly every Friday, into the hands of the Treasurer.

15th. The business of the Committee shall be to inquire for and appoint teachers, to fix the station where they are to act, to order, through the depository*, the distribution of lessons, books, &c., to the different schools of which the principal teacher in each school is to have the charge to receive from the secretary, the monthly reports of the teacher, and when necessary, to appoint a superintendent or any other officer, which it may deem requisite, or to adopt any other measure, subject to the approbation of the next general meeting, which it may deem promotive of the objects of this society.

16th. The teachers shall be persons of good religious and moral character. They shall be competent to teach their scholars, to read the Holy Scriptures fluently, and to explain to them the meaning of such words as may not be in common use among the lower orders, but more especially of those passages of Scripture which particularly enforce the performance of the relative duties of persons in their humble station. They shall not, on any pretence, admit into their respective schools any book, lesson, or printed paper, but such as shall be delivered to them, as sanctioned, by the Committee; nor shall they extend their teaching further than that to which they may be appointed in their respective schools. In short, they must consider it their bounden duty to use their utmost endeavours to instill into the minds of their scholars the genuine doctrines of the Gospel, the practice of which will, by the blessing of God, insure them the favour and approbation of all good men while they live, and, through the merits of a Redeemer, eternal and unspeakable felicity in the kingdom of glory!

17th. The principal teacher in each school shall keep a regular journal, according to a prescribed form, and deliver a copy thereof monthly to the Secretary, for the inspection of the Committee at their next meeting. He shall also keep a register, by which the attendance, proficiency, conduct, and disposition of each scholar may be seen, and deliver the same to the Secretary on the day previous to each quarterly meeting of the Committee for its inspection.

18th. A friendly intercourse shall be maintained with other Protestant societies engaged in the same benevolent design of propagating the knowledge of the Christian religion.

19th. It is recommended to every member of the society to pray to Almighty God for a blessing upon its designs, under a full conviction that unless he "prevent us in all our doings with His most gracious favour, and further us with His continual help," we cannot reasonably hope that its endeavours will be crowned with the desired success.

Then the following Resolutions were passed unanimously:—

Tenth resolution, moved by the Honourable William Blanc, seconded by Ralph Ashton, Esq.

"That the thanks of this meeting are most cordially given to William Dawes, Esq., for the zeal, temper, and ability he has manifested in the promotion of an institution so highly important and desirable as that which has this day been established."

* The office of Depository, is usually additional to that of Treasurer.

Eleventh Resolution, moved by Henry Glanville, Esq., seconded by the Honourable William Blanc.

“ That the thanks of this meeting be given to his Honour the Chief Justice, for his conduct in the chair, in countenancing and promoting the objects of this institution.”

Twelfth Resolution, moved by Lieutenant-colonel Lodington, seconded by Edward Dowdy, Esq.

“ That the proceedings of this meeting be printed in the Dominica Chronicle.”

(Signed)

ARCHIBALD GLOSTER, Chairman.

The meeting being adjourned, the Chief Justice waited on his Excellency the Earl of Huntingdon, to know when it would suit his convenience to receive the deputation, when his Lordship was pleased to appoint the next day at eleven o'clock.

Saturday, 15th.—The deputation, consisting of the following members, the Honourable the Chief Justice, the Honourable William Anderson, Speaker of the Assembly, the Rev. H. C. C. Newman, James Corlet, and Fred. H. Garraway, Esquires, waited on his Excellency, according to appointment, when the Chief Justice addressed his Lordship as follows:—

“ MY LORD,

“ A society was yesterday established in this colony as auxiliary to the Church Missionary Society of London, whose views and objects are to contribute to the instruction of the poorest classes in reading the Holy Scriptures, and to afford them such other information, in the Christian religion, as the Articles, Homilies, and Liturgy of the Church of England warrant. Of this society we are a deputation, and we are directed to solicit your Lordship, as Governor of this island, to honour the institution by becoming its patron.”

To which his Lordship replied:—

“ GENTLEMEN,

“ It was with the greatest pleasure I heard of the unanimity which prevailed at your meeting yesterday, but where the object is charity and instruction to the poor, every hand and heart will unite.—I cheerfully accept the honour of becoming the patron of the Auxiliary Church Missionary Society of Dominica.”

The Chief Justice then resumed as follows:—

“ In the name of this society I beg to thank your Lordship for your condescension in accepting this appointment.

“ As the representative of a most gracious and benevolent Sovereign, we looked to your Lordship's acquiescence in our request, independent of your established character for piety and charity, which must always excite your Lordship to take a deep interest in the progress of Christianity and the education of the poor.

“ Under your Lordship's fostering care and protection we trust the labours of this society will prosper, and that it may receive as it proceeds an increasing degree of public regard.”

His Lordship most graciously concluded in the following words in reply :

“ I cannot suffer the deputation to part without further expressing a hope that our best thanks may be given to Mr. Dawes, the worthy agent of the Church Missionary Society, for his unwearied attentions. Every assistance possible in my power will be at all times afforded to the society.”

(Signed)

WILLIAM DAWES,
Secretary *pro tempore*.

Letter of the Rev. H. C. C. Newman.

SIR,

Agreeably to the Governor's requisition, I send you, for the information of the House of Assembly, the enclosed return of the baptisms and marriages of slaves.

I am, Sir, your obedient humble servant,

(Signed)

H. C. C. NEWMAN.

30th May, 1823.

Return of Baptisms and Marriages of Slaves solemnized by me for the last two years.

(Signed)

H. C. C. NEWMAN.

30th May, 1823.

During the year 1821	.	None.
1822	.	6 baptisms.
1822	.	2 marriages.
1823	.	6 baptisms.

Return of Baptisms of Slaves performed by the Roman Catholic Clergyman, in the Island of Dominica.

From 1st January, 1821, to 1st January, 1822	.	323
1st January, 1822, to 1st January, 1823	.	325
1st January, 1823, to 24th May, 1823	.	146
Total	.	794

I do hereby certify that the above is a correct return of slaves baptized by the Roman clergyman, as appears by the register.

(Signed)

JEAN DE LA HOS. XIMENO, *Curé*.

Return of Marriages of Slaves celebrated by the Roman Catholic Clergyman, in the Island of Dominica.

From 1st January, 1821, to 1st January, 1822	.	15 marriages.
1st January, 1822, to 1st January, 1823	.	17 ditto.
1st January, 1823, to 7th June, 1823	.	5 ditto.
Total	.	37

I do hereby certify that the above is a correct return of the marriages of slaves, celebrated by the Roman Catholic clergyman, as appears by the register. (Signed) JEAN DE LA HOS. XIMENO, *Curé.*

Baptisms Slaves, performed by the Wesleyan Missionaries, from the 1st January, 1821, to May 30th, 1823.

Place, Estate, or Owners' Name.

<i>Roseau.</i>	Mary Cowes . . .	1 baptized.
	— Rainey . . .	1 ditto.
	Canefield Estate . . .	1 ditto.
	Macancherie . . .	4 ditto.
	Clarke Hall . . .	5 ditto.
	Hillsborough . . .	4 ditto.
	Sugar Loaf . . .	5 ditto.
	Point Round . . .	11 ditto.
	Bell Hall . . .	2 ditto.
	College . . .	5 ditto.
	Picard . . .	1 ditto.
	Clifton . . .	2 ditto.
	<i>Portsmouth Town.</i>	Kirwan . . .
J. A. Nisbet . . .		1 ditto.
— Rosette . . .		1 ditto.
— Home . . .		1 ditto.
Mr. Johnson . . .		1 ditto.
Hatton-garden estate . . .		28 ditto.
Melville Hall . . .		12 ditto.
Eden . . .		8 ditto.
Mr. Noble . . .	1 ditto.	

Total . . . 96

(Signed)

JAMES CATTS,
Wesleyan Missionary.

Marriages performed between Slaves, by the Wesleyan Missionaries, from the 1st January, 1821, to 30th May, 1823.

<i>Roseau.</i>	Miss Clarke, owner . . .	1 couple married.
	Hon. A. Glosser 1 female } . . .	1 couple.
	— Bostick 1 man. } . . .	
	Canefield estate . . .	1 ditto.
	J. P. Lockhart's estate, Grand Bay . . .	1 ditto.
	Hillsborough estate . . .	8 ditto.
	Clarke Hall . . .	4 ditto.
	Sugar-loaf . . .	1 ditto.
	Ditto . . .	1 man*.
	Picard . . .	1 woman*.
Bell Hall . . .	1 woman*.	
Ditto . . .	1 man*.	

Carried forward 21

* The other party did not belong to the same property.

	Brought forward	21
Point, Round Estate		3 couples
Hatton Garden		1 ditto.
Melville Hall		9 ditto.
Eden		1 ditto.

Total 35

(Signed) JAMES CATTS,
Wesleyan Missionary.

Letter of Mr. Catts to H. Nisbet, Private Secretary of the Governor.

DEAR SIR,

I send you enclosed the account of baptisms and marriages of slaves performed by the Wesleyan missionaries for the two last years, according to your request; I have set down those who have been baptized or married since the 1st of February, 1821 to the present time. It may be proper for me to remark, that in November and December 1820, a great number more were baptized, and also a great number were married, and this, I judge is one reason why the number since that period is comparatively small.

Yours respectfully,

(Signed) JAMES CATTS.

May 30, 1823.

Return of slaves who have been manumitted from 1st January, 1821, to 1st June, 1823, Total 108. Number of free persons formerly slaves receiving pensions from the colony, Total 10.

Total number of white and free persons, 27.

(Signed) JAMES CORLET, Treasurer.

Treasurer's Office, June 10, 1823.

Dominica.

Council Chamber, 3d July, 1823.

At a Meeting of his Majesty's Council, present,

The Honourable Archibald Gloster,
Robert Reid,
Robert Garraway,
John Laidlaw,
William Blanc.

Extract.

“ The Honourable Robert Reid moved for leave to bring in a Bill for the further melioration of the condition of the slave population in this island, and the same being duly seconded was read a first time.”

(A true Extract from the minutes.)

HENRY B. TULLOW,
Acting Clerk of the Board.

Government House, Dominica, August 22d, 1823.

My Lord,

On receipt of your Lordship's circular of the 9th July, containing the suggestions of his Majesty's Government as to the improvements in the slave code, to be made in conformity to the recent Resolutions of the House of Commons, I sent messages to the Council and Assembly, with copies of those suggestions, and recommended them to their early and most serious consideration; and I have received answers from those respective bodies, that the recommendations and wishes of Government shall meet their early attention.

I have the honour to be,

My Lord,

Your Lordship's

Most obedient and humble servant,

HUNTINGDON.

To the Right Honourable

The Earl Bathurst, K. G. &c. &c.

No. 3.

CLAUSE 1st.—And be, and it is hereby enacted and ordained by the authority aforesaid, That every owner, renter or director, or the attorney, agent, or representative of such owner, renter, or director of any slave or slaves, shall issue and distribute to him, her, or them, good and sufficient clothing once in every year, that is to say, a penistone or drugget jacket, a felt hat, and woollen or felt cap, and one pair of kersey trowsers, with six yards of Osnaburghs to each male adult; a penistone or drugget wrapper, and a penistone petticoat, and a felt hat, and a woollen or felt cap, with six yards of Osnaburghs to each female adult; and to children in the same proportion according to their size and age, and also a blanket to each and every slave of whatever age, once in every three years, and shall provide for them dry and comfortable lodging, and in cases of the sickness of any of the said slaves, the owner, renter, or director of such slave or slaves, or his or her attorney, agent, or representative, shall provide proper medical assistance and advice, and shall also provide for and furnish such sick slave with all such food, wine, nourishment, and with all and every such other necessary and necessaries of every kind, as the medical person whose assistance may be called in shall order or direct, or as may be requisite; and in case of the failure or neglect of such owner, renter, or director of such slave or slaves, or his attorney, agent, or representative, to issue such sufficient clothing, and provide comfortable lodging and medical assistance as aforesaid, and to provide such food, wine, nourishment, and other necessaries as may be directed or required, such owner, renter, or director of slaves, or his, her or their attorney, agent, or representative, shall be deemed guilty of a misdemeanor, and be liable to be fined in a sum not exceeding fifty pounds.

CLAUSE 2nd.—Be it enacted, that it shall not be lawful for any person or persons, whomsoever, to purchase any clothing or necessaries from any

slave or slaves so issued as aforesaid, and if any person or persons, either white, free, or slave, shall on any pretence whatever detain from, buy or exchange, or otherwise receive of, or take from, any slave or slaves their clothing or necessaries so issued as aforesaid, such person or persons shall be deemed guilty of a misdemeanor, and upon conviction by the oath of one or more credible witnesses, before any two of his Majesty's justices of the peace, if the offender be a white person or free person of colour, shall forfeit a sum not exceeding ten pounds (to be levied by warrant under the hands of such justices of the peace, by distress and sale of the goods and chattels of the offender) and if a slave, shall and may be punished by inflicting any number of stripes not exceeding thirty-nine.

PREAMBLE.—And whereas, from the extensive quantities of land belonging to the respective plantations, and not occupied in the cultivation of the staple commodities of the island, and from the facility afforded to the slaves of raising provisions thereon, it has been found that by allotments of proper portions of ground, and time to work them, the provisions raised on such grounds are more advantageous to the slaves than any allowance of rations.

CLAUSE 3rd.—Be it therefore enacted, that every owner, renter, or director of any slave or slaves attached to plantations, or his or her attorney, agent, or other representative, shall, and he is hereby required to allot to each and every such slave and slaves, a sufficient portion of land, not less than half an acre for each slave above the age of eight years, and shall also allow one day in every week, over and above Sundays and the other holidays herein-after described, for the purpose of cultivating the said land in provisions, and to each child under eight years of age, a sufficient quantity of good and wholesome food, and any owner, renter, or director, or his attorney, agent, or representative, who shall neglect to allow to such slave or slaves such portion of land, and time to work it as aforesaid, or shall neglect or refuse to supply good and sufficient food to the children, shall be fined in any sum not exceeding fifty pounds, to be sued for and recovered as is directed by the first clause of this act, provided always that in cases where it may be absolutely necessary for the purpose of taking in the crops of sugar and coffee, to employ such slave or slaves at work on the days herein-before directed to be allowed for the cultivation of their grounds; the owner, renter, or director of such slave or slaves so employed, shall, and he is hereby required to issue an allowance of salted or pickled fish, not less than four pounds for every negro above eight years of age, in lieu of such day. And provided also, that in all cases such slave or slaves shall be allowed at least twenty-six days in each and every year, for the purposes aforesaid, over and above Sundays and the holidays herein-after prescribed, under the penalty of any sum not exceeding fifty pounds for each neglect; and the managers and owners, or others having charge of plantations shall, and they and each of them are hereby directed to pay the same attention to the slaves while working their own grounds as they are in duty bound to pay to them in working those of their owners; nor shall any grounds or gardens when once permanently allotted for the use of any of the negroes be taken away from them by the authority of any owner, manager or overseer, or other representative of such owner, under the penalty of twenty pounds, to be recovered for the use of such slave in a summary manner by a warrant under the hands of any two justices of the peace, directed to any constable to levy the same on the goods and chattels of the person so offending, for the use of such slave.

CLAUSE 4th.—Be it enacted, that during the crop not only shall the slaves as heretofore be exempted from the labour of the estate or plantation on Sundays, but that no mill shall be put about or worked between the hours of seven o'clock on Saturday night and five o'clock on Monday morning, under the penalty of twenty pounds.

CLAUSE 5th.—Be it enacted, that no slave employed in this island in the cultivation of any estate shall be required to labour for his or her master, or owner, on any Sunday throughout the year, Christmas Day and the day following, New Year's Day, and Good Friday, and in cases where any one of the said holy-days fall on a Sunday, then one other day in the same week shall be allowed such slave in lieu of such holy-day.

CLAUSE 6th.—Be it enacted, that it may be permitted for any slave, or slaves, on any plantation, or in any house of the said island, by and with the consent and approbation of their owner, or renter, or the attorney, agent, or representative, of such owner or renter, to use any instrument or instruments of music for the purpose of dancing, or in the indulgence of any innocent amusement, provided the said dancing and amusements do not continue after six o'clock in the evening, in any town, nor beyond the hour appointed by the manager, or overseer on plantations, and after that hour every magistrate, town-warden, or constable, is hereby enjoined and required to disperse such meeting; and on refusal of such meeting to disperse, when so directed, such magistrate, town-warden, or constable, is hereby authorized and directed to commit to the cage the person so offending, and there to detain him or them till the next morning.

PREAMBLE.—And whereas, on the different days allowed for holy-days and times of recreation, slaves may become riotous and disorderly from the absence of the manager, owners, or persons in charge of them, to prevent the mischief arising therefrom.

CLAUSE 7th.—Be it enacted, that any manager, not having an overseer under him, who shall absent himself from the plantation of which he has the charge, on such Sundays, holy-days, and festivals aforesaid, (divine service and militia duty excepted,) shall forfeit the sum of five pounds; and any overseer who shall absent himself from the estate he lives on at such time, (with the above exception only,) without the leave of his manager or employer, shall forfeit the sum of three pounds.

CLAUSE 8th.—Be it enacted, that no owner or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee, or executor, or otherwise, shall discard or turn away any such slave or slaves on account, or by reason of such slave or slaves being rendered incapable of labour through age, sickness, infirmity, or any other cause, but shall be, and he, she, or they is, and are hereby obliged to keep every and all such slave or slaves upon his, her, or their properties, or premises, and provide them with proper necessaries as aforesaid, and not suffer them to wander about and become burdensome to others for their sustenance, under the penalty of twenty pounds for every such offence, to be recovered in a summary manner on complaint before any two justices of the peace for this island, who are hereby authorized, empowered, and required to cause such owner or possessor, his, her, or their attorney or agent, as well as the slaves, and such other persons as they shall judge

proper to be summoned before them to enable them to determine on the propriety of such complaint.

CLAUSE 9th.—Be it enacted, that any owner or possessor of any slave or slaves, whether in his, her, or their own right, or as attorney, guardian, trustee, or otherwise, who shall knowingly suffer any slave or slaves afflicted with contagious or other disorders, to leave the property or premises to which they belong, and to wander about the country or in town, shall for each offence forfeit the sum of twenty pounds.

CLAUSE 10th.—And be it further enacted, that if any white or free person of colour whatever, shall be convicted of the wilful murder of any slave or slaves, or shall be accessory thereto, such person or persons shall suffer death.

CLAUSE 11th.—And be it further enacted, that if any owner or possessor, or his, her, or their attorney, manager, or overseer, shall, at his, her, or their own will and pleasure, or by his, her, or their direction, or with his, her, or their knowledge, sufferance, privity, or consent, mutilate any slave or slaves, belonging to or employed by him, her, or them, or in his, her, or their possession, or under his, her, or their control or management, or wantonly or cruelly whip, flog, beat, bruise, cut, wound, lacerate, ill treat, or illegally imprison or keep in confinement, or without sufficient support, any slave or slaves, it shall and may be lawful to, and for any of his Majesty's justices of the peace of the said island, and they are hereby authorized and required, upon complaint or information thereof, to summon the offender, and such slave or slaves to appear before him, and all such witnesses as may be material to prove the said offence, and take down the examination of such offender in writing, and also the state, appearance, marks, and condition of the slave, and all other circumstances that may be necessary to prove the fact, and shall return the same to the clerk of the crown, and shall also bind over the said offender in any sum not exceeding three hundred pounds, with securities to appear at the next Court of King's Bench and Grand Sessions of the Peace; and the clerk of the crown shall, ten days before the sitting of the said Court of King's Bench and Grand Sessions of the Peace, send such recognizance to the Attorney-General of the said island, who is hereby required and directed to proceed against such offender by indictment, and upon trial of such offender his examination, if signed by him, or the statement in writing of the magistrate shall be *prima facie* evidence of such offender having committed the offence, and upon conviction he shall be punished by fine not exceeding two hundred pounds, or imprisonment not exceeding six months, or both; and in atrocious cases the Court before whom such offender shall have been tried and convicted are hereby empowered, in case they think it necessary for the future protection of such slave or slaves, to order the Marshal to sell and dispose of such slave or slaves to any person, except the owner, at public outcry, for the best price that can be procured for such slave; and the monies arising from such sale, after the payment of the said fees shall be paid to such owner; and if such slave so sold by order of the court, shall at any time thereafter come into the possession of such owner, except by inheritance or devise, he shall be and is hereby declared free to all intents and purposes.

CLAUSE 12th.—And be it further enacted, that from and after the publication of this Act, any white person, or free person of colour, who shall flog,

beat, maim, wound, lacerate, or ill treat any slave or slaves, the property of another person or persons, on complaint being made thereof by the owner or owners of such slave or slaves, or his, her, or their representative, or by the slave himself, to any justice of the peace, and the slave or slaves being produced, and the marks of the blows, wounds, stripes, or other ill treatment being exhibited before any of his Majesty's justices of the peace, such justice shall, and he is hereby empowered, authorized, and required, should he deem the complaint sufficiently founded, to summon the party so accused before him, and to examine him; and on his refusal to be examined, or to produce such slave, such refusal shall be construed an admission of the fact, and the justice shall bind over such white person, or free person of colour, charged with such offence, himself in the sum of two hundred pounds, with two securities, being freeholders, in the sum of one hundred pounds each, to appear at the next ensuing Court of Grand Sessions of the Peace, then and there to answer the charge alleged against such white or free person of colour; the said justice having previously examined upon oath such slave or slaves, should he, she, or they have been baptised, and duly explained and enforced to them the nature and solemnity of an oath, which examination the justice shall return with the recognizance to the clerk of the crown, prior to the sitting of such court; and on the parties appearing before the court, the testimony of any slaves who may have been present, he, she, or they having been duly baptised, shall be received as far as it shall appear clear and consistent in the opinion of the court. Provided always, nevertheless, that no white person, or free person of colour, shall be convicted of any of the offences on the testimony of any slaves, unless two of the said slaves at least do clearly and consistently agree with each other, and depose to the same fact, act, or circumstance; and also, unless the said slaves are examined apart, and out of the hearing of each other; and provided also, that no person shall be convicted on the testimony of any slave for any of the offences aforesaid, unless the same shall be prosecuted within twelve months after the commission thereof; and on the conviction of the person or persons charged with such offence, such offender or offenders shall be subject to a fine not exceeding the sum of one hundred pounds, or imprisonment for a term not exceeding three months, at the discretion of the court; and the proprietor shall or may moreover have his action of damages in the Court of Common Pleas, against any white person or free person of colour so offending, for any loss of time and labour sustained of such slave or slaves, by him, her, or them, so flogged, beaten, maimed, wounded, or ill treated.

CLAUSE 13th.—And be it, &c., that if any white or free coloured person shall take away, or cause to be taken away, from any slave any article or thing whatsoever, or shall take away, or cause to be taken away, from any slave any stock, vegetable, provision, grass, tops, or any article or thing which such slave shall be authorized, by any present or future existing law, usage, or custom of this island, to sell or possess, or shall, after purchasing from any such slave any of such articles or things, refuse or neglect to pay him or her the price agreed upon for the same, or for any labour performed by them; or shall remove or take away by force from any slave, or trample on the ground, or scatter about or destroy any article or thing whatsoever, belonging to any slave, or cause the same to be done, in any such cases, on complaint on oath made to any justice of the peace, such justice shall, and is hereby authorized and directed, by an order in writing under his hand, stating the complaint made by such owner or director, to command such person or persons against

whom such complaint was made, to appear at a time and place, to be specified in such order, before him or any other justice who may be then and there present, that such complaint may be examined into; and such justice is hereby authorized to take the examination of such person complained of upon his or her own oath, with respect to the said complaint, who shall be compelled to answer such questions as the said justice may put to him or her; and if such person shall not fully answer such questions as the said justice may put to him or her, and if such person shall not fully answer such questions, or having been duly summoned refuse to appear as aforesaid, he or she shall be considered as convicted of the said complaint, or if such person having fully answered such questions shall not fully exculpate him or herself, or shall be otherwise convicted before the said justice, he or she shall be fined by the said justices in any sum not exceeding ten pounds current money, to be recovered by warrant under the hand and seal of the said justice, directed to any constable, commanding him forthwith to levy on the goods and chattels of such offender sufficient to pay such fine, with all costs and charges attending all the proceedings aforesaid; and for want of such goods and chattels, to commit such offender to the common gaol for any time not exceeding one month; and such constable shall execute such warrant under the penalty of five pounds current money aforesaid, and the said justice shall and may if he think proper dispose of the fine to the slave so ill-treated as a compensation for the injuries he or she may have sustained.

CLAUSE 14th.—And be it, &c. That no person shall on any pretence whatsoever under the penalty of fifty pounds punish any negro or other slave, whether his own property or otherwise, by fixing or causing to be fixed any iron or other collar round the neck of such slave, or by loading the body or limbs of such slaves for any offence whatsoever, with chains, weights, or irons of any kind, except handcuffs, where such may be necessary for securing the person of such slaves, and all and every the justices of the peace within this island, are hereby authorized, directed, and required, under the penalty of fifty pounds, on information and view of such offence, to order such collar, chains, weights or irons, to be immediately taken off from the slave or slaves bearing the same; and, if the person ordered to take off the same shall refuse or neglect so to do, he shall be guilty of misdemeanor, and punished accordingly. Provided always, that nothing contained in this clause shall prevent owners of slaves having on their properties stocks, billows, or other secure means to confine refractory slaves, or such as are addicted to running away, as that they are thereby confined without bodily hurt.

PREAMBLE.—And whereas, in cases of breaches of plantation discipline, it is necessary for the sake of preserving order and the safety of property, that prompt punishment should be inflicted to a certain extent, at the discretion of those to whom the charge of such property is intrusted.

CLAUSE 15th.—Be it, &c. That in cases of breaches of plantation discipline, or disorderly conduct, moderate punishments for the purpose of maintaining due order on the plantation shall be allowed, provided that no more than twenty stripes shall be inflicted for one offence, by a manager, nor more than five by an overseer, unless the owner or attorney be present; nor shall any owner or attorney inflict, order or cause to be inflicted, on any slave more than thirty-nine stripes for one offence, under a penalty not less than ten pounds or more than twenty pounds for every offence, to be recovered against the person directing or permitting such

punishment in a summary manner, upon conviction before any magistrates by warrant, besides being subject to be prosecuted by indictment in the Court of King's Bench, and Grand Sessions of the Peace.

CLAUSE 16th.—And be it, &c. That every slave or slaves not attached to plantations, who shall disobey the order of his, her, or their renter or employer, or shall be guilty of drunkenness, quarrelling, fighting, or neglect of duty or absence, without permission from such owner, renter, or employer, shall be punished at the discretion of his, her, or their said owner, renter, or employer, by confinement, not exceeding fifteen days, or whipping on the shoulders, provided the number of stripes do not exceed twenty for any one offence, if inflicted by the owner, or twelve if inflicted by any renter or employer.

PREAMBLE.—And whereas, the public whipping of women on plantations or other places has been deemed improper, and some other mode of maintaining subordination and discipline ought to be resorted to in lieu thereof.

CLAUSE 17th.—Be it, &c. That from and after the publication of this act, no female shall be liable to be publicly whipped for any offence whatever; and, if any person or persons shall publicly whip such female slave, or cause or procure to be publicly whipped in any way whatever, any such female slave, he, she, or they, shall be deemed guilty of a misdemeanor, and liable to be prosecuted and punished in the manner specified by the clause of this act; but if punished by any sentence of imprisonment, then the same shall not be for a longer period than one month, and if by fine, not in any sum exceeding twenty-five pounds current money; but all female slaves offending against any of the existing laws of this island, where their owners, attorneys, or managers, are authorized to interfere and decide, may be punished if in health by solitary confinement in any dry and proper place for moderate periods proportionate to their offences, or by whipping privately on the shoulders, and in no other manner whatever when in a state of pregnancy, or labouring under any complaint or disease, shall on any pretence whatever be punished in any other way than by confinement, and in no case shall such confinement exceed the periods or in any other places than herein-before mentioned; the person or persons so confining or whipping them or any of them contrary to the provision of this act, shall be deemed guilty of misdemeanor, and liable to be prosecuted and punished for the same at the discretion of the Court of King's Bench and Grand Sessions of the Peace according to the first clause of this act; and in no case shall such solitary confinement on plantations exceed the space of twenty days when such confinement is by order of the owner or attorney, or if by order of the manager, shall not in any case exceed five days; nor shall any corporal punishment be inflicted by any manager or overseer until after the expiration of twelve hours from the commission of any offence, but the offender shall and may be confined in the mean time; and, it shall and may in like manner be lawful at the option of the proprietor or his attorney or manager, in lieu of whipping male offenders, to put or place any such male or males so offending in solitary confinement in proper cells as aforesaid, and during the periods above-mentioned, but no longer.

CLAUSE 18th.—And be it, &c. That all and every slave or slaves who

shall be convicted of wilful murder, or who shall have been accessory thereto, of any white, free person of colour, free black or slave, shall be deemed guilty of felony, and suffer death.

CLAUSE 19th.—And be it, &c. That if any slave or slaves shall be guilty and convicted of rebellion, conspiracy or robbery, or an attempt of robbery or of burglary, burning, or destroying of any cane, piece-house, or houses, stores, shops, works or out-houses, or negro-houses, or of stealing thereout or therefrom at any time, money or goods, exceeding the amount of twenty pounds, shall be deemed guilty of felony, and shall suffer death, or such other punishment as the court may direct; and any slave or slaves convicted of robbery or theft under the value of twenty pounds, or of gaming, or any misdemeanor, shall be punished in the manner prescribed by the clause of this act.

CLAUSE 20th.—And be it, &c. That any slaves who shall be found assembled for mutinous or other dangerous purposes, and who shall refuse to go home to their different houses and plantations when ordered so to do by any white or free persons whatsoever, and who shall be convicted thereof, the ringleader or principal offender shall suffer death, and the others (according to the nature of their crimes or offences,) be punished by banishment or public whipping, provided such whipping does not exceed thirty-nine stripes; and that if any free person of colour or white person shall hereafter suffer any riotous assemblage of slaves prohibited by any act of this Island, at his or her house or settlement, every such free or white person shall upon due conviction thereof in the Court of King's Bench, suffer punishment by fine not exceeding fifty pounds, or imprisonment not exceeding three months, provided that information shall be given on oath within ten days after such unlawful meeting.

CLAUSE 21st.—And be it, &c. That any slave or slaves who shall be convicted of giving or lending money, selling or bartering gunpowder, lead, shot, fire-arms, or other offensive weapons, salt, or provisions of any kind, clothes, liquors or other necessaries whatsoever, or having intercourse or correspondence, concealing or abetting, or in any way aiding, assisting, or harbouring runaways directly or indirectly, shall (according to the degree of the delinquency of such slave or slaves,) suffer death, banishment, or such other punishment as shall seem meet at the discretion of the court.

PREAMBLE.—And whereas, Instances frequently occur of slaves assuming the art of witchcraft, or pretending to supernatural powers, or professing what is commonly called by them obeah, and dealing in spells, charms, and philtres, thereby influencing the minds of weak and credulous slaves, and frequently stimulating them to the administering of poisonous drugs, and potions and other actions of the highest atrocity against their masters, renters, managers, and overseers, as well as to their fellow-slaves and others.

CLAUSE 22d.—Be it, &c. That any owner, renter, manager, or overseer of any plantation, or any person whatsoever who shall discover any slave or slaves practising any of the above arts; or pretending to any supernatural powers, or in possession of any poisonous drugs or potions, he the said owner, manager, or overseer, shall cause the said slave or slaves to be committed to the common gaol of this Island, to stand his, her, or their trial according to law, and on conviction of the said slave or slaves of the

aforesaid crimes, he, she, or they shall suffer death, or such other punishment as to the said court shall seem meet.

CLAUSE 23d.—And be it, &c. That any slave who under the authority and by virtue of this act shall be sold for transportation by the Provost-Marshal, shall, notwithstanding such sale, remain in the custody of the Provost-Marshal until the purchaser of such slave shall have entered into bond with sufficient security to our Sovereign Lord the King, under the penalty of two hundred pounds for every such slave so purchased, that every such slave if any opportunity should offer, be transported out of this Island within three months after the date of such bond, and shall in the mean time be kept in close confinement, for which the Provost-Marshal shall receive from the party entering into the same all expenses incident thereto, and such bond shall be filed among the records in the office of the said Provost-Marshal.

CLAUSE 24th.—And be it, &c. That every such purchaser of any slave so directed to be sold for transportation as aforesaid, shall at the time of executing such bond as aforesaid, to the Provost-Marshal who is hereby authorized and required to administer the same, that every such slave so purchased by him shall be transported as aforesaid, and that the said slave so purchased shall not without his knowledge, privity, or consent, be relanded in this Island.

CLAUSE 25th.—And be it, &c. That the Provost-Marshal shall not under the penalty of three hundred pounds for each offence, to be recovered by indictment, deliver over to any purchaser or purchasers any slave so sold for transportation as aforesaid, until such bond is entered into and oath taken as aforesaid; and in case any such slave so sold for transportation as aforesaid shall be found within this Island after the expiration of three months before limited, such slave shall become forfeited to the colony and resold for transportation by the Provost-Marshal, in the same manner and under the like penalties as herein-before enacted, and the net proceeds of such resale shall be paid over to the treasurer, for the use of the public.

CLAUSE 26th.—And be it, &c. That every slave sold for transportation under and by virtue of this act who shall be found at large within the island at any time after such sale, as is herein-before directed, may and shall be lawfully apprehended by any person whomsoever, and immediately taken before any of His Majesty's Justices of the peace, and if it shall appear to the satisfaction of the said justice, that such slave has been formerly sold for transportation by virtue of this act, such justice shall by warrant under his hand and seal, direct such slave to be delivered to the Provost-Marshal to be resold for transportation only, and the monies arising from such sale, after deducting the customary expenses and Marshal's fees, shall be paid over, one moiety thereof to the person apprehending such slave, and one moiety to the treasurer for the time being, for the public use of the colony.

CLAUSE 27th.—And be it, &c. That if any negro or other slave or slaves who shall have been transported from this Island by virtue of this act, or of any act heretofore in force respecting slaves, for murder or being engaged in robbery, conspiracy, or obeah or arson, shall return from trans-

portation, such negro or other slave or slaves shall upon conviction suffer death, without benefit of clergy, notwithstanding the slave or slaves may have afterwards become free.

CLAUSE 28th.—And be it, &c. That if any master of any ship or vessel or any other person shall knowingly and wilfully bring back to this island any negro or other slave who shall have been transported from this island under and by virtue of this act or any other act, although he or they may have afterwards become free, such master or other person being convicted thereof by indictment in the Court of King's Bench and Grand Sessions of this island, shall forfeit the sum of two hundred pounds for each slave so brought back, one moiety whereof shall be to our Sovereign Lord the King, his heirs and successors for the public uses of this island, and the other moiety to the party or parties at whose suit or complaint such person was convicted, and shall also suffer imprisonment at the discretion of the court for any space of time not less than three months and not exceeding twelve months.

CLAUSE 29th.—And be it, &c. That if the Provost-Marshal or any constable shall willingly or negligently suffer any slave or slaves to escape who shall be committed to his or their custody for any offence under this act, and who shall not be retaken within the period of three months, such marshal or constable who shall suffer such escape, shall on being convicted thereof by indictment in the Court of King's Bench and Grand Sessions forfeit the sum of fifty pounds for the public use of the said colony, and with outinjury to the rights of the owner to sue for the value of the same.

CLAUSE 30th.—And be it, &c. That no gaol keeper in this island or any person acting under him as clerk or deputy, shall on any pretence whatever work or employ any slave or slaves sent to his custody, nor hire nor lend such slave or slaves out to work for any other person or persons during the time such slave or slaves shall be in his custody, but that all such slaves shall be and remain in the common gaol, in order to be inspected by any person or persons desiring such inspection; and in case any gaol keeper shall offend herein, he shall for such offence forfeit the sum of ten pounds to be recovered as provided by the clause of this act.

PREAMBLE.—And whereas, the religious instruction of the slaves is of the highest importance and worthy of the most serious attention, but from the low state of the colonial finances a sufficient fund for the erection of churches or chapels, and the maintenance of ministers of the Gospel cannot be raised without the aid of Parliament.

CLAUSE 31st.—Be it, &c. That when and so soon as the Parliament of Great Britain shall provide an adequate sum for the erection of a sufficient number of churches or chapels and for the support of ministers of the Gospel for the instruction of the slaves, all proprietors of estates, their attorneys, managers or overseers, shall permit and require the attendance of the slaves on the estate under their control every Sunday at the church or chapel during the performance of divine service, according to the religious persuasion of the slaves.

PREAMBLE.—And whereas, from the actual state of morals among the slaves the total abolition of Sunday markets by leaving them without

occupation, would also tend to encourage habits of idleness and debauchery, but it is proper that during the performance of divine service no market should be held, and whereas, the performance of divine service late in the day, will be more convenient to the slaves, as many of them reside at a considerable distance from any place of public worship.

CLAUSE 32nd.—Be it, &c. That from and after the passing of this act, divine service shall be performed and commence in all churches, chapels or meeting-houses in this island, at 12 o'clock in the day, and no market shall in future be held by slaves or others on Sundays at any time after that hour; and any slave offending against this law may be apprehended by any constable, and confined in the cage in the market-place until the hour of four in the afternoon, when he shall be released and his provisions or other goods restored to him; and if the offender is a white or free person of colour, the constable is hereby authorized to seize the provisions or other goods so exposed to sale, and to retain the same to his own use; but if any constable, shall apprehend or confine any negro, or seize the provisions or other goods of any white or free person of colour, before the hour of twelve, or having apprehended such slave after the hour of twelve shall keep in confinement beyond the hour of four, on complaint before a magistrate, such magistrate shall and he is hereby authorized and directed on conviction of the offender to fine him in any sum not exceeding five pounds, or imprison him for any time not exceeding forty-eight hours; and to award the payment of the fine to the slave, or to the white or free person of colour against whom the offence shall have been committed, and in the latter case restore double the value of the provisions or goods so illegally seized, such value to be proved before him and the amount to be levied (by virtue of a warrant under his hand and seal) in the same manner as executions issuing out of the Court of Common Pleas; and if the offence shall not be fully proved, the magistrate shall award the defendant the costs he may have incurred in his defence, to be recovered against the prosecutor, if a white or free person of colour, by warrant under his hand and seal, and, if a slave, shall and may cause such slave to be whipped, provided that not more than twenty stripes shall be inflicted on such slave.

PREAMBLE.—Whereas nothing will have a greater tendency to civilize and improve the morals of the slaves, and increase their happiness and comforts, than the encouragement of matrimony, particularly amongst those attached to the same estate; and experience has already sufficiently proved the beneficial effects thereof to the proprietor.

CLAUSE 33rd.—Be it, &c. That from and after the passing of this act, if any negroes attached to the same estate shall apply to the owner, or to his attorney, manager, or other representative (if no owner or attorney shall be in the island), for permission to marry, such owner, attorney, manager, or representative shall forthwith give such permission, provided always, that such slaves shall produce a Certificate from any Clergyman or Teacher of the Gospel of the same religious persuasion as such slaves, that “the parties have a proper sense of religion, and of the holiness of the marriage tie, and are worthy being joined in matrimony;” and if, on the production of such Certificate, the owner, attorney, manager, or representative shall refuse to give such permission, without good and sufficient reason in writing, to be judged of by the Court of King’s Bench, he shall be deemed guilty of a misdemeanor, and may be prosecuted by indictment, and on conviction, be punished by

fine, in any sum not exceeding twenty pounds; and the Court of King's Bench are hereby authorized and directed, upon conviction of any offender, to order the solemnization of the marriage between the said negroes; and the marriages of slaves may be solemnized by a dissenting minister, or Roman Catholic priest, as well as by a clergyman of the Church of England, and shall in all Courts of Law within this island be deemed of equal force and validity, and shall vest in them and their lawful issue, all and singular the reciprocal rights of husband and wife, and children, as to the acquisition and transmission of property, real and personal, by deed, will, or otherwise, and shall entitle them to bring and maintain in their own names, all actions at law, or suits in equity for the recovery of their real and personal estates, and for the enforcement of all contracts entered into with them.

PREAMBLE.—And in order that the rights of christianity may be more easily obtainable by slaves.

CLAUSE 34th.—Be it, &c. That the following be the fees for Christening, Marriage, and Burial of slaves, by any licensed Clergyman of whatsoever persuasion.

	<i>Shillings.</i>
For Baptising each child or adult	3.
Granting Certificate of ditto, if required	3.
Publishing the Banns and Marrying each couple	8.
Granting Certificate of ditto, if required	9.
Attending a Funeral at the grave, and reading service	18,
Granting Certificate of Burial, if required	9.
To the sexton, for digging the grave	9.

And no clergyman or licensed preacher shall claim or exact any other or higher fees than those hereby established, on any pretence whatever, under a penalty of pounds, to be recovered as is directed by the petty debt act, and shall moreover be liable to be removed from their situations.

CLAUSE 35th.—And be it, &c. That no married slaves belonging to the same estate, shall be sold separate and apart from each other, nor from any of their children, under the age of twelve; nor shall any male and female slave who have for five years lived together as man and wife on the same estate, be sold separate and apart from each other or from their reputed children under the age aforesaid, under any pretence whatever, except in cases where a slave or slaves may be ordered to be sold for transportation, by the sentence of a Court of King's Bench, or Grand Sessions.

PREAMBLE.—And whereas it is just and equitable that all married slaves should also be enabled to acquire and enjoy, free from disturbance or interruption of any kind whatsoever, property of every description they may acquire.

CLAUSE 36th.—Be it, &c. That from and after the passing of this act, all married slaves should be entitled to purchase, acquire, and dispose of, real and personal estates, in this island, in his or her name, by deed, will, or otherwise; and shall and may bring and maintain actions at law, or suits in equity, for recovery of such property, and for the enforcement of

all contracts entered into with them; provided always, that such will shall be executed in the presence of one witness at least who can write his name. And if such slave or slaves shall die intestate, his real and personal estate shall be equally divided among his children, whether legitimate or not, in equal proportions, and if no children, amongst his next of kin, whether legitimate or not.

PREAMBLE.—And whereas an allowance of additional time to married females who shall have reared a certain number of children, will tend to the encouragement of matrimony, and to inspire a greater love of their offspring, and induce them to pay stricter attention to their health; but the allowance of such additional time to those who should merely have borne a certain number of children, would rather tend to promote neglect of their children, and probably lead to crime.

CLAUSE 37th.—Be it, &c. That from and after the passing of this act, every married female slave who shall have reared four children to the age of twelve years, shall be entitled to one additional day in the week, besides the time now allowed by law; and every married female slave who shall have reared six children to the same age, shall be entitled to two days, besides the time now allowed by law, for and during the remainder of her life, and such female slave shall not be deprived of such additional day or any part thereof, under any pretence whatsoever, and every owner, attorney, or manager, who shall deprive such female slave of such additional day or any part thereof, under any pretence whatsoever, shall be guilty of a misdemeanor, and may be prosecuted by indictment; and the Court of King's Bench are hereby authorized to fine or imprison such offender, at their discretion, in any sum not exceeding fifty pounds, or for any time not exceeding one month.

PREAMBLE.—And whereas it is expedient that every obstruction to manumissions shall be removed, consistent with the welfare of the slaves intended to be freed.

CLAUSE 38th.—Be it, &c. That from and after the passing of this act, the Registrar of Deeds of the island shall, and he is hereby authorized and directed to record all manumissions of slaves duly registered in this island, provided the same shall be duly executed and proved, according to law, and all and every tax on the manumission of slaves so duly registered, shall, from, and after the passing of this act, be altogether abolished; any thing in any act of the island to the contrary thereof in anywise notwithstanding. Provided always, that if any owner of any slave shall manumit his or her slave under the age of fourteen, or above the age of fifty, years, the Registrar of the island, before he shall receive such manumission to be recorded, shall take a bond from the owner of such slave to His Majesty, his heirs and successors, in the sum of pounds current money of the said Island, in the following form:

which bond shall be recorded in the Registrar's office, without fee or reward, and the record thereof shall be evidence in all courts of law or equity in the island, and if at any time the condition of the said bond shall become forfeited, the Attorney-General is hereby directed and empowered, at the request of the manumitted person therein named, or of any other person, to put the same in force by action of debt; and on the trial of the same, the jury shall assess the damages at one pound per month, or proportionably, for any loss of time, that the condition of the said bond shall appear not to have been fully performed, and upon obtaining judgment, execution shall issue, and the sum assessed shall be levied in the same manner as other executions issuing out of the Court of Common Pleas, and the judgment shall remain cautionary for any other breach of the said bond, and damages may from time to time be assessed thereon, at the rate aforesaid, upon any future breach thereof.

PREAMBLE. And whereas, it may happen that slaves are the subjects of entails, mortgages, and other legal limitations, and in such cases great difficulty would arise in obtaining the consent of the parties so claiming interest in such slaves, and it is expedient to remove such difficulties without prejudicing the rights of such parties.

CLAUSE 39th—Be it, &c. That the Governor or Commander-in-Chief for the time being, may and he is hereby authorized on the application of any such slave desirous of obtaining his freedom, to issue a warrant under his hand and seal to the Registrar of Slaves, Registrar of Deeds, and any one Privy Councillor, directing them to cause an advertisement to be inserted in the public Gazette for six successive weeks, calling upon all persons claiming any right at law or in equity to such slave, to be and appear in person or by agent or attorney at an appraisement and estimation which shall take place at the expiration of the six weeks as aforesaid, and which shall be made in the presence of such of the parties interested in the said slave, or their agents or attorneys as shall attend, or, if none, the said appraisement shall proceed notwithstanding, and the said Privy Councillor, Registrar of Slaves, and Registrar of Deeds, are hereby authorized and directed to summon witnesses to prove the value of such slave, and shall estimate the full value of such slave; and if any party interested in such sale shall be dissatisfied with the said estimation, a further estimation shall be made in one month, of which notice as aforesaid shall be given in the public Gazette for three successive weeks, and such second appraisement shall be final and binding upon all parties, and the appraisers aforesaid shall make a full and detailed return of their proceedings and the evidence taken before them into the Registrar's office of the said island, which shall be recorded by the Registrar of Deeds in a book kept for that purpose; and such record signed by the Registrar of Deeds shall be evidence in all Courts of Law and Equity, of all matters therein recorded.

CLAUSE 40th.—And be it, &c. That the appraisers aforesaid shall and may, and they are hereby authorized to, receive from such slave the amount of his estimated value, and shall give him a receipt under their hands and seals, and shall also enter such receipt among their proceedings, and the record thereof shall be evidence of the freedom of the said slave, and of the receipt of such monies in all courts of law and equity, and such slave shall thereon be for ever free to all intents and purposes whatsoever.

CLAUSE 41st—And be it, &c.. That the party in whose possession such slave was at the time of such appraisement, shall be entitled to receive the amount so paid to the said appraisers, for which they shall take his receipt, which receipt shall also be recorded amongst their proceedings, and such record shall be evidence in all Courts of Law and Equity against the person receiving the same, and all and singular the right, title, claim, or demand in Law or in Equity of all and every person or persons whomsoever in such slave, shall be and remain in, and attach upon the sum so paid to such person in the same manner, to all intents and purposes as they or any of them had in the said slave.

CLAUSE 42d—And be it, &c. That if any other slave shall be at any time desirous of purchasing his or her freedom, the Governor or Commander-in-Chief is hereby invested with the same power, and all and singular the same proceedings shall be had as are more particularly set forth and enacted in the 39th, 40th, and 41st Clauses of this Act.

PREAMBLE.—And whereas by the 48th Clause of the Act of the said Island, commonly called the Court Act, the Provost Marshal is directed in default of finding sufficient cocoa, cotton, sugar, rum, or other commodities (being the growth and produce of the Island,) of the defendant, to levy on the household furniture, plate, cattle, horses, and other goods of the defendant, and in default of such goods and chattels, or a sufficiency to satisfy the debt and costs, then on the slaves of the defendant, by means whereof the horses, slaves, mules, cattle, plantation, utensils, and implements of the defendant, attached to and employed in the cultivation of land, may be levied on and sold apart from the properties to which they may be attached. And whereas, experience has shewn the prejudicial effects of such a law, which by severing the effective strength of estates from the land and buildings, has not only diminished the value of the latter, to the great prejudice of the individual debtor, and to the detriment of the slaves, but by thus throwing the soil out of cultivation has weakened and must greatly diminish the resources of the country, and thereby increase the public burdens on the remaining holders of property, for the prevention of which evils in future it is necessary to provide an effectual remedy. We, the Governor, Council, and Assembly of this your Majesty's Island of Dominica, humbly pray your most excellent Majesty that it may be enacted and ordained.

CLAUSE 43rd—And be it, &c. That the said 48th Clause of all and singular the matters therein contained be and the same is, and are hereby repealed.

PREAMBLE.—And whereas, in consequence of the repeal of the said 48th Clause of the said Act, it is necessary that such parts of all other Clauses of the said Act, whereby the proceedings of the Marshal on sales of the lands, houses, slaves, and other goods and chattels of the debtor are regulated should be repealed ; but as by some of the said clauses provision is made for other matters therein set forth, which it is not intended hereby to alter, but to avoid confusion it is expedient that the whole of such Clauses should be repealed. And whereas the 60th, 61st, 65th, 68th, 69th, 70th, 71st, 72d, 73d, and 75th Clauses of the said Act are within scope and meaning of such intended repeal.

CLAUSE 44th.—Be it &c. That the 60th, 61st, 65th, 68th, 69th, 70th, 71st, 72nd, 73rd, and 75th Clauses of the said Act shall be, and the same are hereby repealed, any thing in the said Act to the contrary thereof in anywise notwithstanding.

PREAMBLE.—And whereas, it is expedient that new Clauses should be substituted in lieu of the above Clauses hereby repealed.

CLAUSE 45th.—Be it, &c. That from and after the passing of this Act so soon as judgment shall be obtained or recovered in the Courts of Law of the said Island, the plaintiff may take out a writ of execution thereon, which shall be under the Seal of the Court, bear test in the name of the Chief Justice, or in case of his absence from this Island, in the name of the next senior Assistant Justice, and shall be signed by the Secretary of the said Court of Common Pleas, and such writ shall be in the form following, viz:—

“ George the Fourth, by the Grace of God, of the United Kingdoms of Great Britain and Ireland, King, Defender of the Faith, to the Provost Marshal of our Island of Dominica, Greeting: Whereas, at our Court of Common Pleas holden for this Island, on the day of in the year of our Lord one thousand eight hundred and judgment was obtained against C. D. at the suit of A. B. for the sum of pounds current money, or sterling money, (as the case may be) and if such judgment be for a penalty for securing a less sum for the penalty of pounds for securing the payment of pounds with interest (if any) at the rate of per centum per annum, from the day of in the year of our Lord one thousand eight hundred and and

“ We do, therefore, require and command you to levy the same, with the costs taxed hereon, and all subsequent costs of this execution, of the goods and chattels, slaves, lands, tenements, hereditaments, rent charges, and annuities, belonging to the said C. D., and debts due to the said C. D., in the manner directed and appointed by a certain Act of the Legislature of this Island, in that case made and provided: and if you cannot immediately find sufficient goods, chattels, slaves, lands, tenements, hereditaments, annuities, rent charges, and debts of the said C. D., you are to attach the body of the said C. D., and him safely keep until the said judgment shall be satisfied, and of your proceedings you are to make return within sixty days from the date of this our writ into the Secretary’s Office of this Island; and hereof fail not, as you will answer the contrary at your peril. Witness E. F., or Chief Justice, (or Senior Assistant Justice) of our said Court, the day of in the year of our Lord and in the year of our reign.”

Which Writ of Execution being delivered to the Marshal, and four shillings and sixpence current money being paid or rendered to him for his fees for receiving and entering the same, shall be immediately executed by the Marshal in the manner hereinafter directed, unless he shall be restrained from proceeding thereon by an order in writing, to be signed by the plaintiff, or his counsel, or attorney; after receiving which order, the Marshal shall not proceed to execute such writ until he shall receive an order in writing to proceed in executing the same, signed by the plaintiff, or his

counsel, or attorney ; and such writ not being stayed in manner aforesaid, or having been stayed, being ordered to be proceeded upon as aforesaid, shall be levied first on the cocoa, cotton, coffee, sugar, rum, or other commodities (being the growth and produce of the Island) of the defendant, if any such the Marshal can find, and in default of such produce, or a sufficiency thereof to satisfy the sum and costs due on such writ ; then, and not till then, the Marshal shall levy on the household furniture, plate, and on the slaves, cattle, horses, and other goods of the defendant, not attached to the land or other real estate of the defendant, and in default of household furniture and plate, or of such goods not so attached, or a sufficiency thereof to satisfy the said debt and costs, then the Marshal shall levy on the lands, and on the houses, slaves, cattle, horses, stock, plantation utensils and implements, being on and attached to the said lands, all which lands and houses, and the slaves, cattle, horses, stock, plantation utensils and implements, being on and attached to the said lands, shall be advertised and sold in manner herein-after provided for ; provided always, that if the defendant shall be desirous of having any part of such lands, houses, slaves, cattle, stock, plantation utensils or implements, sold separate from each other, the Provost-Marshal shall, and he is hereby directed to, levy only on such and such parts thereof as shall be pointed out to him by such defendant by a note in writing to the Marshal, as in the manner hereinafter provided for, and in default of such lands, houses, slaves, cattle, horses, stock, plantation utensils and implements, or a sufficiency to pay the said debt and costs, the Marshal shall levy the same on the rents, rent-charges, annuities, and debts, or a sufficient part thereof, by leaving a copy or copies of the said execution with the person or persons liable to pay the same, or at his or their last place or places of abode, with an endorsement thereon, to be written and signed by the Marshal, importing such levy, and the day, and as nearly as may be the time of the day, when the same shall be made, which indorsement, signed as aforesaid, shall in such case also be made on the original execution, or the tenor thereof in writing be annexed to the same ; and in default of goods and chattels, slaves, lands, tenements, hereditaments, rents, rent-charges, annuities, and debts of the defendant, or a sufficiency thereof to satisfy the sum and costs due on the said writ, the Marshal shall take the body of the defendant in execution, and keep and confine him in close custody in the common gaol of this Island, until payment thereof, or until the plaintiff, by an order in writing, to be signed by him, or his counsel, or attorney, shall require or authorize the Marshal to enlarge such defendant : provided always, and it is hereby enacted and declared, that it shall and may be lawful for the plaintiff, having obtained and lodged in the Marshal's office such Writ of Execution as aforesaid, by an order or note in writing, to be signed by him, his counsel, or attorney, to require and direct the Marshal to take the body of the defendant in execution, in the first instance, without regard had to the goods and chattels, slaves, or other estate of such defendant ; in which case, and so long as the defendant shall remain in execution (but no longer) such execution shall not be leviable upon the goods, chattels, slaves, lands, or other estates or effects of such defendant ; but if such defendant shall die in execution, or be discharged therefrom by order of the plaintiff, his counsel, or attorney, the said writ shall be leviable on the real and personal estate of the defendant, in the same manner as the same would have been if such defendant had not been taken in execution.

CLAUSE 46th.—And be it, &c. That the Marshal shall in future, pre-

vious to levying on the lands, houses, slaves, stock, plantation utensils and implements, thereto attached of the defendant, give seven days' notice in writing to such defendant of his intention to levy, for which the Marshal shall receive a fee of

CLAUSE 47th.—And be it, &c. That lands, houses, and the slaves, horses, cattle, stock, plantation utensils and implements to such lands, attached and thereto belonging, levied on pursuant to this Act, shall be sold at public outcry, upon the fortieth day after the day of levy thereon, in the town of Roseau, by the Marshal, to the highest bidder for the same, unless in the mean time the plaintiffs shall be paid their respective debts and costs, and the Marshal his fees thereon; and if such fortieth day shall be on a Sunday, the sale shall be on the Monday next following.

CLAUSE 48th.—And be it, &c. That at furthest within ten days after levy made on land, houses, and slaves, horses, cattle, stock, plantation utensils and implements, pursuant to this Act, the Marshal shall cause notice of the time and place of sale thereof, and of the particulars to be sold, to be given in one of the weekly gazettes or newspaper of this Island; and if no gazette or public newspaper shall then be printed in this Island, shall fix up publications thereof in writing at the Court-house, in the town of Roseau, and also in some other conspicuous place in the said town.

CLAUSE 49th.—And be it, &c. That when the lands, houses, slaves, horses, cattle, stock, plantation utensils, and implements of the defendant, are levied on, and are more than sufficient in value to pay off the executions in the Marshal's office against him; such defendant may choose what sufficient part of the said lands, &c., he will have sold, and to that end he shall cause such part to be appraised by two appraisers, being freeholders of this island, and deliver their appraisement to be signed and sworn to by them before the Chief Justice or other Justice of the said Court, to the Marshal, or leave the same at his office, within ten days after such notice or publication of sale as aforesaid; whereupon the Marshal shall proceed to sell such parts of the defendant's lands, &c., only as shall be chosen by him and appraised as aforesaid; but if the same shall not prove, on such sale, sufficient to pay and discharge the execution or executions against the defendant, with the costs and Marshal's fees thereon; or if the defendant shall not, within the time aforesaid, leave such appraisement at the Marshal's office, or if the amount of such appraisement shall not be equal to the sums due on the execution or executions, by virtue whereof such levy shall have been made, including costs and the Marshal's fees, the Marshal shall, on the day of sale, proceed to sell such part of the said lands as shall be necessary to pay and satisfy the execution or executions aforesaid, together with the costs and Marshal's fees due thereon, or the whole of such lands if necessary; and shall pay back to the defendant or his representatives, the surplus (if any) of the money arising from such sale after payment of the executions, costs, and fees aforesaid, within six days next after his receipt of such money, for the recovery whereof the defendant and his representatives shall have the same remedy as is herein before given to a creditor by execution for recovery of money received or levied by the Marshal, by virtue of an execution; and where the defendant hath only a lease for years in lands alone, or in lands, slaves, cattle, and utensils, the same shall not be sold in parts, but the defendant's whole benefit, terms, and interests therein shall be sold entire, subject to the

conditions and covenants of the lease ; and the notice and publication of sale of the same shall state briefly the nature of the defendant's term or interest in the land or lands, slaves and cattle to be sold.

CLAUSE 50th.—And be it, &c. That all sugar, rum, coffee, cocoa, cotton, and other West India produce which shall be levied as aforesaid, shall be advertised for sale by the Marshal in one or more of the gazettes of this island, within seven days after levy ; and all other goods and slaves, horses, cattle and stock not attached to estates, which shall be levied on, shall be advertised for sale within seven days aforesaid ; and if not returned to the defendant as hereafter is provided for, shall be kept in the charge and custody and charge of the Marshal, and shall be sold on thirtieth day after levy thereon ; and if returned to the defendant, shall be re-delivered to the Marshal, and sold on the fortieth day after levy thereon, although such fortieth day should happen to be after the thirtieth day of September, provided the levy was made before the tenth day of September, any thing herein contained to the contrary thereof notwithstanding, if the plaintiff shall not be sooner paid his debt or damages, and costs : in all which cases the day of levy is not to be computed ; and if such tenth, thirtieth, or fortieth day shall fall on a Sunday, such sale shall be on the Monday following. Provided always, that a defendant, whose goods, chattels, or slaves are levied on, or in his absence his agent or attorney may, if he shall so think fit, cause the Marshal to proceed to the sale thereof, any time before the expiration of the time above appointed for the sale thereof, by delivering to the Marshal, or leaving at his office, a written requisition so to proceed, to be signed by such defendant, his agent, or attorney, so as the day to be by him fixed on for such sale be not earlier than the tenth day after the day of delivering to the Marshal such written requisition, or leaving the same at his office as aforesaid, not being a Sunday, in which case the Marshal shall give due previous public notice as aforesaid of the sale thereof.

CLAUSE 51st.—And be it, &c. That when any writ or writs of execution shall be levied on any slave or slaves, horses, cattle, stock, plantation implements and utensils, attached or not attached to estates, the Marshal shall be obliged, on the request of the defendant, or, in his absence from this island, of his agent or attorney, to deliver the same to the defendant, his agent or attorney, if he shall, within twenty days after such goods, chattels, or slaves shall have been actually levied on, make such request : and also give bond to the Marshal, the penalty whereof shall be equal to the sum or sums to be levied, including costs and the Marshal's fees thereon, with two sufficient sureties, to be bound jointly and severally with their principal therein, to return the same, at the end of thirty-nine days from the day of levy, to the Marshal, in order to be sold in or towards payment and satisfaction of the plaintiff's debt or damages and costs, or else to pay and satisfy such debt, or damages and costs, at the end of the thirty-nine days aforesaid, and the species of the goods, and the names and sexes of the slaves so levied on, shall be particularly specified, either in the condition of the said bond, or in a schedule, to be endorsed on or annexed to the same. And before such bond shall be accepted the defendant, or, in his absence, his agent or attorney, shall make oath, if thereto required, by or on behalf of the plaintiff, that he will not remove from this island, nor conceal, nor willingly suffer to be removed or concealed, the said goods, chattels, or slaves, or any of them, but will produce such goods, chattels, or slaves, pursuant to the condition of such bond as far as he shall be able, or have it in his power to produce the same ; and the sureties to

be bound in such bond, before they shall be accepted, shall each make oath (if thereto required) by or in behalf of the plaintiff, who shall have previous notice thereof from the Provost-Marshal, that they verily believe they are worth, after payment of all their just debts, as much as will pay or satisfy the said bond, or the value of the goods, chattels, or slaves returned amounts to, (if the same shall be appraised,) according to the appraisement thereof; which several oaths, if required as aforesaid, shall be taken before the Chief Justice, or in case of his sickness or absence from the town of Roseau, before any other justice of the said court, and a minute or memorandum thereof shall be lodged in the Secretary's office, with the proceedings in the cause, by virtue of which the levy was made; and in default of taking such oath, and lodging the minute thereof as aforesaid, the said goods, chattels, or slaves shall not be returned, but the Marshal proceed to sell the same, as if no such request had been made nor bond given by the defendant for the forthcoming thereof; and where such goods, chattels, or slaves shall be returned to the defendant on giving such bond, the plaintiff shall be allowed interest on his debt or damages, from the date of the bond until payment thereof, even if such debt or damages shall not, from the nature thereof, originally carry interest; provided also, that if the amount of the sums to be levied shall exceed the value of the goods, chattels, or slaves levied on, the defendant may cause the same to be appraised by two appraisers, one whereof shall be chosen by such defendant or his attorney, and the other by the plaintiff or the Marshal, which appraisers shall make an appraisement thereof, having first made oath before the Chief Justice, or, in case of his sickness or absence, before any other justice of the court, well and impartially to appraise the same; and the penalty of such bond shall be double the amount of such appraisement.

CLAUSE 52d.—And be it, &c. That when any slaves, houses, cattle, or other goods and chattels not attached to estates shall be levied on, and are to be sold at outcry as aforesaid, the Marshal shall set up and sell the said goods and chattels at one of the principal taverns in the town of Roseau, in such parcels as such goods and chattels are usually sold in at public auctions, and shall set up and sell slaves in one of the said taverns, one by one, except where a child under the age of fifteen years is to be sold, which shall be sold with the mother of such child, if there be a mother to be sold; and all such sales by public outcry shall begin at ten of the clock in the forenoon, and if not concluded at two of the clock in the afternoon, the Marshal, if the sale shall not be then completed, shall adjourn the same until ten of the clock of the forenoon of the next day (except Sundays), and so on from day to day, until the same shall be concluded. Provided always that no sale of a slave shall be completed or finished in less than one hour from the first putting up sale of such slave.

CLAUSE 53d.—And be it, &c. That the purchaser of slaves, horses, cattle, and other goods and chattels not attached to estates, shall have fourteen days and no longer after the same, for making his payment; but such goods, chattels, and slaves shall remain in the custody and possession of the Marshal, until he shall receive payment for the same at the charge and risk, in case of loss or death, of the purchaser thereof, unless the Marshal shall choose to deliver the same to the purchaser thereof on credit, in which case he shall, as to the person or persons for whose payment the same were levied on, be deemed to have received payment for the same at the end of such fourteen days.

CLAUSE 54th.—And be it, &c. That when lands, either freehold or

leasehold, and the houses, slaves, horses, cattle, stock, plantation, utensils, and implements, thereto attached, or any right, title, estate, or interest therein, shall be levied on, and advertised for sale, the plaintiff who has the first execution against the defendant, or in his default any other plaintiff having an execution against such defendant, may procure the original grants and title deeds, or office copies thereof, of the lands levied on, or of the evidences of the defendant's right, estate, or interest therein, and also of the deeds of incumbrances, if any thereon, and leave them, with a brief of the title, drawn and signed by counsel on such title, in the Marshal's Office, at least ten days before the sale thereof, to remain for public inspection, and the information of purchasers: and if such original grants and deeds, or office copies, brief, and opinion, shall not be lodged in the Marshal's Office within the time aforesaid next before such sale, the same shall be postponed, and the Marshal shall, within three days after the postponing thereof, apply to the registrar, to make search in the records of his office for the title deeds of such lands and incumbrances (if any) thereon, and the registrar is hereby required, within six days after such application made, duly to search for such title deeds and incumbrances, and to furnish the Marshal with office copies thereof, if any such shall be found, and if none such shall be found, then with a certificate, to be signed by him, of having made such search without effect; and the Marshal shall forthwith lay such office copies before counsel, and procure a brief, and his opinion thereon, and proceed to a sale of such lands, or of the defendant's right title and interest therein, as soon as conveniently may be, (but not in less than two days) after such brief and opinion shall be procured; and if a certificate shall be given by the registrar, to the Marshal as aforesaid of their being found, on a due search in the records of his office, no title deeds of the lands levied on, the Marshal shall proceed to a sale of such lands, and produce such certificate at the time and place thereof, until the bidding at the same shall be closed; and such sale be as valid and effectual, and as binding on the purchaser thereat, as if such office copies, brief, and opinion, had been lodged in the Marshal's Office ten days before the same; and such fee shall be paid to counsel for such brief, and his opinion thereon, as shall be taxed by the Chief Justice, or in case of his sickness or absence, by the senior Assistant Justice of the said Court, and with the registrar's fees, according to docket, shall be first paid out of the purchase money of the lands to be sold, and the Marshal is hereby directed to endorse in such brief and opinion, the true time of lodging the same in his office; and the purchasers of all lands and tenements at the sale thereof to be made by the Marshal, are hereby declared to be entitled to the original or office copies, of title deeds, brief, and opinion, so hereby directed to be prepared, lodged and produced, but the same shall be recorded in the Registrar's Office, by and at the expense of such purchaser.

CLAUSE 55th.—And be it, &c. That all lands whether freehold or leasehold, and the houses, slaves, horses, cattle, stock, plantations, utensils, and implements thereto attached, levied on pursuant to this act, shall be sold at public outcry, upon the fortieth day after the day of levy thereon, in the town of Roseau, by the Marshal, to the highest bidder for the same, unless in the meantime the plaintiffs shall be paid their respective debts and costs, and the Marshal his fees thereon; and if such fortieth day shall be a Sunday, the sale shall be on the Monday next following.

CLAUSE 56th.—And be it, &c. That all offences committed by any slave for which slaves are liable to the punishment of death, by an act of this

island, shall be prosecuted by indictment, and the slave accused of such offence shall be tried by a jury of twelve men, any law usage or custom in this island in force to the contrary thereof, in anywise notwithstanding.

CLAUSE 57th.—And be it, &c. That magistrates are hereby authorized and directed to bind over to their appearance in the Court of King's Bench any person offending against any of the provisions of this act, and any magistrate having cognizance of any such offence who shall refuse or neglect to perform his duty, shall be prosecuted by indictment, and shall be fined or imprisoned by the court, in any sum not exceeding pounds, or for any time not exceeding months, any act, custom, or usage to the contrary thereof, in anywise notwithstanding; and in all such cases, the evidence of one slave shall be sufficient to convict the offender: provided always that such evidence shall not be received until the requisites enjoined by the 29th Clause of this Act shall be fully complied with.

CLAUSE 58th.—And be it, &c. That if the Attorney General shall have cognizance of any offence against slaves from any magistrate, or from any other person, or of such refusal or neglect by any magistrate or from any other person, or of such refusal or neglect by any magistrate, as in the 57th clause of this act is specified, and shall neglect or refuse to prosecute such offender, the Governor or Commander in Chief for the time being shall, and he is hereby authorized and empowered by a warrant under his hand and seal, to direct the clerk of the crown to present an indictment against the Attorney General, who shall upon conviction, be fined in any sum not exceeding pounds, or imprisoned for any time not exceeding months, and if the Clerk of the Crown shall refuse or neglect to present such indictment; and prosecute the Attorney General, he shall be liable to be fined or imprisoned at the discretion of the Governor or Commander in Chief for the time being in any sum not exceeding pounds, or for any time not exceeding months, by a warrant under the hand and seal of such Governor or Commander in Chief for the time being, directed to the Provost Marshal or his lawful deputy, who shall thereupon levy the fine imposed in the same manner as executions out of the Court of Common Pleas, or imprison the party for the time directed.

CLAUSE 59th.—And be it, &c. That all fines and penalties imposed by this act shall be paid one half to the Informer, and the other half to the Public Treasurer, for the public uses of the colony.

Government House, Dominica,

December 5th, 1823.

MY LORD,

I have had the honour of receiving your Lordship's despatch No. 14, acknowledging the receipt of mine, No. 51, acquainting you that Bills were then before the Legislature of this island for the melioration of the slave population.

At the date of my despatch alluded to, I had the fullest expectations that

these measures would have been enacted, but, I regret to state that they have not yet been carried into effect; owing I believe, in a great measure to the repeated disappointments, in forming a Legislative Council, from indisposition and infirmity of some of the members on the island, whose numbers until very lately were barely sufficient to form a Board, which retarded the progress in the House of Assembly, as it was advisable to have the co-operation, and assistance of that body through its different stages.

I however transmit herewith a printed copy of a Bill which has been introduced in the House of Assembly; and although I am not aware of the alteration that may be made before it is passed by the respective branches of the Legislature, yet, it will serve to evince to your Lordship that the subject has occupied the attention of the community;—and I hope that very soon, every measure recommended by government, in conformity to the resolutions of the House of Commons, will be adopted on this island, as far as can be done with propriety.

I also feel it necessary to observe that on many properties the use of the cart-whip has been abolished, and when punishments are necessary the cat-o-nine tails, as used in the army has been instituted; and the general condition of the slaves has been much improved.

I have the honour to be,

My Lord,

Your Lordship's

Most obedient humble Servant,

(Signed)

HUNTINGDON,
Governor.

To

The Right Honourable
The Earl Bathurst, K. G.
&c. &c. &c.

GRENADA.

No. 1.

*Extract of a Despatch from President Paterson to Earl Bathurst, dated
4th July, 1823.*

I have the honour to acknowledge the receipt of your Lordship's several despatches of the 28th May, enclosing the Resolutions of the honourable the House of Commons, for the amelioration of the slave population, a copy of a letter addressed by your Lordship to Major-General Murray as Governor of Demerara, on the same subject; also a proclamation to be issued by me in the event of the intention of His Majesty's Government respecting them being misunderstood, and the peace of the colony thereby endangered.

The legislature of this colony stands adjourned to the 8th instant, when I shall not fail to lay before it copies of your Lordship's public despatches to me, and to General Murray, and to recommend to its most serious consideration, the speedy adoption of measures similar to those pointed out therein by your Lordship.

I deem it right, in justice to the colony, to observe to your Lordship, that the legislature had in some degree anticipated the wishes of His Majesty's Government on the important question, as will appear from the following Extract of the Minutes of the Board of Council, at its late meeting. In addition to which it is the intention of the legislature to give to the slave population the Trial by Jury in the Supreme Court of Judicature, as is given to the white population in all criminal cases.

Resolved, 1. "That it is expedient to revise and consolidate all the laws in force relative to Slaves, and that a Committee be appointed to prepare and bring in a Bill for this purpose."

2. "That without intending to restrict or prescribe to the Committee, it be recommended to them to advert to the best mode of securing to the slave a sufficient time to work his grounds, and a specific allowance of food and clothing, to the ensuring to the slave the enjoyment and right of bequeathing any personal property he may acquire, to the limiting, recording, and deposing to all punishments, the admission in certain cases of the competency of slave evidence, the discontinuance of public markets on the Lord's day, and the most effectual mode of ensuring to the slave religious and moral instruction."

3. "That the Committee be directed to proceed with all convenient speed with the said Bill, and that these resolutions be transmitted to the Assembly for their consideration, and if concurred in, that the house be requested to appoint three of its members to join two members to be named on the part of this Board to form the said committee."

No. 2.

Extract of a Letter addressed to Earl Bathurst, by the Office administering the Government of Grenada, dated Government House, Grenada, 22d August, 1823.

“ I have the honour to acknowledge the receipt of your Lordship’s circular of the 9th July last, in duplicate containing further instructions respecting those improvements in the Slave Code of the colony, which, in conformity with the recent resolutions of the House of Commons, it is the earnest desire of His Majesty’s Government should be carried into effect.”

“ The legislature of this colony met for the despatch of public business on the 18th instant : and I lost no time in communicating to them your Lordships’ instructions, and I am not aware that I can better reply at present to your Lordship’s letter, than by transmitting to you a copy of the resolutions of the House of Assembly in answer to my communication, and which I have now the honour to enclose.”

The Speaker and Members of the Assembly to his Honour the President and Commander-in-Chief.

This House, deeply impressed with the importance of the various subjects to which its attention has been drawn by your Honour’s communication of the 18th instant, begs leave to state for the information of His Majesty’s Government, that a joint committee from the house, and the Board of Council was appointed on the 18th day of June last, for the purpose of revising and consolidating all the laws now in force relative to slaves, recommending to the Committee to advert to the best mode of securing to the slave a sufficient time to work his grounds and a specific allowance of food and clothing ; to the ensuring to him the enjoyment and right of bequeathing any personal property he may acquire ; to the limiting, recording, and deposing to all punishments ; the admission in certain cases of the competency of slave evidence ; the discontinuance of public markets on the Lord’s day ; and the most effectual mode of ensuring to him religious and moral instruction. And it further informs your Honour, that the despatches from Lord Bathurst under date of the 28th day of May and 9th day of July, have been referred to such committee, with directions in the first instance to report such measures as they may think most advisable, for promoting religious and moral instruction among the slave population ; and to consider and report to this House the best means of securing to the slave such domestic comforts as may enable him to appropriate the Sabbath to the purpose of rest from labour.

The House has adopted this course, preferring to confine its attention in the first place to that important part of the despatch which relates to the religious and moral improvement of the slave, the foundation of every beneficial change which can take place in his character and condition, and as soon as this report is made, it shall be laid before your Honour.

It is with much satisfaction, that the House observes it will be unnecessary to direct its attention to many of the suggestions contained in the despatches with respect to manumissions, the laws of this colony, presenting no obstacle whatever to manumissions by requiring stamps or deposits, but rather tending to facilitate them, and no indemnity being required that the person manumitted, shall not become a burthen on the public.

(Signed) JOHN HOYES, Speaker.

House of Assembly, 20th August, 1823.

(Signed) JOHN CHARLES KER, Clerk of the Assembly.

ANTIGUA.

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No. 1.

*Extract of a Letter addressed by Sir B. D'Urban, to Earl Bathurst, dated
Government House, Antigua, 7th July, 1823.*

MY LORD,

On the 30th of last month, I had the honour to receive your Lordship's despatch of the 28th of May.

I have maturely considered them, and shall endeavour to conduct this matter according to the spirit of your Lordship's instructions.

At a meeting of the legislature which took place three days after I had received your Lordship's despatches, the Attorney-General moved for leave to bring in a bill, "for the further amelioration of the slave population." This was carried (I believe unanimously,) in both Houses. He is now preparing it. I have summoned a meeting of the legislature for the 10th instant, when the bill will be brought forward, and I have little apprehension but that in all which is essential, it will be successful.

Meanwhile I have sent to Mr. President Herbert, instructions as I think most likely to advance the same object in Montserrat.

*To the Right Honourable,
The Earl Bathurst, K.G.*

No. 2.

*Extract of a Letter addressed by Sir B. D'Urban, to Earl Bathurst, dated
Government House, Antigua, 9th August, 1823.*

"With reference to any communication to your Lordship of the 7th of July, I have to announce my disappointment in the result of the measure therein adverted to; the bill went through two readings in the Assembly without opposition; but upon the third reading a fortnight afterwards, upon going into a committee, it was lost, and that by a majority of 16 to 6."

"I transmit herewith a draft of the bill."

—

May it therefore please Your Most Excellent Majesty, that it may be enacted, and be it enacted by his Excellency Major General Sir Benjamin D'Urban, the Governor-in-Chief in and over your Majesty's Islands of Antigua, Montserrat, and Barbuda, and the Council and Assembly of this your Majesty's

Island of Antigua; and it is hereby enacted and ordained by the authority of the same, that from and after the publication of this Act, it shall not be lawful to inflict the punishment of flogging or whipping upon any female slave in this island, for any offence whatever, without the previous sanction in writing of one of His Majesty's justices of the peace; and that if any white or other free person in this island, shall presume to inflict any such punishment upon any such slave, without such previous sanction as aforesaid, he or they shall upon conviction thereof, upon indictment in the Court of King's Bench and Grand Sessions for this island, be liable to fine and imprisonment at the discretion of the said Court.

Provided always, that nothing herein contained, shall be construed to prohibit the slight chastisement of female slaves of tender years.

And be it further enacted, that from and after the publication of this Act, it shall not be lawful for any such director or manager of any estate in this island, to permit any driver or other person in authority under him, or her, to carry a cart whip or other instrument of correction, for the purpose of over-awing the negroes at work in the field; and that if any such owner, director, or manager of an estate, shall, on any pretence whatever, wilfully permit or suffer any such driver or other person in authority under him or her, to carry any such cart whip or other instrument of correction with him into the field, for such purpose as aforesaid, he or she, shall upon conviction thereof, upon indictment in the Court of King's Bench and Grand Sessions for this island, be liable to fine and imprisonment at the discretion of the said Court.

And be it further enacted, that from and after the publication of this Act, it shall not be lawful to inflict the punishment of whipping or flogging upon any male slave in this island, at any time within the space of twelve hours after the commission of the offence, for which the said punishment shall be so inflicted upon him, and that all punishments of this description shall take place in presence of some white or other free person, and that all such punishments inflicted upon slaves attached to plantations in this island, shall be regularly noted in the Plantation Journal immediately after the infliction of the same; and that if any white or other free person in this island, shall presume to inflict, or cause to be inflicted, any such punishment upon any male slave within the space of time hereinbefore prescribed, or shall omit to make, or to cause to be made, a note of the particulars of such punishment in the Plantation Journal as aforesaid, he or she, shall on conviction thereof, on indictment before the Court of King's Bench and Grand Sessions for this island, be liable to fine and imprisonment at the discretion of the said Court.

And be it further enacted, that from and after the publication of this Act, upon complaint being made by any house in this island, to any one of the justices of the peace, of his or her having been cruelly whipped, flogged, wounded, or otherwise ill treated by any white or other free person in violation of the existing laws of this island, and such complaint being corroborated by the exhibition of any marks or appearances of violence, or other ill usage or severity upon the person of the complainant, it shall, and may be lawful, for such justice of the peace, and he is hereby authorized and required to summon the party accused, to appear before him, and to examine him or her on oath, touching the charges, and on his or her refusing to be so examined, such refusal shall be construed as an admission of the truth of such charge; and in that case, or in case he or she shall submit to be so examined, and confess the truth thereof, he or they shall be thereupon bound over by the said justice of the peace in the usual manner, to answer an indictment for the same at the next Court of King's Bench and Grand Sessions for this island; and the said justice of the peace, shall previously to summoning the party accused as aforesaid, examine the said slave so complaining, on oath; (should

he or she have been baptized,) having first duly explained to him or her, the nature and solemnity of an oath, which examination of the said slave taken in writing, together with the examination in writing of the party accused, in case he or she shall have so submitted to be examined, shall be respectively returned by the said justice of the peace, certified under his hand with the recognizance to the clerk of the crown, in convenient time before the sitting of the said Court; and on the trial of such party, so accused by the said slave, the testimony on oath of any slaves who may have been present, (they having been baptized and previously admonished as aforesaid,) shall be received as far as it shall appear clear and consistent in the opinion of the said Court.

Provided always, that no white or other free person, shall be convicted on the testimony of any slaves, unless two of the said slaves at least, do clearly and consistently agree with each other, and depose to the same fact, act, or circumstance, and their statement be corroborated by marks or appearances of violence or other ill usage, or severity on the person of the slave alleged to have been cruelly whipped, flogged, wounded, or otherwise ill treated, having been exhibited before the committing magistrate as aforesaid, and also unless the said slaves are examined apart, and out of the hearing of each other, and unless such offences shall be prosecuted within twelve months after the commission thereof.

And be it further enacted, that from and after the publication of this Act, where death shall be charged to have ensued from any unlawful punishment of whipping or flogging, inflicted by, or under, the immediate order or direction of any white, or other free person in this island; and there shall be a strong and violent presumption of the truth of the charge, and the person charged to have inflicted or ordered the infliction of such unlawful punishment, shall not be able to make it appear to the coroner's inquest, or to the justice of the peace before whom the charge shall be preferred, that such unlawful punishment was inflicted in the presence of some other white or other free person; then, and in such case, and under a combination of all the said suspicious circumstances, but not otherwise, it shall, and may be lawful, for the said coroner's inquest or justice of the peace respectively, to receive the testimony of slaves in support of the said charge, provided the slaves whose testimony shall be so received, shall have been baptized, and be fully acquainted with the nature and obligations of an oath; and that on the trial of the party so charged, under such circumstances such slaves shall be received also by the Court as competent witnesses, so that the grand and petit jury may attach such credit or importance to their testimony, as it shall appear to deserve. Provided always, that the testimony of such slaves shall be always received by the Court and jury, under the same rules, regulations, and restrictions, as are hereinbefore prescribed and contained, relative to charges for minor offences.

And be it further enacted, that from and after the publication of this Act, the testimony of slaves for, and against one another, shall be always received and taken on oath before all justices of the peace, and in the criminal courts of this island, any thing in any former Act of this island to the contrary, in anywise notwithstanding.

And be it further enacted, that from and after the publication of this Act, it shall and may be lawful for any slave in this island, with the approbation and consent of his or her owner or director, to acquire, hold, or possess property of any kind, and to dispose of the same by will or otherwise, as he or she shall think proper; and that if any white or other free person in this island, shall purchase from any slave, any article in which such slave shall or may have lawfully acquired a right of property, and refused to pay for the same according to contract, it shall, and may be lawful, for the owner or

proprietor of such slave, on sufficient proof thereof, in the Court of Complaints or the Court of Common Pleas respectively, to have and maintain an action in his or her own name, for the recovery of the price or value of the said article so purchased in like manner, as if the same had been purchased from himself or herself, and the jury in returning their verdict in any such action, shall find for the plaintiff to the use of the slave, who shall be proved to have been so defrauded. And if any owner or director of any slave in this island, shall unjustly withhold from any slave, under his or her direction, any sum of money which shall be so awarded by the jury to the use of such slave, or shall on any other occasion unjustly appropriate to his or her own use, any money or property of any kind which such slave shall or may have so lawfully acquired, or if any other white or other free person, shall molest or disturb any such slave, in the possession or free use or enjoyment of any money or property, so lawfully acquired by such slave, such owner or director, or such other white or other free person, shall upon conviction thereof, upon indictment before the Court of King's Bench and Grand Sessions of this island, be respectively liable to fine and imprisonment at the discretion of the said Court.

And be it further enacted, that the thirteenth and fourteenth clauses of an Act of this island, dated the thirteenth day of April, in the year of our Lord, one thousand eight hundred and fourteen, entitled "an Act to aid and assist the magistrates in the performance of their duty, the more effectually to put in force certain laws of this island, and for establishing a police and nightly watch in the town of Saint John; and to repeal an act dated at Saint Christopher, the twentieth day of November, one thousand eight hundred and twelve, entitled, an Act to aid and assist the magistrates in the performance of their duty, the more effectually to put in force certain laws of this island, and for establishing a police and nightly watch in the town of Saint John;" shall be, and the same are hereby repealed.

And be it further enacted, that from and after the publication of this Act, the afternoon of every Saturday in the year, shall (except as hereinafter excepted,) be regularly allowed to all slaves attached to, and usually worked upon, estates in this island, for the purpose of better enabling them to cultivate their provision grounds, and carry the product of the same to market; and that no owner, director, manager, or overseer, of any estate in this island, shall (except as hereinafter excepted,) on any account employ any slave or slaves attached to, and usually worked upon, the estate, under his or her direction or control, in any kind of agricultural work or labour on any Saturday afternoon in the year; but shall permit and suffer every such slave, to devote the whole of his or her time and industry on every such Saturday afternoon, to his or her own private use and exclusive benefit; and if any such owner, director, manager, or overseer, shall presume to employ any such slave, under his or her direction, in any kind of agricultural work or labour on any Saturday afternoon, in the year as aforesaid, against the free will and inclination of such slave, he or she, shall on conviction of such offence, upon indictment in the Court of King's Bench and Grand Sessions of this island, be liable to fine and imprisonment at the discretion of the said Court. Provided always, that it shall, and may be lawful, for any such owner, director, manager, or overseer, in cases of occasional pressing emergency, to employ any such slave or slaves, in the regular labour of the estate, on any particular Saturday afternoon, so that such slave or slaves be allowed another afternoon in the week, or a gratuity of one shilling, in lieu thereof. And provided also, that nothing herein contained, shall be construed to extend to slaves employed in watching or taking care of cattle, horses, mules, sheep, poultry, or other stock, or in any other similar indispensable service of the estate.

And be it further enacted, that from and after the publication of this Act, no tradesman, artificer, workman, labourer, or other person in this island, shall do or exercise any worldly labour, business, or work, of their ordinary callings on the Lord's day, (except works of necessity and charity, and except dressing of meat in families, or dressing or selling of meat at taverns, cooks' shops, or victualling houses, for such as cannot otherwise be provided, and baking of bread,) on pain of every offender, being a free person above fourteen years of age, forfeiting eighteen shillings; and every offender being a slave above the same age, being confined in the public cage for the space of two hours; and also that no person shall publicly cry, shew forth, or expose to sale, any wares, merchandizes, meat, poultry, fruit, herbs, goods, or chattels whatsoever, after ten o'clock in the morning on the Lord's day, (except crying and selling of milk and fish, before or after divine service,) on pain of forfeiting the same; and the same shall be seized by the police officers, and deposited in the police office. And if any person offending in any of the premises, shall thereof be convicted before one justice of the peace, on view or confession or oath of one witness, the justices shall respectively give warrant to the constables or police officers, to sell the goods cried, shewed forth, or put to sale, and to levy the other forfeitures by distress, to the use of the poor of the parish, except that the justice may out of the same, reward the informer with any sum not exceeding one third part. And for want of distress, the offender shall be confined in the common gaol for the space of twenty-four hours.

No. 3.

Extract of a Despatch from Governor, Sir B. D'Urban to Earl Bathurst, dated Antigua, 26th August, 1823.

“ I have had the honour to receive your Lordship's circular despatch of 9th of July.

“ I have laid before the legislatures of Antigua and Montserrat, the remarks or propositions which I am therein enjoined to urge, and have duly pressed them upon their attention.

“ I will not fail as early as possible to apprise your Lordship of the result.

“ Your Lordship will have seen by my communication of the 9th inst., the failure of the bill which had been brought into the Assembly by the Attorney-General.”

No. 4.

Extract of a Despatch from Sir B. D'Urban to Earl Bathurst, dated Government House, Antigua, 10th Oct. 1823.

I have the honour to acquaint your Lordship, that in the meeting of the two Houses of Legislature of the 4th September, my note conveying the “propositions and remarks,” of your Lordship's Circular Despatch of the 9th July, was laid before them by the President and

Speaker respectively.—And the Houses, who had in consequence of my previous communications, already appointed a joint Committee of each, “to revise, amend, and consolidate the various laws of the island, affecting the slaves, with a view to the farther amelioration of their condition,” referred my note, with its enclosures, to the committee; in order that in the course of their proceedings, your Lordship’s suggestions and remarks might receive their fullest and most deliberate consideration.

No. 5.

Extract of a Letter addressed by Sir B. D’Urban to Earl Bathurst, dated Government-House, Antigua, 1st December, 1823.

I reported to your Lordship the formation of a Joint Committee of both Houses of Legislature, to consider of measures of amelioration, and I have now to add, that having judged it expedient (a few days ago,) to inquire into the progress of their deliberations by the message (No. 1.) to the President and Speaker, I have received from them the answer No. 2.

No. 1.

Government-house, 19th November, 1823.

GENTLEMEN,

By the minutes of the proceedings of the two houses of legislature, I perceive that on the 4th of September last, a joint Committee, consisting of two members of the one and five of the other house, was appointed “to take into consideration the laws of the island, which in any manner affect the slave population; and to report on the expediency of revising and amending the same, with a view to the farther amelioration of the condition of that class of persons.” More than two months having now elapsed since the nomination of the joint Committee; I assure myself that it will have already made considerable progress in the important work confided to it, and with reference to the concluding passage of the communication, which I had the honour to make to the houses on the 30th of August, I have to request (in order to my faithfully obeying his Majesty’s commands,) that your honours will inform me to what extent the Committee has at present proceeded.

(Signed) B. D’URBAN.

WALTER R. D’URBAN.

(Copy)

To the Honourable the President of the Council and the Speaker of the Assembly. Antigua.

No. 2.

SIR,

We have the honour to acknowledge the receipt of your Excellency's letter of the 19th inst., which we respectively submitted to the houses of legislature, at their sitting, on Thursday last the 27th inst., and we have in consequence been instructed very respectfully to acquaint your Excellency that the joint Committee, appointed on the 4th September last, to take into consideration the laws of the island, which in any manner affect the slave population, and to report on the expediency of revising and amending the same, with a view to a further amelioration of the condition of that class of persons, have proceeded to take under their deliberation the subjects referred to them; but from their grave and important nature, and the vital interests involved therein, the Committee are naturally desirous to proceed with much caution and circumspection, and for this reason have not yet submitted any Report to the two Houses.

(Signed) SAMUEL ATHILL,
President of the Council.

NICHOLAS NUGENT,
Speaker of the House of Assembly.

November 29th, 1823.

(Copy) WALTER R. D'URBAN.

*To his Excellency, Major-General Sir
B. D'Urban, K.C.B., Captain-General.*

ST. CHRISTOPHER'S.

No. 1.

Government-House, St. Christophers, July 4, 1823.

MY LORD,

I do myself the honour to acknowledge the receipt of your Lordship's despatch of the 28th of May, with two enclosures relative to the amelioration of the slave condition, and the resolutions of the House of Commons of the 15th of May.

I lost no time in submitting these communications to the privy council, and in addressing the two branches of the Legislature on the subject, and I enclose a copy of my letter to the latter; and I have great gratification in adding a copy of the resolutions entered into by the Board of Council which your Lordship will perceive, anticipated the wishes expressed in your Lordship's despatch.

The sickness of several Members of the House of Assembly prevented this branch of the legislature from meeting, but I have great confidence in the disposition of this body to co-operate readily with the Board of Council in promoting the resolutions of the latter.

I have taken the earliest opportunity of communicating with Nevis and Tortola on this subject.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

(Signed) CHA. W. MAXWELL.

*To The Right Honourable
The Earl Bathurst, K.G.
&c. &c. &c.
St. Christopher.*

At a meeting of His Majesty's Council held at the Court House in the Town of Basseterre, on Friday the 4th day of July, 1823.

Resolved unanimously, That it is expedient under the existing circumstances of the times that there should be a formal, frank, and solemn declaration by the Board of Council, of their sentiments towards the slave population at this momentous crisis.

Resolved unanimously, That such declaration should contain the sentiments of the Board of Council as to the actual condition of the slave population of this island, and of the measures which ought to be confirmed and adopted for the amelioration thereof.

Resolved unanimously, That such declaration should consist of the following resolutions:—

Resolved unanimously, That this board witnesses with sincere satisfaction,

the progressive improvement which has taken place, and which is rapidly advancing, in the treatment and condition of the slave population of this Island.

Resolved unanimously, That the orderly and good conduct of the slave population deserves the most anxious solicitude of this board for their protection and welfare.

Resolved unanimously, That it is expedient to confirm by law, several advantages which the slaves virtually and practically enjoy, and to adopt further means for augmenting their temporal and spiritual welfare.

Resolved unanimously, That the market held by negroes on Sundays be abolished, in order that the Lord's day may be devoted to the purpose of religion, and that other time be allowed for holding the market, and (where the dependance is on provision grounds,) for cultivating their grounds.

Resolved unanimously, That the use of the whip as a symbol of authority in the field be abolished, and that the punishment of females by flogging, already of very rare occurrence, be discontinued, except on conviction of some offence deserving such punishment, before a justice of the peace, and by his directions.

Resolved unanimously, That no punishment be inflicted but by order of the manager or overseer.

Resolved unanimously, That in all cases of punishment, the names of slaves and witnesses, the fault and quantum, to be entered in a book and sworn to quarterly.

Resolved unanimously, That the slave be confirmed in the privileges he now enjoys by practice, of having property of particular kinds, with liberty to bequeath, if a married person, and to legitimate children.

Resolved unanimously, That writs of Venditioni Exponas be discontinued, due regard being had to existing securities.

Resolved unanimously, That in certain cases, and subject to certain conditions, the negroes to have a right to buy their own freedom.

Resolved unanimously, That the evidence of a slave be admitted in the same way as it is in Dominica.

Resolved unanimously, That the system of labour which must be fatal to the health and life of the slave, as asserted in a pamphlet attributed to Mr. Zachariah Macaulay, and quoted in the House of Commons, to prevail in the Island of Jamaica, is unknown here.

Resolved unanimously, That the instances of open profligacy and cruelty contained in the said pamphlet are unknown here.

Resolved unanimously, That the board may not declare that instances of tyranny, oppression, and cruelty, do not in secret occur. But this board sees with great satisfaction, the vigilant interference of the constituted authorities for the detection and punishment of such atrocities.

Resolved unanimously, That the above resolutions are framed with a view of improving the physical and moral condition of the slave, so as eventually to qualify him for a state of freedom, to which object this board will earnestly contribute, upon such provisions being made for the protection of the person and property of the proprietors of slaves in this island, as may be expected from the wisdom and justice of the British parliament; and from the benevolent solicitude of our Sovereign for every class of His Majesty's subjects.

(Signed) THOS. HARPER,
Clk. Col.

John D. Wilson,
President.

Government-House, 4th July, 1823.

GENTLEMEN,

I have the honour to lay before you a letter I have received from the Earl Bathurst, with two enclosures, the object of which I am highly gratified to find you have anticipated ; it becomes, therefore, less necessary for me to urge their great importance, and the consequent propriety of your giving them your earliest and best consideration.

I have the honour to be,

Gentlemen,

Your most obedient,

Humble Servant,

(Signed) CHA. W. MAXWELL.

To the Honourable

The President of the Council, and

The Speaker of the Assembly,

&c. &c. &c.

St. Christopher.

No. 2.

Extract of a Despatch addressed by Governor Maxwell to Earl Bathurst, dated Government House, St. Christopher, 10th December, 1823.

“ I beg leave to lay before your Lordship extracts from the speech addressed by me to the council and assembly of this colony at their first meeting in November last, with the replies to the same, and which I trust will prove satisfactory information to your Lordship, respecting the good wishes of this legislature, towards the amelioration of the condition of the slave population in this island.”

To His Honour the President and the Honourable the Members of His Majesty's Council, and His Honour the Speaker and the Honourable the House of Assembly.

Mr. President and Gentlemen of the Council,

Mr. Speaker and Gentlemen of the Assembly,

The commencement of a new session of the legislature, calls on me to solicit your attention to several important subjects which I am anxious to submit to your most serious consideration.

The period since I had last the honour of addressing you on a similar occasion, has been replete with important discussions affecting the policy of the labouring class in this country, and having for their object a yet greater melioration in their condition than what the Colonial Laws have hitherto contemplated. The parliament of the mother-country has earnestly desired this measure, and His Majesty's government having readily adopted the same sentiments, their views and expectations have been fully explained in the communications from the Right Honourable the Earl Bathurst, which have already been submitted to your consideration. Your prompt attention to, and liberal view of the important question, afforded me peculiar gratification as a sure earnest of your disposition to meet the expectations that pervade not only the parliament of England but every class of our countrymen.

As I earnestly desire you should precede the march of social improvement which the general deliberations in this country are likely to urge forward, I trust it will naturally occur to you to weigh the justice and the policy of enlarging the privileges of the free population, amongst whom are individuals of worth and intelligence, in every respect competent to contribute support to the laws; and whose conduct on all occasions has afforded the best assurance of their ability to appreciate and maintain the rank of citizens.

I venture to offer this topic to your consideration, under a firm conviction, that by extending privileges to this class, you will promote their respectability in the community, and thereby strengthen, and at the same time reward, that devotion, which it must be admitted, they have always evinced for the defence and welfare of the colony.

(Signed) C. W. MAXWELL.
Captain-General.

Extract Address of the Council.

To His Excellency Chas. Wm. Maxwell, Esq., &c. &c. &c.

We the members of His Majesty's council approach your Excellency with our hearty thanks for the speech which was delivered at the last meeting of the legislature.

We are fully aware of the importance of the subject relating to the improvement of the condition of the labouring class in this country, and are confident that measures may be adopted to promote their real and true interests with perfect security to the master.

We feel the force and propriety of your Excellency's observations respecting the immunities required for the free population of this island, and will give the subject early and serious consideration.

Extract Address of the Assembly.

To His Excellency Chas. W. Maxwell, &c. &c. &c.

May it please your Excellency,

We the members of the House of Assembly of St. Christopher beg leave to return your Excellency our thanks for the speech delivered to the two branches of the legislature at the opening of the present session, and to assure your Excellency that possessing a just sense of the importance of the events which press upon the community at this momentous crisis, we approach and offer your Excellency our expressions of undiminished and unfeigned fidelity to the constitution of our country, and high regard and consideration for your Excellency.

Although we have not been unacquainted with, nor unmindful of, the discussions affecting the labouring class in this country, yet we beg to tender our best thanks to your Excellency for your communication on this subject, as it evinces your anxious solicitude in regard to all matters with which our interests are connected.

We are happy to find that your Excellency duly appreciates the exertions of the late House of Assembly in reference to the communication from the Right Honourable the Earl Bathurst, and we beg to assure you, Sir, that we will, without loss of time, resume the deliberations thus actively and creditably begun by them, and which shall meet with every attention from us. At the same time it would be disingenuous and uncandid in us, were we to induce your Ex-

cellency to believe that we can meet all the expectations that pervade the Parliament of Great Britain, or the inhabitants of that kingdom, on this great and important subject.

But your Excellency may, and so may the Parliament of Great Britain, rest assured that every possible and expedient measure, for the amelioration of the state of slavery, will be most readily and cheerfully adopted by the Assembly of this colony.

We are gratified by the earnest desire which your Excellency manifests that the legislative bodies should precede the march of social improvement likely to be urged forward; and we assure your Excellency that we will weigh with impartial consideration the justice and the policy of enlarging the privileges of the free population of this island, amongst whom we are happy to state there are to be found individuals well entitled to the meed of praise bestowed on them by your Excellency.

ST. VINCENT'S.

No. 1.

Extract of a Despatch from Sir C. Brisbane to Earl Bathurst, dated Government House, St. Vincent, 26th September, 1823.

“ I have the honour to transmit to your Lordship a copy of the report which has been drawn up by both Houses of Legislature in this colony, together with a letter, signed by the President of the Council, and the Speaker of the Assembly, in consequence of letters received from your Lordship, under dates of the 28th of May, and the 9th of July, respecting the treatment of, and the plans proposed for the amelioration of the state of, the negroes.”

Government House, 2d September, 1823.

SIR,

I have to request you will be pleased to lay before the honourable the Members of Council, the following letter. I am to acquaint them that I have received from His Majesty's Government, several most important communications, and I have ordered that of the most consequence to be laid before the Council for their consideration.

The parental and anxious care of His Majesty's Government for the welfare of the population of these colonies, will be apparent from the perusal of any of the documents, but particularly from that of the 9th of July marked “ Circular.” From a residence of nearly fifteen years in this colony, I am happy to bear testimony to the kind and careful treatment of the slaves by

every proprietor here, and I am highly gratified by being able to state, that many of the improvements suggested by the Government at home, have been already anticipated by the humanity and wisdom of those who have legislated for this colony during my residence in it, more particularly that part where religious instruction is mentioned, and it will I am sure afford great satisfaction to His Majesty's Government that this has long been assiduously attended to by every proprietor.

To the other very important points of my Lord Bathurst's letter, I have to call your most serious attention, and to request that you will consider the subjects therein proposed with that cool deliberation, and extended views which I have ever found to guide the council of the island; and that upon a mature consideration of them, you will feel that the greatest anxiety for the happiness and welfare of all is the end in view of His Majesty's Government, and that you will be able cheerfully to concur with His Majesty's Ministers, in the great work which they are endeavouring to effect. One of the most important points to which I have to call your attention is that wherein it is proposed that the evidence of certain persons is to be admitted in courts of justice under certain regulations, this I conceive to be a subject requiring the deepest consideration and reflection; but I anticipate that the industry and acumen of gentlemen in this island, will, upon this difficult subject, be able to meet the views of His Majesty's Government at home.

With respect to the institution of marriage, I am quite correct when I assert, that this has long been by every proprietor a great desideratum; and that they have in this island, as far as practicable, already carried this into effect with their slaves, and I have only to suggest a continuance of these efforts, which no doubt will ultimately be crowned with success.

The next subject to which your attention is directed, are the obstacles to manumission. These it appears, are involved in many nice legal distinctions and difficulties; to remove which, doubtless, your attention will be particularly directed, as well as the sale of slaves.

On the subject of punishment, I am able to bear ample testimony, that the most important point insisted upon, *viz.*, the abolishing punishment of females by flogging, has on almost every estate been long done away with. The other points upon this subject, you will no doubt be ready to agree with His Majesty's Government in adopting.

Having gone thus much into the nature of the regulations proposed by His Majesty's Government, I have again to impress upon your minds, to weigh the whole subject with care, and to take an extended and liberal view of the vast improvements they are likely to effect, and to hope you will enable me without loss of time to state to His Majesty's Ministers, that every improvement they anticipate, shall be forthwith attempted to be carried into effect, consistent with the due consideration of the magnitude of the subjects, and the time it must take to bring them to perfection.

I have the honour to be, Sir,

Your most obedient humble servant,

(Signed)

C. BRISBANE.

To the President of the Council,
Saint Vincent.

Saint Vincent, 4th September, 1823.

SIR,

The communication from Lord Bathurst which your Excellency has just submitted to His Majesty's Council and to the House of Assembly, and to which you have in such pointed terms called their attention, is indeed of a painful and momentous nature; that despatch contains matter calculated

by turns to excite alike our alarm, our astonishment, and our indignation : alarm at the meditated attack upon, and threatened invasion of our rights of property ; astonishment to perceive even the Ministers of the Crown becoming parties to such measures ; and indignation to find that the hackneyed arguments of alleged barbarities and cruelties in the West Indies, have still charms to attract the attention of men, who from their education, habit, and stations, are bound to have better informed themselves on such important subjects.

From this organized and determined attack which the enemies of the colonies have lately made on those unfortunate persons, who either by inheritance, or the fruits of their industry, have acquired property in this now devoted portion of the British dominions, it appears equally difficult to protect or defend them. They have no appeal but to those very tribunals which have already condemned and pronounced judgment upon them ; and that too upon unfounded and ex-parte statements ; evidence of the real condition of the colonies, they appear to have neither had nor required. The most solemn asseverations of the colonists have been treated with levity or contumely. The documents put forth even by their legislatures and other public bodies, are rejected as falsehoods or evasions. Those very laws which are administered by men of known character and ability, selected by His Majesty as his representatives, are stigmatized and pronounced worse than dead letters ; forasmuch as they are said to be merely framed for the purpose of lulling the expression of public opinion in the parent state, or to induce well-meaning persons there to believe, that the negroes are treated like human creatures ; while in reality every cruelty that the worst and most depraved state of the human mind can conceive or inflict, it is alleged is daily, nay hourly, practised on this class of the society. A perverted and fallacious mode of reasoning which a moment's reflection in an unprejudiced and well constituted mind cannot fail to detect and expose ; for unceasing labour, uniform punishment, and habitual starvation will infallibly produce those consequences on a society of negroes, which must lead to their early and certain extinction, and consequently to the master's ruin ; but the proprietors are neither so blinded to their own interest, and so deadened to all the finer feelings of human nature, as their adversaries would wish to have them ; and this we hope presently to shew. This, and various other arguments founded alone on the moving principle of self interest, must long since have convinced all those, on whom for any honest purpose conviction is worth impressing, that the horrible calumnies put forth against the colonists, must have their origin in some deep-seated prejudice, or inveterate hostility, to the happiness and prosperity of the West Indies, rather than in the ostensible object of improving the condition of the slaves.

Assailed as they are by such fanaticism and such malice, it might perhaps be prudent in the colonists to content themselves with remaining quiet, even under the most false and basest imputations, when they are persuaded that they will neither gain credit for their assertions, nor enforce conviction by their arguments.—But the Council and House of Assembly of Saint Vincent, feel that they owe to the unprejudiced part of the great and admired nation, of which they have always been proud that this colony formed even a small dependency, to offer some explanation of the motives which will influence their conduct in endeavouring to extricate the colonists from this perplexing and dangerous labyrinth, into which they have been drawn, by following that system of laws, and adhering to those commercial regulations of Great Britain, which have uniformly encouraged and guided them for more than a century and a half.

Their first most important and unshaken proposition, that principle from which they will never swerve but with the wreck of their lives and fortunes, is this : That under the sanction and protection of those laws, those regulations,

and the encouragement at divers times from the Crown, and through its representatives by proclamations, the colonists acquired property in negroes to an enormous amount, which, with certain conditions annexed, they contend is as *bond fide* a vested right; and one in which they have as clear, as legal, and as indefeasible a title as any person in any part of the British Empire can by law, or the constitution of the country, take to any other description of property.

This being the solid ground on which the rights of the colonists rest, it becomes equally idle and absurd to suppose, that they will either quietly consent to any invasion of this sacred principle, or be themselves instrumental to any alienation of those rights. In the one case they would be the ministers of their own ruin; and in the other, they would display an imbecility of spirit, and an incapacity to defend by reason and argument, what they have acquired by perseverance in labour, or by honest and honourable inheritance. Those admitted conditions, as attached to this right of property in negroes, are considered equally binding and sacred as obligations, and duties on the master. They comprehend protection, civil as well as personal, ample and comfortable maintenance, an extension to them of as many of the political rights of free men, as is compatible with their safe and good government by their masters; and in all respects contributing to their moral and religious improvement, and social comfort and happiness. On the question of these conditions, or rather on the mode in which they are fulfilled by the master, the colonists are now again at issue, not only with their old and implacable enemies, but unfortunately with their new and more dangerous adversaries, the ministers of the Crown. For so long as His Majesty's government remained as it were on the neutral ground, between the colonies and their opponents, so long as they placed any reliance on the statements of the servants of the Crown,—that the march in the moral improvement and ameliorated personal condition of the negroes had commenced, and although at first necessarily slow, still that it was progressive,—the Legislatures and Proprietors had little to oppose or apprehend. They looked up to the government as a kind of dispassionate judicial tribunal, where the scales of justice would neither be inclined against them by popular prejudice, monkish enthusiasm, nor parliamentary influence. The legislature of Saint Vincent by its enactments, was endeavouring to shew to this tribunal that, as in the progress of time a new remedy was called for, they applied it to repair or improve what was found imperfect and defective in the old slave system; and as the delicate frame of this extraordinary state of society could receive and imbibe without danger, other and more active stimulants, those whose duty it was to watch the pulse of this feverish population, were always willing to apply them. But now, when the Parliament and the Government appear to have gone over so unequivocally to the side of the zealots and enthusiasts, what alternative remains for the colonists, but to fix themselves, like men determined to perish on the threshold of their rights and properties; and to resist in the most prompt and decided manner, and by every justifiable means, any attempt from whatever quarter, to infringe their undoubted privilege to legislate for themselves in all matters affecting their internal policy.

It now remains to be shewn, not only what has been done towards the fulfilment of those admitted conditions, this moral and religious improvement in the habits of the negroes, but to display to the nation at large, and if possible to open the eyes of His Majesty's government, to the real and comfortable, but much misrepresented, condition of this class of the colonial population.

It will not be denied that at the abolition of the slave trade, in 1808, the greater proportion of the negroes in Saint Vincent were natives of Africa,

who brought with them enough of the superstition and barbarism of their country to infect the remainder of their lives; and that the females bore numerically, no kind of proportion to the men. Here then are presented two mischiefs, arising out of the previous state of things, which no time short of an age could be expected fully to remedy, nor could a shorter period adjust this anomalous society to that equal and natural state, which might enable any just or satisfactory estimate to be made of the probabilities of a natural increase in their numbers at Saint Vincent. But what say the adversaries of the colonies? In less than fifteen years, they exclaim, the legislatures have done worse than nothing, for that still the negro population decreases. And this they affirm can only be caused by the masters extracting from them the extreme quantity of labour which they are capable of performing, and at the same time confining them to the smallest quantity of food which can possibly support nature.

In September, 1820, the Legislature of Saint Vincent repealed the old Slave Law, which had been in force ever since the colony had been of importance, and after much caution, deliberation, and anxious inquiry amongst all classes of persons, enacted a new and improved law for the government and regulation of slaves. This law, it may be truly said, is enforced with as much earnestness and good faith as any law in any other country. And for this good reason, (if it be necessary to give any reason for enforcing and obeying the laws,) that it is equally the interest of the master and conducive to the comfort and happiness of the slave, that it should be enforced. The 6th Section of that law requires,—“That all owners, proprietors, and possessors of slaves, or in their absence, their manager or overseers, shall, as much as in them lies, promote the instruction of their slaves in the principles of the christian religion, and the moral duties of mankind, and as soon as conveniently can be, shall cause them to be baptized, which ceremony the clergymen of the respective parishes shall perform when required.”

At present there is in the town of Kingstown, the new established Church, built at a great expense to the colony, a very spacious Methodist Meeting-House, and a Roman Catholic Chapel, in each of which divine service is performed every Sunday, and in the Methodist meeting nearly every hour throughout that day, and till eight o'clock in the evening, not only with decorum, and without molestation, but with the good will and cheerful assent of every proprietor in the colony.—They, instead of forbidding their negroes attending those places of worship, encourage them in their attendance by every justifiable indulgence. Besides these places of divine worship in Kingstown, there are four or five other Methodist meeting houses, throughout the parishes, which are all well attended by the plantation negroes, with the same approbation and concurrence on the part of their masters, who encourage these country meetings, in order to save the negroes a tiresome journey to Kingstown for the same purpose. In this place it may not be unnecessary to offer a most positive and flat denial to that cruel and unmanly calumny; that the slaves, instead of being allowed the exercise of their religious duties on the Lord's day, are driven by the commands of their masters to labour, on that day of rest to all other beings, in the provision grounds, to raise a maintenance for themselves. This is one of the falsehoods which the very propagators of must have known to be so, because it is impossible that the most depraved of their spies in the Island of Saint Vincent, would venture to assert as fact, that which every negro in the colony could, if questioned, falsify, which is also most effectually done by the 8th Section of the new Slave Law which provides:—

“That during crop not only shall the slaves as heretofore be exempted from the labour of the estate or plantation on Sundays, but that no mills

“ shall be put about or worked, between the hours of seven o'clock on Saturday night, and four o'clock on Monday morning, under the penalty of twenty pounds, to be recovered against the proprietor, manager, overseer or other person having the charge of such estate.”

In this clause of the act we perceive an anxiety on the part of the Legislature to prevent the most trifling encroachment on the right of the slaves to Sunday as a day of rest, for it is only during crop that any kind of plantation labour can be done in the night.

The sugar for the year is generally all manufactured, or as it is commonly called, the crop, is taken off early in June, at which season the drought which generally prevails for some months before, is then succeeded by genial and constant showers of rain, from this time, when nature bountifully assists their labour, till Christmas, when the weather becomes dry, the plantation negroes have one entire day in every week allowed them, exclusive of Sunday, to cultivate provisions for food, and fruit and vegetable for sale in the market. On this day thus allotted them, it is the duty of the manager to ascertain that all the negroes repair to their respective provision grounds, which in extent are generally bounded only by the power of the negro to cultivate. But a good-disposed negro, or even one of ordinary habits and inclinations, requires neither force, threat nor persuasion, to induce him to the performance of that which his interest and comfort alike have convinced him is an act of real kindness on the part of his master. The bad-disposed negro—the one who if he lived in the wilderness of Africa, would be the slave of some capricious barbarian, or who, if he had been born in England with a white face would either be found on the gibbet, in the hulks or on the parish—such a negro requires, and indeed must have for his own sake, not a driver with a cart-whip to hunt him into his grounds, but the constant eye of a white overseer or of some better disposed and more industrious fellow slave to keep him at that employment, from the fruits of which he not only derives a comfortable and, it may be said, an independent subsistence, but a surplus, for which he can at all times procure a ready sale, and thereby be enabled to purchase some of the luxuries of life, which never reach the lips of thousands of the happiest peasantry in Europe. The Sunday is to the negroes of Saint Vincent truly a day of rest from labour. It is a day, the appropriation of which, as regards labour, the master neither has, nor pretends to have, a control over; like a father or kind friend, he frequently cautions them against falling into excesses, or being involved in broils and disputes, which often follow a Sunday spent in visiting, or in long journeys from their homes; but we repeat, without fear of contradiction, and with a challenge of inquiry into the fact, that if a negro works in his grounds on a Sunday, he does it on the same principle that has influenced men in the most civilized and freest countries, where it has been found necessary to enforce the divine commandment by legal enactment. It is either a passion for gain, or he feels himself in the exercise of a right which he values, of either working or sleeping on that day which is his own. In addition to the Sunday as a day of rest, and of one other day given each week during the half year, the negroes in Saint Vincent are allowed three days as holidays, at Christmas; and at that time, in addition to all other allowances, they receive four pounds of Irish pork, four pounds of fine flour or rice, sugar, rum and tobacco. And any dispassionate unprejudiced persons who shall ever have seen them during this festival, dressed in their holiday suits, will be able to judge if they be an oppressed, overworked, broken-hearted, discontented race.

The abolishing Sunday markets necessarily and obviously presents itself at this stage of the argument. This is a condition the enemies of the colonies insist upon, not because it will be hailed by the slaves as a boon, but because

they conclude the substitution of some other day, would diminish in the proportion of one fifth or one sixth the advantages the master at present derives from the labour of his negroes. The proprietor cannot afford this sacrifice. What would any proprietor in England think of a proposition by which he should be called upon to surrender fifteen or twenty per cent of the revenue of his estate for ever, and that too by persons who were not themselves to be affected, in the like or any other proportion by the measure? But this is precisely what a West India proprietor is now gravely called upon to do, with as little ceremony as men are requested to subscribe to a new book, or to give money towards some improvement in science. It is a fact known to every person intimately acquainted with the habits of negroes, that the industrious one, who goes to market on Sunday, finishes his business of sale and purchase in one or two hours. After that, if the person be of a religious disposition, he either goes to church or meeting in town, or returns home and does the same at the place nearest him. The negro is thus enabled, as is the case in many other parts of the world, to attend to his religious as well as temporal duties, on the same day, without any outrage of either. But let it be examined and seen what the effect would be on the master, of allowing another day for marketing. At present not more than one negro out of ten of a gang goes to market on the same day; but if the time were altered and to be taken from the master, every one would be entitled to and expect the same indulgence; what reason or argument would restrain them, or where is the master who would venture on the invidious and dangerous office of pointing out which of his slaves should receive this favour. At present it is an arrangement entirely with the grown negroes themselves, or heads of families. It is not inconvenient to themselves, it is not disadvantageous to the master, and above all, it does not appear to interfere improperly with the performance of their religious duties. In fact, it may safely be asserted that the negroes will not thank those who shall cause any material alteration to be made in their present mode of attending market, unless an entire day of their masters' be given them for that purpose; but this appears a sacrifice equally uncalled for, and one which the planters of Saint Vincent are determined not to make. The Assembly will cheerfully concur with His Majesty's ministers to the extent of the almost exhausted resources of the colony, in establishing and maintaining a sufficient number of Clergymen under episcopal control; and when these pious and educated ministers, shall have acquired sufficient influence over the minds of their congregations to warrant a belief that other rights and privileges may be safely extended to them, the Legislature will lend an anxious and attentive ear to such representations, confident that the strongest hold the master can have on the affections of his servant, is that which has been formed by kindness and attention.

The subject now leads to another, and perhaps, the most important measure, which has been suggested to the consideration of the colonies; the admission of slave testimony into courts of justice. But it may be shewn that in Saint Vincent as much has already been done on this branch of the subject as can safely be conceded in the present state of negro morals. Under the provisions of the Old Slave Act, slaves when charged with capital offences were tried before three magistrates, but some years past they were taken from this kind of tribunal, and by law made indictable for felonies affecting life, or even transportable offences, at the Court of Grand Sessions, and tried by jury in the same manner as white or other free persons. The court is required to assign counsel for the prisoner, and the evidence of slaves taken for and against the prisoners. But here again let the law speak for itself, in the 60th and 61st sections of the Slave Act:

“That if any slave or slaves shall enter into, or be concerned in any

“ rebellion or rebellious conspiracy, or commit any murder, felony, burglary,
 “ robbery, or set fire to any house, works, outhouse, negro-house, magass-house,
 “ o other building, cane-piece, grass or corn-piece, or break into such house,
 “ works, outhouse, negro-house or other building in the day time, no person
 “ being therein, and steal thereout, or compass or imagine the death of any
 “ white person, and declare the same, by any overt act, or commit any other
 “ crime not herein provided for, the commission of which by white persons,
 “ or persons of free condition, would subject them to a prosecution for felony,
 “ by the laws of these islands or the laws of Great Britain in force here,
 “ such slave or slaves shall for every such offence or offences, upon trial and
 “ conviction thereof in manner hereinafter mentioned, suffer death, without
 “ benefit of clergy, transportation, or such other punishment as would be
 “ inflicted upon any such white or free person according to the nature and
 “ extent of the offence.—

And

“ That if any slave or slaves, charged with any of the before-mentioned of-
 “ fences, or any other offence whatsoever, which may render him, her, or them
 “ liable to the punishment of death, transportation or imprisonment for life,
 “ shall be tried in all respects in the same manner as free persons at the court
 “ of Sessions, (save and except that the evidence of any slave or slaves, on
 “ oath, shall in such case be taken for and against slaves, but in no other case
 “ whatever be admissible,) and six days before the sitting of the court, the
 “ clerk of the crown and peace shall deliver a list of all the slaves so to be
 “ tried, to the president of the court, who shall thereupon appoint a barrister
 “ to act as counsel for each prisoner, and in case of an indictment between the
 “ said six days and the sitting of the court, then, and in such case, counsel
 “ shall be appointed for the prisoner as soon as may be; and the jury shall, if
 “ they find the prisoner guilty, ascertain the value of him or her, and such
 “ value of such condemned slave shall be paid to the owner or possessor of
 “ such slave so condemned or executed, out of the public treasury of these
 “ islands, upon producing the certificate of such condemnation and appraise-
 “ ment, under the hand and seal of the judge presiding at the trial of such
 “ slave or slaves, and also the certificate of the provost-martial-general, of the
 “ execution, transportation, or imprisonment, of such slave or slaves, except
 “ it shall appear that the owner or possessor of such slave or slaves had re-
 “ fused to deliver up such slave or slaves.”

Under this law, two slaves were lately indicted. One for attempting to strike, or cut down a white man with a sabre; and the other, for a cruel and unmerciful beating of a white man, with a bludgeon, till his life was despaired of. In both these cases slave evidence was tendered and received for the prisoners, although opposed to the testimony of free persons for the prosecution. In the former case the prisoner was found guilty, and sentenced to three months hard labour in public; and in the latter, the jury returned a verdict of not guilty, the defence establishing the fact that the prisoner found the white man unexpectedly in bed with his wife, in his own house at midnight. These cases are mentioned to illustrate the present state of the laws as they really affect the evidence of slaves, and because they shew that voluntarily, and without any external goading, the legislature of Saint Vincent has gone half way in this object, so much insisted on by persons ignorant of its consequences in the fullest extent. The commissioners of inquiry into the administration of justice in the colonies, were in court on the day when these trials took place. But it appears that at the Colonial Office, where all the laws of the colony are sent, every enactment which shews any disposition on the part of the legislature to improve the condition of the slaves, is either neglected or forgotten. Certain it is, they are never mentioned with approbation, or explained in par-

liament, to justify the colonists from the incessant attacks made on them there. In the Colonial Office however, the laws of mortgage and of judgment in the colonies, appear to be searched with all the diligence and acumen of the legal profession, but for the extraordinary purpose of devising means to unsettle and unhinge all property and all security on property, with the view, as it is alleged, of facilitating manumissions, all the impediments to which are perfectly fanciful, or the offspring of a disturbed or enthusiastical imagination. If ever there was any legal obstacle to the manumission of slaves, it has been removed by the 15th section of the new slave act which provides

“ That all manumissions of any slave or slaves, duly executed and recorded in the Register’s Office of these islands, shall be good, valid, and effectual conveyances in the law, to all intents and purposes whatsoever, and the registrar of deeds, or his lawful deputy, shall publish the names of the parties executing the deed, and the names of the slave or slaves thereby manumitted, in three successive gazettes or other newspapers published next after the acknowledgment of such manumission, at the expense of the party recording the deed.

“ Provided always, that no owner or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee, executor, or otherwise, shall manumit any such slave or slaves, on account, or by reason of such slave or slaves being rendered incapable of labour or service to his, her, or their owner or possessor, by means of sickness, age, or infirmity of mind or body, under the penalty of two hundred pounds, to be recovered before any two justices of the peace, and upon conviction, to be levied by warrant under their hands and seals, directed to the Provost Marshal General or his lawful deputy, which fine shall be paid to the treasurer or his lawful deputy, who is hereby empowered and directed to allow to each of the said slave or slaves so made free, the sum of twenty pounds per annum, to be paid quarterly for his or her maintenance and support during life.”

And also by the 16th section.

“ And whereas advantages may be taken of the ignorance of persons who may have been imperfectly manumitted, in order to detain them in slavery : Be it enacted by the authority aforesaid, That any person or persons who shall knowingly or wilfully keep or detain, or cause to be kept or detained, or connive at, or assist in, the detention of any person or persons whatsoever in slavery, who shall be entitled to freedom, he, she, or they, upon the freedom of such person or persons being established, either by the judgment of any court, or the execution of any deed or will, or any other satisfactory proof to be produced before any two justices of the peace, shall forfeit and pay to such person or persons so detained, treble the amount of any hire that such person or persons would have produced during the time he, she, or they were so detained in slavery, the rate of which hire shall be settled by the said justices, to be levied on the goods, chattels and slaves of the offender or offenders, by warrant under the hands and seals of two justices, directed to the Provost Marshal General, or his lawful deputy.”

Here is no stamp required, no bond to be given, and the very act of according, guards against the loss. The only fees exacted are such as the public officers appointed by government at home, take for recording the deed of manumission. The cases are rare, and indeed it may be said they have not occurred where a slave, with the pecuniary means of obtaining his freedom has not found the parties as well as the laws, to bend to the attainment of his wishes. But the instances are frequent where slaves are known to possess money sufficient to redeem themselves and families without evincing the least disposition to make such an use of their property. Indeed it often happens that negroes are known to lay out their money in the purchase of slaves rather than in releasing themselves from slavery. In such case the rights of the

slave to his own bondsman, may be said to be recognised by the common law or usage of the colony, which equally protects him in the possession of other descriptions of wealth. No instance has ever been known in Saint Vincent of a slave having complained that his master had dispossessed him of any description of property, but the master can sue in the courts for his slave, and obtain judgment against a white or free man upon proof of the debt. The slaves in Saint Vincent, by the common sanction and usage of the society, have been and are now, in fact, and know themselves to be as well protected in the possession of property, as any other class of persons. Who has made the complaint that they are not? Wherever he be, let him come forth and make out his case. Let the grievance be established, and then the remedy can be applied. But it is more than childish to call upon the legislatures to make laws which are not required, and of the want of which, complaint has never been made. No one circumstance can possibly expose the genuine ignorance of the party now interfering with the slave laws and regulations, more than the proposal for establishing saving banks for their property.

The negroes are generally intelligent, and they know enough of calculations to prevent themselves from being imposed upon in the bargains they make, but their arithmetic has not yet reached either simple or compound interest.

Their ideas of wealth do not go beyond personal possession. No miser of any age or country ever knew more delight in hanging over his hoards of money, than does the negro, in handling his little pouch of dollars or johan-nas. It would not be gold or silver to him, if he could not every day of his life, know and approach the place of its deposit. It may be doubted if even the member for Bramber, with his wide spread fame for humanity and charity, aided by his less known, but equally enthusiastical co-adjutor, Mr. Buxton, would find confidence enough to be trusted *with the all*, the more than life, the cash of a negro. The experiment would be too chimerical to require either the attempt or the refutation. They not only conceal the possession of money from white persons, but generally from their nearest relatives and friends, many of whom when around the death-bed of the old persons and heads of their families, find themselves bequeathed money which they never supposed was so near them. These minute facts, or the relation of them, may seem tedious and unprofitable, but the negro character appears so little understood in England, and so much misrepresented, that the great object to be dreaded is that in the rage for speculating in West India legislation, measures may be insisted on which will as effectually, in their operation, harass and perplex the slave, as they will ultimately prove ruinous to the master.

Our negroes saw the year commence cheerful and happy, and they were slowly, but surely, proceeding to a state of mental and physical improvement, out of which were certain to grow, happiness for themselves, and advantage to their masters. But the wild and undigested theories of men, who, however benevolent their intentions, shew themselves perfectly ignorant of the system they seek to improve, have reached their ears, and excited sentiments and ideas which will convert them into a gloomy, dissatisfied, and turbulent population, producing a tendency directly the reverse of what those, who mistakingly call themselves their friends, expect.

The remaining objections of any importance to the present system are, That the cart-whip is still used to drive the negroes to their work; that from its constant use, their minds are perpetually in a state of trepidation and distress, and that the females are often exposed and punished in such an outrageous and indecent manner as to stifle in them all sense of shame or delicacy, whereby they are degraded almost to the level of brutes. Secondly, that the slaves are liable by the operation of the laws, to be removed from the lands which have so long been their home, separated from their nearest and best connexions, and

their families divided and sold for payment of their master's debts. And lastly, that marriage is not only not encouraged, but prohibited, and that consequently, no permanent domestic ties or attachments can be formed to promote social comforts, and to produce legitimate and improved offspring.

On each of these points it may be useful to shew the law as it is applicable to it, and then to state the common usage of the colony as assisting, affecting, or improving the operation of the law. And first, by the 18th section of the Slave Act it is provided,

“ That in order to restrain arbitrary punishment, no slave on any plantation or estate, shall receive more than ten stripes at one time, and for one offence, unless the owner, attorney, guardian, executor, administrator, or manager of such estate or plantation, having such slave under his care, shall be present; and no such owner, attorney, guardian, administrator, or manager, shall, on any account, punish a slave with more than thirty-nine stripes at one time, and for one offence, nor inflict, or suffer to be inflicted, such last-mentioned punishment, nor any other number of stripes in the same week, nor until the delinquent has recovered from the effects of any former punishment, under a penalty not less than fifteen pounds, or more than thirty pounds, for every offence, to be recovered against the person directing or permitting such punishment in a summary way, before any two justices of the peace, and upon conviction, to be levied by their warrant directed to the Provost Marshal General, besides being subject to be prosecuted by indictment in the court of Grand Sessions of the Peace of these islands as for an offence against this Act.”

By the 20th section it is also enacted,

“ That in case any justice of the peace shall receive any complaint or probable intelligence from any slave, or otherwise, that any slave or slaves has or have been wantonly or improperly punished or confined contrary to the true intent and meaning of this act, it shall and may be lawful to and for such justice to associate one other justice with him, and to issue their warrant to any constable, ordering him immediately to proceed to the place where such slave, or slaves, are or is confined, and to release and bring him, her, or them, before the justices, who are hereby authorized to commit the said slave, or slaves, to the gaol, until inquiry shall be made into the facts; and if upon such inquiry it shall be found that the said complaint is true, it shall be the duty of the said justices, and they are hereby required to prosecute the offender according to law; but if it shall appear that such complaint was groundless, the said justices shall punish the complainant, and the person giving information thereof, if a free person by imprisonment, not exceeding ten days, and if a slave, by any number of stripes not exceeding thirty-nine, and commitment to hard labour for a period not exceeding ten days; and the costs and charges of the prosecution shall be paid by the treasurer or his lawful deputy, in case the owner or owners of the slave shall not be capable of paying them upon the certificate of the president of the court to that effect.”

And by the 21st section,

“ That if any owner, possessor, or other person whatsoever shall at his, her, or their own will and pleasure, or by his, her, or their direction, or with his, her, or their knowledge, sufferance, privity, or consent, wantonly or cruelly whip, maltreat, beat, bruise, cut, wound, or imprison, or keep in confinement, without sufficient support, any slave or slaves, he, she, or they shall be liable to be indicted for such offence, and upon conviction, shall be punished by fine not exceeding one hundred and fifty pounds, or imprisonment not exceeding twelve months, or both, for each and every slave so wounded, punished, or confined as aforesaid; and such punishment is declared to be without prejudice to any

“ action that may be brought for the recovery of treble the value of such slave or slaves for or on account of the same, in case such slave or slaves shall not be the absolute and entire property of the offender. And in atrocious cases where the owner of such slave or slaves shall be convicted of such offence, the court are hereby empowered, in case they shall think it necessary for the future protection of such slave or slaves, to declare him, her, or them, free and discharged from all manner of servitude whatsoever, and to order and direct the said one hundred and fifty pounds to be paid to the treasurer or his lawful deputy, who shall pay to each of the said slaves so made free, the sum of fifteen pounds per annum, for his or her maintenance and support during life.”

It is true that on most plantations the driver as he is called, (for the West Indians have been extremely unfortunate in terms,) or the negro overseer who is always promoted to this situation, for his superior intelligence, honesty and humanity, whose employment it is to collect the labourers in the field, and to superintend them at their work, carries this cart-whip in his hand, as a symbol of his authority. It is his business to repair to the place of labour early in the morning, and by the smack of his whip to give notice to the other negroes that it is time for them to assemble, as well as of the place, where their presence is required. The same use is made of the whip at noon and at night as a signal that they may give up work and retire to their homes. But the reading of the 18th Section of the Slave Act, (already quoted,) must be convincing proof that this driver is neither required nor permitted to punish the negroes under his charge at his will and pleasure.

For the legislature which restrained its use in the overseer of the estate, to whom such an extensive and valuable property is often solely intrusted, and forbids his inflicting more than ten stripes, unless the proprietor or his representative be present, could never have contemplated that the negro driver was to whip at his own discretion. The truth is, that no such practice being allowed, the legislature did not provide against that which never did, and never could happen. A good disposed negro has nothing to fear from the driver, and one of a different character has only to dread a representation of his negligence, or improper conduct to the manager at noon, or in the evening when he makes his report of the business of the day, and receives his instructions for the following. Punishment with the cart-whip has long since ceased to be used but in serious transgressions, and then with the moderation prescribed by the law. The females are never exposed and whipped in the manner represented; many of those who have asserted this as fact, knew the reverse. Confinement in the stocks, withholding for a week some little extra perquisite they have been allowed, and many other ways of making them feel and suffer for their misconduct are resorted to, till forbearance would be no longer serviceable to themselves, or their connexions. The women are often the most intemperate and turbulent persons in the gang; and when at last punishment can no longer be delayed, females are then employed about them, and for the express purpose of preventing this exposure so much complained of; and many persons who have been living for twenty years on plantations have heard more of it in the debates in Parliament, and the inflammatory pamphlets in England, than they ever witnessed in Saint Vincent. It is, in fact, one of the calumnies best calculated to excite an abhorrence for the West Indians, and to arouse that torrent of public feeling in England which they will be the least able to resist. The constant custom in Saint Vincent, when severe punishment is called for, is to apply to two magistrates, before whom the offender is carried. The charge against him is made in his presence, and almost invariably proved upon him by persons of his own class, and often belonging to the same gang, for negroes do not like to be robbed, beaten, or calumniated by other negroes, any more than white men, and are often restless

till they obtain satisfaction. The culprit is then heard in his defence, and when punishment is ordered, he submits to the justice of his sentence. The manager or proprietor is thus relieved from much responsibility, and the punishment has a more serious and lasting effect on the offender. Guarded as the slaves have been shewn to be from excessive punishment by the laws, protected from it by the true interest and best inclinations of the master, aided by the superintending authority of the magistrates, is it possible that any unprejudiced person can still give credit to the assertions that the cart-whip is a source of eternal punishment and distress to the slave? There is no party or individual in the colony who is not willing to take from the hands of the driver, that which he is only allowed to carry as a mark of his authority. But the time and the mode must be left to those only who know how difficult, nay how dangerous, it is to make the most immaterial alteration in a system built upon the unsolid foundations of influence and opinion. The time is still far distant, when it would be either prudent or safe to hint to this class of persons, that they are no longer amenable to corporal punishment, restrained and guarded as the application of it now is.

To the second objection which embraces so many conflicting interests, it is only necessary to reply that the rights of creditors are too sacred, too finely interwoven into the system of colonial jurisprudence, and too intimately connected with the stability of property, to be lightly or intemperately invaded. The fourth clause of the Slave Act provides :

“ That for the better *preserving slaves on estates* in these islands, and for saving estates from being ruined by the entire recovery of legacies left by testators, and of debts due from their estates, which might with more ease be paid without injuring any person concerned, by the allowance of time for the payment of such debts and legacies after they shall become due, it shall, and may be lawful for any devisee, trustee, executor, or administrator, not having sufficient effects in his, or their hands belonging to the testator, intestate, or trust estate, out of his, her, or their own monies, to pay and satisfy, or cause to be paid and satisfied, any legacy or just debt, after the same shall become due from the estate; *that the slaves may be preserved on the plantation, and be prevented from being levied on and carried from it*, and the money which any devisee, trustee, executor, or administrator, shall pay and satisfy, or cause to be paid and satisfied, for the discharging such legacies and debts as aforesaid, shall remain charged and secured upon the estate or estates, for the relief of which the same shall be so paid as aforesaid, with interest thereon, at and after the rate of six pounds per cent. per annum, until the same be fully paid and satisfied.”

And it may be said this is doing all that the legislature could well be expected to do. When the West Indies have been prosperous, loans of money were often obtained at five per cent., and the law allows the trustee, executor, or administrator, to charge six per cent. with a security on the property, and certainly with no other motive, but to prevent as much as possible the separation of slaves from the estate. But in Saint Vincent, a solitary instance of this scarcely occurs in twenty years. The negroes have been often removed in the entire gang from one plantation to another, but that has always been from a worn-out impoverished soil to a new and fertile one, and invariably with the consent of the negroes themselves, who are very capable of appreciating the lightened labour and increased advantages of such removal. No person ever thinks of separating families by a sale. Even when disposed of by the marshal under the writ of execution, they are invariably placed in families, and few persons under such circumstances would dare to propose the separation of one of them but with the consent of the parties themselves. Nor do persons wish to become purchasers until they obtain the consent of the

negroes to become their property. It would seem that in England some persons pretend to believe, that not only our natures for charity and for humanity are changed and reversed; but that the cooler calculations of comfort and advantage to ourselves are forgotten, or lost sight of, when we enter the tropics. What man in his senses would be the master of unwilling and reluctant servants if he could avoid it? Or where is the proprietor or manager of an estate who would not prefer conducting his property with the good will and cheerful concurrence of his negroes, which in fact render his business little more than exercise and amusement, to the constant opposition and disquietude which he is sure to encounter in a dissatisfied and reluctant gang, hazarding to the proprietor the improvement and success of his property, and to the manager his employment and reputation as a planter. Tradesmen, domestics, and other unattached negroes to the land, are never disposed of without allowing them the choice of a master, and when sold under execution, they generally prevail on some gentleman whom they esteem, by promises of good conduct and fidelity to become their purchaser.

The 13th and 14th section of the Slave Act shew the anxiety of the legislature, to produce permanent connexions of the sexes, and the beneficial results to be expected therefrom. They provide

“ That for every infant slave which shall be born within these islands, and shall survive three weeks, the midwife and nurse shall each be entitled to demand and receive one dollar; and if there should be no nurse in attendance, the midwife shall be entitled to demand and receive two dollars; and upon every infant slave attaining the age of fifteen months, the mother thereof shall be entitled to demand and receive six dollars, and upon every such infant being incorporated in the grass or vine gang, the mother or person nursing the infant, shall be entitled to demand and receive the further sum of two dollars; the said several premiums or sums of money shall, in the first instance be paid by the owner, or owners, person, or persons, having the direction of the said slaves, but shall be deducted by him, or them, so paying the same, from the public taxes, which shall become due and payable by the owner or owners, possessor or possessors, of the said slaves, next after the payment, by him or them, of the said several sums of money, and the amount thereof charged by the treasurer against the Public.”

And

“ That every female slave who shall have six children living, or who have raised from infancy, and during the period of nurture, a child or children of deceased mothers, and which shall continue to live with her as her adopted child or children, shall have of her own, and of such so raised and adopted child or children, six children living, shall only be employed in light labour in the field or otherwise; and the owner or possessor of every such female slave, shall be exempted from all manner of taxes for such female slave, any thing in the Act commonly called the Poll Tax act, or any other of the Tax Acts of these islands, passed or annually to be passed to the contrary notwithstanding; and a deduction shall be made for all such female slaves, from the taxes of such owner or possessor, upon the certificate of the justice, taking the annual return that proof was given on oath to his satisfaction, not only that the requisite number of children, together with the mother or adopted mother are living, but also that the mother had been employed only in light field or other labour, and was provided with the means of an easy and comfortable maintenance.”

To this last clause it may be added as fact, that the usage of the colony goes further than the strict letter of the law would require, for women with six children are never required to perform *even* “light labour in the field or otherwise” for their masters. They are to all intents and purposes free

persons; with the exception, that they are not allowed to remove themselves from their families or the plantation. But for any purpose of the master, their names are never called, but to receive their allowance of provision or clothing. Such women are rendered more happy, than they ever would be in the enjoyment of freedom, in the common acceptation of the word. In addition to this allowance of food and clothing, they are provided a large and comfortable house, to enable them to have their children around them; they may be said to have a life estate, into as much land as they can cultivate; a medical man must attend and visit them in their hours of sickness, and they know they have in reversion, a comfortable provision for their day of old age and imbecility. Do these things weigh nothing in the scale of human comfort and happiness? Or is there not many a wretched mother in other quarters of the world, with a cheerless remnant of life before her, who would willingly exchange situations with this more fortunate slave in Saint Vincent?

There would be no aversion on the part of slave proprietors, to the introduction of the marriage ceremony amongst them, with the previous consent of the master, on the part of both male and female. It is now, and long has been, the constant object of the master, to encourage and promote those permanent connexions which are marriage in every respect, except in the nonperformance of the ceremony.

The premium given in the 13th section, had expressly this object in view; for the females are very sensible, they seldom have children till this permanent connexion is formed. The first attempt on the part of the master, is to establish it between young persons on his own estate, and after that, to prevail on the women to take husbands from the neighbouring properties. But it should not be concealed, that for several years after puberty, this is an arrangement that is a subject of much solicitude and vexation to the director of a plantation. Many of the men, and sometimes those, who are in other respects the most tractable and valuable, form various attachments, which produce the most tormenting dissensions. Reason, persuasion, and punishment, are alike found ineffectual in correcting or restraining this vicious propensity; till after middle life, when constancy and attachment become very common between the father and mother of a family. Till this fortunate event, the women are often engaged in the most alarming dissensions; and from this source, some of the most atrocious actions are sometimes found to spring. If the actual ceremony be introduced, when these people form their attachments, it should be accompanied by legal enactments to enforce, or rather with a view to enforce a religious adherence to the connexion; otherwise the institution will soon be brought into the utmost contempt, besides many other difficulties which present themselves on the question of enforcing the performance of this ceremony—perhaps the most safe and rational plan will be, to leave this desirable improvement in the condition of the slave to work its own introduction, with the clear understanding, that there is no legal or customary impediment thrown in its way.

In the preceding communication, it has been necessary to have such ample reference to, and quotations from, the laws of the colony, that an apology to your Excellency may be necessary, from the consequent tediousness of it. But these laws which are in the every day administration of, and consequently familiar to, your Excellency, are either unknown or suppressed in the mother country. From the speeches in parliament it would appear, that men who are well informed on almost every other subject, are as ignorant of the internal state of society in these colonies, as of that of China or the most unknown country: they appear to think that there is no law for the slave, but the caprice or cruelty of the master—and that there never was a proprietor of slaves, who was not at the same time capricious and a barbarian. Your Excel-

lency's unprecedentedly long and successful government of this colony, and the consequently intimate nature of your connexion with, and thorough information on the state of, all classes of society in it, eminently qualify you to give an opinion by which the colonists will cheerfully abide.

Those persons in England who will deride or discredit our assertions, will be cautious how they impugn the statements and opinions of a man, equally zealous in the discharge of his duties as a governor, as he is alive to the national prosperity and greatness of his country.

For the system of slavery as it now exists, the proprietors in no respect consider themselves responsible. It has grown up under the fostering care and protecting hand of the nation, and any propositions which positively or virtually tend to unsettle or to depreciate the property of the master, are manifestly unjust. Whenever they are made, the colonists will not *contumaciously*, but they will firmly and unceasingly oppose them, no matter in what quarter they originate, or by what authority they are supported.

The Council and House of Assembly have here endeavoured to bring under the observation of His Majesty's Ministers, a minute and faithful picture of the real condition of the slaves in Saint Vincent: whatever credit it may gain for honesty and fidelity of statement, it is hoped it will shew a case that certainly does not call for any thing like a contest between the legislature of the parent state, and those of the colonies; or for the adoption of measures, which would alienate the affections of a class of subjects, ever proverbial for their loyalty to the throne, and attachment to the constitution of their common country.

We have the honour to be, Sir,

Your Excellency's most obedient Servants,

WILLIAM J. STRUTH,

President of the Council, P. T.

JOHN DALGELL, Speaker.

To His Excellency,

Rear Admiral,

Sir Charles Brisbane, K.C.B,

&c. &c. &c.

The foregoing letter was unanimously adopted by both Houses of the Legislature, as their reply to the communication from His Excellency the Governor.

Dated this fourth day of September, one thousand eight hundred and twenty-three.

GEORGE LIONEL DAWSON,

Clerk of Council.

Herbert P. Cox,

Clerk of the Assembly.

St. Vincent, 6th September, 1823.

SIR,

The despatch from Lord Bathurst, which your Excellency submitted to the Council and the House of Assembly on the 2d instant, had called into action the most intense anxiety, and engaged the deepest consideration of these branches of the legislature in framing a reply to that momentous communication which they had scarcely concluded, when the colony in general was

thrown into the greatest consternation, on receiving the intelligence of an alarming and extensive insurrection of the slaves in Demerara. The house being in session, it is as impossible as it would be improper for them to refrain from addressing your Excellency on this alarming occasion; and while we ourselves are perhaps treading on those very combustible materials which will soon explode in our destruction.

This disaster has not come upon us unlooked for. Those who have the greatest experience of the sentiments and feelings of the class of persons in question, and were consequently best enabled to form correct opinions of the results to be apprehended from the late ill-advised and intemperate measures adopted in Parliament, have for some weeks anticipated a similar calamity. And afflicting as it is, it will prove we fear a faint prelude only to other scenes of horror and devastation, which these unfortunate and devoted colonies are destined shortly to witness, unless some firm, unbiassed, and patriotic hand speedily seize the only remaining means to avert so much moral and political calamity. The wild, indigested, and intemperate theories of bigots and fanatics must no longer be permitted to influence the colonial councils of the nation, and in their stead we require those temperate, unbiassed, and rational measures, the offspring of masculine, calculating minds—the energies of decided unshackled statesmen. Men who have been taught to distinguish between the pure religion of God and the base and adulterated faith of fanatical sectarians and enthusiasts; men who know how to distinguish between the general morality of wisdom and goodness, and that spurious system of ethics, which passes at its own door unaided and without notice countless thousands, immersed in positive wretchedness and wo, to engage in a distant pursuit of uncertain and doubtful distress, and which craves and hungers after false and delusive projects of humanity, which the propagators would adopt and enforce, at the expense of the personal anguish of millions, or although they should in their attempt undermine and jeopardize that fabric of national prosperity and happiness, reared by centuries of the labour and ability of our ancestors.

In our communication of the 4th instant to your Excellency, every pains were bestowed, and every argument, of which we were masters, used to convince His Majesty's Government of the delusion under which they labour, in giving implicit credit to the overcharged and malicious statements of the condition of the slaves in the West Indies, and to warn them of the consequences that must infallibly result from a perseverance in the measures they have lately adopted.

In consequence of those measures, the hitherto peaceable and contented Negroes of Demerara have reared the flag of rebellion and massacre. How soon it may wave and spread its desolating effects over the now beautiful and cultivated valleys of our once happy and prosperous colony, it would be unwise or intemperate to predict. But we call upon our brother colonists, our common countrymen of Britain, and upon mankind at large, to witness that we hold those unfeeling and unrelenting men responsible, who have never ceased to persecute us. And that severe retributive justice must, sooner or later, overtake them for every drop of blood that may be spilled, and for every hour of grief and anguish which may be endured by those whom their machinations and malevolence have driven, with their lives, families, and fortunes, to the verge of the most cruel destruction. Under such trying circumstances, circumvented by so many and such dangerous enemies, we beseech your Excellency to use that influence which your extensive local information must give you with Government, to induce it to interpose its influence in behalf of these unhappy colonies, before the time shall have gone by, when any efforts whatever can save them.

We implore His Majesty to disclaim all further intention of, or at least to refrain from any further interference at present with the internal policy of the colonies. This will be the talisman: now one prompt and decided exclamation,

one well applied word, may allay and subdue this combustible material, which if fairly ignited, neither fleets nor armies will ever after control or extinguish.

Surely the colonists have still some of those claims on the justice of the mother-country, which by men of business may be considered equivalent to its further forbearance and protection. The lands in this colony were originally sold by the crown for valuable consideration in money to men, who in their exertions to render them alike valuable to themselves and productive to the nation, either perished in the pestilential marshes and forests, were killed by the enemies of their country fighting in defence of the colony, or died broken-hearted from grief and disappointment in never realizing the prospects which the government held out as inducements to purchase the lands from the crown, one of those was the facility with which they would be enabled to people those lands with negroes from Africa; but by far the most important of all was the national faith pledged to encourage and protect those settlers in the quiet and undisturbed possession of their lands and slaves, and in the enjoyment of those rights and privileges as British colonists, without which it was well known the possession of this description of property would prove a mere delusion. But now witness the reverse of all this: The plighted faith of the nation violated—the subject entrapped into the purchase of lands already rendered worse than valueless by the acts of the government—and the immediate descendants of those very purchasers scarcely cleansed from the bloodshed of a sanguinary revolt of the Charaibbs, when they are again threatened with a renewal of those scenes of intestine horrors and massacre, which no feeling mind can contemplate without the deepest distress.

Those persons who attempt to lead the nation and government astray, by insisting on the fact that these colonies may be made equally valuable and productive to Great Britain, under a different system, are little less than traitors to their country. They well know the very reverse is the truth, and their favourite country of Saint Domingo is an existing proof of the fallacy of their assertions amongst the tissue of falsehoods with which they saturate the populace of England in pamphlets, and which their partisans in parliament venture to hazard in that honourable assembly, they never expatiate on the fruits of the labour, industry, and perseverance of that island, which they have so often eulogised as the “Terrestrial Elysium.”—That would be advancing facts such as men of business and statesmen examine into,—facts requiring demonstration and equally capable of being immediately and satisfactorily refuted: for an honourable, well-informed, and unprejudiced member will listen for hours to a declamatory tirade of falsehood and impertinence on West India slavery, who would consider himself insulted by ignorant speculations in political economy, or who would soon detect and expose exaggerated statements of the civilization, wealth, and prosperity of Hayti.

But the current of fashionable and popular politics has now unfortunately turned against the West India colonies, high churchmen and dissenters, fanatics and freethinkers, profligates and enthusiasts, deists and atheists. The extremes of all parties in religion, morality, and in politics have joined; and, for the first time in the annals of history, in one question, Destruction to the West Indies—men, who have no more the kindness of human nature in their compositions than the tiger or hyæna, have enlisted under this variegated banner of counterfeit philanthropy, and with religion for their motto, have commenced anew the warfare of persecution against every thing like peace, order, and happiness in these devoted regions.—In reality, for the attainment of that which will place them on the high road to wealth and honours; but ostensibly for the approbation of their own tender and immaculate minds, and for the applause of a deluded and senseless rabble, thousands of whom would be left to perish of starvation, if these very petitions which they sign and send to parliament against the colonies were to have the effect the framers of them desire. But let us look a little deeper than the surface of these motives, and it will be found that no one individual of the most ordinary talents, who has

fairly enlisted himself during the last twenty years against the West Indies, has failed of acquiring either rank or honours, places of wealth and profit under government, or mercantile advantages of immense amount; in fact, no description of labour is so easy, no reward so ample and speedy, as that which is certain to attend a persecutor and defamer of the West Indies.—All former experience furnishes no parallel: there never was before such an incongruous and unnatural combination as that which now threatens the colonies. It appears to be formed and nurtured under the auspices of the government of the nation, for the avowed purpose of destroying or annihilating a portion of that very nation; affording the very appalling presumption, that the possession of immense private riches, and the pamperings of domestic luxury, have subverted all former experience and judgment, and rendered men incapable of truly appreciating national wealth, prosperity, and happiness.

The first crusades were formed for exterminating irreligion and infidelity in the eastern nations, but we have lived in the nineteenth century, to witness a western crusade of another description, against fellow subjects, countrymen and kinsmen of the same blood and religion, against loyal subjects to their king and country, and against an industrious and productive class of the national population. For what reason or even ostensible purpose? Because the colonists, after ages of toil and industry, are in possession of a description of property, which that legislature, and some of those very men, who have joined in this crusade, and that nation which complacently beholds its equipment, encouraged them by statutes, proclamations, and ordinances, to acquire and possess. It would be fruitless to add more. If reason, if argument, if the sacred rights of property, for the true defining of which our ancestors fought and died; if the example of insurrection and rebellion will not, or cannot arrest such measures, we are devoted and lost men. But we will perish as men should do, who are descendants of that country, our allegiance and attachment to which have been our pride and boast, and often cheered us through oceans of trouble; although she should drive us in our last moments to exclaim—oh! unfeeling, ungrateful, unnatural, mother.

From a subject so overcharged with reflections of the most painful description, both present and prospective, we willingly turn to another of less importance at this moment—The external relations of the colony with the mother country. If, however, the colonies should hold out against the present assault, for another year, this is a subject, which we think cannot fail to attract the attention of parliament. For the last three years the distresses to which the colonies have been reduced, are undeniably proven; they have been painted in the liveliest but most faithful colours, in addresses to the throne, and in petitions to parliament; and although all other descriptions of subjects have been relieved from some of their pressure, in the long interval of peace, the unfortunate West India planter still drags along his overladen burdens of war. The packet, which brought so much of intelligence to excite our alarm, also furnished us with our gracious Sovereign's speech on the prorogation of parliament, from which we learn with pride and exultation, the continued prosperity of the nation at home, and that "it is with the greatest satisfaction that His Majesty is enabled to contemplate the flourishing condition of all branches of our commerce and manufacture, and the gradual abatement of those difficulties which the agricultural interest has so long and so severely suffered." Far be it from us to think or surmise, that our gracious Sovereign has either neglected or forgotten, those agricultural difficulties of his loyal West India subjects, which have been co-extensive and co-existent with those of the agricultural interest at home. But having so many arduous and conflicting interests to contend with, during the last session of parliament, his ministers have, no doubt, been instructed to afford in the next, that relief to his colonial subjects, without which, much of their importance in a commercial view, will be lost.

From the peace down to the end of the year 1820, between eighteen and nineteen millions of taxes were reduced in the department of the war taxation, such as property-tax, war malt-tax, export duty, windows, &c. But in this interval what became of the West India interests? The war duty of seven shillings on sugar was continued, and an additional one of two shillings and sixpence per cwt. was imposed on their molasses, thereby reversing the best order of things, and violating men's minds, by an operation, which, instead of causing them to hail the return of peace to the world, could not fail to make them deprecate the blessing.

The Chancellor of the Exchequer in his Speech on the budget on the 2d July, after a statement on the prosperity of the country, and on the reduction of the national debt, which must fill the breast of every British subject with satisfaction, added, "That within the last two years, reductions had taken place in the taxes" which he enumerated, (but, which unfortunately did not comprehend one item of relief to the West Indies,) "to the amount of seven millions and a half," which makes a total amount of taxes reduced since the peace of nearly thirty millions, while the West India interest not only endures the whole of its war taxes, but an additional and distressing one since the Peace. At present, in the article of sugar alone, the government takes in duty nearly one half of the gross produce of the land, which we believe, in a commodity of such bulk and magnitude, was never attempted in any other age or country.

In concluding, we request your Excellency to forward this, and our communication of the 4th instant, without delay to his Majesty's Ministers. Next, to our sincere desire and ardent wish, that they should be truly informed of the state and condition of the colony, our anxiety is, that they should receive that information speedily.

We have the honour to be,

Sir,

Your Excellency's Faithful and Obedient Servants,

W. J. STRUTH,

President of the Council, P. T.

JOHN DALGELL, Speaker.

*To His Excellency Rear-Admiral
Sir Charles Brisbane, K. C. B., &c. &c. &c.*

TOBAGO.

No. 1.

Extract of a Despatch from Sir F. P. Robinson to Earl Bathurst, dated Tobago, September 28th, 1823.

I have the honour of transmitting to your Lordship a printed Copy of the New Slave Court Act.

No. 200.

AN Act to repeal an act entitled "An Act for the good Order and Government of Slaves, and for repealing an act of this Island, entitled An Act for the good Order and Government of Slaves, and for keeping them under proper restraint, and for establishing the method of Trial in Capital Cases, and other Regulations for the greater security of that part of the Inhabitants' Property," and to substitute a New Act in lieu thereof.

WHEREAS the slaves in this island, for the good order and government of whom, an act was heretofore passed, entitled "An Act for the good order and government of slaves, and for repealing an act of this island, entitled an act for the good order and government of slaves, and for keeping them under proper restraint, for establishing the method of trial in capital cases, and other regulations for the greater security of that part of the inhabitants' property," have become more civilized, and their minds are so much improved as to render it expedient that other rules and regulations should be established for their government, and for the amelioration of their condition. (Preambl

Be it and it is hereby enacted by His Majesty's most dutiful and loyal subjects, his Excellency Major-General Sir Frederick Philipse Robinson, Knight Commander of the Most Honourable Military Order of the Bath, Captain-General and Governor-in-Chief, in and over the island of Tobago, and its dependencies; the Council and General Assembly of the same, that from and after the publication of this act, the said recited act shall be, and it is hereby declared to be repealed. Clause 1.
An Act for the
good order
and govern-
ment of slaves,
&c. repealed.

And be it and it is hereby enacted, by the authority aforesaid, that all slaves and their accessories guilty of murder, treason, rapes, maiming or wounding, or compassing the death of a white, or free persons, maiming or wounding any other slave, or wilfully setting fire to cane fields, or to provision grounds, or other fields, or to dwelling-houses, negro-houses, or other buildings, or of giving or attempting to give poison to any person whatever, although the poison shall not be taken, or death do not ensue, or who shall be guilty of robbery, burglary, or grand or petty larceny, or who shall maliciously kill, or attempt to kill, by poison, or otherwise, or maim, or destroy, any horse, mule, ass, or horned cattle, or who shall be guilty of enticing or inviting other slaves to run off the island, or who shall be guilty of any offence, made felony by other law of this island, or by the common or statute law of England, shall suffer death as felons, or such other punishment as the court herein-after appointed to try slaves for capital offences, shall think proper to inflict, provided always that all slaves shall be entitled to the Clause 2.
Slaves guilty
of murder,
treason, rapes,
maiming white
or free per-
sons, setting
fire to canes,
&c.
Giving poison.
Burglary or
Larceny.
Poisoning or
destroying
cattle,enticing
slaves off the
island, or guilt-
ty of offences
against this
act, or the law

of England shall suffer death or other punishment as the court shall determine. benefit of clergy, where the same is not taken away by any act of this island, and in cases where the same is not taken away by the statute law of England. Slaves entitled to the benefit of clergy.

Clause 3.
Receiving stolen goods in all cases a misdemeanor.

And be it and it is hereby enacted, by the authority aforesaid, that receiving of stolen goods shall be in all cases a misdemeanor, and shall be tried by the court hereinafter appointed for the trial of capital offences, and shall be punished as a misdemeanor at common law, to which the court shall have power to add corporal punishment at their discretion according to the nature of the offence.

Clause 4.
Constitution of court for trial of slaves accused of capital offences.

And be it and it is hereby further enacted, by the authority aforesaid, that the Chief Justice of the Court of Common Pleas for the time being, and two puisne justices to be appointed by his Excellency the Governor or Commander-in-chief for the time being, whose commissions shall be *quamdiu se bene gesserint*, shall be, and they are hereby declared to be, a Court for the Trial of Slaves accused of having committed any of the crimes enumerated in the preceding clauses of this act, or any other crime made capital by any other law of this island, or by the common or any statute law of England, and the said court shall be called the "Slave Court for the Trial of Capital Offences committed by Slaves." Provided always that in case of the absence from the island, or sickness of the Chief Justice, or of either of the two puisne judges, the other two judges shall constitute a court.

Clause 5.
The same proceedings and rules in the court as in the court of King's Bench and Grand Sessions.

And be it and it is hereby enacted, by the authority aforesaid, that the slaves accused of any of the crimes hereinbefore enumerated, or any other crime made capital by any other law of this island, or by the common statute law of England, shall be proceeded against before any justice of the peace for the said island, and prosecuted and tried before the said court in like manner, and by such rules as are established and observed for the trial of white or free persons in the Court of King's Bench and Grand Sessions of this island, any thing in any other act of this island contained to the contrary notwithstanding.

Clause 6.
Evidence of slaves admitted on trial of slaves.

And be it and it is hereby enacted, by the authority aforesaid, that the evidence of slaves shall be admitted on the trial of persons prosecuted in the said court, and in the court hereafter appointed for the trial of offences not capital.

Clause 7.
Court to sit on first Tuesday in March and September and declared a Court of Record.

And be it further enacted by the authority aforesaid, that the said court shall sit at the Court House in the town of Scarborough, to hear, try, and determine all criminal matters within their jurisdiction, on the first Tuesday in the months of March and September in every year, and shall be and is hereby declared to be a Court of Record, and shall have power and authority to sit, and adjourn from day to day during the space of ten days and no longer; provided always, that nothing herein contained, shall be construed to bar or hinder the governor or commander-in-chief for the time being, at any time or times to issue a commission or commissions for holding the court hereby appointed for the trial of any offence or offences within their jurisdiction.

Provision not to bar the governor or commander for the time being from issuing commission to hold a court at other periods.

Clause 8.
Officers of the court appointed.

And be it and it is hereby enacted by the authority aforesaid, that the clerk of the crown for this island for the time being, or his lawful deputy shall be clerk of the court hereby constituted, and the Provost Marshal of this island, or his lawful deputy shall be marshal of the said court.

Clause 9.
Chief justice with one other may admit bail.

And be it and it is hereby further enacted by the authority aforesaid, that the chief justice with one or both of the other justices by this act appointed, may at any time of the year admit bail in cases cognizable by the said court.

And be it enacted by the authority aforesaid, that the clerk of the crown shall ten days before the sitting of the said court, issue a writ or precept in the King's name to this effect: Witness the chief justice of our said court hereto subscribing and sealing, which precept he shall immediately deliver to the provost marshal or his lawful deputy, who shall apply to the chief justice to sign the said writ or precept, the tenor of which shall be to summon a sufficient jury to serve at the said court, and the clerk of the crown shall be entitled for every precept to nine shillings currency, and the provost marshal or his lawful deputy for procuring the signature of the chief justice, the sum of four shillings and six pence.

Clause 10.
Clerk of the crown to issue precept for jury.

To be signed by the chief justice.

Fees for issuing precept and procuring judge's signature.

And be it further enacted by the authority aforesaid, that the provost marshal or his lawful deputy by virtue of the said writ, shall summon forty-eight persons, being freeholders, merchants, tradesmen, managers, or chief overseers, to serve as jurors at the said court, and the form of summons shall be "A. B. appear on the day of next (or instant,) and serve as a (grand juror or petty juror as the case may be) at a court to be holden at the Public Court House in the town of Scarborough, for the trial of slaves accused of capital crimes," which shall be served personally, or by leaving it at the usual place of abode of the persons summoned, four days before the court, exclusive of the day of attendance, and a sufficient grand jury, and a petit jury consisting of twelve shall be empanelled for the trial of offences in like manner as is directed for the trial of offences at the Court of King's Bench and Grand Sessions.

Clause 11.
Marshal to summon jury.

And be it further enacted, by the authority aforesaid, that all justices of the peace who have taken any depositions, recognizances, or other papers relating to matters cognizable by the said court, shall send the same to the clerk of the crown four days before the holding of the said court, or if taken within four days then as soon after as conveniently may be, and such depositions, recognizances, or other papers, shall be received and lodged in the office of the clerk of the crown without fee or reward.

Clause 12.
Justices to lodge depositions and other papers in the crown office four days before court day.

And be it and it is hereby enacted, by the authority aforesaid, that His Majesty's Attorney or Solicitor-General for the said island, shall and he is hereby required to prosecute all offenders within the jurisdiction of the said court by indictment, and his fee for each and every indictment and prosecution shall be ten pounds sixteen shillings currency and no more.

Clause 13.
Attorney or Solicitor-general to prosecute.
His fee for prosecuting.

And be it, and it is hereby enacted, by the authority aforesaid, that if any juror lawfully summoned shall neglect to appear at the opening of the court hereby established, or shall depart without leave of the court, he shall be subject and liable to pay a fine of five pounds current money, to be recovered by attachment issuing out of the said court as for a contempt.

Clause 14.
Fines of jurors.

And be it, and it is hereby enacted, by the authority aforesaid, that when any misdemeanor or offence not herein-before directed to be tried by the court herein-before established, shall be committed, or attempted to be committed, by any slave or slaves, the criminal or criminals shall be apprehended and brought before any one of His Majesty's justices of peace for this island, who is hereby authorized to commit the said slave or slaves to the common gaol by warrant directed to the provost marshal or his lawful deputy; and the said justice, or any other justice, shall, within the space of ten days thereafter, or as soon as conveniently may be, associate to himself one other justice of the peace, and these two shall, by their warrant or precept, summon to join them any five of the most respectable freeholders of the island, to meet them at the public courthouse in the town of Scarborough, to which freeholders the justices shall ad-

Clause 15.
Slaves accused of offences not capital to be committed by a justice of the peace who is to associate one other justice and to issue summons to five freeholders.

The two justices and a justice of the common pleas to form a court.

The freeholders to be a jury and their verdict to be unanimous.

minister the following oath, viz. : " You shall, to the best of your judgment and knowledge, try the prisoner or prisoners before you, and verdict give according to evidence." And the said two justices, and one of the justices of the court of common pleas, are hereby declared to be a court with full power to hear and examine all evidences, proofs, and testimonies ; and, on proof of guilt, to sentence the offender or offenders to imprisonment or corporal punishment, or both ; and the said freeholders shall be a jury for the trial of all offences within the jurisdiction of the said court ; and the verdict of such jury is hereby required to be unanimous.

Clause 16. Penalty on justices and freeholders for refusing to act.

And be it further enacted, by the authority aforesaid, that if any justice of the peace, upon application to him made, or any freeholder, after being duly summoned, shall neglect or refuse, or take and use proper measures for the trial of any slave or slaves, such justices and freeholders shall severally forfeit twenty pounds current money of this island, to be recovered by action of debt in any court of record ; and the Attorney-General is hereby required and directed to prosecute such justice or freeholder for such neglect or refusal.

Clause 17. Slaves guilty of perjury how punishable.

And be it, and it is hereby enacted, by the authority aforesaid, that in case any slave or slaves shall wilfully give any false evidence in any trial before the court appointed by the fifteenth clause of this Act, such slave or slaves being thereof convicted, shall suffer such punishment as the court shall award.

Clause 18. Persons wickedly killing slaves to suffer death ; forfeiture of lands, and corruption of blood excepted.

And be it further enacted, that by the authority aforesaid, that if any person or persons shall, willingly or wickedly, kill a negro or slave, he, she, or they so offending, being thereof convicted by verdict or confession, shall be adjudged guilty of murder ; and the offender or offenders shall suffer death without benefit of clergy ; provided always that such conviction shall not extend to the corrupting the blood, or the forfeiture of lands, tenements, slaves, goods, or chattels.

Clause 19. Whipping of slaves by owners restricted to twenty stripes.

And be it, and it is further enacted, by the authority aforesaid, that in case any slave or slaves shall be thought by his or her master or mistress, owner or renter, or person having charge of such slave or slaves deserving punishment, it shall be lawful to punish him, her, or them, by whipping, not exceeding twenty stripes, or some other correction suitable to the fault ; and if any person or persons whatsoever shall torture or mutilate slaves, or punish them with cruelty, he, she, or they shall be punished with fine and imprisonment in any court of Oyer or Terminer, or other court of criminal jurisdiction in this island.

Cruelty, how punishable.

Clause 20. Punishment of slaves by owners beyond twelve stripes to be in presence of white or free persons other than the person ordering punishment.

And be it further enacted, by the authority aforesaid, that whenever any master or mistress, owner, renter, or person having charge of slaves, may deem it necessary for the sake of example, to punish his, her, or their slave or slaves with a greater number of stripes than twelve, such punishment shall be inflicted in the presence of one white or free person, other than the person by whose order such punishment shall be inflicted.

Clause 21. Drivers not to punish slaves without express orders.

And be it, and it is hereby further enacted by the authority aforesaid, that no driver shall be permitted to punish a slave, but by the express order of the owner, a ruler of such slave or the manager or overseer under whose direction such slave may be, and any offence against this clause, shall be cognizable by the court of justices and freeholders and punishable by them.

Clause 22. In cases of murder, may-

And whereas it may happen that in cases of cruelty, or other injury to slaves by white or free persons, no other evidence than that of slaves can be procured,

by reason whereof such cruelty cannot be punished or redressed: BE it and it is hereby enacted by the authority aforesaid, That in all cases where any white or free person, or any white or free person acting under his, her, or their authority, is, or are charged with wilful murder or mayem of, or cruelty to any slave, or slaves, it shall, and may be lawful in case no white or free person was present, or can be produced to prove the facts relating to such imputed murder, mayem or cruelty, to admit the evidence of two slaves to prove the facts and circumstances attending such imputed murder, mayem or cruelty, and that the concurrent evidence of such two slaves to such facts and circumstances, if unimpeached as to their credibility, shall have the same effect in point of law as if a white or free person had proved the same facts and circumstances attending such murder, mayem, or cruelty, and the slave suffering such mayem or cruelty, shall be admitted as one of the two evidences.

em of, or cruelty to slaves by white or free persons.

Evidence of slave admissible when no white or free person can be produced to give evidence of the facts.

And be it and it is hereby further enacted, by the authority aforesaid, That any white or free person or persons who shall be on the oath of one or more credible witnesses, duly convicted at a court of Oyer, and Terminer, or grand sessions, of carrying off, or attempting to carry off from this island any slave or slaves without a license or permission from the owner or owners, or person or persons having the care and charge of such slave or slaves, he, she, or they, shall be and are hereby declared to be guilty of felony, and shall suffer death without benefit of clergy.

Clause 23. Any free person carrying off a slave, shall suffer death.

And be it and it is hereby further enacted by the authority aforesaid, That the owner or owners of any slave carried off or attempted to be carried off shall be entitled to a civil action, therefore any thing in the preceding clause to the contrary thereof notwithstanding, and when he, she or they, shall resort to a civil action, it shall, and may be lawful for him, her, or them, when the defendant is a non-resident, to make affidavit of the particulars of the case, and that the defendant is about to depart the island, and that thereby he, or she, may be defeated of redress, and upon such affidavit or affidavits, he, she, or they, shall be entitled to an order of the chief justice, or in his absence any other justice of the Court of Common Pleas, who is hereby authorized to make such order or hold the defendant to bail, as in case of debt.

Clause 24. In a civil action for carrying off a slave, plaintiff may procure a judge's order to hold defendant to bail.

And whereas it may often happen that slaves may be injuriously used by their owners or persons exercising authority over them in the absence of their owners or other persons, and may be deterred by apprehension or menace from making complaint thereof, and it is reasonable that they should have some established tribunal to resort to: BE it and it is hereby further enacted, by the authority aforesaid, That from and after the publication of this Act, the president of the council for the time being, and the Speaker of the House of General Assembly for the time being, and the judges of the Court of Common Pleas shall be and they are hereby declared to be the guardians of slaves, with full power and authority to entertain all complaints made to them by any slave or slaves for, or in respect of any cruelty, ill usage, or violation of the provisions of this Act, and when any complaint shall be preferred to the said guardians, they, or any three of them, shall have power and full authority to summon all and every person and persons whom they shall judge necessary, to give evidence touching such complaint; and if upon examination of such complaint they shall be of opinion that it is well-founded, they shall report the same in writing to his Majesty's Attorney-General, who is hereby required forthwith to prosecute the persons complained against for cruelty or ill-usage, and if such complaints relate to the violation of any provisions which may be contained in this Act applicable to the maintenance and clothing of Negroes, they are hereby authorized and required to proceed

Clause 25. Guardians appointed for hearing and examining complaints of slaves with power to summon evidence, &c. If complaint well founded how to proceed. If frivolous, complainant to be punished.

against the persons complained of, as herein after directed, and if the complaint be found frivolous and vexatious, such slave complaining shall be punished by order of the said guardians.

Clause 26.
Any slave con-
cealing a run-
away, knowing
him to be so,
is to suffer
corporal pun-
ishment, pro-
secution to be
within one
month after
discovery of
the offence.

And be it and it is hereby further enacted, by the authority aforesaid, That any slave harbouring, receiving, or concealing any other slave, who shall have run away from his master or mistress's, owner's or renter's service, knowing him to be run away, or shall otherways assist such slaves so run away, he or she shall, upon conviction thereof, before the said last-mentioned court, suffer such imprisonment or corporal punishment as the said court in their discretion shall think it right to inflict, provided always that no slave shall be punished by virtue of this clause for harbouring, concealing, or entertaining any run-away slave, unless prosecution for the same be commenced within one month after the discovery of the said offence.

Clause 27.
White or free
persons har-
bouring a run-
away liable to
pay the owner
nine shillings
per day for
the time the
slave shall
have been ab-
sent.

And be it and it is hereby enacted, by the authority aforesaid, that if any white or free person or persons knowing any slaves to be run away from his or her master, owner, or renter, shall entertain, harbour, receive, or conceal, any such slave, such person shall be liable to pay to the owner or renter of such slave at and after the rate of nine shillings for each and every day such slave shall have been so run away, with full costs of suit to be recovered by action of debt in any court of record.

Clause 28.
No slave to
carry fire-
arms unless in
pursuit of a
runaway, or
attending on
his master,
without a
ticket from his
owner or ma-
nager. Any
slave running
away, &c.

And be it and it is hereby further enacted, by the authority aforesaid, That no slave within this island shall be permitted to have in his custody, or carry a musket, fusie, pistol, or any other fire arms, unless such slave be in pursuit of a runaway slave or slaves under the order and direction of a white or free person, duly authorized, or shall be attending upon his master or the manager, or some other white person employed on the plantation to which such slave shall belong, without a ticket from the owner or manager of such plantation, dated the very hour, as near as the same can be ascertained, that the said fire-arm or fire-arms is or are delivered to such slave, and the quantity of powder, ball, or shot, if any be given him therewith, which ticket shall require the return of the slave to which it is given, within six hours after the date hereof, excepting negroes watching stores and provision grounds, who shall be weekly furnished with a ticket from their owner or manager, expressing the nature of their arms, and that they are only furnished with two rounds of powder and ball; and if any fire-arm or fire-arms be found with any slave, after the expiration of the time limited in the ticket for his return, any free person is hereby authorized to take the same away, and to keep and retain the same for his use; and any slave who shall run away or absent himself from the service of his owner, renter, or employer, having carried off with him any piece of fire-arms as aforesaid, or who having had a ticket to carry any fire-arms, shall absent himself for twenty-four hours after the expiration of the time therein limited for his return, such slave shall be tried before the last-mentioned court, and shall suffer such punishment, short of life or loss of limb, as the said court shall think fit to inflict; and any slave found with any fire-arms after the time limited for his return, who shall not have been absent for twenty-four hours as aforesaid, such slave shall be punished by order of two justices of the peace, provided always that it shall and may be lawful to and for any person or persons to employ any slave or slaves to shoot game, which slave is hereby authorized to carry the requisite fire-arms for such purpose; and the person or persons so employing such slave or slaves shall give him or them a certificate to that effect, which such slave or slaves is and are hereby required to produce when called on by any free person so to do, and on production of the same shall be exempt from the above provisions.

carrying off
fire-arms shall
be tried for
such offence.
If not absent
24 hours,
to be punished
by two jus-
tices. Slaves
may be em-
ployed to shoot
game with
proper certi-
ficate.

Clause 29

And be it further enacted, by the authority aforesaid, That no slave shall carry

a cutlass or other sharp-edged or offensive weapon, except such slave be actually in pursuit of a runaway, under the order and direction of a free person duly authorized for that purpose, or shall be attending upon his owner or master, or some other white person, or shall be upon a message or errand, or shall be employed by the way, wardens without a ticket from his owner or manager, under the penalty of being punished by order of any two justices of the peace.

penalty of being punished by two justices.

And be it and it is hereby enacted, by the authority aforesaid, That any slave convicted of playing cards or dice, or of fighting cocks, or throwing at cocks, or convicted of any species of gaming whatsoever, shall be punished by order of two justices of the peace.

Clause 30.
Gaming prohibited under penalty of punishment by two justices.

And be it, and it is hereby further enacted, by the authority aforesaid, That it shall and may be lawful to and for any person or persons to apprehend any runaway slave or slaves and deliver him or them to the provost-marshal or his lawful deputy, who is hereby required to pay the apprehender of the said slave or slaves eighteen shillings, which shall be charged against the owner or owners of such slave or slaves, and the provost marshal or his lawful deputy is to keep the said slave or slaves in safe custody, and shall advertise him, her, or them, in the public gazette of this island, and if no gazette, then by written advertisement at the court-house door in Scarborough, for six weeks, describing such slave or slaves as accurately as can be, and in case the provost marshal or his lawful deputy fail in performing the several matters in this clause required, he shall be subject and liable to an action of damage at the suit of the party aggrieved; and if the slave or slaves so advertised, are not claimed within six weeks from and after the day on which he she or they were delivered to the said provost marshal or his lawful deputy, then it shall be lawful for the said provost marshal or his lawful deputy, and he is hereby empowered and required to discharge such slave or slaves out of his custody, and shall give such slave or slaves a certificate of his detention and discharge.

Clause 31.
Any person may apprehend slaves runaway and deliver them to the marshal, the apprehenders to receive 18s., provost marshal to keep them in safe custody and to advertise them. Marshal failing to do his duty, liable to an action. Slaves advertised and not claimed in six weeks to be discharged

And be it and it is hereby further enacted, by the authority aforesaid, That the provost marshal or his lawful deputy shall be and he is hereby empowered in case any slave committed to his custody should be ill, to call in a practitioner of physic to the assistance of the slave, whose bill the owner is to pay on delivery of the said slave from gaol; and it shall be lawful for the marshal or his deputy to detain in custody the body of such runaways so brought to him until the owners pay unto him two shillings for feeding for every four and twenty hours such slave shall have been in custody, and also at the rate of two and sixpence per pound for laying out his money.

custody, and two shillings and six pence for laying out his money.

And be it and it is hereby enacted by the authority aforesaid, That the sitting justices shall on their respective days of sitting visit the public gaol in order to ascertain the state thereof and the treatment of the prisoners, and shall make a minute thereof in the justice book kept by the sitting justices, and in case of any improper proceeding in respect of the gaol, the justices shall report the same to the governor or commander-in-chief for the time being.

Clause 33.
Sitting justices to visit the gaol and to report any irregularities to the governor or commander-in-chief.

And be it and it is hereby further enacted by the authority aforesaid, That all owners, renters, or possessors of slaves shall, and they are hereby required to afford sufficient food to each and every of their slaves, either by apportioning to each a sufficient quantity of provision ground, or by a sufficient daily or weekly allowance of dry provision with an allowance of salt or pickled fish, and shall give to each and every of their slaves good and sufficient clothing once in every year, under a penalty not exceeding ten pounds for every slave not sufficiently

Clause 34.
Owners to afford sufficient food and clothing to their slaves under penalties fixed in this clause.

fed, and ten pounds for every slave not furnished with a sufficient supply of clothes ; and such neglect to furnish food and clothing shall be deemed a misdemeanor : and in case the guardians hereby appointed, or any three of them, on complaint made to them, deem such complaint well founded, they or such three of them shall direct the law officers of the crown to prosecute the offender for such neglect in the Court of King's Bench and Grand Sessions, and the judges of the said court may order such part of the penalty recovered as they may think fit to be expended in food and clothing for the negro or negroes complaining.

Clause 35.
The personal property of slaves secured to them.

And whereas the negroes have always been in the habit of enjoying their personal property without control, yet, nevertheless, in order that such right may be ascertained by legal provisions : BE it and it is hereby enacted by the authority aforesaid, That any slave in possession of personal property of any description whatever fairly acquired, shall be, and he or she is hereby declared to be entitled to hold and enjoy the same without the let, hinderance, claim, or molestation of any person whatever, and may freely and without control, sell, barter, grant or bequeath the same ; and such slave shall be entitled to bring all actions personal for recovery of his or her personal property ; and slavery shall not be a valid plea in abatement or bar of such action, any law, usage or custom to the contrary thereof in anywise notwithstanding.

Clause 36.
Any free person selling or giving to slaves fire-arms or offensive weapons to forfeit a sum not exceeding fifty pounds ; not to extend to implements for agricultural purposes.

And be it and it is hereby further enacted, by the authority aforesaid, That any free person whatsoever, who shall hereafter sell, barter or give to a slave, any fire-arm, cutlass or any offensive weapon, shall forfeit a sum not exceeding fifty pounds for each offence, to be recovered before any two justices of the peace, on conviction by one sufficient evidence, by their warrant directed to the provost marshal, or his lawful deputy, in the nature of an execution issuing out of the Court of Common Pleas on a judgment obtained therein, to be levied at any time of the year, provided always, that nothing contained in this clause shall prevent any owner or manager from giving any slave such implements for agricultural purposes as may be deemed requisite.

Clause 37.
Free persons in Scarborough and Plymouth not to allow slaves other than their own to dance in their premises under penalty not exceeding fifteen pounds.

And whereas it frequently happens, that free persons in the towns of Scarborough and Plymouth, and in the immediate vicinity thereof, induce slaves to assemble at untimely hours for the purpose of dancing and gambling, by which, the health and morals of the slaves are injured ; BE it and it is hereby enacted, by the authority aforesaid, That any free person in the towns of Scarborough and Plymouth, or in the immediate vicinity thereof, not extending to any estate, shall permit any slave or slaves other than those belonging to such free person to dance in his or her house or premises, such free person shall on conviction thereof, before any two justices of the peace, forfeit a sum not exceeding fifteen pounds for each and every offence, to be recovered by warrant under the hands and seals of the said two justices in like manner as is directed by the preceding clause : Provided always, That the sitting magistrates for the town of Scarborough, or any two of them, or any two magistrates in the vicinity of Plymouth, shall have power and authority to give permission to any free person or persons, to allow their slaves with any others to assemble for the purpose of dancing without being subject to the penalty of this clause ; any thing herein contained to the contrary thereof notwithstanding.

Clause 38.
Slaves found in the streets after the hour of nine at night unless in service of their

And whereas it often happens, that slaves in or near the towns frequent the public streets at night, and occasion great noise and riot therein, to the annoyance of the inhabitants, and to the prejudice of their own health and morals : BE it and it is hereby enacted, by the authority aforesaid, That any slave found in the public streets of the towns after the hour of nine o'clock at night, unless in attend-

ance on, or bearing a letter for his or her owner or employer, he or she shall be committed to gaol, and there kept until the following morning, then to be discharged by the provost marshal or keeper of the gaol without fee or reward.

owners, how to be dealt with.

And whereas it is the intent and meaning of this act, That the expenses attending all prosecutions instituted in courts hereby established or directed by this act, to be instituted in the Court of Grand Sessions, shall be borne and paid by the public; BE it and it is hereby enacted by the authority aforesaid, That all and every person and persons entitled to fees under and by virtue of this act in either of the said courts, shall be at liberty to charge the same in account with the public.

Clause 39. Expenses attending all prosecutions into court to be borne by the public. Persons entitled to fees to charge them in account with the public.

And whereas it is expedient, that the Sunday market be abolished, in order that the negroes may have an opportunity of attending divine worship, and employing themselves in religious pursuits: BE it and it is hereby enacted, by the authority aforesaid, That from and after the first day of September next ensuing the Sunday market shall be abolished, and the public market shall hereafter be holden in the towns of Scarborough and Plymouth on Thursday in every week.

Clause 40. Sunday Market abolished after 1st September, and Thursday fixed as the public market day.

And be it and it is hereby further enacted, by the authority aforesaid, That from the first day of May to the thirty-first day of December in every year, all plantation slaves shall be allowed one day in every week for the purpose of cultivating their provision grounds. And whereas the usual state of the soil, from excessive drought between the first of January and the first of May, renders it unnecessary that the labour of the negroes should be applied to the cultivation of provisions, while their services are materially important to the gathering in the crop, BE it and it is hereby enacted, by the authority aforesaid, That during these four months the proprietor or his representative shall be allowed to exercise his discretion as to the time to be allowed the slaves for the cultivation of their provision grounds.

Clause 41. From the 1st of May to the 1st of December, plantation slaves to be allowed one day in each week to cultivate their grounds. From Jan. to May, proprietors to exercise their discretion as to the time to be allowed.

And be it and it is hereby further enacted, by the authority aforesaid, That the provisions of the third class of an act to amend an act entitled "An Act for the better regulating the police of the towns of Scarborough and Plymouth, and to regulate the markets in the said towns," shall apply to the market-day appointed by the fortieth clause of this act.

Clause 42. Provisions of the third clause of the police act applied to the market-day fixed by the fortieth clause of this act.

And be it further enacted, by the authority aforesaid, That all penalties mentioned in this act and not declared how they shall be recovered, or how disposed of, shall be recovered by warrant under the hand and seal of any justice of the peace, and shall be to his Majesty, his heirs, and successors, and paid into the public treasury of this island, for the public uses of the colony.

Clause 43. Penalties how recovered and applied.

And be it and it is hereby further enacted, by the authority aforesaid, That all actions or prosecutions for the recovery of fines, forfeitures, or penalties, incurred by virtue of this act, shall be brought within twelve months after the cause of action, or prosecution shall arise.

Clause 44. Limitation of actions or prosecutions.

And be it and it is hereby further enacted, by the authority aforesaid, That in every action, suit, indictment, information, or prosecution, wherein any person shall be sued or prosecuted for doing any thing by virtue of this act, the person or persons so sued or prosecuted may plead the general issue, and give this act in evidence, in any court within this island; and if there be a verdict for such party prosecuted, the party prosecuting shall pay treble costs: and this act shall be

Clause 45. Persons sued or prosecuted may plead the general issue.

deemed a public act ; and all judges, justices, and juries, are hereby required to take notice thereof accordingly.

(Signed)

CHRISTOPHER IRVINE,
Speaker of the House of General Assembly.

*Passed the House of Assembly, this 23d
Day of July, 1823.*

(Signed)

JAMES WILCOCK,
Clerk of General Assembly.

(Signed)

W. M. BRASNELL,
President of the Council.

*Passed the Council, this 1st Day
of August, 1823.*

(Signed)

T. B. MANNING,
Clerk of the Council.

I assent to this Bill,

(Signed)

F. P. ROBINSON, Governor.

Duly proclaimed by me, this 2d day of August, 1823.

(Signed)

J. M. COLLIER,
Dep. Pro. Marshal.

GOD SAVE THE KING.

No. 2.

*Extract of a Despatch addressed by Sir F. Robinson to Earl Bathurst, dated
Government-House, Tobago, October 30th, 1823.*

MY LORD,

I have the honour of transmitting herewith the answer of the House of Assembly of this colony to my Letter, conveying to them the subjects contained in your Lordship's circular Despatch of the 9th July last.

To His Excellency Sir Frederick Philipse Robinson, Knight Commander of the Most Honourable Military Order of the Bath, Captain General and Governor in Chief in and over the Island of Tobago and its Dependencies, &c. &c. &c.

The House of General Assembly have the honour to acknowledge the receipt of the extracts from Earl Bathurst's despatch, respectfully called for by the House, in its communication to your Excellency of the 15th instant. The Act so lately passed by the legislature having for its object the melioration of the condition of the slave population, the House trusts, will be considered as a sufficient pledge of the disposition that exists in the colony, to promote any measures having that evident tendency ; and that it will stand acquitted of any sinister views, if, after what has so recently taken place in a neighbouring colony on the mere promulgation of the very measures now recommended for adoption to this

House. It should be disposed to avoid any thing like precipitation, and duly consider what may be the effect of changes so vitally important as those required by His Majesty's Government, before it proceeds to enact them.

The House think with your Excellency, that it would have been better if the Slave Act had fixed upon Thursday (the now established market-day) as the day to be given to the Negroes throughout the island for cultivating their provision grounds, but are unwilling to make any amendment in the said Bill, until it is ascertained what reception it meets with at home.

(Signed)

CHRIST. IRVINE,

Speaker of the House of General Assembly.

House of Assembly, October 25th 1823.

Extract of a Despatch, addressed by Sir F. Robinson to Earl Bathurst, and dated Government-House, Tobago, 28th July, 1823.

Your Lordship having no doubt received the Petition from Dominica, I only enclose a copy of the Speaker's Letter which accompanied it to this and other Islands.

No. 3.

Circular.

Roseau, Dominica, May 30th, 1823.

Sir,

The House of Assembly of this island, astonished and appalled at the enormity of the proposition lately introduced into the House of Commons, relative to the emancipation of the slave population of these colonies, has seized the earliest opportunity, after the official communication thereof from the agent in London, to bring the same under their most serious consideration, fully aware, from sad experience, that the slightest discussion on that fatal project, places in jeopardy the lives and fortunes of all the white population of these colonies; and that should such a measure be carried into effect, it will sweep the whole of us into a vortex of indiscriminate ruin, such as overwhelmed the unfortunate island of St. Domingo some years ago, precisely from the same cause.

Under these apprehensions, they (the House of Assembly) have framed and adopted a petition to be presented to our Most Gracious Sovereign, the House of Lords, the House of Commons, and to Ministers, &c., with as little delay as possible; and fully aware of the advantages of a simultaneous co-operation throughout the colonies, they have directed me to transmit copies of that petition and of certain resolutions relative thereto, to the respective legislatures of the several colonies, which I have now the honour of complying with, by enclosing a copy of the same, trusting, Sir, that you will take the earliest opportunity of laying them before that branch of the legislature of your island over which you preside.

It would be needless on so vital a question to point out the pressing nature of the case, the danger of delay, or the accumulated force which will be acquired by the unanimous combination of the colonies; placing at once such solemn protestations under the consideration of His Majesty's Ministers, and which would, it is hoped, be the means of inducing them to pause and arrest the hands of the zealots who are so eager to spring at once the mine on which we tread.

That Government is desirous of doing so, is evident from a pressing despatch received from our agent in London, stating that a promise has been held out to the West India body, that nothing definitive shall be done this year, provided that

incontestible proofs are given in the mean time of the highly improved and improving state, and ameliorated condition of the slaves throughout these islands ; (the particular topics on which they press, your agent has no doubt furnished you with) and on which a joint Committee of both branches of the legislature is now employed to report as regards this island, and similar steps have no doubt been instituted in all the others.

This short respite may yet be favourable to us, let us seize the moment, to combine our efforts, and energetically mark our firm determination, never to consent to kiss the rod, or meekly "lick the hand just raised to shed *our* blood," but with one voice denounce in the face of the world the blind fanaticism of "The Saints," who would now for a phantom cast to perdition these once highly valued and still valuable colonies, while at the self same moment they are looking on with cold blooded apathy at the miseries of Ireland, of their own poor, the thralldom preparing for the inhabitants of Greece and Spain, and yea even of Europe at large.

Identified as we all are in this most important question, struggling as we are together for existence, there can be no doubt but that each colony, will as early as possible transmit some forcible petition or memorial suitable to the exigency of the case, and speedily follow it up with such proofs of what we have already done, and are still doing for the amelioration of the condition of our slaves, both in morals and personal comfort, as may convince His Majesty's Ministers at least, that a certain and progressive remedy has been for some years in operation, which time alone can perfect, and that that time is not yet come when it may be just to extend to them, what would indeed be a boon, were they prepared for it ; but that they would by proffering it now, dash the cup from the lip of those they meant to assuage, and perhaps from that of posterity for ever.

In earnest hope that our combined efforts in this momentous affair may have the desired result.

(Signed)

WM. ANDERSON, Speaker.

To the Hon. the President of the Council—Tobago.

TRINIDAD.

No. 1.

Extract of a Despatch addressed by Sir Ralph Woodford, Bart. to Earl Bathurst, dated Trinidad, 13th July, 1823.

I HAVE not failed to confer with His Majesty's Council upon the subject in general, and I herewith enclose a Copy of the communication that they have addressed to me upon this occasion.

Council Chamber, 9th July, 1823.

The members of His Majesty's Council having, in compliance with your Excellency's directions, attentively perused and deliberated upon the discussions had in the honourable the House of Commons of the 15th May, relative to the motion of Mr. Buxton, for the amelioration of the present condition of the Slave Population, are of opinion, that there can be no dissent from the principles contained in the resolutions of the Honourable House.

With respect to the detail necessary to crary these resolutions into effect, the board are of opinion that the subject cannot be treated by them in a more fair and candid manner than by considering the propositions made by Mr. Buxton himself. By the result of which it will appear that many of the improvements suggested by him are already in force in this colony; that to the greater part of the remainder the Board can see no objection; and that two only of the eleven articles proposed appear to be doubtful or impracticable.

The board, with the permission of your Excellency, will now proceed to examine these propositions in detail.

1st. That the slave should be attached to the island, and under modifications to the soil.

No such law exists in this colony, and the advantages of it to the slave himself appear very doubtful.

2d. That they cease to be chattels in the eye of the law.

There can be no objection to this being made the law of the colony.

3d. That their testimony be received "*quantum valeat.*"

A law to this effect is already in force.

4th. That when any one lays in his claim to the services of a negro, the onus should rest on the claimant.

A law to this effect is already in force.

5th. That the obstructions to manumissions be removed.

No obstructions exist, on the contrary, every facility is given, and every slave in possession of the means, can purchase his freedom at a fair appraisement.

6th. That the provisions of the Spanish Law, settling by competent authority the value of the slave, and allowing him to purchase a day at a time should be introduced.

No such Spanish law exists, neither does it appear practicable to carry such an arrangement into effect.

7th. That no governor, judge, or attorney-general should be a slave owner.

8th. That an effectual provision should be made for the religious instruction of the slave.

No objection to such a provision, on the contrary, it would be highly desirable.

9th. That marriage should be enforced and sanctioned.

No objection to such an enactment, on the contrary, it would be highly desirable.

10th. That the Sunday should be devoted by the slave to repose, and religious instruction, and that other time should be allotted to the cultivation of the provision grounds.

No objection to this under the guarantee already pledged by His Majesty's Government, of allowing full compensation to the proprietor for the loss of the additional day.

11th. That some (but what I cannot say) measures should be taken to restrain the authority of the master in punishing his untried slave, and that some substitute should be found for the driving system.

By the present law of the island the authority of the master over the slave, as respects the infliction of punishment, is limited to twenty-five stripes, which cannot be repeated for the same offence. There can be no objection to any substitute for the driving system, by which a slave can be made to perform the portion of labour justly due to his master.

The members of His Majesty's Council, beg further to assure your Excellency, that they are at all times heartily disposed to adopt any measures tending to ameliorate the condition of the slave population, which may be compatible with the security of the colony, and the interests of those whose properties are concerned.

(Signed)

ARETAS WILLIAM YOUNG,
ASHTON WARNER,
WILLIAM HARDIN,
DR. FRANCISCO LLANOS,
ALEXANDER DUNCANSON.

Council Chamber, 9th July, 1823.

That it is the opinion of the council, that the condition of the slaves is capable of being ameliorated,

That of such amelioration the foundation should be religious instruction.

That any system of emancipation should be commenced by the manumission of the female slaves.

That any emancipation of the children is not likely to be attended with the advantages that might be supposed to result from such a provision, unless preceded by the emancipation of the mothers.

That emancipation should be fully indemnified to the owner according to the produce of his estate, and allowing for the probable benefits to be expected from any late improvements upon his property.

That it be recommended to the proprietors of estates to make the following provisions and concessions:—

1. That religious instruction be afforded, and places of worship provided in the several quarters at convenient distances.

2. That twenty-six days in the year be granted to the slaves to work in their grounds.

3. That the labour of slaves upon estates be limited to thirteen hours in the twenty-four, out of crop, and sixteen hours within the twenty-four, in crop, such limitation to include the hours appointed for their meals.

4. That the slaves be permitted and encouraged to deposit their earnings however small in saving-banks, to be established in convenient places throughout the island, under the care of a committee, the receipts to be paid quarterly into the treasury.

(Signed)

ARETAS WILLIAM YOUNG,
ASHTON WARNER,
WILLIAM HARDIN BURNLEY,
DR. FRANCISCO LLANOS,
ALEXANDER DUNCANSON.

No. 2.

Extract from a Despatch addressed by Sir R. Woodford, Bart., to Earl Bathurst, dated 5th December, 1823.

I HAVE the honour to lay before your Lordship copies of an ordinance issued by me as Corregidor, and at the same time those of a proclamation exhorting the inhabitants to a more punctual observance of the Sabbath, as regarding their families and servants as well as themselves.

By His Excellency Sir Ralph James Woodford, Baronet, Governor and Commander-in-Chief in and over the said Island and its Dependencies, Vice-admiral thereof, and Vice-patron of the Holy Roman Catholic Church, &c. &c. &c.

L.S.

RALPH JAMES WOODFORD.

A PROCLAMATION.

Whereas it is a duty incumbent upon every christian government to recommend in the most earnest manner to the subjects of it a punctual observance of the Sabbath, and a regular and devout attendance at the places consecrated to the service of Almighty God.

And whereas a church has been lately consecrated to the service of the blessed Trinity, according to the forms and usages of the Church of England, and an

edifice more capacious than the present has been commenced, and is gradually approaching to completion, for those who profess the tenets of the Church of Rome, and there are other churches already in the Island, and it is in contemplation to augment the number of them.

It therefore becomes desirable that the propriety of duly attending the service of the church should be impressed in an especial manner upon the minds of all classes.

We do hereby, acting in virtue of the powers confided to us, exhort all his Majesty's subjects to take into their most serious consideration, the obligation on each member of the church of Christ, to an attentive observance of the solemn worship of the Divine Majesty, as well as of the moral obligation which he has contracted, whether as a parent, or as head of a family, to cause the same to be duly had by those whom he has reared, or whose services he has retained for his use or benefit; taking care that sufficient time and opportunity be afforded to them for that duty, by which they can alone publicly testify their adherence to the church of Christ, and their belief in the merits of our Blessed Redeemer.

We do therefore hereby require and command all persons decently and reverently with their families and servants to attend to the worship of God, where convenient opportunity is afforded to them. And we do especially require and expect all persons in place of authority, to give good example by a virtuous life; to the end that all ill habits and practices may be reformed, and that religion, piety, and morality, may flourish and increase to the honour of God, and the prosperity of the land.

Given under our hand and the great seal of the Island at Government House in Port of Spain, on the sixteenth day of November in the year of our Lord, one thousand eight hundred and twenty three.

By His Excellency's Command,

PHILIP DOTTIN SOUPER,

Secretary.

By His Excellency the Governor and President of the Illustrious Cabildo, Corregidor of the Town of Port of Spain, and Commander-in-Chief over the Island and its Dependencies, &c. &c. &c.

L. S.

RALPH JAMES WOODFORD.

AN ORDINANCE.

Whereas the better to ensure a more punctual observance of and keeping holy the Lord's day, the illustrious Cabildo have resolved at their meeting of the 20th October last, that his Excellency the Governor and Corregidor should be prayed to make and publish such provisions for the limitation of the Sunday markets as might promote a more regular attendance at divine worship, and at the same time afford a sufficient and reasonable time for the purchase of necessary supplies for the subsistence of the inhabitants, as well as for the disposal by the negro slaves of the plantations in the adjoining quarters of the articles they may have for sale.

1. It is hereby ordered and declared, That from and after the first day of December next, the market holden in the town of Port of Spain for the sale of meat, vegetables, and other provisions on Sundays, and all other markets to be holden on the Sabbath-day throughout the island, be limited to the hour of ten

o'clock in the forenoon, and that due warning be given by the ringing of a bell at half-past nine o'clock to all persons to prepare to depart, and that from and after the hour of ten in the forenoon, no person or persons whatsoever shall be allowed to remain therein, or publicly shew forth, or expose for sale any meat, poultry, vegetables, provisions, fruits, herbs, wares, merchandise, goods or effects on the Lord's day, after the hour of ten o'clock aforesaid, upon pain, that every person guilty of a disobedience or nonconformance of this order shall forfeit the goods or effects so exposed for sale, or on refusing to quit the place, to forfeit the sum of ten shillings.

2. And if any person or persons shall so offend in these premises, it shall be lawful for the chief of police, or his assistants, or the clerk of the market, or any alguazil, or constable, and they are respectively hereby required to seize the goods exposed for sale, and to cause them to be taken before any judge or magistrate, or any regidor of the Cabildo, who, upon view of such goods so exposed, shall order the same to be sold forthwith, and the proceeds thereof to be applied and disposed as follows; that is to say, one third to the informer, and the remainder to such pious or charitable purposes, and in such manner as the magistrate or justice ordering the same shall determine.

3. And in like manner, any person refusing to quit the market-place may be apprehended by the authorities aforesaid, who are authorized and required to demand the penalty hereinbefore provided, and in default of payment, commit the offender for twenty-four hours' imprisonment.

4. Provided, that nothing herein contained shall extend to the prohibition of dressing or selling meat in inns or victualling-houses, nor to the sale of fish at the fish-house, provided the same do not take place during the hours appointed and set apart for divine service.

5. And whereas the limitation hereinbefore declared respecting the markets to be holden on Sundays, may not afford sufficient time for the sale of the articles and provisions necessary for the consumption of the inhabitants:

6. It is hereby ordered and declared, That Thursday be also a market-day, on which free persons are invited to attend so as to lessen the number of persons resorting to the market on Sundays, which is especially retained for the due and reasonable encouragement of the slave population in habits of industry, and as it may not occasionally be inconvenient for proprietors to permit their slaves to bring the produce of their labour to market on another day than Sunday, the day of Thursday in each week is hereby declared to be a market-day in future.

7. And it is hereby declared, That when and so soon as the same may be found practicable, the market on Sundays will be further limited to the hour of nine in the forenoon of the same day.

All persons are hereby required to obey this ordinance.

Given under my hand, and the great seal of the island, at Government House, in Port of Spain, on the sixteenth day of November, in the year of our Lord one thousand eight hundred and twenty-three.

By His Excellency's command,

(Signed)

PHILIP DOTTIN SOUPER, Secretary

ST. LUCIE.

No. 1.

Extract of a Letter addressed to Earl Bathurst by Major-General Mainwaring, dated St. Lucie, 21st July, 1823.

“In acknowledging the receipt of your Lordship’s despatch, (as per margin*), I have great satisfaction in reporting, that the privy council assembled this day have given the fullest effect to the directions therein contained, by transmitting circular letters to the civil commissaries of the several parishes in the island on, and explanatory of, the subject, a copy of which I have the honour to enclose, and I hope it will fully meet your Lordship’s approbation.”

Privy Council Chamber, Castries, 21st July, 1823.

SIR,

Aware of the degree of anxiety with which the slave proprietors have watched the progress of the late discussion in Parliament, relative to the condition of the slaves in His Majesty’s Colonies in the West Indies; and no less aware of the possibility of a misconstruction having been put upon these proceedings by the slaves themselves, I feel it to be my duty to announce to you, at the earliest moment, the views and intentions of His Majesty’s Government and Parliament on this subject.

His Majesty’s Government, in concurrence with the unanimous voice of the legislature, have resolved to prohibit the infliction of the punishment of flogging, under any circumstances, of female slaves, conceiving that the system of meliorating the conditions of slaves, cannot better commence than by the adoption of a principle which, by making a distinction of treatment between the male and female slave, cannot fail to improve the moral conduct of the latter, and be the means of making ultimately an improvement in the moral habits of the rising generation.

His Majesty’s Ministers have directed me, in consequence, to prepare the slave proprietors to expect an order in council to this effect: they are, however, anxious to give to proprietors an opportunity, individually and in concert, of anticipating this order, by spontaneously coming to a resolution to substitute a mode of punishment more becoming the sex of the slave, in the place of that of flogging allowed by the existing laws.

His Majesty’s Government are aware of the necessity of retaining the punishment of flogging with respect to male slaves, but recommended that the whip should no longer be carried into the field; they are apprehensive that the whip may not always be in the hand of the driver, the emblem only of his office, but may not unfrequently become the instrument of his displeasure. I am fully convinced that such an idea is erroneous; in order, however, that no doubt may remain on the subject, I have strongly to recommend to you, in conjunction with the other proprietors of your quarter, to devise measures for the gradual abolition of this system, and in the mean time to forbid the use of the whip, under any circumstances, in the field, as an instrument of punishment at the will of the driver, and by the adopting of a bell, or conch, as an instrument of call or assembly.

* Circular, 28th May, 1823, enclosing copy of letter to Major General Murray, &c. &c. &c. Resolutions, 15th May, of House of Commons.

You will be pleased immediately, on the receipt of this circular, to call a meeting of the principal proprietors of your quarter, and to lay before them this letter, which I should hope will be received by them as it is intended, that is, as a notification of the wishes of Government, which their own good will and good sense will act upon much more efficiently than if the proposed melioration was thrown back upon the Government to give effect to. You will also give communication of this letter to such of the free coloured inhabitants of your quarter, as you think proper, in order that every person interested may have full knowledge thereof.

I have the honour to be, &c.

(Signed)

T. M. MAINWAIRING,
Major-General, Adm. the Government.

*To the Civil Commissaries
of Quarters.*

No. 2.

*Extract of a Despatch addressed by General Mainwairing to Earl Bathurst, dated
St. Lucie, 8th August, 1823.*

I have the honour to transmit to your Lordship the enclosed protest of the members of the privy council of this island.

Castries, St. Lucie, 8th August, 1823.

May it please your Excellency.

At the meeting of His Majesty's Privy Council on the 21st ult. your Excellency was pleased to lay before them a despatch from Earl Bathurst, in date of the 28th May last, forwarding the Resolutions of the House of Commons of the 15th of that month, unanimously adopted on the amendment made by Mr. Secretary Canning, to Mr. Buxton's motion for the abolition of slavery, and directing your Excellency to prepare the slave proprietors in this island to expect that an order in council will be passed, absolutely prohibiting the infliction of the punishment of flogging on female slaves under any circumstance.

Your Excellency was pleased further to communicate to the privy council the copy of a letter addressed by Earl Bathurst to the Governor of Demerara, containing instructions which your Excellency was directed to act upon in so far as it might be possible, and which tended to invite the court of policy in that colony to further the views of government, by originating measures for the abolition of the punishment of flogging in the case of females, and for the cessation of the practice of driving slaves to their work by the sound of the whip.

Appalled as were the council by this undisguised announcement by the British Parliament of their ultimate views for the emancipation of the slaves, they hesitated not to express their respectful and implicit obedience to the will of their Sovereign, and to give to your Excellency that advice, which in their conscience appeared most in unison with His Majesty's commands.

Having, however, performed this duty as faithful subjects and honest counsellors, they felt that they had another and no less sacred duty imposed on them as the direct medium of communication between the planter and the government, and as the only legislative body in the island, and begged in behalf of themselves and their fellow colonists, to be permitted to enter upon the minutes of the council, their protest against any supposed acquiescence on their part in the

views of government beyond that dictated by obedience to the Sovereign's commands, and to be allowed through your Excellency to lay their respectful protestations at the foot of the throne.

Your Excellency, aware of the perilous situation in which the colonies became placed by the agitation of the present question, and of the question of ultimate emancipation, and of the sentiments which dictated this request on the part of the council, was pleased to accede to the same, and to express your readiness to be the medium of any respectful communication to His Majesty's government.

We therefore, His Majesty's privy councillors in the island of St. Lucie, do respectfully approach your Excellency with this our most solemn declaration and protest, which we pray your Excellency to forward to Earl Bathurst to be laid before the King.

We do declare that in common with the warmest philanthropist, the most zealous advocate of humanity and religion, we profess the most ardent wish to render the slaves who are our property happy and contented; that, moreover, were we callous to humanity and religion, our own interests, the interest of all who are near and dear to us, every feeling of honour and every regard to the sacredness of engagements would dictate to us the necessity of bestowing every attention upon those who labour for our benefit; that there is no measure of melioration, which His Majesty's government could devise, provided it were not inconsistent with that subordination which cannot for one moment be lost sight of, or were it compatible with our means, that we would not gladly have adopted, or that we would not now gladly adopt, if we could; that we should view as wise and prudent, any measures which brought the situation and treatment of slaves on estates, as immediately under the eye, and within the cognizance of government as possible, provided the same originated with the Colonial Legislature; that we are convinced, however, that all attempt on the part of the owner to meliorate the condition of the slave class, as an act coming from himself, must now be abandoned, that any concession now made by the proprietor of slaves, will be viewed as a subterfuge on his part, to avoid conceding something more; that the view of ultimate emancipation, placed by His Majesty's government in the back ground of the picture, no matter at what distance, cannot fail to act as a fatal stimulus to insubordination and misconduct; that the white population, and those who occupy the space which divides the slave from the newly-lit beacon of his dearest hopes, cannot long oppose an efficient barrier to the daily growing anxiety on the part of this slave to grasp the promised treasure; that supposing even the strong arm of active government to keep yet for some years, the slave class from open insurrection, they cannot fail, but be insubordinate to the deterioration of property, and ultimate ruin of the colonists; that viewing matters as we do on this spot, with the coolness of dispassionate reason, but with the feelings of men who cling to existence by the fondest ties of kindred affection, we cannot take upon ourselves the responsibility of tacitly acquiescing in any measures, which so far as human reason can foresee, must end in the ruin and misery of ourselves and families.

Wherefore we do most respectfully, but most solemnly protest as proprietors of near one thousand two hundred slaves, and as persons having staked our lives and fortunes in this destructive clime, on our own behalf, and on behalf of all interested or concerned in ourselves or properties, and as members of His Majesty's Privy Council, in behalf of our fellow colonists, and all concerned in their properties and welfare, against any injury or mischief which may arise to their or our persons, and against any loss, damage, or deterioration, which may arise to their or our properties, from the resolutions of the House of Commons of the 15th May last, or from any measures which His Majesty's government may please to found thereupon.

With every sentiment of love and loyalty for our Sovereign, attachment to the constitution of our country, and respectful regard for your Excellency,

We have the honour to subscribe ourselves

Your Excellency's most obedient very humble Servants,

JAMES MUTER,
H. DE BERNARD,
N. GLASSION,
FRANCIS LAFARGUE,
MICK. JACKSON.

DEMERARA.

No. 1.

Demerara, 11th August, 1823.

MY LORD,

The despatch which I had the honour to receive from your Lordship, dated 28th May last, was together with its enclosures (Resolutions of the House of Commons 15th May, and a report of the speech of Mr. Secretary Canning) laid before the Court of Policy on the 21st of July; and on the 7th instant a resolution was passed by the court declaratory of the objects enjoined by your Lordship.

Your Lordship, will, however, perceive by the extract from the minutes which I have the honour to enclose, that the subjects have been treated solely as having relation to the authority of master over slaves, and I trust I shall not have gone beyond your Lordship's command in suggesting the amendment moved by Mr. Wray to the second resolution, because I have known the whip discontinued, but a cat-o'-nine-tails substituted.

The Court of Policy will meet on the 28th instant, to enact a law founded on these resolutions.

I have the honour to be, my Lord,
Your Lordship's most obedient humble Servant,

JOHN MURRAY.

To The Earl Bathurst, K. G.
&c. &c. &c.

Extract from the Minutes of the Proceedings of the Hon. the Court of Policy, of the Colony and dependant Districts of Demerara and Essequibo, at its Ordinary Assembly held at the Court-House George Town, Demerara.

Thursday, the 7th of August, 1823.

(After Prayers.)

The despatch from Lord Bathurst, and the resolutions of the House of Commons, passed on the fifteenth May last, together with the Report of Mr. Secretary Canning's speech, which were laid on the table of the court on Monday the 21st ult. having been again read by the Secretary

The Honourable John Waddell, Senior colonial member, stated to the court that he had no doubt the views of His Majesty's government with regard to every practicable amelioration of the state of the slaves would meet with the most ready acquiescence both from this court and from the inhabitants of the colony generally.

The two particular points adverted to in Lord Bathurst's despatch, he thought required the court's earliest attention, and he therefore begged leave to move that the court should proceed to pass a law enacting,

First. That all masters, attornies, managers, overseers, or others, having the charge of slaves within this colony, be prohibited from flogging female slaves under any circumstances.

Secondly. That the carrying the whip in the field by the driver, either as a badge of authority, a stimulus to labour, or to be employed by him as the ready instrument of his displeasure, be discontinued.

Thirdly. That the court do adopt such measures as will enable masters, attornies, managers, overseers, or others, to retain control over their female slaves by establishing some other mode of punishment in lieu of that of flogging now abolished, and to further regulate and define the punishment of flogging on males.

The foregoing motion having been read over by the secretary,

The first resolution after due deliberation was agreed to *nemine contradicente*.

The second resolution having been read, His Honour Mr. President Wray rose and stated that he should beg leave to move as an amendment of the resolution just read :

That all the words after the word That be left out, and the following be substituted :

“ The carrying the whip or other instrument of punishment in the field by the driver, either as a badge of authority or a stimulus to labour be discontinued.”

His Honour, George Bagot, second Fiscal, rose to second the motion for the amendment proposed,

And the court having duly deliberated thereon, unanimously agreed to adopt the resolution as now amended.

The court, lastly, after the secretary had read over the third resolution, and the sense of the court having been taken, resolved unanimously to adopt it.

The secretary was then directed to enter on the minutes the foregoing resolutions as now adopted by this court *seriatim*.

First. “ That all masters, attornies, managers, overseers, or others, having the charge of slaves within this colony, be prohibited from flogging female slaves under any circumstances.”

Secondly. “ That the carrying the whip or other instrument of punishment in the field by the driver, either as a badge of authority or stimulus to labour, be discontinued.”

Thirdly. “ That the court do adopt such measures as will enable masters, attornies, managers, overseers, or others, to retain control over their female slaves by establishing some other mode of punishment in lieu of that of flogging now abolished, and to further regulate and define the punishment of flogging on males.”

No. 2.

Extract of a Despatch addressed to Earl Bathurst by Major-General Murray, dated Demerara, 24th August, 1823.

The despatch which I had the honour to address to your Lordship on the 14th instant, will have evinced the ready acquiescence of the planters here in His Majesty's commands and suggestions, for improving the condition of the slaves. I am sorry to have now to report to your Lordship for His Majesty's information, the dreadful change which has occurred in the aspect of affairs by the sudden revolt of the slaves on the East coast of this colony, generally from within a short distance of George Town nearly to Mahaica Creek. This, I apprehend, is not an unnatural result of misconception as to the discussions and numerous publications that have lately occurred with respect to their state.

On Monday the 18th instant, I received information, that the slaves were to

rise throughout the colony, on that, or the succeeding night, but their measures had been concerted with such expedition and secrecy, that few people, even under the existing susceptibility, were prepared to believe it, nor did I attach any credit to the story myself.

I however deemed it my duty, and accordingly hastened to the spot of information accompanied by the fiscal, while a few militia dragoons proceeded thither by a different route to act as couriers if required. The examinations there taken confirmed the information given, and I pushed forward dragoons with orders to the military stationed at Mahaica, in which direction I proceeded myself, having information of a supposed ringleader at Vryheids Lust; I turned in there in time to secure him, it was then dark, and immediately afterwards a report reached me, that Plantation Success had been set on fire. I pushed on, and at the bridge of Plantation Le Ressouvenir (Posts) passed a body of armed negroes who disputed the passage; but perceiving that there were not above forty, I returned to ascertain their views, which they stated to be unconditional emancipation. I expostulated with this body for at least half an hour, and explained how much such conduct put it out of my power to carry into effect His Majesty's beneficent views for bettering their condition, explained the abolition of the flogging of females, and of the carrying whips to the field as but first steps in the intended measures; these things they said were no comforts to them, God had made them of the same flesh and blood as the whites, that they were tired of being slaves to them, that their good King had sent orders that they should be free, and they would not work any more. I assured them, that if by peaceful conduct they deserved His Majesty's favour, they would find their lot substantially though gradually improved; but they declared they would be free, and as their numbers had increased to between two and three hundred, and that a mounted negro persisted in sounding a shell, I was apprehensive of my retreat being cut off and returned towards town. Those in the rear of this column were repeatedly insisting upon firing on our little party, but this being opposed by those in front with whom I was in parley, we retired unmolested. I now perceived flashes in all directions, but no attempt was made upon us except in passing Plantation Plaisance, where a tardy rush was made at us, and a shot or two fired.

I was happy to find all quiet in town, and having moved detachments on the disturbed district, I directed the rifle company of town militia to follow the regular troops, which it did with an alacrity that was highly creditable to its discipline; and, having made the best general disposition that my very limited means would allow, I called the Court of Policy together the next morning, and at noon my arrangements being completed, declared Martial Law.

I placed the George Town Brigade under the orders of Lieut.-Colonel Goodman, to which was soon added a provisional battalion under Major Frankland, and the Marine batallion under Captain Muddle, R. N., and Lieutenant-Colonel Leahy, 21st Fusileers, marched that evening with a strong detachment of his regiment and militia to take command of the force more actively employed.

Whenever any of these detachments came up with bodies of insurgents, they endeavoured to persuade them to lay down their arms and return to their allegiance, nor were forcible measures resorted to until expostulation had failed, or the rebels had given the first fire. They were universally routed, except on the morning of the 19th, near Mahaica, where they compelled a small detachment of the 21st, commanded by an excellent officer, Lieutenant Brady, to retire on his post, which, with sixteen rank and file, he effected in an officer-like manner against a determined body of seven or eight hundred well-armed men, who used every exertion to surround him.

On Tuesday night, the 19th, the Rifle company under Captain Croal, dis-

lodged a strong body from Elizabeth Hall, having killed and wounded a number of them ; and on Wednesday, at daylight Lieutenant-Colonel Leahy having been joined by this company, found himself between two large bodies, which, after every expostulation for above an hour, which seemed but to increase the insolence of the revolted, he charged simultaneously, and dispersed them with considerable loss.

While these things were occurring, I issued a proclamation addressed to the peaceable portions of the united colony, which was diligently explained in all directions, and, in general, well received. I then endeavoured to bring the misguided back to their duty, under instructions of which I also enclose copies, and finding that many manifested a desire to return to their respective estates, I issued the proclamation, No. 3.

I am happy to be able to report to your Lordship, that the majority of the less guilty have returned to their labour, in one or two instances they have surrendered their arms with good faith ; but, in general, that pledge of their sincerity has been withheld.

I am highly indebted to Captain Simpson's little troop of cavalry for their exertions and gallantry in rescuing the whites from the stocks in which they were every where confined ; the infantry was also useful in this way, and Captain M'Turk, with the militia under his command, has been extremely active. A company of the 1st West India regiment, under Captain Stewart, has conducted itself with zeal and fidelity, it was sometimes detached, and at others acting with the 21st Fusileers and Rifle Company.

HEADS under which you are authorized to communicate
with the body of negroes, said to be assembled

or any other body of revolted negroes you may
fall in with.

FIRST.—Your revolt has already proved to you, your weakness.

SECOND.—It is true that the Court of Policy, in conjunction with your masters, were desirous of amending your state, by making certain regulations favourable to your comforts.

As a first step to this, the flogging of women and the carrying the whip or other instrument of punishment in the field, were about to be immediately abolished—and a law was in preparation to that effect.

Other improvements were to have followed, if deemed such as you could be deserving to receive.

You have now forfeited all claim to favour, and the only hope that the measures intended will not be stopped for ever, depends on your immediate and unconditional return to your duty.

You must lay down your arms, and come in within twenty-four hours—and your governor will extend what mercy is possible to you.

Depend however on this, that whatever commands the King sends here, always have been and always will be strictly obeyed.

PROCLAMATION,

By his Excellency Major-General John Murray, Lieutenant-Governor
and Commander-in-Chief in and over the United Colony of De-

L. S merara and Essequibo, &c. &c. &c.

Various measures being in contemplation by His Majesty's government for meliorating the condition of the slave population in the colonies, and of progressively qualifying them for an extension of privileges; I have deemed it expedient to issue this my proclamation, hereby notifying to that part of the slave population of this united colony which still continues faithful and obedient to their masters, that any general misconduct or acts of insubordination on the part of that population, similar to those evinced by the unfortunately misguided slaves on some of the estates to windward, cannot fail to render totally abortive the proposed measures of His Majesty's government which depend necessarily on their peaceable, temperate, and industrious behaviour; an opposite line of conduct will forfeit all their claims upon the liberality of the British Government, and utterly disqualify them from benefiting in any manner by its favourable disposition towards them.

The consequence of the misconduct of those slaves is, that they are at this moment suffering all the horrors attendant on the existence of martial law, which I have been compelled to put in force in that part of the colony with all its accompanying severity.

Given under my hand and seal of office, at the King's House in George
Town, this 20th day of August, 1823, and in the fourth year of His
Majesty's reign.

GOD SAVE THE KING.

JOHN MURRAY, Gov. Sec.

By command of his Excellency the Lieutenant-Governor.

PROCLAMATION,

By 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.

Whereas a disposition is stated to have manifested itself among some of the slaves now assembled in arms on the East coast of this colony, to return to their duty and allegiance, and it having been reported to me that many faithful and well-disposed slaves have been forced by the more evil-minded among them to join their revolt, and are still continued among them either by force or by apprehension of the consequences of their having appeared in arms—I have thought fit to issue this my Proclamation, hereby offering a full Free Pardon to all slaves (provided they shall not have been ringleaders or guilty of aggravated excesses), who, throwing themselves upon my clemency, shall, within forty-eight hours after the promulgation of this my proclamation, deliver themselves up to any burgher, captain or officers commanding detachments or parties of troops, giving up their arms, accoutrements, and ammunition, as pledges of their sincerity.

And I do hereby order and enjoin all slaves at present in rebellion, to lay

down their arms and return to their labour—when such mercy as their compliance may justify, will be extended to them. In default of which, and after the expiration of forty-eight hours, as aforesaid, all such as shall be found in arms must be dealt with as rebels and can place little hope in mercy.

Given under my hand and seal of office, at the King's House, in George Town, this 22d day of August, 1823, and in the fourth year of His Majesty's reign.

GOD SAVE THE KING!

JOHN MURRAY, Gov. Sec.

By command of his Excellency the Lieutenant-Governor.

No. 3.

Extract from a Despatch addressed to Earl Bathurst by General Murray, dated Demerara, 31st August, 1823.

The peaceable aspect which affairs had assumed here when I last had the honour to report to your Lordship, (on the 26th instant) has, I am happy to acquaint your Lordship, not been materially interrupted since.—An evil spirit does however still manifest itself; there are nearly a hundred negroes unaccounted for, and about the same number of arms.

The two principal leaders belong to Plantation Success, Quamina Gladstone and his son Jack, who have escaped into the woods with a small party of men and eight or ten women. They are pursued by a party of militia under the command of Captain M'Turk, Second Battalion Demerara Militia, and sixty Indians; Major Sgravesande, with a party of the same battalion and the Mahaiconi Indians, has also moved up the Mahaica Creek to intercept them.

No. 4.

Extract of a Despatch addressed to Earl Bathurst by Major-General Murray, dated Demerara, 31st August, 1823.

I have had the honour to receive your Lordship's despatches of the 9th of July, they reached me on the evening of the 19th instant, the day after the revolt, which I have had the honour to report to your Lordship.

Under the unfortunate circumstances in which the colony is placed, I cannot hope that the Court of Policy will be induced to proceed any further at present in the system of amelioration which it had so cheerfully commenced at His Majesty's suggestion.

BERBICE.

No. 1.

*Extract of a Letter addressed by Governor Beard to the Earl Bathurst, dated
Berbice, 20th October, 1823.*

I have the honour of forwarding to your Lordship the minutes of proceedings in the Council of Government of the 12th and 21st August last, relative to the instructions contained in your Lordship's despatches of 28th May and 9th July last, for the melioration of the condition of the slave population.

*Extract from the Register of the Proceedings of the Honourable the Council of
Government of the Colony, Berbice.*

PRESENT—His Excellency Henry Beard, Esq. Lieut.-Governor, &c. &c. &c.

And the Honourable Members

George Munro,
John Cameron,
William Kewley,
John Downer,
William Munro,

DEMPNIS—Adrian Krieger.

Tuesday, August 12th, 1823.

(After Prayers.)

His Excellency the Lieutenant-Governor laid over a despatch from the Right Honourable the Earl Bathurst, dated Colonial-Office, Downing-street, 28th May, 1823, communicating to him certain resolutions which were unanimously agreed to by the House of Commons, on the 15th May, respecting the meliorating the condition of the slave population in His Majesty's colonies, and suggesting as what may be at once adopted, "An absolute prohibition to inflict the punishment of flogging, under any circumstances, on female slaves."

His Lordship, stating that the system of meliorating the condition of slaves to which His Majesty's Government stand pledged by the above-mentioned resolutions, cannot better commence than by the adoption of a principle, which, by making distinction of treatment between the male and female slaves, cannot fail to raise this unfortunate class generally above the present degraded level, and to restore to the female slaves that sense of shame which is at once the ornament and protection of their sex, and which their present mode of punishment has tended to weaken if not to obliterate.

His Lordship further stating that he should have communicated His Majesty's commands, that the punishment of flogging should for the future cease with respect to female slaves, had he not been desirous that the prohibition should proceed

from the council, as he is unwilling to deprive them of the satisfaction which his Lordship is sure they will feel in originating and supporting a measure which has been approved of by all classes.

And with respect to the practice of driving the slaves to their work by the sound of the whip, his Lordship is equally disposed to trust to the council to originate measures for the cessation of this practice, but is aware that the necessity may exist for retaining the punishment of flogging with respect to males, though at the same time it should be subjected to defined regulations and restrictions; but as an immediate measure, his Lordship cannot too strongly recommend that the whip should no longer be carried into the field and there displayed by the driver as the emblem of his authority, or employed as the ready instrument of his displeasure.

His Excellency likewise laid on the table a despatch received by him from the Under-Secretary of State, R. Wilmot Horton, with an accompanying circular, addressed by Lord Bathurst to the several islands in the West Indies, wherein his Lordship states he is not prepared to communicate the definitive instructions which His Majesty's Government will issue with respect to the immediate measures for the improvement of the condition of the slave population necessary to be enforced by the colonial legislatures, and the adoption of which they will be directed in his Lordship's despatch by the early July packet, to press in the most earnest manner.

His Excellency at the same time expressed a hope that the council would meet the views of government by an adoption of His Lordship's suggestions.

Which the council entirely and unanimously concurred in; but that in the mean time and previous to any promulgation thereof, it might be expedient to await instructions which may be expected by the early July mail, when this subject would undergo further consideration, to which His Excellency was pleased to acquiesce.

Extract Minutes of the Proceedings of the Honourable the Council of Government of the Colony Barbice.

PRESENT.—His Excellency, Henry Beard, esq., Lieut.-Governor.

And the Honourable Members

A. Krieger,
W. Kewley,
Jno. Downer,
Wm. Munro.

ABSENT.—Geo. Munro, J. Cameron.

His Excellency laid over a despatch dated 9th July last, received from the Right Hon. the Earl Bathurst, being a series of suggestions and propositions relative to the melioration of the condition of the slaves in the West Indies generally.

And observed, that as said despatch was very voluminous, and required serious consideration, he would not at the present moment of alarm and agitation press it on the council.

After which the council adjourned.

No. 2.

Extract of a Letter addressed by Governor Beard to Earl Bathurst, dated Barbice, 20th October, 1823.

I have the honour of transmitting to your Lordship the minutes of the proceedings in council of the 6th and 7th of the present month, by which your Lordship

will observe that I have not failed again to call the council's attention to your Lordship's despatches of the 28th May and 9th July last, conveying suggestions for the meliorating the condition of the slave population.

Extract from the Register of the Proceedings of the Council of Government of the Colony, Berbice.

Monday, October 6th, 1823.

PRESENT—His Excellency Henry Beard, Esq., Lieutenant-Governor,
&c. &c. &c.

And the whole Council.

His Excellency the Lieutenant-Governor having brought under consideration the subject of Lord Bathurst's despatch, dated the 28th of May, 1823, on the subject of the melioration of the condition of the slave population, particularly as related to the abolishing the use of the whip in the punishment of female slaves, and the taking away from the drivers that instrument when accompanying the gang to their labour, suggested the necessity of giving effect to these measures by a regular enactment.

In reply to which the members observed to his Excellency, that although, as they had before expressed themselves, they were willing to meet, by every means in their power, the wishes of His Majesty's Government in the proposed measures to be adopted for meliorating the condition of the slaves, they could not but consider the present moment too pregnant with danger to the colonies, from the spirit of insubordination which had, unhappily, but too lately been exhibited by the slaves in the neighbouring Colony of Demerara, to risk the chance of agitating their minds by promulgating any enactment of the nature alluded to.

The members at the same time observed, that the principal object of the two points in question, namely, the disuse of the whip in the punishment of the female slaves seemed to be generally understood and adopted in the colony, and that the other was more matter of imagination than reality, as the driver possessed, generally, little or no discretionary authority in the use of his whip, he being in many instances prohibited altogether from inflicting punishment on his own authority, and where permitted, only to a trifling extent; they therefore, under all circumstances, suggested the propriety of deferring any publication on these subjects till a more favourable period, with which suggestion his Excellency was pleased to acquiesce.

Extract from the Register of the Proceedings of the Council of Government, Berbice.

PRESENT.—His Excellency Henry Beard, Esq., Lieut.-Governor, &c. &c. &c.
And the whole Council.

Tuesday, Oct. 7th, 1823.

(After Prayers.)

His Excellency the Lieutenant-Governor again called the attention of the Hon. the Council, to the subject of Lord Bathurst's two several despatches, dated respectively the 9th July last, respecting the religious instruction of the slaves, and the attendance of those coming to the Sunday markets at some place of public

worship, and stated that it became necessary for the council to take under their consideration the practicability of giving effect as early as possible to the objects proposed by his Lordship.

To which the members in reply stated, while acquiescing with his Lordship on the propriety of the slaves receiving through proper channels religious instruction, and also in the general principles laid down by his Lordship, would with all due respect request of his Excellency to defer for the present the pressing upon the council, either the agitation of, or carrying into effect, the proposed measures connected with the slave population, the unhappy events which have occurred in Demerara forming, they consider, too serious a bar to their present adoption; and his Excellency having heard the arguments of the several members in support of this proposition, was graciously pleased to accede to the same.

No. 3.

Extract of a Letter addressed by Governor Beard to the Earl Bathurst, dated Berbice, 25th August, 1823.

Although I have not yet discovered any insubordination among the slaves in this colony, yet great agitation and ferment prevails, and it is generally conceived that the negro population are labouring under erroneous impressions, and that the recent melancholy events in Demerara, may ere long powerfully operate here; and therefore, although we are at the present moment apparently tranquil, yet the next may unhappily place us in a similar dilemma.

The fiscal, the members of the council, and other inhabitants, have called on me by a requisition, to issue a proclamation for the purpose of removing the delusion which the negroes in this settlement are labouring under. I have therefore, under these circumstances, in obedience to your Lordship's instructions of the 28th of May last, published the proclamation which those instructions conveyed to me.

I have adopted every possible precautionary measure here, and should hope that the subordination of the slaves in this colony, which has hitherto been conspicuous, would remain undisturbed.

No. 4.

Extract of a Letter addressed by Governor Beard to the Earl Bathurst, dated Berbice, 27th August, 1823.

I am happy to report to your Lordship, that this colony remains perfectly tranquil. The proclamation which I issued, agreeably to your Lordship's instructions and the requisition of the council and others, has been generally explained to the negroes on the estates, and I have every reason to believe, has been of essential benefit to them and the colony.

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No. 3.

SCHEDULE

TO

SUPPLEMENT.

Colony.	No. and Date of Governor's Letters transmitting.	SUBJECT.	Page.
DOMINICA.	No. 1. Jan. 11, 1824.	State of the Colony. Transmitting Draft of Bill to render penal the writing, &c. of Seditious Words. The Assembly dissolved. (One enclosure.)	127
	No. 2. Jan. 11, 1824.	Transmitting Minutes of Council from Nov. 18th Jan. 11th. (Three enclosures.)	131
GRENADA.	No. 1. Jan. 7, 1824	An Act passed for relieving the free coloured and black persons from certain disabilities	136
DEMERARA.	No. 1. Dec. 26, 1823.	Transmitting two Proclamations, one for regulating the observance of the Holidays at Christmas, the other embodying the substance of that transmitted to Governors by Lord Bathurst, on 28th May ult. (Two enclosures.)	137
	No. 2. Jan. 23, 1824.	Transmitting Proclamation declaring Martial Law to have ceased. (One enclosure.)	139

* These Papers have been received since the foregoing Documents were printed.

Draft of an Order in Council for improving the condition of Slaves in Trinidad	141
Proclamation to be issued in the West India Colonies, &c.	158

SUPPLEMENT.

DOMINICA.

No. 1.

Extract of a Letter addressed by the Earl of Huntingdon to Earl Bathurst, dated Government-House, Dominica, January 11th, 1824.

The colony has been in the most agitated state from the measures adopted by the assembly, ever since the docket of fees for the naval officer was established by the Governor and Council.

The annual Tax Bill for 1823, passed the Assembly on the 6th June, 1823, and was sent to the Legislative Council, and was also passed by that Board and returned to the Assembly on the 31st July to be presented to the Executive, but which has not *yet* been done; and which I venture to say has been unprecedented.

The unconstitutional and unparliamentary proceeding of the Assembly in keeping back the Tax Bill *after* it had passed the Council and Assembly, and which was also a violation of that good faith that ought to exist between those respective bodies, would have been good and sufficient reason, I presume, my Lord, to sanction a dissolution of the Assembly.— But desirous to avert the misfortune which such a measure must necessarily entail on the Colony, and in the hope that the Assembly would eventually proceed to business, and quietly await the directions which I may receive from your Lordship on the subject, and particularly anxious not to impede the progress of the Slave Melioration Act, recommended by His Majesty's Government, I thought it advisable, from these considerations, not at that time to do so; but to adopt every means in my power to bring about a reconciliation between the Council and Assembly. I am, however, sorry to say, that all my endeavours proved ineffectual; and, instead of proceeding to the despatch of such public business as the situation of the Colony required: every subsequent meeting of the Assembly was marked by messages, resolutions, or proceedings tending to inflame, rather than allay the ferment which already existed in the colony, and I may say amongst all ranks of its inhabitants, from the non-passing of the Supply Bill. And having every reason to imagine, or, I may add, know, that no immediate steps were likely to be adopted in the Slave Melioration Bill, in consequence of the recent events at Demerara, and also with a view to observe the effects in the neighbouring colonies, where such Acts had already passed; and which is pretty clearly evinced by the copy of a Bill herewith transmitted, that passed the Assembly on the 18th day of December last, and from which, especially on account of the first clause, I considered it my duty to withhold my assent.

Under these circumstances I thought it was not necessary any longer to forbear, and therefore exercised my prerogative on the 30th ultimo, by issuing a proclamation dissolving the assembly.

AN Act to prevent and render penal the printing, writing, preaching, publishing, and speaking Seditious Words, and for other Purposes, and also for extending the Powers of the Court of Petty Sessions to the Trial of Offences within this Act.

PREAMBLE.—Whereas, it is highly expedient for the safety of the colony, that prompt and decisive measures should be adopted for the suppression and punishment of seditious words.

CLAUSE 1st.—Be it and it is hereby enacted, That any white, free person of colour, or slave, who, by printing, writing, preaching, or speaking, shall utter or use any words or sentences, intending or naming death, destruction, or any bodily harm to any white person, free persons of colour, or slaves, or destruction of estates, buildings, or houses of any kind, canes, coffee, cotton, or other produce of this island, or any other mischief, or to incite, or which may incite, or have a tendency to incite, slaves to a hatred or contempt of their owners, or to the laws and constitution of the island, in any way affecting or relative to the government of slaves, or to render them discontented or dissatisfied with their condition or with the laws of this island, in any way affecting or relating to slaves, or to induce them to throw off their duty and obedience to their masters, or for the purpose of altering, or inciting to alter, the same, or in debating or deliberating thereon, or which may induce any slave or slaves to believe or expect that they will obtain emancipation or freedom, or any right, benefit, or privilege, or that it is lawful to obtain, or endeavour to obtain, such right, benefit, or privilege, by any means not permitted or authorized by the laws in force in this island, shall be guilty of a high misdemeanor, and punished by banishment, fine, imprisonment, or such other punishment as the court, before whom such offender shall be tried, shall direct.

CLAUSE 2nd.—And be it and it is hereby enacted, That it shall and may be lawful for the owner, renter, or employer of any slave or slaves, or any other person by his directions and his aid, having a warrant from a magistrate, to enter any negro-house or houses belonging to any person or persons, and upon refusal of opening the doors of any negro-house or houses by day or by night to search for any such slave or slaves accused of any offence against this act, then to break them open, having first given notice to the owner, renter, manager, or overseer of the plantation if any such thereon living and then at home, or else to any other white person being there, otherwise to proceed to make such search without notice, and if any other person or persons whomsoever, either owner, renter, manager, or overseer, of or in any plantation shall hinder, threaten, oppose or deter any person or persons giving notice as aforesaid from making search in his, her or their, or any of their negro-houses for any such slave or slaves, such person or persons shall pay and forfeit each for every such offence, a fine not exceeding ten pounds nor under five pounds current money of this island to be recovered as hereinafter directed; and further if any person or persons shall make search, or aid, or assist in making such search without first giving notice when any white person is on the plantation when such search shall be made

according to the tenor and direction of this act, or shall under colour of such search beat, abuse, wound, or hurt any slave or slaves without just cause, the offender or offenders each, shall forfeit any sum not exceeding ten pounds nor under five pounds current money, besides being liable to an action of the party injured for damages; and if application before a warrant obtained be made by the owner, renter or employer of, or person having charge of, any such slave or slaves, or any other free person, for him or her to the owner, renter, or manager of any plantation in the country or houses in town, to search or cause to be searched, the negro-houses and the out-houses belonging to each plantation or house in town for any such slave or slaves as he or she may have received information, is or are there harboured, concealed, or entertained, such owner, renter, manager, or overseer of such plantation, or persons residing in the house in town, shall immediately make diligent search, or cause such diligent search to be made in the negro-house and other outhouses and other suspected places in the said plantation, or to the house in town belonging for such slave or slaves, and upon proof of the refusal to make such search or cause such search to be made, the party so refusing shall forfeit in manner aforesaid: Provided always, that before such forfeiture be incurred, the owner, renter, or employer, or person having charge of such slave or slaves, shall make oath before some justice of the peace that he did actually receive such information, and that there was probable cause to suspect that it might be true. The fines to be incurred by virtue of this clause, to be recovered before any two justices of the peace by warrant under his hand and seal, directed to any constable to levy upon any goods and chattels of the offender or offenders.

PREAMBLE.—And whereas arms and weapons of various sorts are in the possession of slaves and other improper persons throughout this island, and may be employed for purposes dangerous to the public peace.

CLAUSE 3d.—Be it enacted, that it shall be lawful for any justice of the peace, upon information on oath of one or more credible witness or witnesses, whether free or slave, that he or they know, or have reason to believe, or if it should otherwise come to his own knowledge, that any gun, pistol, bayonet, sword, cutlass, dirk, spear, pike, dagger, or other weapon, is in the possession of any slave or slaves, or other improper person or persons, or is or are in any house or place, for any purpose dangerous to the public peace, to issue his warrant to any constable, to search for and seize such gun, pistol, bayonet, sword, cutlass, dirk, spear, pike, dagger, or other weapon, in the possession of such slave or improper person, or in any such house or place; and it shall be lawful for such constable, acting under any such warrant, or any other person or persons acting in his aid or assistance, to search for and seize any and all such arms and weapons as aforesaid in the possession of any slave or improper person, or in any such house or place; and in case admission into such house or place shall be refused, or not obtained within a reasonable time after it shall have been first demanded, to enter by force, by day or by night, into every such house or place whatsoever, and to detain, or cause to be detained in safe custody, in such place as the said justice shall appoint and direct, the arms or weapons so found and seized as aforesaid, unless the owner thereof shall prove to the satisfaction of such justice, that such arms or weapons were not kept for any purposes dangerous to the public peace. Provided always that it shall be lawful for any person from whom any such arms or weapons shall be so taken as above directed, in case the justice of the peace, upon whose warrant the same

shall have been taken, shall, upon application made for that purpose, refuse to restore the same, to apply to the next Court of King's Bench and Grand Sessions, upon giving ten days' previous notice in writing of such application to such justice for the restitution of such arms or weapons, or any part thereof; and the court shall make such order for the restitution or safe custody of such arms or weapons, or any part thereof, as upon such application shall appear to them to be proper, provided that no cutlass, placed in the hands of any slave by his owner for agricultural purposes, shall be liable to seizure under this act, on the estate or property of such owner.

CLAUSE 4th.—And be it enacted that any slave found in any of the streets or lanes of the town of Roseau, between the hours of nine o'clock at night and five in the morning, unless he shall be provided with a pass from his owner or a light, shall and may be taken up by any white person or free person of colour, and confined in the cage or in the common gaol until the following morning, and previous to being liberated therefrom, the clerk of the market is hereby authorized and directed to inflict on such offender, with a cat of nine tails, any number of lashes not exceeding twelve; and for so doing he shall be entitled to receive from the town-warden fund, in the hands of the treasurer, the sum of nine shillings, on producing to one or more of the town-wardens a certificate of such punishment having been inflicted, signed by two respectable white persons or free persons of colour.

PREAMBLE.—Whereas an Act passed on the tenth day of September, one thousand eight hundred and seventeen, by the legislature of this island, entitled, "An Act to establish Courts of Petty Sessions, at stated times for the trial by jury of runaway or other Slaves in custody of the Provost-Marshal, for crimes under any of the laws of this island now existing, or hereafter to exist, for regulating and in some instances varying their punishment, as established by laws now in force, for the more speedy trial of slaves committed for misdemeanors, or petty offences, by justices of the said court, without a trial by jury, and to enable the justices of the Court of King's Bench, and Grand Sessions of the Peace, immediately on the termination of their sessions, to hold Courts of Petty Sessions for the trial or gaol delivery of slaves, then in custody of the said Marshal, and for other purposes connected therewith." And whereas it is expedient that the powers given by the said Act, be enlarged, and some of its clauses altered, added to, and amended.

CLAUSE 5th.—Be it therefore and it is hereby enacted, that his Excellency the Governor, or Commander-in-Chief for the time being, shall and may at any time, when, and as often as he shall see fit, so to do by his order in writing, appoint an early day for the holding a Court of Petty Sessions, and the court so holden, shall proceed in the same manner and form, according to the rules and methods prescribed for the proceedings of the said Court of Petty Sessions, established as hereinbefore mentioned. And if such special court so called, shall not meet at the appointed day, by absence of justices, jurors, or the officers of the said court, or other cause, then and in such case, any one justice present, shall and is hereby authorized to adjourn the said special court, to an early day; and in case it should so happen that the said adjourned court should not upon such adjournment, meet for want of sufficient justices, jurors, or officers, or other cause, to enable it legally to sit, then any one justice present shall again adjourn it, and so, *totus quoties*, as the business commenced or pending therein be completed, and the same finally determined by the court.

CLAUSE 6th.—And be it enacted, that if any justice for this island, shall neglect or refuse to do the duty by this Act required, he or they shall each forfeit the sum of twenty-five pounds current money of this island, one half to His Majesty, his heirs and successors, to be paid into the public treasury of this island, for the public uses thereof, and the other half to the informer, to be recovered by any action of debt, bill, plaint, or information in any Court of Record in this island, wherein no essoign, protection, or wager of law, shall be allowed, and any constable refusing or neglecting to do the duty by this Act required, shall forfeit the sum of five pounds current money, one half to His Majesty, his heirs and successors, to be paid into the public treasury of this island, for the public uses thereof, and the other half to the informer, to be recovered before any two justices of the peace for this island.

Passed the House of Assembly
this 18th December, 1823.

J. H. NEWMAN,
Clerk of Assembly.

Passed the Council this
18th December, 1823.

H. NISBET,
Acting Clerk of the Council.

No. 2.

*Copy of a Letter addressed by the Earl of Huntingdon to Earl Bathurst, dated
Government-House, Dominica, January 11, 1824.*

MY LORD,

I have the honour to transmit the minutes of His Majesty's Privy Council from the 18th of November to the present date, to which I beg to refer you.

By the minutes of the 3d December your Lordship will observe that I called a meeting of the Privy Council to lay before them certain communications respecting the insubordination of the slaves in the parish of St. Andrew, and particularly in regard to a slave named François, who had been sent to me under an escort of the militia. On the 6th another meeting was held, by adjournment, for the purpose of further examination, when it was recommended that the said François, being considered a dangerous character, should be kept in confinement during the Christmas holydays.

Your Lordship will observe by the minutes of the 20th December, to which I beg leave to call your particular attention, that I called a meeting of the Board on that day to lay before them the examination and depositions taken, at my desire, by the Honourable William Bremner and William Blanc, in regard to two slaves, named Pascal, belonging to Silence estate, and Grand Jacques, belonging to Point Guignard, who had been sent to me accused of exciting the slaves in their respective neighbourhoods to revolt; and which had caused considerable sensation in the colony. From the examination of these people, as well as from information from other quarters, there remained no doubt but that the slave population expected immediate emancipation, and had an idea that it was kept from them. It

was also apprehended that in consequence of such impression they may be led to insurrection during the holydays, I therefore submitted to the Board the propriety of issuing a proclamation in conformity to the form transmitted by your Lordship on the 23d October; but you will perceive it was the unanimous opinion of the Board that a proclamation, agreeably to the enclosed should be adopted, as within the spirit of the one alluded to; and being more likely to be understood by the slave population, and which was accordingly proclaimed on the same day.

I have much satisfaction in acquainting your Lordship that from that period no complaint whatever has been made against any of the slaves; and it is generally remarked that they were as quiet and peaceable during the last holydays as at any former period, and have returned to their duty with the same obedience.

I have the honour to be,

My Lord,

Your Lordship's most obedient and humble servant,

HUNTINGDON, Governor.

*Extract from the Minutes of the Privy Council, Government-House, Dominica,
December 3d, 1823.*

At a Meeting of His Majesty's Privy Council.

PRESENT,

His Excellency the Earl of HUNTINGDON, Governor;

The Honourable WILLIAM BREMNER,
ROBERT GARRAWAY,
JOHN LAIDLOW,
WILLIAM BLANC.

His Excellency laid before the Board a letter from Edward Luke Noble, addressed to his secretary, accompanying a slave named François, belonging to Marie Victoire Brumant, who he had sent up by a detachment of the St. Andrew's India Company Militia, accused of having instigated the slaves in that parish to insubordination, with sundry documents in support of the said charge; which the Governor submitted for their consideration and advice.

The Governor also read to the Board a letter, dated the 31st of November, from Messrs. Mourillon, Casey, Sydenham, and Bonnie, proprietors and inhabitants of the parish of St. Andrew, addressed to Captain Noble, stating, that the slaves in that quarter are about to create an insurrection, under an impression, that they were entitled to their manumission, and which had been instigated by one or more evil-disposed persons.—In consequence of the serious nature thereof, his Excellency had called a meeting of the Privy Council, to take their advice, as to the steps necessary to be adopted.

His Excellency also submitted to the Board two letters, from the Right Honourable the Secretary of State, dated 23d of October last, enclosing form of a proclamation to be issued in case it should be necessary.

The Slave François was brought before the Council and examined, as well as the persons of the detachment; and it was recommended by the Board, that the said François should be remanded for further examination; and that Alexandre de Petit, Charlotte Marie, Edmund Moore Casey, Charles Sydenham, George Royer, and Marie Victoire Brumant, should be summoned by the clerk to attend the Privy Council on Saturday next, at ten o'clock.

The Board advised his Excellency the Governor to issue his warrant to the Treasurer for the payment of twenty dollars, as a remuneration to corporal Royer and four privates of the St. Andrew's India Company of Militia, for their loss of time, and to defray boat-hire, &c., in conducting François to Roseau; and also advised his Excellency to send a message to the Legislature, acquainting them thereof, and recommending their placing a certain sum at his disposal, for the payment of similar emergencies.

Government-House, Dominica, Demember 6th, 1823.

At a Meeting of His Majesty's Privy Council.

PRESENT,

His Excellency the Earl of HUNTINGDON, Governor,

The Honourable ARCHIBALD GLOSTER,
WILLIAM BREMNER,
ROBERT GARRAWAY,
JOHN LAIDLAW,
WILLIAM BLANC.

In pursuance of the summons issued by the directions of the Board at the last meeting, the persons therein named attended; and Mr. Sydenham was called in, who acknowledged that he had signed the letter to Captain Noble, stating, there was an appearance that the negroes in the parish of St. Andrew intended to create an insurrection, and he was told to inform the Board what he knew on the subject:—He said, that the negroes generally did not behave so well as they used; that instead of doing their duty cheerfully, they are obliged to be flogged to make them attend to it, and it appears that they have an idea that they will soon be emancipated.

Mr. Casey was also called, and he corroborated the statement of Mr. Sydenham, and declared, as did also Mr. Sydenham, that the said slave François was a most dangerous character; and consequently the Board recommended that he should be kept in confinement till after the holidays. The Board were of opinion, that every measure should be adopted to provide arms for the militia, and that they should be put in a state of readiness for active service, if required.

Government-House, Dominica, December 20th, 1823.

At a Meeting of His Majesty's Privy Council.

PRESENT,

His Excellency the Earl of HUNTINGDON, Governor,
The Honourable ARCHIBALD GLOSTER,
WILLIAM BREMNER,
JOHN LAIDLAW,
WILLIAM BLANC,
CHARLES COURT.

His Excellency stated, that he had called a meeting of the Privy Council to lay before them the examination of several slaves, who had been accused of making use of improper and seditious language, as tending to create insubordination in the island; which depositions had been taken at his Excellency's request by the Hon. William Bremner and William Blanc; and to take the advice of the Board relative to such steps as it may be deemed necessary to adopt. The several depositions were then read, viz.

The deposition of J. Mon. Plaisir Dusausay, part proprietor of Silence Estate, as to the complaint preferred by him against his slave Pascal, also the examination of Remy belonging to the said estate and Pascal. The examination in regard to the slave, named Grand Jacques, belonging to Point Guignard were also read; from which, although no direct act of insubordination existed, or was proved against any individual, it was very apparent that an idea was entertained by the slave population of immediate general emancipation, and which if not checked may lead them to insurrection and revolt. His Excellency therefore submitted to the Board the propriety of issuing the proclamation transmitted by the Right Honourable the Secretary of State, and after mature consideration, the Board were unanimously of opinion, and strongly recommended to his Excellency to issue the following proclamation, being in the spirit of that sent out by government, and which it is more likely would be better understood by the slave population.

Whereas it has been represented to me, that certain erroneous ideas appear to have been impressed on the minds of numbers of the slave population of this colony, leading them to *expect* speedy emancipation, and tending to produce in them general misconduct, and acts of insubordination. And whereas there being no foundation for such expectation, and it is to be apprehended that the propagation of such notions may be productive of serious consequences, therefore I have thought fit to issue this my Proclamation, warning the slave population not to listen to the false representations of evil-minded persons, tending to mislead them from their peaceable, temperate, and industrious behaviour, into unfounded expectations;—and do earnestly admonish the slaves, to continue as heretofore, orderly, peaceably, and industrious in their conduct, and obedient to the lawful commands of their owners, managers, and others duly invested with authority over them. Hereby assuring them, that any act of disobedience or insubordination, will call forth all the powers with which His Majesty the King has been pleased to invest me, to punish offenders, in the most prompt,

rigorous and exemplary manner, and will also prevent the adoption of any further measures for the purpose of meliorating the condition of the slave population of this island.

The Board advised that one hundred and fifty copies thereof in French and English should be printed as soon as possible after publication, and forwarded to the magistrates and officers commanding independent companies, to be by them delivered to the several managers of estates for the purpose of giving it general and public circulation. The Board also recommended that twenty copies of the 11th clause of the Tippling Act be printed, and given to the town-wardens to be distributed to the several persons holding Tippling Licences—and also advised that the commanding officer of the Royal St. George's Regiment, be instructed to give orders to the guard during the ensuing holydays to have the same duly observed.

GRENADA.

No. 1.

Government-House, Grenada, 7th January, 1824.

MY LORD,

In reference to my communication to your Lordship of the 22d day of August last, transmitting the resolutions of the House of Assembly of the 18th of the same month, respecting the melioration of the slave code of the colony (and to which I beg leave to refer your Lordship), I beg leave to inform your Lordship that such joint Committee have had various meetings on the subject, but that I have not as yet received any further communication from the House of Assembly on that subject. The legislature has however passed an act for relieving the free coloured and free black persons from certain disabilities under which they laboured, a copy of which is in forwardness, and will be transmitted to your Lordship by the ensuing packet.

I also beg leave to inform your Lordship that at the next meeting of the legislature I shall not fail to call their immediate attention to the above important subject.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

GEORGE PATERSON, President.

*The Right Honourable
Earl Bathurst, K. G. &c. &c. &c.*

DEMERARA.

No. 1.

Demerara, 26th December, 1823.

MY LORD,

I have the honour to acquaint your Lordship that I have deemed it my duty in consequence of the late unfortunate occurrences in this colony, to prohibit the observance of the usual holydays at this season in that district of the United Colony where the irritation of mind among the slaves, consequent on their recent outrageous conduct, might have rendered them unmanageable when excited by the unrestrained use of spirituous liquors, unavoidably frequent on those occasions of festivity; and I do myself the honour of transmitting to your Lordship copies of a Proclamation I have issued and caused to be circulated in every part of the United Colony to that effect.

Deeming it highly proper that those unfortunately misguided people, whose revolt had set so dreadful an example to the slaves generally in these valuable settlements, should be made thoroughly aware that the harsh measures, my duty to my Sovereign had compelled me to adopt for forcing their return to their allegiance, had received His Majesty's approval, thereby convincing them that they had not emanated from the motives by which they considered the local government to be actuated, I took occasion when publishing the Proclamation I had the honour to receive from your Lordship in your despatch of the 23rd October, to convey to them the knowledge of His Majesty's gracious approval of my conduct, and of the deep regret with which His Majesty had received the intelligence of their daring insurrection.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

JOHN MURRAY.

*The Right Honourable
Earl Bathurst, K. G., &c. &c. &c.*

PROCLAMATION,

By His Excellency Major-General John Murray, Lieutenant Governor and Commander-in-Chief in and over the United
L. S. Colony of Demerara and Essequibo, &c. &c. &c.

WHEREAS such part of the slave population of this united colony, as, during the late unhappy disturbances, resisting the influence of bad example and vicious excitements, have remained true to their allegiance, and faithful to their lawful masters, have by such their good conduct proved themselves worthy of confidence and every reasonable indulgence:—It is deemed expedient, notwithstanding the recently disturbed state of the

colony, that the approaching holydays should be duly observed among those peaceable and well disposed slaves; and I have therefore thought fit to issue this my proclamation, hereby ordering and directing all proprietors, managers, overseers, attorneys, and others, having charge of such slaves within this settlement, to sanction and encourage such observance of the Christmas holydays among their slaves, as is usual, viz.—That such slaves shall not be called upon to perform any manner of work on Thursday, the 25th day of this month, but shall have that day as a holyday to dance or employ themselves as is usual on such occasions; and that Friday the 26th, shall be a day of rest and indulgence until twelve at night, the slaves returning to their usual avocations on Saturday the 27th, at the accustomed hour:—but I do hereby positively forbid all persons having charge of slaves on the east coast of this colony, from George-town to Mahaica Creek, on any pretence or consideration whatever, whether such slaves shall have been actually engaged in the recent riotous proceedings or not, to admit of any dancing or indulgence whatever among them during the approaching holydays, save only that Christmas Day being one of religious observance, such slaves shall not be called upon to perform any work.

Given under my hand and seal of office, at the King's House, in George-town, this sixteenth day of December, 1823, and in the fourth year of His Majesty's reign.

GOD SAVE THE KING.

By Command,
John Murray, Gov. Sec.

PROCLAMATION.

By His Excellency Major-General John Murray, Lieutenant-Governor and Commander-in-Chief in and over the United Colonies of Demerara and Essequibo, &c. &c. &c.

HIS Majesty having been pleased to convey to me, through the Right Honourable Earl Bathurst, K.G. Principal Secretary of State for the Colonies, his royal approval of the measures adopted in consequence of the late unfortunate occurrence among the slaves on the east coast of this colony, and his satisfaction at the zealous and praise-worthy conduct of the officers, both civil and military, by whose exertions the rebellion has been happily put a stop to, and order re-established in this colony: as well as His Majesty's deep regret at the daring and highly criminal conduct of those slaves who have participated in the late revolt, has commanded me to make known to the slave population of these settlements, as expressly from His Majesty and in his name, that it is on the peaceable, temperate, and industrious behaviour of the slave population, and on their anxiety to avail themselves of all means calculated to improve their moral and religious condition, that the success of those measures, intended for their special benefit, necessarily depends; and that an opposite line of conduct will forfeit all their claims to the liberality of the British Parliament, and deprive His Majesty's Government of the means of carrying into effect the resolutions which have been unanimously adopted by the House of Commons.

I have therefore thought fit, in the name of His Most Gracious Majesty the King, to cause this my proclamation to be printed and made public,

commanding all persons, having charge of any slaves in this colony, to make known to them the contents thereof immediately, for their guidance.

Given under my hand and seal of office, at the King's House, in George-Town, this 16th day of December, 1823, and in the fourth year of His Majesty's reign.

GOD SAVE THE KING.

By Command,
John Murray, Gov. Sec.

No. 2.

Demerara, 23rd January, 1824.

MY LORD,

I have the honour to acquaint your Lordship that finding tranquillity, in my opinion, permanently restored throughout the Colony, I was enabled on the 19th instant, to permit the inhabitants to resume their usual avocations by discontinuing martial law.

I do myself the honour to enclose, for your Lordship's satisfaction, copies of the Proclamation to that effect which I have issued.

I have the honour to be,
My Lord,
Your Lordship's most obedient humble Servant,

JOHN MURRAY.

*The Right Honourable
The Earl Bathurst, K. G., &c. &c. &c.*

PROCLAMATION,

By His Excellency Major-General John Murray, Lieutenant-Governor and Commander-in-Chief in and over the United
L. S. Colony of Demerara and Essequibo, &c. &c. &c.

WHEREAS it became absolutely necessary in consequence of a serious revolt and rebellion which broke out among the slaves in the east coast of this colony, to declare martial law throughout the settlement on the 19th day of August of last year, which has continued to be in force until the present period; and whereas by the happy suppression of such rebellion, and the restoration of tranquillity, the further continuance of martial law is rendered unnecessary, I have thought fit to issue this my Proclamation, hereby declaring all powers derived from martial law to cease from and after the publication hereof in George-town, and to be at an end and determine within forty-eight hours thereafter, throughout the United Colony.

Given under my hand and seal of office, at the King's House in George-town, this nineteenth day of January, 1824, and in the fourth year of His Majesty's reign.

GOD SAVE THE KING.

By Command,
John Murray, Gov. Sec.

PRINTED BY R. G. CLARKE, CANNON ROW, WESTMINSTER.

*DRAFT of an Order in Council for Improving the Condition of the
Slaves in Trinidad.*

1. WHEREAS it is necessary that provision should be made for the religious instruction of the slaves in His Majesty's island of Trinidad, and for the improvement of their condition. And whereas the Procurador Syndic of the cabildo of the town of Port of Spain in the said island hath hitherto performed the duties of the office of Protector and Guardian of Slaves in the said island, and it is expedient that the said office should be more fully established, and that the duties thereof should be more clearly ascertained, and that provision should be made for the support thereof. Be it therefore, and it is hereby ordered by the King's Most Excellent Majesty, by and with the advice of his Privy Council, That the procurador syndic of the cabildo of the town of Port of Spain aforesaid shall be and he is hereby confirmed in his said office of protector and guardian of slaves. And that as such protector of and guardian of slaves he shall receive and be paid, at the time and in the manner hereinafter mentioned, such salary as His Majesty shall be pleased to appoint; and that such salary shall commence from and after the twenty-fourth day of June, in the present year of our Lord one thousand eight hundred and twenty-four, and that on or before that day if possible, or if not then so soon afterwards as conveniently may be, the said protector and guardian of slaves shall appear before the Governor, or acting Governor for the time being of the said island, and in his presence shall take and subscribe an oath in the following words, that is to say—

“ I, A. B. do swear that I will, to the best of my knowledge and ability, faithfully execute and perform the duties of the office of protector and guardian of slaves in the island of Trinidad, without fear, favour, or partiality.—So help me God.”

Provided nevertheless, and it is hereby ordered, That nothing herein contained shall extend to prevent His Majesty from disuniting the office of protector and guardian of slaves from the office of procurador syndic aforesaid, and from appointing a distinct and separate officer to act as and be the protector and guardian of slaves in case His Majesty shall see fit so to do.

2. And it is hereby further ordered, That the said protector and guardian of slaves shall establish and keep an office in the town of Port of Spain in the said island, and shall regularly attend at such office on such days, and during such hours of the day, as the governor or acting governor

of the said colony, by any general or special orders to be by him from time to time issued, may appoint; and shall at such office, and not elsewhere, keep, deposit, and preserve the several records, books, papers, and writings hereinafter directed to be kept by him.

3. And it is further ordered, That the said protector and guardian of slaves shall not be the owner or proprietor of any plantation situate within the said island, or of any slaves or slave employed or worked upon any plantation, or in any kind of agriculture, and shall not have any share or interest in, or any mortgage or security upon any such plantation, slaves, or slave; and shall and is hereby declared to be incompetent to act as, or be the manager, overseer, agent, or attorney of, for, or upon any plantation or estate within the said island, or to act as the guardian, trustee, or executor of any person or persons, having, or being entitled to, any such plantation, or any slaves or slave; and in case any such protector and guardian of slaves within the said island shall have, acquire, hold, or possess, either in his own right, or in right of his wife, or in trust for any other persons or person, any plantation situate within the said island, or any slaves or slave employed or worked upon any plantation, or in any kind of agriculture, or any share or interest in, or any mortgage or security upon any such plantation, or slaves or slave; or shall act as such manager, overseer, agent, attorney, guardian, trustee, or executor as aforesaid, he shall thenceforth, *de facto*, cease to be such protector and guardian of slaves as aforesaid, and forfeit such his salary, and some other fit and proper person shall forthwith be appointed to succeed to the said office. Provided nevertheless, that all acts which may be done by, or by the order of any such protector and guardian of slaves, after any such avoidance as aforesaid of such his office, and before the same shall by public notice in the gazette of the said island be declared void, shall be as valid and effectual in the law as if no such avoidance of office had occurred.

4. And it is further ordered, That the said protector and guardian of slaves shall be resident within the said island, and shall not quit the same without a special license to be granted for that purpose by His Majesty, through one of his Principal Secretaries of State, or by the governor or acting governor for the time being of the said island; and no such license shall in any case be granted for any time exceeding three months, nor shall any such license be granted by any such governor or acting governor as aforesaid, unless it shall be made to appear to him, on the oath of some medical practitioner, that such absence is necessary for the recovery of the health of the said protector and guardian of slaves.

5. And it is further ordered, That upon the death or resignation of the said protector and guardian of slaves, or in the event of his sickness, or other bodily or mental incapacity, or during his temporary absence from the said island, it shall be lawful for the governor or acting governor to nominate and appoint some other fit and proper person to act as the deputy for the said protector and guardian of slaves, until His Majesty's pleasure shall be known; and the said deputy shall receive such allowance, to be deducted from and out of the salary of the said protector and guardian of slaves as the governor or acting governor, for the time being, of the said island shall be pleased to appoint. Provided always, That no persons shall be appointed or be competent to act as such deputy as aforesaid who, according to the provisions of this order, would be incompetent to act as the protector and guardian of slaves. Provided also, that the protector and guardian of

slaves in the said island shall at all times perform his duty in person, and not by deputy, except only in cases in which the governor or acting governor of the said island is hereinbefore authorized to appoint a deputy for that purpose.

6. And it is hereby further ordered, That the said protector and guardian of slaves shall be, and he is hereby declared to be, a magistrate in and for the said Island of Trinidad, and all such powers and authorities of what nature or kind soever as are now by law vested in the commandants of the several quarters of the said island, for the maintenance of the public peace and good order, shall be, and the same are hereby vested in the said protector and guardian of slaves, to be by him exercised throughout each and every quarter of the said island.

7. And it is hereby further ordered, That the commandants of the several quarters within the said island shall be, and they are hereby declared to be, assistant protectors and guardians of slaves, in their several and respective quarters; and the said commandants shall, and are hereby required, in their several and respective quarters, to be aiding and assisting the protector and guardian of slaves in the execution of the powers hereby committed to him; and for that purpose to obey and carry into execution such lawful instructions as they may from time to time receive from him, about or in relation to the matters herein mentioned, or any of them.

8. And it is hereby further ordered, That in all actions, suits, and prosecutions, which may at any time hereafter be brought or commenced in any tribunal or court of justice within the said island, wherein any slave may be charged with any offence punishable by death or transportation, or wherein any question may arise as to the right of any alleged slave to freedom, or wherein any person may be charged with the murder of any slave, or with any offence against the person of any slave, or wherein any question may arise respecting the right of any slave to any such property as he or she is hereinafter declared competent to acquire; then and in every such case such notice shall be given to the protector and guardian of slaves of every such action, suit, or prosecution, as according to the law of the said island would be given to the said slave, if he or she were of free condition. And the protector and guardian of slaves shall, and is hereby required to attend the trial or hearing; and all other the proceedings in every such action, suit, or prosecution, as the protector of such slave, and on his or her behalf, and to act therein in such manner as may be most conducive to the benefit and advantage of any such slave.

9. And whereas His Majesty hath been graciously pleased to intimate his intention, to make effectual provision for the religious instruction of the slaves in the said Island of Trinidad; and it will be proper and necessary, so soon as such His Majesty's intentions can be carried into effect, that Sunday markets should be utterly abolished throughout the said island. Be it therefore, and it is hereby further ordered, That it shall and may be lawful for the Governor, or acting Governor for the time being, of the said island, and he is hereby required, in obedience to any instruction which may for that purpose be issued by His Majesty, through one of his principal Secretaries of State, to issue a proclamation, in His Majesty's name, for the discontinuance of all markets throughout the said island on the Sunday; and so soon as such proclamation shall have been issued, all Sunday markets shall forthwith cease, and be absolutely unlawful, And

in any such proclamation the said Governor, or acting Governor, shall and may, and is hereby authorized to make, all such rules and regulations as may be necessary for the effectual suppression of such markets, and to impose such penalties as may be requisite for giving effect to any such rules and regulations. And whereas a certain proclamation or ordinance was, on the 16th day of November, 1823, issued by the Governor of the said Island of Trinidad, whereby it was, and is ordered and declared, “ That from and after the first day of December then next, the market “ holden in the town of the Port of Spain, for the sale of meat, vege- “ tables, and other provisions, on Sundays, and all other markets to be “ holden on the Sabbath day throughout the island, should be limited to “ the hour of ten o’clock in the forenoon, and that due warning should be “ given by the ringing of a bell at half-past nine o’clock to all persons to “ prepare to depart ; and that from and after the hour of ten in the fore- “ noon, no person or persons whatsoever shall remain therein, or publicly “ shew forth, or expose for sale, any meat, poultry, vegetables, pro- “ visions, fruits, herbs, wares, merchandise, goods, or effects, on the “ Lord’s day, after the hour of ten o’clock aforesaid, upon pain that every “ person guilty of a disobedience, or non-conformance of this order, shall “ forfeit the goods or effects so exposed for sale, or on refusing to quit “ the place, forfeit the sum of ten shillings. And it is by the said ordi- “ nance further ordered, That if any person or persons shall offend in “ these premises, it shall be lawful for the chief of the police, or his “ assistants, or the clerk of the market, or any alguacil or constable, and “ they are respectively thereby required to seize the goods exposed for “ sale, and cause them to be taken before any judge or magistrate, or “ any regidor of the cabildo, who upon view of such goods so exposed “ shall order the same to be sold forthwith, and the proceeds thereof to “ be applied and disposed of as follows: that is to say—one third to the “ informer, and the remainder to such pious or charitable purposes, and “ in such manner as the magistrate or justice ordering the sale shall deter- “ mine. And it is by such ordinance further ordered, That in like man- “ ner, any person refusing to quit the market-place may be apprehended “ by the authorities aforesaid, who are authorized and required to demand “ the penalty therein before provided ; and, in default of payment, to “ commit the offender for twenty hours’ imprisonment. And it is by the “ said ordinance provided, That nothing therein contained shall extend to “ the prohibition of dressing or selling meats in inns or victualling- “ houses, nor to the sale of fish at the fish-house, provided the same do “ not take place during the hours appointed and set apart for divine ser- “ vice. And it is by the said ordinance noticed and set forth, that the “ limitation therein before declared, respecting the markets to be holden “ on Sundays, may not afford sufficient time for the sale of the articles “ and provisions necessary for the consumption of the inhabitants ; and it “ is therefore thereby ordered, That Thursday be also a market-day, on “ which free persons are invited to attend, so as to lessen the number of “ persons resorting to the market on Sundays, which is especially retained “ for the due and reasonable encouragement of the slave population in “ habits of industry ; and as it may not occasionally be inconvenient for “ proprietors to permit their slaves to bring the produce of their labour to “ market on another day than Sunday, the day of Thursday in each week “ is thereby declared to be a market-day in future. And it is by the said “ ordinance further ordered, That when, and so soon as the same may be “ found practicable, the market on Sundays will be further limited to the “ hour of nine in the forenoon of the said day.” And whereas it is

expedient that the said order or proclamation, of the 16th of November, 1823, should continue and be in force throughout the said island, in the mean time, and until such proclamation as aforesaid shall be issued for the absolute and total abolition of Sunday markets. Be it, therefore, and it is hereby ordered, That the said ordinance or proclamation, of the 16th of November, 1823, shall be, and the same is hereby confirmed. And that the said ordinance shall be, and continue in force within the said island, until a proclamation shall be issued in manner aforesaid, for the total abolition of Sunday markets therein.

10. And it is hereby further ordered, That if any person or persons within the said island shall work or employ any slave, at any time between the time of sunset on any Saturday, and sunrise on any Monday, or shall, during that period, procure, induce, or compel any slave to perform or engage in any labour, for the profit or advantage of his or her owner, manager, or employer, the person or persons so offending shall incur and become liable to a fine not exceeding fifty, nor less than five dollars; Provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to any work or labour which any slave may perform on Sunday in the necessary attendance upon the person, or in the family of his or her owner or employer; or in the necessary and unavoidable preservation of the cattle or live stock upon any plantation.

11. And it is further ordered and declared, That it is and shall henceforth be illegal for any person or persons within the said island of Trinidad to carry any whip, cat, or other instrument of the like nature, while superintending the labour of any slaves or slave in or upon the fields or cane-pieces upon any plantation within the said island, or to use any such whip, cat, or other instrument for the purpose of impelling or coercing any slaves or slave to perform any labour of any kind or nature whatever, or to carry or exhibit upon any plantation, or elsewhere, any such whip, cat, or other instrument of the like nature as a mark or emblem of the authority of the person or persons so carrying or exhibiting the same over any slaves or slave; and in case any person or persons shall carry any whip, cat, or other instrument of the like nature while superintending the labour of any slave or slaves in or upon any plantation or cane-piece within the said island, or shall use any such whip, cat, or other instrument as aforesaid, for the purpose of impelling or coercing any slave or slaves to perform any labour of any kind or nature whatsoever, or shall carry or exhibit upon any plantation, or elsewhere, any such whip, cat, or other instrument as aforesaid, as a mark or emblem of their, his, or her authority over any slave or slaves, the person or persons so offending, and each and every person who shall or may direct, authorize, instigate, procure, or be aiding, assisting, or abetting in any such illegal driving, or use, or exhibition of any such whip, cat, or other instrument as aforesaid, shall be, and be deemed adjudged and taken to be, guilty of a misdemeanor, and being thereof convicted, shall suffer such punishment as is hereinafter provided.

12. And it is further ordered and declared, That it is and shall henceforth be illegal for any persons or person to inflict in any one day upon any male slave for any crime or offence, or upon any ground or for any reason whatsoever, any number of stripes or lashes exceeding twenty-five in the whole, or to inflict upon any such male slave any punishment or correction by the whipping, scourging, or beating of his person, unless

the person of such slave shall, at the time of such punishment or correction, be free from any laceration occasioned by any former whipping, scourging or beating, or to inflict upon any such male slave any punishment or correction by the whipping, scourging, or beating of his person until twenty-four hours at the least shall have elapsed from the time of the commission of the offence for, or in respect of, which any such punishment or correction may be so inflicted; or to inflict upon any such male slave any such punishment or correction as aforesaid, unless one person of free condition shall be present at, and witness the infliction of, such punishment, other than and besides the person by or by the authority of whom the same may be so inflicted; and in case any person or persons shall inflict, in any one day upon any male slave, any number of stripes or lashes exceeding twenty-five in the whole, or shall whip, scourge, or beat any such male slave at any time when there may be upon his person any laceration occasioned by any former whipping, scourging, or beating, or shall inflict upon any such male slave any such punishment or correction as aforesaid within twenty-four hours next after the commission of the offence, for or in respect of which the same may be so inflicted, or without the presence and attendance during the whole of such punishment of some person of free condition other than and besides the person by or by the authority of whom the same may be so inflicted, the person or persons so offending, and each and every person who shall or may direct, authorize, instigate, procure, or be aiding, assisting, or abetting, in any such illegal punishment of any male slave, shall be, and be deemed to be, guilty of a misdemeanor, and being thereof convicted, shall suffer such punishment as is hereinafter provided. Provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to any punishments which may be inflicted upon any male slave, under or by virtue of any sentence or judgment of any court of competent jurisdiction within the said island.

13. And it is hereby further ordered, That henceforth it shall not be lawful to correct or punish by flogging or whipping, any female slave within the Island of Trinidad, for any offence committed or alleged to be committed by any such slave; and if any person or persons within the said island shall flog, whip, or correct any female slave, with any whip, cat, stick, or other such like instrument, the person or persons so offending, and each and every person who shall, or may direct, authorize, instigate, procure, or be aiding, assisting, or abetting in any such correction or punishment as aforesaid, of any such female slave, shall be, and be deemed adjudged, and taken to be guilty of a misdemeanor, and being thereof convicted, shall suffer such punishment as is hereinafter provided. And whereas, it is necessary that effectual means should be adopted for punishing such offences, as may hereafter be committed by female slaves, within the said island. Be it therefore, and it is hereby ordered, that any female slave who shall or may commit any offence within the said island, which by the laws in force there, was heretofore punished by flogging, shall for such her offence, be subject and liable to imprisonment, or to be confined in the stocks, or to such other punishment or correction, as may be necessary for the effectual suppression of such offences, and as may be specially sanctioned in, and by any proclamation to be hereafter issued by the authority, and in the name of His Majesty, in the said island. And the Governor or Acting Governor of the said island, shall, and is hereby authorized to make, and ordain such rules and regulations as may be necessary for preventing any excess in such punishments, or any abuse in the mode of inflicting the same. Provided that such rules and regulations be

not in any wise repugnant to this present order. And provided also that the same be forthwith transmitted by such Governor or Acting Governor as aforesaid, for His Majesty's approbation ; and that all such rules or regulations shall cease to be binding or in force within the said island, unless His Majesty's allowance thereof shall be signified to such Governor or Acting Governor within two years next, after the date of such rules and regulations.

14. And it is hereby further ordered, That there shall be kept upon every plantation and estate throughout the said island, a book to be called *The Plantation Record Book*, and that it shall be the duty of the owner, proprietor, manager, or other person, having the direction of, and the chief authority in, the said plantation, to enter and record in the said book, at or immediately after the time of the infliction of any punishment whatsoever, on any female slave, or on any male slave, who may be punished with any number of stripes exceeding three, a statement of the nature and particulars of the offence for, or in respect of which such punishment may be inflicted ; and at the time at which, and the place where such offence was committed ; and at the time at which, and the place where such punishment was inflicted ; and of the nature, extent, and particulars of the punishment, and, in the cases of male slaves, of the number of stripes actually inflicted upon the offender, together with the names of the persons by whom, and by the authority of whom, the punishment was inflicted ; and of the persons or person of free condition present, and attending at the infliction of every such punishment.

15. And it is hereby further ordered, That if any person being the owner, proprietor, or manager of any plantation or estate within the said island, or having the management thereof, or the chief authority therein, shall neglect or omit to make in the said Plantation Record Book, any entry which according to the provisions of this present order ought to be made therein, or shall not make such entry within two days next, after the infliction of each and every punishment, to which the same may refer, the person so offending, shall incur and become subject and liable to a penalty not exceeding one hundred pounds, nor less than five pounds sterling, British money ; to be recovered and applied in manner, hereinafter mentioned. And if any person or persons shall wilfully or fraudulently make, or cause or procure to be made, any false entry or fraudulent erasure in any such Plantation Record Book, or shall wilfully or fraudulently burn, destroy, cancel, or obliterate the name or any parts or part thereof, the person or persons so offending, shall be, and be deemed and taken to be, guilty of a misdemeanor, and being thereof convicted, shall suffer such punishment as is hereinafter provided.

16. And it is hereby further ordered, That every owner, proprietor, or manager, or other person, having the chief authority within each and every plantation or estate within the said island shall, on the first Monday which shall happen next after the fifth day of April, the twenty-fourth day of June, the twenty-ninth day of September, and the twenty-fifth day of December in each year, repair to the commandant for the time being of the quarter in which such plantation or estate may be situate, and then and there produce before him, a precise and exact transcript of every entry, which during the quarter of a year next preceeding, may have been made in the Plantation Record Book, of his or her plantation or estate ; and shall

also take and subscribe an oath, to be annexed to the said transcript in the following words, (that is to say,)

I, A. B., the owner, or manager [as the case may be] of the plantation called _____ in the quarter of _____ in the Island of Trinidad, do make oath and say, that the paper writing hereunto annexed, contains a true and exact copy of every entry, which since the _____ day of _____ last hath been made in the Plantation Record Book of the before-mentioned plantation. And I do further swear, that the said Plantation Record Book hath been punctually and accurately kept, since the said _____ day of _____ in the manner by law required, and that no fraudulent erasure or false entry hath been made therein by me, or by any person, by my procurement, or with my knowledge or consent. So help me God.

And in case any such owner or manager, as aforesaid, shall not, since the time of making his last preceding return to the commandant of the quarter, have inflicted, or caused to be inflicted, any punishment upon any female slave, on his plantation or estate, or any punishment on any male slave, exceeding three lashes, then, and in every such case, in lieu of the oath aforesaid, such owner or manager shall, at the several times aforesaid, take and subscribe before the commandant of the quarter in which such plantation may be situate, on oath, in the following words, (that is to say,)

I, A. B. do swear, that since the _____ day of _____ now last past, no punishment hath been inflicted by me, or by my order, or with my knowledge, upon any female slave belonging, or attached, to the plantation called _____ situate in the quarter of _____ whereof I am manager. And that no punishment hath since the said _____ day of _____ been inflicted upon any male slave, belonging or attached to the said plantation, exceeding three lashes. And I further swear that no entry of any such punishments, hath since the said _____ day of _____ been made in the Plantation Record Book, of the said plantation. So help me God.

17. Provided always, and it is further ordered, That the commandant of each, and every quarter, within the said island, shall, fourteen days at the least, before the time of making the returns, transmit to the owner, or manager of every plantation situate within his quarter, a printed blank form of the before-mentioned affidavits, together with a notice of the time and place, at which he will attend for the purpose of receiving the returns, and administering the oaths aforesaid, and the said commandant shall, and is hereby required to attend, from day to day, for three successive days, and no more, for the purposes aforesaid; and in case it shall be made to appear to such commandant, by the certificate of any medical practitioner, that any person or persons liable to make such return is or are, by reason of sickness, incapable of attending for that purpose, at the time and place so to be appointed, as aforesaid, then, and in every such case, the said commandant shall, and he is hereby required to, attend the person or persons so incapacitated, at his; her or their place or places of abode, for the purpose of receiving the said returns, and taking such affidavits as aforesaid.

18. And it is hereby ordered, That if any person or persons shall refuse or neglect to make any return, or to take and subscribe the oaths required by this present order, the person or persons so offending, shall incur, and become liable to the payment of a fine, not exceeding one hundred pounds

nor less than ten pounds sterling British money; to be recovered and applied in manner after-mentioned.

19. And it is hereby further ordered, That the commandant of each, and every quarter in the said island shall, and he is hereby required to, transmit to the protector and guardian of slaves of the said island, at his office in the town of Port of Spain, the whole of the returns so to be made to him as aforesaid, together with the original affidavits thereunto annexed, within fourteen days next after such quarterly returns shall be complete. And in case any such commandant shall himself be the owner or manager of any plantation, he shall, together with the said returns, deliver to the said protector and guardian of slaves, a transcript of the entries in his own plantation book, for the last preceding quarter of a year, together with an affidavit to be by him sworn before the chief judge, or some one of the Alcaldes in ordinary of the said island, in the manner and form herein-before described, under such and the like penalty, as is herein-before mentioned in the case of other persons refusing or neglecting to make their returns, or to take the before-mentioned oaths.

20. And it is hereby further ordered, That the said protector of slaves shall record and enrol in books, to be by him kept for that purpose, the whole of the returns so to be made to him, and shall keep and preserve in his office the originals of the said returns and affidavits, and for the better and more convenient keeping of the said records. It is further ordered, that the said protector and guardian of slaves shall keep a distinct book for each quarter of the said island, and shall therein transcribe each of the said returns in alphabetical order, according to the name by which each plantation is described in every such return, and shall also make and keep full and exact indexes of such books.

21. And it is hereby ordered, That upon the prosecution of any person being the owner, proprietor, or manager of any plantation, for inflicting or causing or procuring to be inflicted on any slave or slaves, any punishment hereby declared illegal, if the slave so alleged to have been illegally punished, shall be produced in open court, and if the marks or traces of recent flogging or laceration shall appear on the person of such slave, and if such slave shall in open court declare such traces to be the consequences of any such unlawful punishment or correction, and being duly examined by the said court shall make a particular, consistent, and probable statement of all the circumstances attendant on such unlawful punishment, then and in every such case, although such slave should not be a competent witness within the provisions of this present order, the owner, proprietor, manager or other person, having the charge of such slave, shall be bound to prove, either that the punishment, of which the marks or traces may be so apparent, was not inflicted by him or by his procurement or with his knowledge or consent, or that such punishment was a lawful punishment, within the meaning of this order, and was inflicted in the presence of one such witness of free condition as is required by this present order, and in default of such proof such owner, proprietor, manager or other person as aforesaid, shall be convicted, and adjudged to be guilty of the offence imputed to him; and it is further ordered that every such prosecution as aforesaid, shall be conducted by the protector and guardian of slaves, and that it shall not be lawful for him to discontinue any such prosecution except by virtue of an order in writing, to be for that purpose

issued under his hand and seal by the Governor or Acting Governor for the time being of the said island.

22. And it is further ordered, That any persons being in a state of slavery who may be desirous to intermarry, shall, at their election, apply either to the protector and guardian of slaves, or to the commandant of the quarter in which the woman may reside, for a marriage license, and as an authority to him to grant the same, shall produce the consent, in writing, of their owner or owners, manager or managers, to the celebration thereof; but in case the owner or manager of both, or either of the said slaves, shall refuse to consent to any such marriage, or to give such written permission for the celebration thereof as aforesaid, then and in every such case the said protector and guardian of slaves or commandant, as the case may be, shall thereupon issue a summons, under his hand and seal, requiring the owner or manager of such slaves, or the persons or person under whose direction such slaves may be, to appear before him, by themselves or their agents, at some convenient time and place, to be for that purpose appointed, such time being not more than fourteen days distant from the time when such application as aforesaid, shall be received by such protector and guardian of slaves, or commandant as aforesaid. And if such owner or manager, or other person as aforesaid, being duly cited, shall fail to appear before the said protector of slaves, or commandant, or appearing, shall fail to lay before him, good and sufficient proof that such proposed marriage would be injurious to the well being of the said slaves, then and in every such case the said protector and guardian of slaves, or commandant shall, without fee or reward, issue a license under his hand and seal, thereby authorizing any clergyman of the established church of England and Ireland, or any minister of the kirk of Scotland, or any priest or curate professing the Roman catholic religion, or any public teacher of religion within the said island, carrying on there, no other profession, business, or occupation of profit, to solemnize the marriage of the said slaves. And it shall and may be lawful for any such clergyman, minister, priest, curate, or religious teacher, upon receiving any such license, to solemnize any such marriage as aforesaid, and the same, when so solemnized, shall to all intents and purposes, be binding, valid, and effectual in the law; and any person by whom any such marriage may be so solemnized, by virtue of any such license, shall within fourteen days next after the solemnization thereof, under a penalty of not more than twenty pounds, and not less than five pounds sterling, transmit to the said protector of slaves, a certificate of the solemnization of such marriage; and the said protector and guardian of slaves shall register in a book, to be by him kept for that purpose, every marriage which may be so solemnized, with the date thereof, and the names, descriptions, and places of abode of the parties contracting, and of the person solemnizing every such marriage. Provided nevertheless, that nothing herein contained, shall extend, or be construed to extend, to render any marriage between persons in a state of slavery, valid or effectual, which would be illegal or void, if such persons were of free condition.

23. And it is further ordered, That it shall not be lawful in the execution of any judgment, sentence, decree, or order of any tribunal, of any court of justice within the said island, to seize or sell in satisfaction thereof, any slave having a husband or wife, or a child under the age of sixteen years, or a reputed husband, or wife, or child under the age aforesaid, who may be the property of the same persons or person, unless such husband, and

wife, and child, or reputed husband, wife, or child, shall be sold together, and in one and the same lot, and to the same person or persons: And if in the execution of any such judgment, sentence, decree, or order, any slave or slaves shall be sold separate or apart from any such husband, or wife, or child, or reputed husband, or wife, or child as aforesaid, then and in every such case, such sale and execution shall be, and the same is hereby declared to be, absolutely null in the law, to all intents and purposes whatsoever.

24. And whereas, by the usage of the said Island of Trinidad, persons in a state of slavery have hitherto been reputed competent in the law, and have in fact, been permitted to acquire, hold, and enjoy property free from the control or interference of their owners. And it is expedient that the said laudable custom should be recognised and established by law, and that provision should be made for enabling such slaves to invest such their property on good security. Be it therefore, and it is hereby ordered and declared, That no person in the Island of Trinidad being in a state of slavery, shall be, or be deemed, or taken to be, by reason or on account of such his condition, incompetent to purchase, acquire, possess, hold, or enjoy, alienate or dispose of property; but every such slave shall and is hereby declared to be competent to purchase, acquire, possess, hold, enjoy alienate, and dispose of lands situate in the said island, or money, cattle, implements or utensils of husbandry or household furniture, or other effects of such or the like nature, of what value or amount soever, and to bring maintain, prosecute and defend any suit or action in any court of justice, for or in respect of any such property, as fully and amply to all intents and purposes, as if he or she were of free condition.

25. And it is hereby further ordered, that Savings Banks shall be established within the said island, for the better preserving the property of any such slaves, and that interest, at and after the rate of five pounds per centum per annum, shall be allowed upon the amount of every sum of money which may be deposited in any such savings banks, which interest shall be a charge upon the general revenues of the said island. And any slave making any deposit of money in any such savings bank shall be at liberty to make a declaration of the manner in which, and the names of the person or persons to whom, in the event of his or her death, the amount of his contributions to the said savings banks shall be paid, applied, and disposed of; and such declaration shall be recorded in a book to be kept for that purpose at the savings banks, where such deposit may be made, and upon the death of the slave making such declaration, the same shall be deemed, and taken to be the last will and testament of such slave, in the absence of any other last will; and in case any such slave shall marry after having made any such declaration, such marriage shall be, and be deemed and taken to be, a revocation in the law of such declaration; and it is further ordered, that in case any slaves or slave in the said island shall die intestate, and without having made any such declaration as aforesaid, which may remain unrevoked at the time of his death, then, and in every such case, the property of such slave shall go, and be disposed of, to and in favour of such persons or person as by virtue of the several acts of parliament for the distribution of intestates' estates, would according to the law of England, be entitled to any such property.

26. And it is hereby further ordered, That the savings banks throughout the said island shall be under and subject to the control and inspection of the protector of slaves; and that the Governor or Acting Governor for

the time being, for the said island, shall, and is hereby authorized to, appoint such proper and necessary officers, and to make such rules and regulations as may be best adapted for managing the business of the said banks, and for ensuring order and punctuality therein, and for preventing any misapplication of the monies therein to be deposited ;—provided that such rules and regulations be not repugnant to this present order, and that the same be forthwith transmitted for His Majesty's approbation, through one of His Majesty's principal Secretaries of State.

27. And it is hereby further ordered, That no deposit of money shall at any one time, or within any one week, be received at any of the said savings banks, from any slave, exceeding the sum of twenty dollars in the whole, unless such slave, at the time of tendering any such deposit, shall produce the consent in writing of his owner or manager to such deposit being made ; and in case any slave shall be desirous at any one time, or in any one week, to make any such deposit of money, exceeding the sum of twenty dollars, and the owner or manager of such slave shall refuse his consent to such deposit being made, then, and in every such case, the protector and guardian of slaves, upon application to him for that purpose made, shall issue a summons under his hand and seal, requiring the owner or manager of such slave, or the persons under whose direction such slave may be, to appear before him, by themselves or their agents, at some convenient time and place to be for that purpose appointed ; and if such owner or manager, or other person as aforesaid, being duly cited, shall fail to appear before the said protector of slaves, or appearing, shall fail to lay before him good and sufficient cause why such deposit ought not to be made, then, and in every such case, the said protector and guardian of slaves shall issue an order under his hand and seal, requiring the manager of the savings bank to receive the amount of such deposit, and the same shall be received by him accordingly.

28. And it is hereby further ordered, That no duty, tax, or impost of any nature or kind whatsoever, and that no fee of office shall be hereafter paid or payable within the said island, upon, for, or on account, or in respect of the manumission of any slave, or the enrolment or registration of any deed of manumission, saving and excepting a fee not exceeding twenty shillings sterling British money, which shall by the said protector and guardian of slaves be paid to the registrar of deeds of the said island, for enrolling and registering every such deed of manumission, and which fee shall be repaid to such protector and guardian of slaves out of the public revenue of the said colony. And if any person within the said island shall hereafter take, demand, or receive any such tax, duty, impost, or fee of office, save as aforesaid, the person so offending shall incur and become liable to the payment of a fine not exceeding pounds, and not less than pounds sterling British money.

29. And it is hereby further ordered, That in case any slave within the said island shall be desirous to purchase the freedom of himself or of his or her wife, or husband, or child, or brother, or sister, or reputed wife, or husband, or child, or brother, or sister, it shall and may be lawful to and for any such slave so to purchase the freedom of himself, or of any such other person as aforesaid ; and if the owner or proprietor of any such slave shall be unwilling to effect his or her manumission, or shall, by reason of any mortgage, settlement, lease, or other charge upon,

or interest in such slave being vested in any other person or persons, be unable to execute a valid and effectual manumission of any such slave, or if the owner or proprietor, or any other person having an interest in any such slave, shall be a minor, or a married woman, or idiot, or lunatic, or if the real and true owner of any such slave shall be absent from the said island, or shall not be known, or if any suit or action shall be depending in any court of justice in the said island, wherein the title to the said slave, or the right to his services shall or may be in controversy, or if the owner of any such slave shall demand as the price of his or her freedom a greater sum of money than may be the fair and just value thereof, then, and in each and every of the cases aforesaid, the chief judge of the said island, on application to him for that purpose made by the protector and guardian of slaves, shall issue a summons under his hand and seal, requiring the owner or manager of such slave, or the persons or person under whose direction such slave may be, to appear before him, by themselves or their agents, at some convenient time and place to be for that purpose appointed, and notice shall also be published by the said protector and guardian of slaves, in the public gazette of the said island, on three several days, of the time and place appointed for the purpose aforesaid, and in such notice all persons having or claiming to have any title or interest in or to the slave proposed to be manumitted, either in their own right, or as the guardians, attornies, trustees, or executors of any other person, shall be required to attend and prefer such claims.

30. And it is hereby further ordered, That at the time appointed for any such meeting as aforesaid, the chief judge of the said island, in the presence of the protector and guardian of slaves, and also in the presence of the owner or manager of the slaves or slave, proposed to be manumitted, or (upon proof being made to him, upon oath of the due service and publication of such notice as aforesaid then, if necessary,) in the absence of such owner or manager, shall proceed to hear in a summary way, what may be alleged by the said protector and guardian of slaves, and by the owner or manager, or other persons claiming any interest in the slave proposed to be manumitted; and in case the parties or any of them shall refuse to effect any such manumission, or if it shall appear to the said chief judge that a valid and effectual manumission of any such slave cannot legally be effected by private contract, or if it shall be made to appear to the said chief judge, that the owner or proprietor of any such slave, or that any person having any charge upon or interest in him or her, is a minor or a married woman, or idiot, or lunatic, or that the real and true owner of any such slave, or that any person having any charge upon, or interest in him, or her, is absent from the said island, or is unknown, or cannot be found, or that any suit or action is depending in any court of justice, in the said island, wherein the title to the said slave or the right to his services is in controversy, or if it shall appear to the said chief judge, that any difference of opinion exists between the protector and guardian of slaves of the said island, and the owner or proprietor of any such slave respecting his or her price or value, then, and in every such case, the said chief judge shall require the protector of slaves, and the owner, manager, or person having the direction of any such slave, each to nominate an appraiser of his or her value; and the said chief judge shall himself nominate an umpire between such appraisers. And the said appraisers being first duly sworn before the said judge, to make a fair and impartial appraisal, shall, within seven days next after such their appointment, make a joint valuation of the slave proposed to be manumitted; and shall certify

such their valuation to the chief judge under their hands and seals. And in case such joint certificate shall not be delivered to the said chief judge within the said term of seven days, then the said umpire, being duly sworn, in manner aforesaid, shall, within the next seven days, certify his valuation, under his hand and seal, to the said chief judge, and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default, by the said umpire, shall be binding and conclusive, and shall be entered and enrolled in the office of registry in the said island.

31. And it is hereby further ordered, That upon payment to the treasurer of the said island of the appraised value of any such slave as aforesaid, after deducting therefrom the expense of the appraisement to be allowed by the said chief judge, the said treasurer shall grant to the protector of slaves a receipt for the money so to be received by him. And such receipt shall be duly enrolled in the office of registry in the said island, together with a declaration under the hand and seal of the said chief judge, that the proceedings required by law for the manumission of the slave by or on behalf of whom such money was paid, had been duly had before him, and thereupon such slave shall be, and be deemed, taken, and reputed to be, free to all intents and purposes whatsoever.

32. And is further ordered, That the money to arise from the manumission of any slave by virtue of the proceedings before mentioned, shall and may be laid out and invested under the authority of the chief judge, on the application of any person or persons interested therein in the purchase of any other slave or slaves; or if no such application shall be made, then such money shall remain in the hands of the public treasurer of the said island, at interest at and after the rate of £5. per centum per annum, such interest to be borne by, and defrayed out of the revenues of, the said colony, and the slave or slaves so to be purchased with the said money as aforesaid; or, in case of no such purchase being made, then the said money in the hands of the said public treasurer, and the interest from time to time accruing due thereupon, shall be the property of the persons who were the proprietors of such manumitted slave or slaves, and shall be held upon, under and subject to all such and the same uses, trusts, limitations, conditions, mortgages, claims, and demands of what nature or kind soever as such slave or slaves was or were held upon, under or subject unto, at such the time of his, her, or their manumission; and the said treasurer shall hold the said money, and the interest accruing thereupon subject to such order as the chief judge of the said colony may, upon a summary application of any person interested therein, see fit to make, and such principal money and interest shall by the said treasurer be paid, applied, and disposed of in pursuance of and obedience to any such order.

33. And it is hereby further ordered, That before the manumission of any slave by virtue of any private contract for that purpose between such slave and his owner, notice of such intended manumission shall, by the owner of such slave, be given in writing to the protector and guardian of slaves, who on behalf of the said slave, shall be bound to ascertain that such owner has good right and title in the law, and is competent to effect such manumission; and the said protector and guardian of slaves shall also, without fee or reward, prepare the proper deed of manumission, and the same shall in all cases be executed in the presence of the said protector and guardian of slaves, or of some proper witness, to be by him appointed

for that purpose, and being so executed, shall by such protector and guardian of slaves be enrolled in the office of registry in the said island, within one calendar month, next after the date and execution thereof. And in case any such deed shall not be left for enrolment at the said office of registry within the said period of one calendar month, the said protector of slaves shall incur and be liable to the payment of a fine not exceeding pounds, nor less than pounds sterling English money.

34. And it is hereby ordered, That in case any such deed of manumission as aforesaid shall be executed voluntarily and without any valuable consideration passing to the owner or other person effecting such manumission, the slave or slaves so to be manumitted shall, before the actual execution of any such deed, appear before the said protector and guardian of slaves, or before the commandant of the quarter in which such slave may happen to be resident; and if it shall appear to the said protector and guardian of slaves, or to such commandant, as the case may be, that the slave about to be so gratuitously manumitted, is under the age of six years, or above the age of fifty years, or is labouring under any habitual disease or infirmity of mind or body, the owner or other person about to effect such manumission, shall, at the time of the execution of the deed of manumission, execute and deliver under his hand and seal a bond to His Majesty in the penal sum of two hundred pounds, with a condition thereunder written, for the defeazance thereof, if the said slave shall be properly fed, clothed, and maintained until the age of fourteen years in the case of infants, or during the term of his or her natural life, in the case of adults of the age of fifty years, or labouring under any such sickness, disease, or infirmity as aforesaid; and no such manumission shall be valid and effectual in the law, or shall be received for enrolment at the office of registry, until such bond as aforesaid be duly executed and registered and deposited at the said office.

35. And it is hereby further ordered, That every clergyman of the established church of England, and every minister of the kirk of Scotland, and every priest or minister professing the Roman Catholic religion in the said island, and every other person being a public teacher of religion within the said island, shall, and is hereby authorized to transmit or deliver under his hand to the commandant of the quarter in which he may be resident, certificates setting forth the names or name and places or place of abode of any slaves or slave, who, in the judgment and belief of the party so certifying, may be sufficiently instructed in the principles of religion to understand the nature and obligation of an oath. And the commandants of the several quarters in the said island shall, and are hereby required to, transmit such certificates as aforesaid to the protector and guardian of slaves, who shall, and is hereby required to, register the same in a book to be kept by him for that purpose, therein stating the date of every such certificate, and the name and place of abode of the person by whom the same may be granted, and of every slave mentioned and included therein; provided nevertheless, that no priest, minister, or public teacher of religion, not being a clergyman of the church of England, or a minister of the kirk of Scotland, shall be competent to grant any such certificate as aforesaid, unless His Majesty's principal Secretary of State, having the department of the colonies, or the Governor or Acting Governor for the time being of the said Island of Trinidad, shall have granted to such priest, minister, or public teacher, a license in writing to act as an instructor of slaves in the said island; and, unless such license shall be in force, and have been first registered at the office of the said protector of slaves.

36. And it is further ordered, That no person shall henceforth be rejected as a witness, or considered as incompetent to give evidence in any court of civil or criminal justice in the said island, by reason of his or her being in a state of slavery, if the person or persons producing or tendering him or her as a witness, shall produce and exhibit to the court a certificate under the hand of the said protector and guardian of slaves, that such proposed witness is registered in the before-mentioned book; and the said protector of slaves shall, and he is hereby required to grant without fee or reward, to any person making application for the same, a certificate of the fact, whether any such proposed witness is or is not registered in the said book; provided nevertheless, that no person being in a state of slavery shall be admitted to give evidence in any civil suit or action in which his or her owner is directly concerned, or in any case where any white person may be charged with or prosecuted for any offence punishable with death; provided also, that nothing herein contained shall extend or be construed to extend, to render any slave a competent witness in any case in which such slave would be incompetent to give evidence if he or she were of free condition.

37. And it is hereby further ordered, That the salary of the protector and guardian of slaves shall by him be taken and received in lieu and in full satisfaction of all fees, perquisites of office, advantages and emoluments whatsoever; and that if the said protector and guardian of slaves shall take or receive directly or indirectly any fee, perquisite of office, advantage or emolument, other than besides his said salary for or in respect of any act, matter, or thing, done or performed by him in the execution of such his office, he shall incur and become liable to the payment of a fine equal to twice the amount of what he may so receive, and shall moreover become disqualified from holding such his office.

38. And it is hereby further ordered, That the said protector and guardian of slaves shall on the first Monday next after the twenty-fifth day of December, and on the first Monday next after the twenty-fourth day of June in each year, deliver to the Governor or Acting Governor for the time being of the said island, a report in writing, exhibiting an account of the manner in which the duties of such his office have been performed during the half year next preceding the date of such his report, and especially stating the number of the actions, suits, and prosecutions in which he may have acted as the protector of any slave or slaves, with the dates and effect of all the proceedings therein, and the particulars of all the returns which by virtue of this order may have been made to him by the commandants of the several quarters within the said island; and the names of the persons, if any, against whom he may have instituted any criminal prosecutions, under and by virtue of this order, together with a statement of the names of all slaves who may have been certified to him as being competent to give evidence in any court of justice, together with the number of licenses which may by him have been granted for the marriage of any slaves, with the number of marriages appearing to have been solemnized in pursuance thereof, together with the amount of the sums of money deposited in any savings banks in the said island, together with a statement of the names of all the slaves manumitted under the authority of this present order; and the Governor or Acting Governor for the time being of the said colony shall thereupon administer to the said protector of slaves an oath that such report contains a true and accurate statement of the several matters and things therein referred to; and when and so soon as the said

protector of slaves shall have made such his half yearly report, and shall in manner aforesaid, have been sworn to the truth thereof, then, and not before, the said Governor or Acting Governor shall issue to the said protector and guardian of slaves, a warrant upon the treasurer of the said island for the amount of his salary for the half year next preceding the date of such report ; and the said Governor shall, and he is hereby required, by the first convenient opportunity, to transmit such report as aforesaid to His Majesty's Principal Secretary of State having the department of the colonies.

39. And it is further ordered, That if the protector and guardian of slaves, or any commandant of any quarter in the said island, or any other person, shall wilfully and fraudulently make, or cause or procure to be made, any erasure or interlineation in any of the books, records, or returns hereinbefore required to be made, or shall wilfully falsify any such books, records, or returns, or shall wilfully make, or cause, or procure to be made, any false entry in any such book, record, or return, or shall wilfully and fraudulently burn, cancel, or obliterate the same, or either of them, or any part thereof, the person or persons so offending shall be, and be deemed, adjudged, and taken to be guilty of a misdemeanor, and being thereof convicted, shall suffer such punishment as is hereinafter directed.

40. And it is further ordered, That any of the people called Quakers who may be resident in the said island, being required to take any of the oaths prescribed by this present order, may, and they are hereby authorized, to make their, his, or her solemn affirmation in lieu of such oaths ; and that any person taking any oath, or being a Quaker, making his solemn affirmation, under or in pursuance of this order, who shall be convicted of swearing or affirming falsely, shall incur and suffer such punishment as by the law of the said island may be inflicted on any persons guilty of wilful and corrupt perjury.

41. And it is hereby further ordered, That any person who may be convicted of any act hereby declared to be misdemeanor, shall, if of free condition, be and become liable to a fine not exceeding five hundred pounds, and not less than fifty pounds sterling English money, or to imprisonment for any time not exceeding six months, nor less than one month, or both to fine and imprisonment, at the discretion of the Court, by which any such person may be convicted ; and in case any person shall be so convicted of any cruelty to any slave, the said Court shall, and is hereby authorized, at their discretion, to declare the right and interest of the person so convicted in and to any such slave to be absolutely forfeited to His Majesty ; and all such offences as aforesaid shall be heard, tried, and inquired of by and before the Court for criminal prosecutions in the said island, and all such pecuniary fines as aforesaid, and all other pecuniary fines imposed by this order, shall be recovered in the said Court, and shall be paid and payable in equal moieties, one half to His Majesty, and the remaining half to any person or persons who may commence any suit or prosecution for the same.

42. And be it further ordered, That if any person shall be twice convicted, before any tribunal in the said island, of inflicting upon any slave any cruel or unlawful punishment, the person so convicted shall, in addition to the penalties hereinbefore mentioned, be declared by the Court, before which such second conviction may take place, absolutely incapable in the law to be the owner or proprietor, or to act as the manager, over-

seer, or superintendant of any slaves or slave within the said island; and all and every the slaves or slave, of which, at the time of such second conviction, any such person may be the owner or proprietor, shall thenceforth become, and be absolutely forfeited to, and vested in His Majesty, his heirs, and successors.

43. And it is further ordered, That the Governor, or Acting Governor of the said island, shall, within one month next after this present order shall be received by him, make known the same by proclamation throughout the said island; and that the said order shall be in force in one calendar month next after the date of such proclamation, and not before.

And the Right Honourable Henry Earl Bathurst, one of His Majesty's principal Secretaries of State, having the department of the colonies, is to give the necessary directions herein.

BY THE KING.

A PROCLAMATION.

GEORGE R.

WHEREAS it has been represented to us, that the Slaves in some of Our *West India* Colonies, and of Our Possessions on the Continent of *South America*, have been erroneously led to believe, that Orders had been sent out by Us for their Emancipation: And whereas such Belief has produced Acts of Insubordination, which have excited Our highest Displeasure: We have thought fit, by and with the Advice of Our Privy Council, to issue this Our Royal Proclamation: And We do hereby declare and make known, That the Slave Population in Our said Colonies and Possessions will be undeserving of Our Protection if they shall fail to render entire Submission to the Laws, as well as dutiful Obedience to their Masters: And We hereby charge and command all Our Governors of Our said *West India* Colonies and Possessions, to give the fullest Publicity to this Our Proclamation, and to enforce, by all the legal Means in their Power, the Punishment of those who may disturb the Tranquillity and Peace of Our said Colonies and Possessions.

Given at Our Court at *Carlton House*, this Tenth Day of *March* One thousand eight hundred and twenty-four, and in the Fifth Year of Our Reign.

GOD SAVE THE KING.