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SLAVES (MAURITIUS.)

RETURN to an Address of the Honourable The House of Commons,
dated 26th March 1827;—*for*

THE ORIGINAL ORDER IN COUNCIL
FOR THE REGISTRATION OF SLAVES AT THE
MAURITIUS.

Colonial Department,
Downing-street, 3 April 1827. }

R. J. WILMOT HORTON.

Ordered, by The House of Commons, to be Printed, 3 April 1827.

AT a Court at Carlton House, the 24th of September 1814;

Present, His Royal Highness The PRINCE REGENT in Council.

WHEREAS it is deemed expedient to provide more effectually for the prevention of the illegal and clandestine importation of Slaves into the Isle of France and its dependencies; it is therefore this day ordered by His Royal Highness the Prince Regent, in the name and on the behalf of His Majesty, and by and with the advice of His Majesty's Privy Council;—

That there shall be established within the Isle of France a public registry, for the registration and enrolment of the names and descriptions of all Negroes, Mulattoes and Mustees, who now are, or at any time hereafter shall be held in a state of slavery within the said island and its dependencies, and of the births and deaths of all such slaves.

And it is hereby further ordered, that within the term of one month from and after the arrival of this present Order at the Isle of France, and the receipt thereof by the governor, lieutenant-governor, or other person having the chief civil command under His Majesty within the said island, the same shall be publicly notified both in the French and English languages, to the inhabitants of the said island and its dependencies, in such manner as to the said governor, lieutenant-governor, or civil commander-in-chief, shall seem most fit and effectual, and shall be enrolled at length in the records of the several courts of justice in the said island; and the said governor, lieutenant-governor, or civil commander-in-chief, shall forthwith proceed to appoint some fit and proper person, unless some person then resident there shall have been previously appointed by His Majesty, to the office of registrar of slaves for the said island; which person, before he enters on the execution of his said office, shall take the following oath before the said governor, lieutenant-governor, or commander-in-chief, in council:—

“ I, *A. B.* do solemnly promise and swear, that I will not willingly or
“ knowingly make or permit, or suffer to be made, any false or fraudulent
“ entry, erasure or obliteration in the registry of slaves to be committed to
“ my charge; but if any such false or fraudulent act shall become known to
“ me,

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‘ me, will immediately give notice thereof to the governor, lieutenant-governor,
 “ or civil commander-in-chief, and to the chief judge of this island for the
 “ time being, and will in all respects faithfully and uprightly perform the
 “ duties of the office of registrar of slaves for this island.

“ So help me GOD.”

And the said person so appointed to the said office of registrar of slaves shall also, before he enters on the execution of his said office, become bound by bond or recognizance to His Majesty, His Heirs and Successors, with two sufficient sureties to be approved by the said governor, lieutenant-governor, or civil commander-in-chief, himself in the penal sum of 2,000 *l.* and his sureties each in the sum of 1,000 *l.* sterling money, with condition for the faithful performance by him the said registrar of all the duties of his said office; and in case of the death, absence or incapacity of the said registrar, or any avoidance of the said office, a new registrar shall be in like manner from time to time appointed by His Majesty, His Heirs or Successors, or by the governor, lieutenant-governor, or civil commander-in-chief for the time being (until the royal pleasure in respect of such appointment shall be signified), who shall take the same oath and enter into like securities before he enters on the execution of the said office.

And it is hereby further ordered, that the said governor, lieutenant-governor, or civil commander-in-chief, shall also forthwith proceed to provide a proper and convenient house or building within or near the town of Port Louis, in the said island, for the sole purpose of the registry hereby established, wherein the books and papers belonging thereto may be at all times safely kept; and if no such house or building can be immediately found, the best temporary house or room that can be procured or allotted for the said purpose shall be provided and appointed by the said governor, lieutenant-governor, or civil commander-in-chief, until a proper and convenient registry office can be procured or erected in or near to the said town.

And it is hereby further ordered, that the said registrar shall forthwith provide two large blank paper books, strongly and durably bound, for the purpose of the registry and enrolment hereinafter directed, one of which books shall be intituled “ Registry of Plantation Slaves,” and the other “ Registry of Personal Slaves;” in which said first-mentioned book shall be entered and registered, as hereinafter directed, the names and descriptions of all slaves which belong to, and are usually worked or employed upon any particular plantation or plantations within the said island; and in the other of which said books shall be entered and registered in like manner the names and descriptions of all slaves employed in domestic labour, or in any handicraft, art or trade within the said island, or in manning or navigating any vessels or boats belonging to the ports of the said island, or which are let or hired by their owners for the purpose of agricultural labour, commonly called task-work, on plantations not belonging to the owners of such slaves, and in general all slaves within or belonging to the said island, which are not attached to any particular plantation or plantations, and therewith owned, held or possessed; all which several descriptions of slaves shall for the purposes of this Order be distinguished from plantation slaves, by the general name of Personal Slaves.

And it is hereby further ordered, that within three calendar months from and after the public notification of this Order in the Isle of France as aforesaid, every person who shall then be resident in the island or its dependencies, and who shall be in possession of any plantation slaves or slave within the said island or its dependencies, whether as proprietor, mortgagee, trustee or receiver, manager or attorney, whatever their title, trust or interest therein may be, or who then shall own or possess any slave or slaves whatsoever within the said island or its dependencies, whatever his tenure of or title to the same may be, shall respectively make and deliver upon oath to the registrar so to be appointed, such schedules, lists and particulars in writing, subscribed by him, her or them, to be called his or her Original Return of Slaves, as are hereinafter mentioned; (that is to say), every person in possession of any plantation as aforesaid, shall so make and return a schedule or list in writing for each plantation within the said island or its dependencies, of which he or she shall be then in possession in any of the rights or characters aforesaid, therein specifying, in the first place, the name by which the plantation is usually called or known, and when two or more plantations are held and occupied together by the same person, and cultivated by the same body or gang of negro slaves, the names of each of the said plantations so jointly held and cultivated, and in what parish, quarter or other division of the said island or its dependencies every such plantation

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plantation is situated, and whether the same is a sugar plantation, or a coffee or cotton plantation, or of what other description; and in the next place, the name or names of the present owner or owners of such plantation or plantations, as well as of the person or persons then in possession of the same and making such return, and the right or character in which he, she or they then held such possession, namely, whether as proprietor, lessee, mortgagee, trustee, receiver, attorney, manager or otherwise; and when the property or possession of any such plantation has been changed within seven years prior to such return thereof, then the said schedule shall also mention the name of the late owner or proprietor, and in whose tenure or occupation the same lately was; and every person making a return of any slave or slaves not attached or belonging to any plantation in the said island or its dependencies, hereby called "personal slaves," shall so return a list or schedule in writing, containing in the first place his own name and description, or the name and description of such other person or persons being the owner or owners of such slave or slaves on whose behalf the return is made, and the right or character in which he, she or they then hold possession of and claim title to such slave or slaves, namely, whether as proprietor, lessee, mortgagee, sequestrator, guardian, committee, trustee, receiver, executor, administrator or otherwise; and if such personal slave or slaves shall have been purchased or acquired within seven years prior to such return, then the name or names of the seller or former owner thereof; and after such descriptions as aforesaid of such plantation, and of the owner or owners of such personal slaves respectively in the said schedule, the parties making the said returns shall proceed to name, describe and enumerate distinctly thereon the several Negro, Mulatto or other slaves then attached or belonging to the same plantation, or to the same owner or owners, by distinct lists in manner following; that is to say, in the first place, such schedule shall contain a list of all slaves who have husbands or wives, either by actual marriage or known and constant cohabitation, or who have parents or children, brothers or sisters among the slaves of the said plantation, or of the same owner or owners, which list shall be intituled "The List of Families and Slaves on the Plantation of A. B." (inserting the proper name of the plantation, or "of C. D. the owner of personal slaves," as the case may be); and the said list shall be divided into as many sections as there are different families to be inserted therein, and each section shall be intituled "The Family of A. B." inserting the name of the superior relation, or where there are only brothers or other relations of the same degree, the name of the elder individual; and each of the said schedules shall also contain two other lists, in one of which shall be inserted the names of such male slaves, and in the other of such female slaves, as have no wives or husbands, parents or children, brothers or sisters among the slaves of the same plantation, or the same owner or owners; which lists shall be respectively intituled, "General List of Male Slaves," and "General List of Female Slaves," on the plantation of A. B. (inserting the proper name of the plantation), or "belonging to C. D." as the case may be.

And all the slaves attached to or belonging to the same plantation, or the same owner or owners, shall be named and described in the said schedule respectively, in the particular lists or sections to which they respectively belong, in the manner and form following; (that is to say),

The schedule or paper containing each of the said lists shall be divided into eight perpendicular columns of convenient breadths respectively, intituled at the heads thereof, Names, Surnames, Colours, Employment, Age, Stature, Country, and Marks; to which shall be added, in the lists of families, a ninth column, of convenient breadth, intituled Relations; and the more clearly to distinguish the description of each particular slave, as many horizontal lines, with convenient spaces between them, shall be drawn across the said perpendicular lines or columns, as are equal in number to the number of slaves to be inserted in each list.

And in the first of the said columns shall be inserted the name of baptism of each slave, if he or she shall have been baptized, and if not, the name by which he or she has been usually called and known. In the second of the said columns shall be inserted the surname or second name of the slave, if he or she has ever been called or known by any surname or second name, and if not, then in cases of family slaves included in the said lists of families, the name of the superior relation; and in the cases of slaves who are included in the said general lists of males and females, such name as the owner or party making the return shall think fit to insert therein as the surname by which the slave and his or her lawful issue, or her natural issue, and their descendants respectively, shall thereafter always be called; provided

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nevertheless, that in cases of family slaves, the owner or party making the return may also give, if he thinks fit, some other family name instead of that of the superior relation, so as no two families on the same plantation, or belonging to the same owner, shall have the same surname in the said schedule or return; but for all the purposes of this Order, the surname by which each slave shall first be returned and registered, shall continue for ever after to be the surname of such slave, and of his lawful issue, if a male, or her natural issue if a female, and of their respective descendants, and shall not afterwards be changed. In the third of the said columns shall be inserted Negro, Mulatto, or Mustee, as the case may be, or such designation of intermediate shades of colour within the limited degrees of slavery, if any, as are in use within the said island. In the fourth of the said columns shall be inserted the particular trade, occupation, or ordinary employment of the slave, specifying in the cases of mechanics, artisans, or handicraft men, the particular art or business in which he or she is usually employed; in the cases of family slaves, the particular domestic service or department in which he or she is usually employed; and in cases of ordinary plantation slaves, describing them as labourers only; and in the fifth of the said columns shall be inserted the age of the slave, according to the best of the knowledge and belief of the owner, or other party making the return. In the sixth of the said columns shall be inserted the exact stature, in feet and inches, by actual measurement of the slave, which measurement in cases of infant slaves, or such as have not clearly attained to their full growth, shall be repeated prior to every annual return hereinafter directed to be made. In the seventh of the said columns shall be inserted, not only whether the slave is an African or Creole negro, but if an African, the name of the country or district of Africa from which he or she was brought, and if a Creole slave, the name of the island or colony in which such slave was born, or from which he or she was brought, according to the best of the knowledge or information and belief of the owner or other party making the return. And in the eighth of the said columns shall be inserted, whether the slave has any and what seams and marks on the face, or other parts of the body, such as African slaves commonly have, and which are usually called country marks, or any such brands or marks as are used in some of the colonies for distinguishing the owner's property, or has any apparent bodily singularity, defect or deformity, all which shall be specified with convenient certainty, so as at least to mention the part of the face or body wherein the marks, brands, defects, or other singularity appears; and lastly, in the further column, to be added as aforesaid in the lists of family slaves, shall be inserted the relation that the slave bears to the superior relative or slave, by whose name the family section of the list to which he belongs is intitled as aforesaid, with such further particulars of genealogy or family connexion, as the owner or party making the return shall think fit to add; and at the end of the said returns respectively, shall be summed up and set down in words at length, the whole number of slaves then belonging to the plantation for which, or the owner or owners of personal slaves on whose behalf such returns are made.

And for the better ascertaining of the proper form of such returns of slaves as are hereby required to be made, so that no person may pretend ignorance thereof, a form or example of such returns is contained in a Schedule to this Order annexed, to which all persons are required, so far as shall be found practicable, to conform; and at the time of promulgating and publishing this Order in the said island as aforesaid, public notice shall be given by the said governor, lieutenant-governor, or civil commander-in-chief, in such manner as to him shall seem most fit and effectual, that a form or example of the returns hereby required to be made may be seen; and a printed copy thereof, with blanks to be filled up according to the rule aforesaid, obtained at the register office to be appointed as aforesaid, and printed blank copies of the said forms, shall accordingly be provided by the registrar, and delivered to all persons applying for the same, at a price not exceeding three pence for each printed copy.

And it is further hereby ordered, that every person making and subscribing any and every such schedule or return, shall personally deliver the same, either to the said registrar, or to some other person that shall be by him appointed and deputed to receive such returns or schedules in the proper district of the said island in which the party making the same shall reside, and shall at the same time take the following oath, which the said registrar, and every person to be by him appointed and deputed as aforesaid, is hereby empowered and required to administer; (that is to say,)

“ I, A. B.

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“ I, *A. B.* (name the deponent) do solemnly swear, that the schedule or return now by me delivered to be registered, contains, as I verily believe, a just, true and full return, account and description, of all the slaves now attached or belonging to the plantation therein named, (or belonging to the owner or owners therein named), and being within this island; and that the said return is made by me, according to the best of my knowledge and belief, truly and without fraud, deceit or evasion. “ So help me GOD.”

And it is further hereby ordered, that within three calendar months, to be computed from the time hereinbefore appointed for the making and delivery of the said returns or schedules, every return or schedule that shall have been duly made and delivered to the said registrar, or any of his said deputies, shall by him, his clerks or assistants, be entered and copied in a fair, distinct and legible manner, in the proper book to be by the said registrar appointed for the registry and enrolment of slaves as aforesaid; (that is to say,)

Every such return or schedule of slaves attached or belonging to any plantation or plantations, in the book to be intituled “ Registry of Plantation Slaves,” and every other such return or schedule in the book to be intituled “ Registry of Personal Slaves,” the former under the name of the plantation, and the latter under the name or names of the owner or owners mentioned in the return; which name or names shall be written in a large hand at the top of every double page or folio containing the return.

That every double page or folio of each of the said books, (that is to say) the whole breadth of the book when open, from the left to the right hand, shall be divided by perpendicular lines into ten different columns of such breadth, and by horizontal lines into spaces of such dimensions, as will most conveniently contain the various particulars hereinbefore directed to be returned in the said schedules or lists of slaves, and such further entries in the tenth column as are hereinafter directed to be made, leaving at the top of each folio a space for the name of the particular plantation or owner whose slaves are registered therein; which name shall be always there written in large and distinct letters; and at the top of the first of the said ten columns shall be written “ Names;” of the second, “ Surnames;” of the third, “ Colour;” of the fourth, “ Employment;” of the fifth, “ Age;” of the sixth, “ Stature;” of the seventh, “ Country;” of the eighth, “ Marks;” of the ninth, “ Relations;” and of the tenth, “ Corrections;” and under each of the said titles in the nine former columns shall be entered in a plain, distinct and durable hand, according to the different schedules or lists returned, the particulars respectively contained in the same, distinguishing the families of slaves from each other, and from the general lists of individual slaves, by their proper titles; and at the end of the registry of each original return shall be summed up and written, in words at length, the whole number of slaves returned and registered as belonging to the plantation, or to the owner or owners mentioned in such return; that the pages of the said books shall be distinctly numbered at the top of each double page or folio, from the beginning to the end of each book respectively, before any entry shall be made therein; and at the bottom of each page, containing any registry of slaves, as well as at the end of the registry of each original return, the registrar shall subscribe his name at length, in testimony of the fidelity and accuracy of the entries therein contained.

That whenever the said books, or either of them, shall be fully occupied with the said original entries, and with future entries and registries, so that there shall not remain room enough therein for the future annual entries and registries hereinafter required to be made, a new book or books, of a like form and size, shall be provided and opened; but the pages thereof respectively shall be continued in the same series of numbers with that of the original book or books respectively, and a reference shall always be made to and from the pages in the registry, at or from which the entries of slaves belonging to the same plantation, owner or owners, are carried forward or continued, when the same cannot be done in the next following page of the same book.

That a convenient number of leaves shall be left in the beginning of each of the said books respectively, for an index of plantations and owners names, and therein shall be inserted in alphabetical divisions, at the time of entering and registering every return the name or names of the plantations for which, or of the owner by or for whom

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whom such return is made, with proper references to the folio or folios, book or books, in which such return is registered, and in which it shall afterwards be continued.

And it is hereby further ordered, that no erasure shall on any pretence, or for any cause whatever, be at any time permitted to be made in the said books of registry; but if any clerical error shall occur in the insertion of any name or other particular in any schedule or return contained, or otherwise, in the making up and keeping the said books of registry, a line of red ink shall be drawn through the word or words improperly inserted, so as to leave the original word or words legible; and the correction thereof, or any word or words which may have been erroneously omitted, shall either be interlined or written in the margin, and always, when practicable, by the same hand as the rest of the same list or entry; and the registrar shall, either under such word or words written in the margin, or under a mark of reference there made to any such interlineation, subscribe his name at length; but after the registry of original returns of slaves shall have been completed, and certified upon oath, as hereinafter directed, no interlineation, insertion, or other correction of the registry of any such original returns shall on any account be made or permitted, except as is hereinafter expressly provided.

And it is hereby further ordered, that an office copy, certified as such by the said registrar, of the registry of slaves belonging to any plantation, or to any particular owner or owners, shall at the request and charge of the owner or owners, or party or parties who made the return, be made and delivered to him, her or them by the said registrar, and for which there shall be charged no more than at the rate of one penny sterling for every slave therein named; and all persons shall have free liberty to inspect the said register books, in the presence of the registrar or his assistants, for the purpose of ascertaining that the returns and lists by them, or on their behalf delivered, have been accurately registered in manner aforesaid.

And it is hereby further ordered, that when and so soon as all the original returns or schedules, which shall have been delivered to the said registrar pursuant to this Order, shall have been fairly entered and registered as aforesaid, which shall be done and completed within the term of six calendar months from and after the first public notification of this Order in the Isle of France aforesaid, the registrar shall give notice thereof forthwith to the governor, lieutenant-governor, or other person having the chief civil command under His Majesty within the said island for the time being; and such governor, lieutenant-governor, or commander-in-chief, shall thereupon publicly notify to the inhabitants of the said island and its dependencies, in such manner as he shall deem most fit and effectual, that the registry of slaves is ready to be verified before him, as far as respects the original registry of slaves now within the said island and its dependencies, or belonging thereto, and is and will continue open at the proper office, for the inspection of all persons who have made returns of slaves for insertion therein, for the term of two calendar months from the date of such notification, to the intent that they may be satisfied of the accuracy of the said registry; and that if any owners or possessors of slaves, within or belonging to the said island, have, from any accident or unavoidable impediment, hitherto omitted to return proper schedules or lists of their slaves into the said registry, as by this order required, they must immediately apply to the said governor, lieutenant-governor, or civil commander-in-chief, who, upon satisfactory proof that such omission has not been wilful, has power to make an order for the admission and registration of their returns or schedules by the registrar; but that if this remedy is not taken, so as to obtain such registration within the said term of two months, the omission cannot afterwards be supplied.

And it is hereby further ordered, that if during the last said mentioned term of two months, any owner or possessor, owners or possessors of slaves, shall apply to the said governor, lieutenant-governor, or civil commander-in-chief, and make it appear to his satisfaction that the non-delivery of his, her or their return or returns of slaves to the said registrar, within the term formerly prescribed, has arisen from accident or some unavoidable impediment, and not from wilful delay, and shall then produce such his, her or their return or returns, and make oath before the said governor, lieutenant-governor, or civil commander-in-chief, that no slave therein named has been imported or brought into the said island within six calendar months preceding, it shall and may be lawful for the said governor, lieutenant-governor, or civil commander-in-chief, if he shall think fit, to make an order in writing, by him subscribed, and addressed to the said registrar, commanding him to receive and register any such return or returns, as if the same had been delivered in due time, which order the

registrar

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registrar is hereby required to obey, so as any such new or further return may be registered in the said books in manner aforesaid, before the end of the said term of two calendar months last before mentioned.

And it is hereby further ordered, that at the end of the said last-mentioned term of two months, the said registrar shall proceed finally to close and authenticate the said primary registration of all the slaves in the said island, which shall thenceforth be called "The original Registry of the Slaves of the Isle of France and its Dependencies," in manner following, (to wit): in each of the said books the said registrar shall write with his own hand, in large legible characters, immediately after the last entry of the said returns or lists of slaves, either on the same folio, or double page, or on the back of the last leaf containing the same, "Here ends the original registry of the plantation (or personal) slaves of the Isle of France, and its dependencies;" and the said registrar shall thereto subscribe his name, and affix his seal of office, and below the said signature shall be written, in like characters, by the said registrar, the following affidavit:

"Before *A. B.* (inserting the name and title of the governor, lieutenant-governor, or civil commander-in-chief for the time being,) personally appeared *C. D.* (naming himself) the registrar of slaves in the Isle of France, who being duly sworn on the Holy Evangelists, makes oath and says, that he, the said *C. D.* has twice carefully examined and compared all the preceding entries in this book, with all the different returns of plantation (or personal) slaves delivered to him, or to his knowledge or belief to any deputy, clerk or assistant by him appointed, first by examining the said entries while his clerk or assistant read the original returns respectively entered therein, and afterwards by examining the said returns while his clerk or assistant read the said entries in this book respectively made therefrom, and that he is enabled thereby to depose, and does depose, that preceding original registry of the plantation (or personal) slaves of the Isle of France and its dependencies is in all other respects correctly and faithfully made."

Which affidavit, being subscribed by the said registrar, shall be sworn before the said governor, lieutenant-governor, or civil commander-in-chief, who shall subjoin thereto the following certificate, under his hand and the great seal of the said island.

I, *A. B.* (inserting his name and title of office) do hereby certify, that the above affidavit was duly sworn before me, this day of one thousand eight hundred and Witness my hand and the great seal of the Isle of France, this day of one thousand eight hundred and

"*A. B.*" (L. s.)

And it is hereby further ordered, that the said registrar shall next proceed to make out for each of the said books of original registry, a full and correct alphabetical index, both of the names and surnames of all the slaves registered in each of the said books respectively, with correct references to the proper page of the book in which they are respectively entered, registered and described as aforesaid, and each index shall after a careful comparison of the same with the book to which it belongs, be therein transcribed and entered in a large legible hand in the pages next following the said affidavit and certificate, and at the end of each index the registrar shall write, "This is the index of the names of slaves in the foregoing original registry of the plantation (or personal) slaves of the Isle of France and its dependencies, carefully made out and compared by me, this day of in the year one thousand eight hundred and Witness my hand, *A. B.* registrar;" and shall accordingly subscribe the same. And for the easier research in the said indexes, and better preservation of the said books, the said registrar shall afterwards transcribe into a small general index book to be prepared for that purpose, as well the said indexes of plantations and owners names, which are to be written at the beginning of the said books of original registry as aforesaid, as the said indexes of the names of slaves, and shall carefully compare the copies thereof with the respective originals, and shall write at the end thereof, "This general index book is faithfully and correctly compiled from the several indexes contained in the books of original registry of plantation slaves, and of personal slaves respectively, with which I have carefully compared the copies thereof respectively herein contained. *A. B.* registrar." And if the said general index shall by frequent use, or otherwise,

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wise, at any time become defaced or illegible, the same shall be renewed and certified in like manner by the registrar for the time being.

And it is hereby further ordered, that within six months after the said original registry shall be closed and authenticated as aforesaid, the said registrar shall prepare accurate and perfect duplicates of both the said books of original registry, with their respective indexes, and also a duplicate of the said general index book, by causing the same respectively to be carefully transcribed into other books of like sizes and forms, to be provided for that purpose; and shall authenticate and certify each of the said duplicates in the same manner and form, in all respects, as is hereinbefore directed in regard to the said originals respectively, except that in the affidavits and certificates to be thereunto annexed, the same shall be described as duplicates of the original registries and indexes, and the said duplicate books, when so authenticated and certified, shall be delivered by the said registrar to the governor, lieutenant-governor, or civil commander-in-chief for the time being, who shall by the first safe conveyance transmit the same under his official seal to His Majesty's Principal Secretary of State for the Colonial Department in England, to be carefully preserved in his office.

And it is hereby further ordered, that after the expiration of twelve calendar months, to be computed from the time when the said original registry shall be completed and authenticated as aforesaid, on the 1st day of January, or within thirty days after that day in every year, every person resident in the said island or its dependencies, who shall be in possession of any plantation within the same, whether as proprietor or mortgagee, sequestrator, trustee or receiver, manager or attorney, or whatever their estate, title, trust or interest therein may be, or who shall own or possess any slave or slaves whatsoever within the said island or its dependencies, whatsoever his or her tenure of or title to the same may be, shall make and deliver upon oath to the registrar of slaves for the time being, an account or schedule in writing, by him or her subscribed, to be called, "The Annual Return of Slaves," containing a true and particular account of all births and deaths of plantation slaves upon or belonging to the plantation for which, and of personal slaves belonging to the person or persons on whose behalf such annual return is made, within the year preceding; or in the case of the first of such annual returns, within the year and portion of a year that shall have elapsed since the said original returns were made; and also an account of all deductions from or additions to the former stock of slaves belonging to such plantation, or to such person or persons within the same periods, by other means than deaths or births, whether the same shall have happened by permanent desertion, sale, or other transfer of property, or enfranchisement, or by the return of fugitive slaves, formerly registered as permanent deserters, or by purchase, succession, reversion, or other lawful acquisition, within the said island, or lawful importation from other British colonies, which particular cause or mode of deduction or addition shall in all cases be distinctly specified in such annual returns; and in cases of purchase, or other acquisition or sale, or other transfer or manumission of slaves formerly registered, the registered name and description of every such newly purchased, or acquired, or transferred, or manumitted slave, and of his or her former plantation, owner or owners, shall also be set forth at large in such annual return; and in respect of infant slaves formerly registered, or slaves who had not at the time of the original registration thereof attained to their full stature, the said annual returns shall specify their then existing stature, by actual measurement, and shall also state and describe any distinguishing bodily defect or deformity, the effect of accident or disease, which may have materially altered the former description of any slaves, under the title of "Marks," since the last return, with the causes of any such alteration; and every such annual return shall also contain all such further particulars, in respect of every newly acquired slave named therein, as are hereinbefore directed to be contained in the said original returns; and when by the death of the owner, or any other cause, there shall have been, within the period to which the return relates, any change of property in, and possession of any personal slave, from the owner or owners under whose names the same were registered, to any new owner or owners, such change of property and possession shall also be mentioned in the said annual returns; and such annual returns shall also state the whole number of slaves then belonging to the plantation, owner or owners, mentioned in such returns; but when there has been no alteration since the last return, in the number or description of the slaves belonging to the plantation for which, or the person by or for whom the return is made of the property thereof, it shall be sufficient to state the whole number of slaves, and to add,

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“ No alteration required by law to be specified has taken place since the last “ return.”

And be it hereby further ordered, that every person making and subscribing any such annual return, shall personally deliver the same, either to the said registrar, or to such other person as shall by him be appointed and deputed to receive such returns as aforesaid, and shall at the same time take the following oath, which the said registrar is hereby empowered to administer ; viz.

“ I, *A. B.* do solemnly swear, that the contents of the schedule or return now by
 “ me delivered are true, and that the same contains, to the best of my know-
 “ ledge and belief, a full, fair and correct account of all the births and deaths
 “ which have happened among the slaves attached or belonging to the planta-
 “ tion therein named, (or belonging to the owner or owners therein named),
 “ and being within this island, since the original return and registration thereof,
 “ (or during the last year), and of all other additions to or deductions from the
 “ said slaves within the same period, and of the whole number of slaves now
 “ actually belonging to the said plantation, (or to the said owner or owners.)
 “ So help me GOD.”

And it is hereby further ordered, that the said registrar, on the receipt of such annual returns at his office, shall forthwith proceed to correct, enlarge and continue, pursuant thereto, the former registry of the plantation slaves and personal slaves, to which such returns respectively relate, in manner following ; (that is to say), the said registrar shall in the first place carefully compare such returns, and the names and descriptions of slaves therein contained, with the original registry of the slaves of the same plantation or plantations respectively, and of such other plantation within the said island from which any of the said slaves may be stated to have been newly purchased or transferred, or of the same owner or owners of personal slaves, and of any former owner or owners thereof, under whom the present owner or owners thereof shall derive his or their title, and also with all intermediate continuations and corrections of the said original registry by former annual returns, so as to ascertain not only that the whole number of slaves mentioned in the said returns corresponds with the original and former entries of slaves belonging to the same plantation or plantations, owner or owners respectively, having regard to all former continuations and corrections, but also that the descriptions of all such slaves in such annual returns named and described correspond with such former descriptions thereof, (if any), as are in the said books of registry contained, except so far as such descriptions are in any particular stated to have been altered, in respect to stature or bodily marks, since the last registered returns ; and in case there shall be found any apparent inconsistency between any such annual returns, and the said original or former annual registries of slaves belonging to the same plantation or plantations, owner or owners respectively, or if in the case of any slave or slaves returned as newly acquired, by purchase or transfer, succession or reversion, from any other plantation or plantations, or former owner or owners, within the said island, there shall not appear in the return of the same year, for such other plantation, or former owner or owners, a corresponding entry of the same slaves, as deducted by sale or transfer, determination of estate or otherwise, from the last registered stock of such other plantation or plantations, or former owner or owners, the registrar shall give notice thereof to the owner or owners, or other party or parties making any such return or returns, and require him or them to attend before him, the said registrar, to explain or remove such apparent inconsistency or defect ; and until the same shall be accordingly done to the entire satisfaction of the said registrar, by an examination upon oath, if necessary, (which oath the said registrar is hereby empowered to administer), the said registrar shall not proceed to register any such annual returns so apparently defective or erroneous ; but the party or parties refusing or omitting so to explain, and, if necessary, to correct the same, shall for all the purposes of this order be deemed and taken to have omitted to make any return for the year to which such defective return relates ; saving, nevertheless, to him or them such remedy by appeal as is hereinafter provided, in case of any error or misconduct herein by the said registrar.

And it is hereby further ordered, that immediatly from and after such comparison and examination as aforesaid, every annual return which shall be found to be not inconsistent with the said original and preceding annual registries, or which shall have been satisfactorily explained or corrected as aforesaid, shall be registered in the said books of registry ; (that is to say), when any such returns shall state that there has

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been no alteration in the number or descriptions of the slaves since the last returns for the same plantation, or the said owner or owners of personal slaves, the said registrar shall carry forward the whole number so last returned to a new folio or double page in the said original book of registry, and shall enter and insert under the same, "No alteration by return for the year one thousand eight hundred and " as by return dated " and shall subscribe his name to such entry; but as to slaves stated in any such annual returns to have died, or to have been sold, or otherwise transferred, or to have been manumitted, or to have permanently deserted, the said registrar shall write in the column of corrections of the said original registry, and of every intermediate annual registry wherein the name of any such deceased, sold, transferred or manumitted slave or deserter shall have been inserted, in the proper space of the said column, opposite to the name of such slave, the word "dead," or "sold," "transferred," "manumitted," or "deserted," as the case may be; and the said registrar shall then proceed to sum up the number of slaves which, by any of the means aforesaid, have been deducted from the former and last registered account of the stock of slaves belonging to the same plantation, or to the same owner or owners of personal slaves, as the case may be, since the said last registered returns, and shall deduct the whole number thereof from the last registered amount of slaves of such plantation, owner or owners, and shall carry forward the remaining number thereof to a new folio or double page of the proper book of registry, making a written reference thereto at the foot of the folio from which the same is carried, and subscribing the same with his name; and in such new folio or double page, and in as many successive folios as may be necessary, shall be afterwards inserted the names and descriptions of all slaves mentioned in the same annual returns to have been newly added to the former registered stock, by any of the lawful means aforesaid, distinguishing not only the several families, and all other particulars as in the said original registry, but also the particular mode of acquisition of every such newly added slave, by the word "born," "purchased," "returned," "imported," or such other brief designation as may be applicable to each case.

And it is hereby further ordered, that the said registrar shall be entitled to demand and receive for registering every return of slaves by him registered the sum of ten shillings sterling money, and the further sum of one shilling like money for every slave mentioned or described in every such return, and no more, to be paid by the party or parties making such return; provided always, that no slave so returned as new imported into the said island shall be registered, nor shall any return containing any slave or slaves so described be received as a correct return, unless it shall appear by a certificate from the collector or chief officer of the customs, as well as by the affidavit in writing of the importer or party making such return (which certificate and affidavit shall always be brought into and filed in the registry within twenty-one days from the time of the importation of any such slave or slaves), that such slave or slaves was or were lawfully imported with regular certificates from some other British colony, pursuant to the directions of an Act of Parliament made in the forty-sixth year of His Majesty's reign, intituled, "An Act to prevent the importation of slaves by any of His Majesty's subjects into any islands, colonies, plantations or territories belonging to any Foreign sovereign, state or power; and also to render more effectual a certain order made by His Majesty in Council on the fifteenth day of August one thousand eight hundred and five, for prohibiting the importation of slaves, except in certain cases, into any of the settlements, islands, colonies or plantations on the continent of America, or in the West Indies, which have been surrendered to His Majesty's arms during the present war; and to prevent the fitting out of any Foreign slave ships from British ports."

And it is hereby further ordered, that at the end of every such registration of each annual return, the said registrar shall carefully sum up and insert in words at length, the whole number of slaves appearing by the same return then to belong to the said plantation for which, or the owner or owners by whom or on whose behalf the return is made, and shall subscribe the same with his name, and shall also subscribe his name at the bottom of each folio or double page containing the said annual returns.

And it is hereby further ordered, that no annual return of slaves shall on any pretext be received to be registered, after the said time hereinbefore limited, (to wit) the first day of February in each year; but if any owner or owners, possessor or possessors of slaves within the said island or its dependencies, shall have omitted to make his, her or their return thereof in any year, at or before the said annual period,

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period, and if such owner or owners, possessor or possessors, or any other person, who at the time of such omission was or shall have since become the owner or possessor, whether in his own right or in the right of any other person or persons as aforesaid, of any slave or slaves so omitted to be returned, shall at the time of making his or their next annual return, make oath before the said registrar, and prove to his satisfaction by such other credible evidence, as from the nature of the case may be reasonably expected and required, that such omission was not wilful, but arose from some specified accident, or other unavoidable impediment, or from the neglect or default of some person or persons, other than the true and absolute owner of the said slave or slaves, who was in possession thereof at the time of such neglect or default, it shall be lawful for such party or parties, so making his, her or their return for the next following year, with the consent of the said registrar, to insert in such return for the next following year (but not afterwards), such account as is hereinbefore directed of the births and deaths, and of all other deductions from or additions to the stock of slaves, in respect of which such return is made, which happened within the two last preceding years, distinguishing nevertheless the respective deductions and additions in each year; and such return when duly made and registered, together with the cause of the former omission, which shall be certified and signed by the said registrar on the registry of such return in the proper book, shall from thenceforth be deemed and taken to be as valid and effectual for all the purposes of this Order, as if the matters therein contained had been duly returned and registered in each of the said two years respectively.

And it is hereby further ordered, that on or before the first day of March in each year the said registrar shall carefully make out a general account or abstract of all the annual returns that shall have been made and registered in that year as aforesaid, wherein shall be inserted, in alphabetical order, in two divisions, the one containing plantation slaves, and the other personal slaves, the effect of each annual return, according to the registration thereof, (to wit) the registered names of the plantations or owners, the numbers of births and deaths of slaves, with their names and descriptions, and the amount and particulars of all other deductions or additions, respectively specified in each return; and also the whole remaining or existing number of slaves, then appearing by the registry to belong to such plantation or owner, for which or whom the return has been made; and the registrar shall also make out a fair copy or duplicate of every such general account or abstract, and shall subscribe both the original and duplicate thereof with his name, and shall subjoin to each of the same an affidavit in the following form; viz.—

“ Before *A. B.* (inserting the name and title of the governor, lieutenant-governor, or civil commander-in-chief for the time being,) personally appeared *C. D.* (naming himself) the registrar of slaves of the Isle of France, who being duly sworn on the Holy Evangelists, makes oath and says, that the preceding account or abstract is a true account or abstract of all the returns of plantation or personal slaves that have been to, and registered in the registry of slaves of the said island in the present year; and that the same contains, and truly and accurately specifies, all such particulars as he the said registrar is required by law to make therein, according to the best of his knowledge and belief, he having carefully compared the same with the said returns and the registry thereof remaining in his said office.”

Which affidavit, being subscribed by the said registrar, shall be sworn before the said governor, lieutenant-governor, or civil commander-in-chief, who shall certify the same to have been sworn in manner hereinbefore directed in respect to the said books of registry, and the said annual abstracts or accounts shall be thereupon delivered to the said governor, lieutenant-governor, or civil commander-in-chief, who shall carefully transmit one of the said accounts or abstracts by the first safe conveyance, under his official seal, to His Majesty's Principal Secretary of State for the Colonial Department in England, retaining the said duplicate or copy until he shall be informed that the original thereof has been received, or that the same has miscarried, in which latter case he shall in like manner transmit the duplicate or copy; and on the receipt of such annual abstracts or returns, the said Secretary of State shall cause the respective divisions thereof to be forthwith, or as soon as conveniently may be, registered in the said duplicate books of plantation slaves and personal slaves respectively, which are to remain in his office as aforesaid, with the proper corrections of the said respective duplicate books of registry, such as are hereinbefore

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hereinbefore directed to be made and entered in the said island, so that the said duplicate books in the office of the said Secretary of State, shall from time to time, and at all times after the transmission and receipt of the last annual returns, and the registration thereof in the said office of the Secretary of State, in all points correspond and agree with the registry of slaves in the said Isle of France and its dependencies.

Provided always, and it is hereby further ordered, that if the said registrar shall, in the exercise of his said office, refuse to receive for registration any return, or to make any entry which he ought to receive or make, according to the directions herein contained, and the true intent and meaning of this Order, or shall contrary to the said directions, or to the true intent and meaning hereof, receive for registration any return, or make or cause, or suffer to be made any entry which ought not to be so received or made, it shall be lawful for any person or persons thereby aggrieved, or liable so to be, to present a petition or complaint in writing, in the nature of an appeal, to such court or judge as shall have the supreme jurisdiction in civil causes within the said island, praying relief against such default or misconduct of the said registrar, which court or judge shall forthwith cause a copy of such petition or complaint to be served upon the said registrar, with notice to him to answer the matter thereof in writing, by an early day, to be for that purpose appointed, and the said court or judge shall thereupon proceed in a summary manner, but upon written evidence, to examine the matter of such petition or complaint, and to make such order thereupon, and as to the costs of the controversy, as shall seem proper and expedient, which order the said registrar, and the said party or parties petitioning and complaining respectively, shall be bound to obey; but it shall nevertheless be lawful for either of the said parties to appeal from the decision of such court or judge to His Majesty in His Privy Council, giving such security or securities thereupon as are usual in other cases of such appeals; and whenever, in pursuance of any decision of the said court or judge, or of His Majesty in his Privy Council, any entry in either of the said books of registry shall be made, expunged or altered, the insertion, correction or alteration so made, shall be valid and effectual for all the purposes of this order; any thing herein contained to the contrary thereof notwithstanding.

And it is hereby ordered, that from and after the opening of the public registry of slaves hereby established, it shall not be necessary for any master or owner of slaves within the said island or its dependencies, to make out any other annual list or return of slaves than that hereby required, any previous law or ordinance or proclamation to the contrary notwithstanding.

And it is hereby further ordered, that if the said registrar shall, in the exercise of any of the duties hereby imposed upon him, or any of the functions of his said office or otherwise, wilfully make, or knowingly permit or suffer to be made, any false or fraudulent entry in the said books of registry, or either of them, or in the said accounts or abstracts, or shall fraudulently erase, obliterate or alter, or knowingly permit or suffer to be fraudulently erased, obliterated or altered, any entry which shall have been duly made in the said books of registry, or either of them, the said registrar shall, upon conviction of any such offence, not only be liable to all such pains and penalties as ought by the laws in force within the said island, at the time of such offence, to be inflicted upon persons convicted of forging or fraudulently altering public judicial records; but shall for ever forfeit his said office, and shall be incapable of ever after holding the same, or any other public office within the said island, and shall moreover be liable to the civil suits or actions of all and every person or persons who shall sustain any damage or injury by any such offence, who, besides full reparation for every such damage or injury, shall recover against such registrar double costs of suit; and if any deputy, assistant or clerk of the said registrar shall commit, or knowingly permit or suffer to be committed any such offence as aforesaid, he shall, upon conviction thereof, not only in like manner be liable to all such pains and penalties as ought by the said laws to be inflicted upon persons convicted of forging or fraudulently altering public judicial records, but shall forfeit such his office or employment, and be incapable of ever after holding the same or any other public office within the said island; and if any other person or persons shall wilfully make, or cause or procure to be made, any false or fraudulent entry in the said books of registry, or either of them, or in the said accounts or abstracts, or shall fraudulently erase, obliterate or alter, or cause or procure to be erased, obliterated or altered, any entry which shall have been made in the said books of registry, accounts or abstracts, or either of them, every such person

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person or persons so offending shall upon conviction, not only be liable to all such pains and penalties aforesaid, but shall forfeit to His Majesty, His Heirs or Successors, all his and their estate, right, title, property and interest of, in and to any slave or slaves that shall be the subject or subjects of any such false or fraudulent entry, erasure, obliteration or alteration.

And it is hereby further ordered, that if any person or persons making any such original or annual return of slaves as aforesaid, shall falsely and wilfully insert therein any name or names, description or descriptions of any slave or slaves, or pretended slave or slaves belonging to any plantation or plantations, owner or owners, knowing that such slave or slaves, or pretended slave or slaves, as shall be so named or described, doth not, or do not in fact belong at the time of making such return to such plantation or plantations, owner or owners, any person or persons so offending shall forfeit for every slave or pretended slave so falsely returned, the sum of 100 *l.* sterling money, to be recovered in such manner as any other penalty or forfeiture may be recovered in the said island by any law thereof, or any statute of this kingdom then in force therein, the one moiety thereof to the use of the governor, lieutenant-governor, or civil commander-in-chief, within the said island for the time being, and the other moiety thereof to the use of such person as shall inform, sue and prosecute for the same; provided always, that no person shall be liable to any such penalty or forfeiture as last aforesaid, in respect of any slave or slaves which he shall prove to have been at the time of the return actually employed upon the plantation, or in the service of the asserted owner or owners to which the same were represented by such return to belong, although he shall not be able to prove that the property in such slave or slaves was such as was stated in the return, except when the prosecutor shall give evidence beyond the falsification of the return in the point of property, to show that the same was fraudulent or wilfully false.

And it is hereby further ordered, that from and after the final closing and authentication of the said original registry of slaves in the said island, as hereinbefore directed, no estate, right, title, property or interest whatsoever, at law or in equity, of, in, or to any slave or slaves in the said island, shall be created or transferred, or shall in any manner pass by sale or mortgage, gift, grant, judgment, decree, execution, or other voluntary alienation, nor by marriage, succession, inheritance, will, devise, administration, or otherwise howsoever, unless such slave or slaves shall have been first duly registered, according to the directions hereinbefore contained.

And it is hereby further ordered, that from and after the said final closing and authentication of the said original registry of slaves in the said island, every slave within the said island or its dependencies, not so registered as a slave, shall be deemed and taken to be the property of His Majesty, except only fugitive slaves from any other of His Majesty's dominions, who may be apprehended within the said island, and who shall be detained in custody, by authority of any court or magistrate, for the purpose of being delivered up to their owners.

Provided always, that no such slave not duly registered as a slave upon any annual return of slaves, shall be deemed to be the property of His Majesty, until it shall be seen whether at the next annual period for making such returns, or within such further periods as are hereinafter in certain cases allowed, such defect of registration may not be proved, on the part of his or her owner or owners, to have arisen from accident, or some unavoidable or excusable cause, such as is hereinbefore and hereinafter in certain cases allowed and provided for; and whether such defect may not be thereupon, at such next annual period of registration, or within such further period as aforesaid, lawfully remedied and supplied, in manner hereinbefore and hereinafter directed; but if, in the mean time, and prior to such next annual period of registration, or within such further period as is hereinafter in certain cases allowed, any question shall arise as to the right of the alleged owner or owners to such slave, the court or magistrate before whom any such question shall be brought, shall forthwith give notice to the governor, lieutenant-governor, or civil commander-in-chief of the said island for the time being, who is hereby empowered and directed to make all such orders for the employment, support, protection, government and restraint of such negro, mulatto, or other person, as shall be necessary or proper for the prevention, on the one hand, of his or her being sent out of the jurisdiction of the courts of the said island, or otherwise ill-treated or oppressed by the authority of the asserted owner or owners, and on the other hand for the preventing such negro, mulatto, or other person, from withdrawing himself or herself from the said jurisdiction, until it shall appear to whom the said slave belongs under this present Order, by the registration or non-registration of him or her as a slave, pursuant to

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the directions hereinbefore contained, at the next annual period of registration, or within such further period as is hereinafter in certain cases allowed for that purpose.

And it is hereby further ordered, that whenever in any action, suit or other judicial proceeding within the said island, it shall be necessary for the master or mistress, owner or claimant of any slave or slaves, or of any negro, mulatto, or other person or persons, asserted to be a slave or slaves, to prove his or her property therein, such master or mistress, owner or claimant shall, in the first place, be bound to show that such slave or slaves hath or have been duly registered as such, according to the directions herein contained, either by or on behalf of such master or mistress, owner or claimant, or by or on behalf of the person or persons from, by, or under whom his or her title is derived.

Provided always, that no default of any tenant or tenants for life or years, or other particular estate, in not returning to the registry any slave or slaves, which ought by him, her or them to be returned for registration pursuant to the directions herein contained, shall prejudice any person or persons entitled to such slave or slaves in remainder or reversion; but all the estate, right, title and interest at law and in equity of any tenant for life or years, or other particular estate, of, in and to any slave or slaves in his or her possession, which he or she shall omit to return for registration as aforesaid, contrary to the directions of this Order, shall be forfeited to the person or persons next in remainder or reversion, who shall and may forthwith after take or recover the possession thereof, and hold the same in slavery, (any thing herein contained to the contrary notwithstanding), so as such slave or slaves be by him, her or them duly returned for registration, according to the directions hereinbefore contained, within such time and in such manner as is hereinafter in that behalf limited and directed.

Provided also, that no default of any mortgagee or mortgagees, in possession of any slave or slaves within the said island, in not returning any slave or slaves, which ought by him, her or them to be returned for registration pursuant to the directions herein contained, shall prejudice the mortgagee or mortgagees of any such slave or slaves, his, her or their representatives, or any other person or persons claiming under any second or subsequent mortgage, charge or incumbrance, or under any sale or conveyance, executed, made or suffered by such mortgagor or mortgagors; but all the estate, right, title and interest at law and in equity of such mortgagee or mortgagees in possession, of, in and to such slave or slaves as he, she or they shall omit to return for registration as aforesaid, contrary to the directions of this Order, shall from thenceforth cease and determine, as if such slave or slaves had been actually redeemed by the mortgagor or mortgagors, or by such person or persons as would have been entitled to such redemption on payment of the mortgage debt; and such slave or slaves shall and may accordingly be recovered and taken possession of by such mortgagor or mortgagors, or such other person entitled to the benefit of such redemption, and held in slavery by him, her or them (any thing herein contained to the contrary notwithstanding) discharged of the said mortgage debt, so as such slave or slaves be afterwards by such mortgagor or mortgagors, or such other person or persons as aforesaid, duly returned for registration, according to the directions hereinbefore contained, within such time and in such manner as is hereinafter in that behalf limited and directed.

Provided also, that no default of any mortgagor or mortgagors, in possession of any slave or slaves, in not returning the same for registration aforesaid, shall prejudice the mortgagee or mortgagees, or any persons claiming under him, her or them; but if any mortgagor or mortgagors, in possession of any slave or slaves within the said island or its dependencies, shall omit to return the same, or any of them, for registration, contrary to the directions herein contained, the estate of the mortgagee or mortgagees, of and in all the mortgaged lands, slaves, and other premises contained in the mortgage, shall forthwith become absolute in the law, and such mortgagee or mortgagees shall and may immediately enter upon, and take or recover possession, not only of such slave or slaves not duly returned for registration, but of all the other slaves, lands and premises comprised in the mortgage, and shall have all other remedies provided by the law of the said island for the recovery of the mortgage debt, as in cases of mortgages forfeited by the non-payment of the principal or interest monies thereby secured, pursuant to the proviso or covenants of redemption therein contained, and shall moreover be entitled to hold such slave or slaves, as were not duly returned for registration, absolutely and irredeemably as against such mortgagor, and his heirs, executors or administrators, without any

any deduction or allowance for the value thereof out of the mortgage debt, so as such slave or slaves be afterwards duly returned for registration by such mortgagee or mortgagees within such time and in such manner as is hereinafter in that behalf limited and directed.

Provided also, that no default of any trustee, guardian, receiver, committee, sequestrator, or other person, appointed by any court of justice, who shall be in possession of any slave or slaves within the said island, in returning any slave or slaves for registration pursuant to the directions herein contained, shall prejudice the person or persons beneficially entitled to or interested in such slave or slaves, if such person or persons so beneficially entitled to or interested in such slave or slaves shall afterwards duly return the same for registration (which he or they, whether in possession of the same or not, is and are hereby empowered to do,) within such time and in such manner as is hereinafter in that behalf limited and directed; (that is to say,) Provided nevertheless, and it is hereby further ordered, that in order to entitle any remainder-man, reversioner, mortgagor or mortgagee, or person beneficially interested under any trust or otherwise, to hold or possess any negro, mulatto or other person, who by the default of the tenant for life or years, or other particular tenant, or of the mortgagee or mortgagor in possession, of any trustee, guardian, receiver, committee or sequestrator, shall not have been duly registered as a slave, according to the directions hereinbefore contained, it shall be necessary for such remainder-man or reversioner, mortgagor, mortgagee or other person beneficially interested, at the annual period hereby appointed for the registration of slaves in the said island, next after he, she or they shall have taken possession of any such slave, and within three years at most from the time of such default of registration, (except in cases of defaults in the annual returning of any new-born slave, the issue of any female slave previously registered as such, and in respect of such new-born slaves within ten years at most from the time of such default, and within one year from the time of taking possession thereof,) to make such full and particular return and description of such slave in writing, and upon oath, to the said registrar, as is hereinbefore directed to be made for the purpose of the original registration of the slaves in the said island, together with an affidavit in writing, to be sworn before the said registrar, stating the time and the particular nature of the former default of the registration, and by whom the same was committed or incurred, and by what title and for what estate and interest such defaulter was in possession of such slave at the time of such default of registration, and showing under what settlement or conveyance, or by what other means, he or they the said reversioner, remainder-man, mortgagor or mortgagee, or person beneficially interested making such return, was entitled to, some specified estate in remainder or reversion, or to some right or equity of redemption, or some mortgage, term or estate, or equitable estate or interest of, in, to or upon such slave at the time of such default of registration, and averring positively that such negro or mulatto, or other person so returned as a slave, is really and rightfully such, the former default of registration only excepted, and specifying how such servile condition lawfully arose, namely, whether by the alleged slave having been lawfully held in slavery in the said island prior to the original registration of slaves hereby directed, or having been since born of some and what female slave duly registered as such within the said island, or having been lawfully imported into the said island from some and what other British colony, at some time and when, subsequent to the said original registration of slaves; and it is hereby provided and ordered, that such affidavit being duly filed in the said registry, the registrar shall examine the return to which the same relates, and if it appears on the face thereof to be such a return as ought if true to be received and registered, according to the intent and meaning of this Order, he shall proceed to require such further proof thereof as the nature of the case may afford, and especially by the production of any negro or mulatto, or other person inscribed in the said return as a slave, to be by him the said registrar personally inspected and privately examined, and also by the production of any deeds or other instruments mentioned in the said affidavit, or duly authenticated copies thereof, and by reference to entries in the said registry as to the alleged mother or female ancestors of such asserted slave, and by reference in respect of any slave asserted to have been imported from other British colonies, to the certificates of his or her lawful importation hereinbefore directed to be brought into and filed in the said office; and for the better investigation of any facts stated in any such return, the said registrar shall have power to examine the party or parties making the same upon oath, if he shall think fit, and if after such examination and proof the said registrar shall

think

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think the said return to be sufficiently verified, and not otherwise, he shall proceed duly to register the same, according to the directions and regulations hereinbefore contained in respect to annual returns; but any party or parties aggrieved by an erroneous decision of the said registrar herein, shall and may have such remedy by appeal, as is hereinbefore provided in respect of any default or misconduct of the said registrar.

Provided always nevertheless, and it is hereby further ordered, that whensoever by reason of any such default as aforesaid, by persons in possession of slaves not being their own absolute property, in any of the cases aforesaid, it shall be allowable and necessary for any owner or owners, innocent of such default, to return for registration any slave or slaves, after the time at which the same ought to have been registered by any tenant for life or years, or other particular estate, mortgagee or mortgagor in possession, trustee, guardian, committee, sequestrator or other officer, if the party or parties charged with such default or defaults is or are still living and resident within the jurisdiction of the courts of the said island, or otherwise amenable thereto, the registrar shall forthwith lay the said return, or a copy thereof, before the attorney-general, procurator, syndic, or other proper law officer, whose province it is to prosecute for the Crown in the said island, who shall consider the same; and if it appears to him that any penalty or penalties, forfeiture or forfeitures, has or have been incurred by the alleged default or defaults, he shall forthwith give notice to the party or parties charged with the same to attend him, and show cause why a prosecution to recover such penalty or penalties, forfeiture or forfeitures, shall not be commenced; and if the said party or parties shall not so attend, or attending, shall not show sufficient cause in that behalf, the said attorney-general, procurator, syndic, or other law officer, shall cause a prosecution for such penalty or penalties to be instituted in the proper court of the said island, against such party or parties so offending, and shall prosecute the same to trial, judgment and execution; and the person or persons making such return shall be bound on such trial to furnish sufficient evidence for the conviction of the defendant or defendants, or on failure thereof, his said return shall be rejected, and the slave or slaves in question shall be deemed and taken to be the property of His Majesty; and until the event of such prosecution, the registrar shall not proceed to register such return, notwithstanding any such evidence as aforesaid adduced or offered to him, but shall reserve the same, if need be, for registration, in case the same shall be ultimately allowed at the next annual period for registering returns after such allowance, when the registration thereof, if duly made, shall be as valid and effectual as if made at the regular time.

And for the better enabling all remainder-men and reversioners, and all mortgagors and mortgagees not in possession, and all other persons beneficially entitled to or interested in any slaves in the said island, in the possession of any tenants for life or years, or other particular tenants, or of any mortgagees, mortgagors, trustees, guardians, receivers, committees or sequestrators, to discover any default of the party or parties in possession of such slaves, in not duly returning the same to be registered in the said original registration of slaves, and thereupon to have and use the remedies hereby provided; it is hereby further ordered, that it shall and may be lawful to and for every person that is, or shall, or may be legally or beneficially entitled to or interested in any slave or slaves in the said island, in remainder or reversion, or by virtue of any mortgage or equity of redemption, or of any settlement or conveyance, or will or otherwise howsoever, which slave or slaves are in the immediate possession of any tenant for life or years, or other particular estate, or of any mortgagor, mortgagee, trustee, guardian, receiver, committee or sequestrator thereof, once within the term of three years, from the time of the said original registration of slaves, and at any part of that term, by himself or herself, or his or her attorney or agent, to give notice in writing to the parties in possession of any such slave or slaves, that he or she, the said person, legally or beneficially entitled or interested, or his or her attorney, therein named and described, will attend at the house, plantation or place, where such slave or slaves is or are usually kept and employed, at some day, and some convenient hour in the day-time, specified in such notice, and not less than ten days after the service thereof, then and there to inspect the said slave or slaves, and compare him, her or them, in point of numbers and descriptions, with an office copy of the registered returns; at which time and place, the party in possession of such slave or slaves shall by himself or herself, or his or her attorney, manager or agent, produce the same accordingly, and submit him, her or them to the inspection and examination of the said party so entitled or interested, or his or her said attorney; or in default thereof, without some necessary and unavoidable impediment, (the proof whereof shall lie upon

upon such defaulter) shall forfeit and pay for every slave omitted to be so produced the sum of twenty pounds, sterling money.

And for the better protection and security of infants, married women, lunatics, and all other persons under any disability or incapacity, who are, or shall or may be beneficially entitled to or interested in any slave or slaves within the said island; it is hereby further ordered, that within three months from and after the closing and authentication of the original registry of the slaves of the said island as hereinbefore directed, the registrar shall make out and certify in writing, and transmit to such court or judge as shall have the supreme jurisdiction in civil causes within the said island, an abstract or list in writing of all returns which shall have been made by persons in possession of slaves, as trustees, guardians, receivers, committees or sequestrators, and such court shall thereupon *ex officio* issue a commission, directed to three or more trust-worthy and intelligent persons, empowering and requiring them to repair to the several plantations in respect of which such returns have been made, and to the places of abode of such trustees, guardians, receivers, committees or sequestrators as have made any returns of personal slaves in their possession, there by inspection of the slaves to verify or correct the said registered returns, to which commissioners all such trustees, guardians, receivers, committees or sequestrators shall be bound, on reasonable notice to be allowed by such court or judge, to produce all the slaves by them respectively returned for the inspection of the said commissioners, and the said commissioners shall thereupon proceed to compare the same with the descriptions thereof in the said returns; and the said commissioners shall have power to examine the said trustees, guardians, receivers, committees and sequestrators upon oath as to the truth of the said returns, so as to ascertain whether all the slaves are included therein that ought to have been returned, and also to inquire whether any trustees, guardians, receivers, committees or sequestrators in possession of any slave or slaves within the said island have omitted to make any returns, and for that purpose to call before them and examine witnesses, and to examine all public registries and records; and the said commissioners shall within six months from and after the closing and authentication of the said original registry, make a full and distinct return to the said court or judge, specifying any defaults or defects in the said original and registered returns, or any omissions to make returns, which they shall have discovered, with the names of the defaulters; and all such descriptions of the slaves, the subjects of any such defaults, as are hereinbefore required to be specified in the said original returns; and the said court or judge shall thereupon cause all such defaulters to be summoned to appear and show cause why such defaults or defects of registration should not be corrected and supplied, and why they the said defaulters should not pay the penalties hereby imposed for such defaults, and shall proceed in a summary manner to examine the truth of the return that shall have been made by the said commissioners, and the causes that shall be shown against the allowance thereof, and shall allow or disallow the said return in the various particulars therein contained; and if any defaults or defects of returns for original registration shall be established to the satisfaction of the said court or judge, an order shall be made thereupon, distinctly and fully specifying the same, with all such particulars as shall be necessary for supplying and correcting such defaults and defects, and reforming the said original registry, and commanding the same to be reformed accordingly at the next annual period of registration, and such order shall by the said court or judge be transmitted at or before the said annual period of registration to the said registrar, who shall transcribe the same at large in the said books appointed for the registration of plantation slaves and personal slaves respectively, and the same shall from thenceforth be deemed and taken to be a part of the said original registry of slaves, and shall have the same force and effect as if the corrections or additions by such order made had been contained in the said original returns, any thing herein contained to the contrary thereof notwithstanding.

And it is further hereby ordered, that every trustee, guardian, receiver, committee or sequestrator, who shall wilfully refuse or omit to produce any slave in his possession for the inspection of the said commissioners, being thereto by them required as aforesaid, or who shall be found to have wilfully omitted to return for original registration any slave or slaves in his possession, or wilfully to have described the same improperly in such his return, shall forfeit and pay for every slave, the subject of any such offence, such sum as the said court or judge shall adjudge and order, not exceeding the sum of twenty pounds sterling for every such slave, to be recovered in the

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the same court; the produce of which fines shall be applied towards defraying the expenses attending the said commission.

And it is further hereby ordered, that the said court or judge shall adjudge and award a reasonable allowance and compensation to the said commissioners, and any clerk or clerks to be by them appointed, as well for their time and trouble, as their expenses in executing the said commission; to defray which, or the residue thereof, after the application of the produce of the said fines as aforesaid, the said trustees, guardians, receivers, committees and sequestrators shall be respectively assessed, in proportion to the number of slaves by them respectively possessed in their said respective characters, such sums (to be paid by them respectively, and allowed to them in their accounts with the estates, or person beneficially interested in such slaves,) as shall be ordered by the said court or judge, not exceeding the sum of five shillings sterling money for each slave so by them respectively possessed.

Provided also, and it is hereby further ordered, that after any slave shall have been duly registered as such in the said island, either in the said original registration, or by such corrections thereof as are hereinbefore allowed and provided, or in any annual return and registration, either as a new-born slave, the issue of a registered female slave, or as newly imported from some other British colony, with such certificate of lawful importation as is hereinbefore in that case required, such slave shall not be deemed to be the property of His Majesty by reason of any subsequent default of annual registration, in any case in which such registration is hereby required to be made, except as against the party or parties making such default, and all persons claiming by, from or under him or them, by title subsequent to such default, unless such other person or persons as may thereupon be or become entitled beneficially to such slave, being of full age, and under no personal disability, shall omit duly to return such slave for registration, in manner hereinbefore directed and provided, at or before the annual period of registration next but one after his her or their right and title to, and actual possession of such slave shall have accrued.

And it is hereby further ordered, that whenever by reason of the wilful default of any tenant for life or years, or other particular estate, or of any mortgagee or mortgagor in possession, or any trustee, guardian, receiver, committee, sequestrator, or other person in possession of any slave or slaves, the same shall become the property of His Majesty by force and virtue of any of the provisions herein contained, the party or parties making such default shall be liable to pay and satisfy to such persons not privy and consenting to such default, as shall be prejudiced thereby in respect of his or their former property or interest in such slave or slaves, the full amount of all damages by him or them sustained, not exceeding the value of such slave or slaves at the time of such default, together with costs of suit.

And it is hereby further ordered, that if any person or persons shall by means of any false or fraudulent return or entry of him, her or them, or by or with his, her or their procurement, consent, privity or knowledge, made in the said registry, keep or hold, or attempt to keep or hold in slavery any African or other Negro, or Mulatto or other coloured person, which shall have been illegally imported or brought into the said island, and shall be thereof lawfully convicted, he, she or they shall forfeit and pay for every African or Negro, Mulatto or other coloured person, the subject of any such offence, the sum of 300 *l.* sterling money, the one moiety to the governor, lieutenant-governor, or civil commander-in-chief within the said island, and the other moiety thereof to such person as shall sue, inform and prosecute for the same, with full costs of suit, to be recovered as aforesaid; and shall moreover, after any such conviction, be for ever after incapable of owning, holding or possessing any slave or slaves within the said island.

And it is hereby further ordered, that in any suit or prosecution to be commenced, sued or prosecuted in any court, or before any judge of the said island, for the recovery of any of the penalties or forfeitures herein contained, or for enforcing of the directions or provisions of this order, or obtaining relief or reparation for any breach of the same, it shall not be an admissible defence, plea or exception to allege, that the plaintiff, prosecutor or person suing or complaining is a slave; nor shall the testimony of any indifferent witness, being or alleged to be a slave, be rejected for that cause in any such suit or prosecution, but the same shall be admitted; subject nevertheless to all such objections to the credit of such testimony, as from the condition of the witness, or the nature of the case, may, in the discretion of the court or judge, be reasonably allowed.

And it is hereby further ordered, that the certificate of the said registrar, by him subscribed.

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subscribed, certifying any extracts from the books in his office, shall be received in all courts, and by all judges in the said island, as sufficient evidence of the authenticity of such extract; saving, nevertheless, to the party or parties against whom such evidence is adduced, the right of contradicting, impeaching or correcting the same, by an inspection of, and a comparison with the original book or books of registry in the said island, or the duplicates thereof, to remain in the office of the said Secretary of State as aforesaid.

And it is hereby further ordered, that the said registrar shall be entitled to have and receive, for every certificate by him given of any extract from or entry in the said registry, the sum of ten shillings sterling; and for every hundred words therein contained beyond the first hundred words, the sum of two shillings like money, and no more, from the party requiring and obtaining the same; and for every search in the said registry, the sum of five shillings like money, and no more; which fees, and all other fees hereby appointed in sterling money, shall be calculated at the rate of exchange prevalent in the said island at the time of the service performed.

And it is hereby further ordered, that it shall not be lawful for the said registrar, while he shall hold his said office, directly or indirectly to be the owner, part-owner, or mortgagee of any slave or slaves, and that the said registrar shall be personally resident in the said island while he shall continue to hold his said office, except when from ill health, or other necessary cause, his temporary absence from the said island shall be permitted by a licence in writing, under the hand and seal of the governor, lieutenant-governor, or other person having the chief civil command in the said island for the time being, specifying the cause of such temporary leave of absence, a copy of which licence shall be forthwith transmitted to His Majesty's Principal Secretary of State for the Colonial Department; and if the said registrar shall be at any time absent from the said island without such licence, or after the expiration thereof, or any disallowance thereof by His Majesty, His Heirs or Successors, or shall be owner, part-owner, or mortgagee of any slave or slaves, directly or indirectly, by his own act, consent or agreement, he shall absolutely forfeit his said office; and during any such licensed absence as aforesaid, or any other temporary incapacity of the said registrar, a deputy registrar shall be appointed by the said governor, lieutenant-governor, or civil commander-in-chief for the time being, who shall and may exercise and perform all the duties hereby imposed on the said principal registrar, as fully and effectually for all the purposes of this order, as if the same were executed and performed by the said principal registrar in person.

And lastly, all governors, lieutenant-governors, and civil commanders-in-chief of the said island, and all courts, judges, magistrates, and other officers within the same, are required to take notice of, observe and obey this present order, and to cause the same to be effectually observed, obeyed and executed by all persons within the said island, as they shall answer the contrary at their peril.

And the Right honourable the Lords Commissioners of His Majesty's Treasury, and the Right honourable the Earl Bathurst, one of His Majesty's principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

(signed) *James Buller.*

SCHEDULE.

The Return of A. B. for the Plantation called C. D. in the Parish (or Quarter) called E. F. a Sugar (or Coffee) Plantation owned by G. H. of which the said A. B. is in possession as Manager (or as Trustee or Mortgagee, &c.) and which was lately owned by (or in the possession of) J. K. *—(Or in Returns of Personal Slaves †). The Return of A. B. of the Town (or Parish, &c.) of C. D. Esq. of Personal Slaves, being his own Property (or the Property of E. F. of —, Esq.) whereof the said A. B. is in possession as Attorney (or Lessee, or as Trustee or Guardian, &c.) ‡ and which Slaves were the late property of G. H.

LIST of Families of Slaves on the Plantation A. B. (or of the said E. F.)

NAMES.	SURNAMES.	COLOUR.	EMPLOYMENT.	AGE.	STATURE.	COUNTRY.	MARKS.	RELATIONS.
Anthony	Williamson	negro	driver	41	five feet ten inches	Creole of this island	a scar on the right cheek.	husband of Sarah, and father of John and Samuel Williamson.
Sarah	Williamson	negro	sempstress	39	five feet	same	has lost the fourth toe of the left foot.	wife of Anthony, and mother of John and Samuel Williamson.
John	Williamson	negro	labourer	20	five feet eight inches	same	no marks	John and Samuel Williamson.
Samuel	Williamson	negro	in the little grass gang	10	four feet three inches	same	a deep scar on the left shoulder from a wound.	son of Anthony and Sarah, and brother of John Williamson.
GENERAL LIST of Male Slaves on the said Plantation (or of the said E. F.)								
Jack	Thomas	negro	boiler	35	five feet nine inches	Creole of St. Kitt's	lame in the right leg	—
Ned	Smith	mulatto	cooper	40	five feet ten inches	Creole of St. Vincent's	no marks	—
Sampson	Strong	negro	labourer	25	five feet eight inches	African, from the Windward Coast.	country marks, two seams on each cheek.	—
George	Ward	negro	labourer	29	five feet seven inches	African, from the Gold Coast.	has lost the first joint of the middle toe, left foot.	—
GENERAL LIST of Female Slaves on the said Plantation (or of the said E. F.)								
Phillis	Johnston	negro	labourer	42	five feet one inch	African, from Congo	no marks	—
Susan	Strange	negro	labourer	39	four feet eleven inches	African, from the Gold Coast.	country marks on the arms.	—
Betty	Edwards	negro	washer	29	four feet ten inches	Creole of this Island	no marks	—
Sally	Baker	mulatto	in the little weeding gang.	11	four feet three inches	same	cast in the eye	—

January 1st, 1815.

The whole Number of Slaves on the said Plantation C. D. (or of the said E. F.) is Twelve.

A true Return, A. B.

* This clause is necessary only when there has been a change of property or possession within seven years.

† It will be more convenient to have different printed forms, for Plantation and Personal Slaves respectively, and to entitle them accordingly. The plantation Returns of course will require in general more than a single sheet; and there may be separate printed forms for all but the first sheet, omitting the title.

‡ Necessary only when change of property within seven years.

SLAVES (MAURITIUS).

RETURN to an Address of the Honourable The House of
Commons, dated 26th March 1827;—for

Original ORDER IN COUNCIL for the Registration
of SLAVES at the MAURITIUS.

Ordered, by The House of Commons, to be Printed,
3 April 1827.
