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S L A V E S.

Return to an Address of the Honourable The House of Commons,
dated 3d April 1827;—*for*

COPIES, OR EXTRACTS

Of all COMMUNICATIONS made to His Majesty's Government, respecting the Prosecution, by the Attorney General of St. Kitt's, of a person of the name of *Cardin*, for the cruel treatment of a Female Slave belonging to the Earl of Romney; with a copy of her Petition, of the Indictment preferred against Mr. Cardin, and of the Presentment of the Grand Jury respecting it to a Court of King's Bench and Common Pleas held on the 11th March 1820:

VIZ.

- N^o 1.—Copy of a Dispatch from Governor Maxwell, addressed to Earl Bathurst, dated St. Christopher, 9th June 1826 :—(Five Enclosures.)
- N^o 2.—Copy of a Dispatch from Earl Bathurst, addressed to Governor Maxwell, dated Downing-street, 4th August 1826.

Colonial Department, }
Downing-street, }
1 May 1827. }

R. J. WILMOT HORTON.

Ordered, by The House of Commons, to be Printed,
1 May 1827.

2 SLAVES: COMMUNICATIONS FROM ST. KITTS, RESPECTING

— N° 1. —

Copy of a Dispatch from Governor Maxwell, addressed to Earl Bathurst, dated St. Christopher, 9th June 1826. (Five Inclosures.)

St. Christopher, 9th June 1826.

MY LORD,

I HAVE the honour to inclose documents relative to the treatment of an old female slave, aged 52 years, named Betto Douglas, the property of the Earl Romney, by Mr. Cardin his Lordship's attorney. The brief state of the case is comprised in an idea the old woman had formed, that the late Lord Romney had consented to her being manumitted, which was in some degree confirmed by Mr. Goldfrap, who, I have reason to suppose, advised her to petition me on the subject. On receiving her statement, I referred it to Mr. Goldfrap and Mr. Cardin, the former answered me that he really believed she ought to be freed; but Mr. Cardin positively denied any pretension to freedom.

As she could not support the allegation, I recommended her to return to Lord Romney's estate, and on her doing so, Mr. Cardin put her into confinement and in the stocks, in which situation she remained from about the beginning of May to the 2d day of December last year; on which day she was released by the magistrates, who I requested to investigate into a report that had reached me, of her being in confinement during the six months before stated: some little time after, an investigation of Mr. Cardin's treatment of the woman took place in Basse-terre, and after the examination of some witnesses, the magistrates ordered her to return to the estate; but sufficient evidence had come out to induce the Attorney General to give Mr. Cardin notice, that he should indict him for illegal treatment at the ensuing Court of King's Bench and Grand Sessions of the Peace, which was accordingly done; but the Grand Jury ignored the bill, and animadverted in a very extraordinary manner on the prosecution.

The several Inclosures will inform your Lordship of the real circumstances of the case, which contain strong evidence of the illegal treatment of the old woman; but this sort of confinement being a common usage, it is from custom considered justifiable and proper; but this opinion is strongly reprobated by the Attorney General and some humane thinking gentlemen in the island.

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

I have, &c.
(signed) *Chas. W. Maxwell.*

Inclosure, N° 1.

Inclosure
N° 1.

St. Christopher.—To His Excellency Charles William Maxwell, Esquire, Companion of the Most honourable and military Order of the Bath, Colonel in the Army, Captain General and Governor-in-Chief in and over the Islands of Saint Christopher, Nevis, Anguilla and the Virgin Islands, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

The humble Petition of Elizabeth Douglas, a Female Mulatto Slave, the property of the Right Honourable Lord Romney,

Sheweth,

THAT many years past John George Goldfrap, of the said island, esquire, was the qualified representative in this island of the said Lord Romney, to whom he wrote a recommendation to enfranchise your Petitioner; that shortly after the said representative being about to depart this island, he relinquished his charge, and the late Reverend Mr. Davis was substituted in his stead; that the said Lord Romney, however, did write to the said John George Goldfrap in reply to his application, where he stated that "he had instructed the said Mr. Davis to meet his the said Mr. Goldfrap's request;" that your Petitioner has reason to imagine from a conversation she has recently entertained with Doctor Davis, the son of the deceased Mr. Davis, that a letter to that effect was received by the elder Mr. Davis, which letter your Petitioner has also strong grounds to conclude is now in the possession of the said Doctor Davis; that Richard Cardin, esquire, the present

PROSECUTION FOR ILL TREATMENT OF A FEMALE SLAVE. 3

present attorney and manager on the estate of the said Lord Romney, s. ^{time} after succeeded the said deceased Mr. Davis, and on so doing, he the said Mr. Cardin did read from a book, in the presence and hearing of Doctor Charles Bryan, an order from his Lordship, that the instructions so communicated to Mr. Davis should be promptly carried into execution by him the said Mr. Cardin; but that nevertheless the said Mr. Cardin refuses to conform with the command of his constituent, and enjoins of your Petitioner, notwithstanding the punctual monthly payment for wages of One pound eleven shillings and sixpence * * *

Inclosure
N° 1.

* * * further that your Petitioner's house is on rented land detached from the said estate of Lord Romney, which house Mr. Cardin hath proposed to your Petitioner, through the agency of Mrs. Little, in the town of Old Road, that your Petitioner would remove to the estate, when "he would in compliance with Lord Romney's instructions, instantly free your Petitioner."

Your Petitioner therefore, under the peculiar hardships of her case, humbly intreats your Excellency to take that case into your Excellency's benevolent consideration, and cause to be done for her relief whatever your Excellency might esteem to be proper and right.

And your Petitioner as in duty bound will ever pray, &c.

(signed) ^{her} Eliz^b × Douglas.
Mark.

April 26th, 1825.

Inclosure, N° 2.

Basse-terre, 5th May, 1825.

Sir,

I HAD the honour to receive your note of yesterday's date, which I should have answered by the bearer who brought it to me, but I wished to search for a letter from Lord Romney, wherein he wrote to me in regard to the said mulatto woman named Betto alias Elizabeth Douglas. I regret that I cannot lay my hands on it.

Inclosure
N° 2.

Though the circumstances mentioned in the woman's petition occurred many years ago, I will inform your Excellency what comes within my recollection.

I was joint attorney with the late president Julius to the Lord Romney, and previous to being succeeded by the late Rev. Mr. Davis, I wrote to his Lordship, at the request of Elizabeth Douglas, to beg that he would permit her to purchase her two sons. In the same letter I gave that woman an excellent character, and well deserving his Lordship's consideration.

From the tenor of my letter he wrote to his new attorney. I presume Lord Romney construed the favourable mention of the woman as my wish that she should be manumitted, and accordingly his Lordship wrote me, "that he had written to the Rev. Mr. Davis to carry into execution all my wishes."

I have the honor to be,
Your Excellency's most obedient humble servant,
(signed) J. G. Goldfrap.

His Excellency Gov. Maxwell,
&c. &c. &c.

Inclosure, N° 3.

Monday, Jan. 16, 1826.

Before the Worshipful Thomas Pemberton, Thomas Tyson, Stedman Rawlins, sen., and John Hart Rawlins, Esquires.

BETTO DOUGLAS, a slave, belonging to the estate of the Right Hon. the Earl Romney, states:—Doctor Bryan lived on Romney's when Mr. Cardin came to live there; he sent to call me and my two sons. I went up to him; he asked me if I was the woman called Betto Douglas; I told him, yes; he told me the two last her master told him was to seek me and manumit me, which ought to have been done several years ago. Doctor Bryan was present. I went to Cayon, and asked Doctor Bryan if he recollected any thing of the circumstance; he told me he thought he could remember something of it, but did not like to interfere with people's business. I was about the yard doing something or other, Mrs. Cardin called me to mind the children, and I very readily did so. A son of mine was cutting

Inclosure
N° 3.

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Inclosure
N° 3.

cutting physic-nut for me; a stick run in his foot, and I thought he was cramped. I then took Miss Helen and Master William into the room where the young ladies were, and begged them to mind them while I prepared a poultice for his foot. Mrs. Cardin called me, and she got into a rage, and scolded me for not being with the children; I told her I was with them, but went to apply a poultice to my son's foot, and then she went out to Mr. Cardin, and said she would not have me any more with them, and Mr. Cardin told me I must go and work out for three and half dollars a month; I told him I was not able to give that price, and he would insist on it, and I went; and after I found it was so hard, I went to him again and told him the times were hard I was not able to give him that price, that I sold all I had to pay the money; and he would insist; I then said I had nothing to give him unless I went upon the highways and committed something bad; he would insist upon the money. I then went to Master Richard, I tell him to speak to his father and tell him how hard the times were, and he promised to do so; I told him his father had told me that he had directions to manumit me, I'd thank him to speak to him. The month following that, I strove and made up three dollars and a quarter, and carried that to him, and he told me if I did not give him the other quarter he would stop my allowance. August gone three years, I have never received any thing from the estate; and after I found it was so hard I applied to Doctor Davis, saying to him if he could be so pleased to get a copy of his father's letter; and he told me I must go to his father himself. I begged him to speak to his father as his word would have more effect than mine; and a Sunday after I met Doctor Davis and his father; and he asked his father, do you know this woman? And he said, no; and he replied to his father, a woman by the name of Betto Douglas; had never done nothing during my brother's living on the estate, and observed to him, don't you know Betto Douglas, the mother of Cleisby and Sawney Frazer, whom he desired should be made free? he never said nothing, but remember me in mercy for my trouble is over me. I went to Doctor Davis again at Hutchinson's, asked him to give me a copy of the letter received by the Reverend Mr. Davis before Mr. Cardin arrived, and he told me he could not give it for fear I may go against Mr. Cardin. Mr. Edward Davis, in his life time, who resided on the estate, told me his father had received a letter from Lord Romney, saying that I was to be free, and my two children were to be sold to me for twenty-five joes each; the children were appraised by Mr. Garnett; and Mr. Edward Davis told me to try and make up the money, and he took William and bound him to Mr. M'Mahon. When owing two months' hire, I went to Mr. Cardin with four dollars, saying I could pay no more; he refused to receive the four dollars, but confined me two weeks in a room, and my children went and borrowed three dollars, and made up the seven dollars for the two months hire. I paid for the time I was in confinement, and received no allowance of any kind. During that time I was last in confinement, after the petition to the Governor, I was carried before Mr. Stedman Rawlins at Miss Douglas', and from thence I was carried to the estate and confined in the stocks from the 17th May to the 2d December. I then owed for three months hire. I was put in stocks one foot night and day, except on several occasions when Dr. Rawlins gave me physic, I was let out in the morning to go to the river, and also in the evening. Since I was last liberated I applied to Doctor Rawlins for physic; he gave me some pills, directed me to take salts and a sweat. At the expiration of the month, Mr. Cardin sent for my hire, I sent to say I could not pay, I had been sick. Mr. Cardin then sent the overseer and a man named Jemmy for me; they took me up to him; I told him I was sick, to have patience until Monday, when I would strive and borrow the money; he said he would not, they must lock me up. Friday morning he came in to me himself, saying if I would give him the hire, if not, he would cast me in prison; he told Jemmy to take me to the field, give me a new hoe and fifty lashes, and lock me up noon and night; and on Sunday, one o'clock, I got away from the woman who had charge of me, and made my escape. I went again to the Governor, who sent a letter to the Attorney-General to inquire into it.

Mr. Cardin denies that he ever received a letter from the Earl Romney, giving him directions to manumit the woman, and produced a letter from Doctor Davis, stating his father had assured the woman that he never did receive any instructions to that effect from Earl Romney; also a letter from Doctor Bryan, stating that no such conversation passed in his presence, and did not hear Mr. Cardin tell the
woman

PROSECUTION FOR ILL TREATMENT OF A FEMALE SLAVE. 5

woman Betto that he had any such instructions; he also produced a letter from Mrs. Mary Ann Little.—(See these letters at the end of this investigation.)

Doctor John Rawlins, sworn,—States, that a few days after the woman was liberated, she stopped him in the street, saying she was ill; he told her to go to the sick nurse and ask for two pills, but did not consider her sick, she complained of her bowels; during the time alluded to by Betto, he has seen her as frequently out as in the stocks, has met her walking down to the river; his usual time of attendance is about 8 or 9 o'clock, A. M. sometimes later; has never heard her, while in the stocks, complain of being sick. Adjourned to Friday next.

Inclosure
N° 3.

Friday, January 20th, 1826.

Before the Worshipful Thomas Pemberton, Thomas Tyson, and Stedman Rawlins, sen^r, Esquires; the complaint of Betto Douglas resumed.

Mr. Smith, as counsel for Mr. Cardin, said,—Mr. Cardin would not answer that part of the complaint which regards the woman being confined in stocks from May to December, night and day as stated by Betto, in consequence of the Attorney General hinting that ulterior measures would be adopted.

Richard Cardin,—States, Betto Douglas was on hire, and paid him as she states at the rate of three and a half dollars per month for, he believes, near three years, which at the end of the years, in making up the estates accounts, he gave credit for; she paid him for January 1825, and he has never received the smallest sum from her since; in April she presented him with a letter on his arrival at the Mornes, he opened it, and found it to contain a petition from Betto Douglas to the Governor; the Governor requested an answer; he wrote to Dr. Davis and Dr. Bryan, and Mr. Little, touching that part which referred to them, and requested their answers; after receiving their letters, he came to town and brought them with him, and shewed them to the chief justice, Mr. Pickwood, who declared they were a complete refutation of all the woman had asserted; he asked him if he would permit him to shew them to the Governor; he answered, yes; he brought them to town for the express purpose, and they were left in his hands; some days after they were returned to him with a note from the Governor addressed to Mr. Pickwood (see note at the end); he then proposed to her to go out on her former hire, and that he should expect her to pay the arrears due, neither of which she has done, nor would she consent to go out to hire; with respect to the allowance, his directions to the sick nurse (who takes out food every morning for the people confined) was, to take out for Betto also as much as she could eat, and he never in any one instance gave directions that she should not have allowance. Upon the order of the magistrates, who investigated the complaint the 1st December, they directed him to let her go out on hire at 6s. 9d. per week, and if she refused that, to put her in the field to do light work; on the following morning, she desired him to give her a paper to look out for an owner; he told her she had already a good owner, and it was unnecessary; that she must immediately decide on the order of the magistrates; she chose to go out to hire; he told her it was the 2d December, and the 2d January he should expect her to bring him her hire; she did not come on that day, neither the third, the fourth, nor the fifth day until noon, when he sent the overlooker to demand her month's hire; he came back, and told him she had not got it; he directed him to go to the overseer, and say he requested him to go and conduct her up to him; when she came, she declared she was ill and had been under the doctor's care, that he had given her physic, and ordered her to take a sweat; he then said, how comes it you have taken the whole month, and never once come to me to complain; if you were ill, the sick house was the proper place for you to be in, when the medical gentleman who attends the estate would have attended you, as he does the other people belonging to the estate, I shall therefore now send you to the sick house, and there detain you until Monday, the visiting day of Dr. Rawlins; he desired the nurse to allow her an hour in the morning and an hour in the evening, to walk out, that her health might not suffer; on Monday he came to town and did not see the doctor, but he had occasion on Tuesday to call him professionally to visit a sick woman; on Sunday forenoon, the sick nurse came to him and said Betto had asked her to be allowed to go to the river to wash her skin, which was granted; remaining beyond the time the sick nurse thought necessary, she went in search of her; she was not at the river, she went then to her house, where she was not; on her returning home, she was informed she had gone through a part of the estate called Parsons

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Inclosure
N° 3.

Piece, the road leading to Hutchinson's estate, and he supposed came on to town; he heard nothing more of her, but late in the evening of the 11th January he received a letter from the Attorney General, he answered that letter the following morning; he had no notice of what the complaint was she had lodged against him; in his answer, he requested the Attorney General would allow him a public investigation, and that he might be permitted to ask the magistrates and persons on the estate to attend as witnesses, conceiving the complaint so lodged was referring to the present complaint; on Tuesday, on seeing the doctor, he stated to him that Betto, in excuse of not paying her monthly hire, said she was sick and under his care; he told him it was no such a thing, that she had called to him as she stood on her own ground near the road side, and said she was sick, her bowels were out of order; he desired her to go to the sick nurse and tell her to give her two pills of the same as she herself was taking, and that was all the sickness which Dr. Rawlins described to him.

Richard Cardin, jun. sworn,—States, he lived some years as overseer on Romney's estate, to the best of his recollection some time after Betto Douglas went to hire out; she received allowance for many months, her name used to be called weekly for allowance, but she did not appear for it, nor did she send any person to receive it for her; he seldom saw her on the estate; when her hire became due, he went to her for it, and received abuse and impudence; the room in which the stocks are is a part of the sick house, and is a large commodious room; the bench to which the stocks are attached, is somewhat similar to those in general use on estates, being an inclined plane of about six inches, about eight feet from head to foot; persons confined there have their bedding spread upon it; the windows of the room have wooden bars, these bars have sometimes been cut, by which persons confined there have escaped; he has seen a woman confined there, as large in person as Betto, take her leg out through the hole.

Question by the Attorney General.—Is the room separate from the sick house?—Answer. Only divided by a partition; the hire she paid was three and a half dollars per month.

Cawky Connor (sick nurse) sworn,—States, when Betto Douglas was confined, master directed her every morning to take out allowance for her, which she carried to her, but she refused to take it, saying, she did not come here for you to feed me, but I came here for punishment; she had every day food brought her by either her children or her friends; she told master she would not take her allowance from her; she was permitted to go out morning and evening for an hour each time, she used to go to the river, and once went to her own house; when she told master she would not take allowance, he directed her still to take it out; when she had occasion to go out, she always let her out, and this was independent of the hour morning and evening; cannot say for what period of time she was confined, but thinks it might be about six months; she after some time took all the provisions she had for her; whenever she took medicine, she was let out of the stocks; she never complained of being sick but twice; castor oil and laudanum was given to her.

The Attorney General having declared his intention to prefer an indictment against Mr. Cardin, the magistrates felt themselves bound to hold him to bail.

He was accordingly bound over to appear at the next Court of King's Bench.

DECISION.

THE Magistrates having taken into their consideration the complaint preferred against Mr. Cardin, are of opinion that the duration of Betto Douglas's confinement in the stocks not being proved, they cannot decide the question of the punishment being excessive; but they at the same time cannot refrain from remarking that Betto Douglas's conduct has evinced great insubordination, highly injurious to the property, and recommend that the said Betto Douglas be returned to the estate, and placed at such light work as Mr. Cardin may please to direct.

We, the Magistrates, having re-considered the point of Cawky Connor's evidence, are still of opinion that it is not sufficiently strong to govern them in their opinion as to the particular period of Betto Douglas's confinement.

PROSECUTION FOR ILL TREATMENT OF A FEMALE SLAVE. 7

Copies of Letters referred to in the preceding investigation; viz.
Dr. Henry Davis to Richard Cardin, Esq.

Inclosure
N^o 3.

Dear Sir,

May 1825.

IN reply to your favour of to-day, I beg to say, that on the first perusal of it I thought I was entirely ignorant of the subject on which you had written, but after some consideration I think I can give you some but yet imperfect satisfaction; about two years ago, a woman belonging to Romney's called on me and requested to know from my father if he had not received instructions from Earl Romney to give her freedom: my father being then with me, I referred her to him; he told her he had never been instructed by Lord Romney to do so; the woman said at the time that application had been made to Lord Romney, and that she was told that a letter had been written to and received by my father, desiring him to manumit her; my father assured the woman that no such letter had ever reached him, and I have not since that period spoken with the woman.

I will possibly call on you this evening.

I remain, dear Sir,

Yours very truly,

(signed) *Henry Davis.*

Dr. Charles Bryan to Richard Cardin, Esq.

Dear Sir,

YOUR favour I had the pleasure of receiving yesterday from Mr. Winchester; I have delayed answering it till this morning, that from elapse of time I might better call circumstances to my recollection: the assertion is perfectly unfounded, for you may remember I had no document of either my Lord Romney's or the Reverend Mr. Davis to shew you on your taking possession of his Lordship's property.

May 4th, 1825.

I am, dear Sir,

Yours very faithfully,

(signed) *Charles Bryan.*

Mrs. Mary Ann Little to Richard Cardin, Esq.

Sir,

I HAVE to acknowledge the receipt of your letter directed to Mr. Little, and I beg leave to inform you as nearly as I can recollect, about nine months ago a woman called Betto Douglas, a slave belonging to the Earl Romney, came and offered me some stock for sale, I think fowls, for the purpose of raising some money to pay her hire, and complaining of the hardness of her situation; at the same time informed me you had instructions from his Lordship to manumit her; my advice to her was, Sir, if you had received that order, she ought to by every means in her power, be diligent and attentive to you and Mrs. Cardin. In regard to any conversation between you and myself about this woman, is a gross falsehood; not ever having had that honour of even speaking to you since my arrival in this island.

I remain, Sir,

Sunday Morning, May 4th, 1825.

Your most obedient servant,

(signed) *Mary Ann Little.*

The Honourable William Wharton Rawlins to His Excellency
Governor Maxwell.

Sir,

I HAVE to acknowledge the receipt of your Excellency's letter of the 29th ultimo, in consequence of which I associated myself with Thomas Pemberton, esquire, and Stedman Rawlins, sen. esquire, and visited Romney's estate. I beg now to report that we found the woman Betto Douglas in confinement as stated to your Excellency; but from her appearance, and from the evidence of Doctor Rawlins as well as the sick nurse on the estate, we are persuaded her health has not suffered; she is confined in an airy room, and has permission from Mr. Cardin to walk out every morning and evening. Mr. Cardin informs us she has been kept in confinement in consequence of her refusal to continue the payment of the small hire she has been in the habit of giving her master, as she has taken it into

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Inclosure
N° 3.

her head within the last few months that she is free, which opinion she seems to the present moment to entertain, without the slightest ground, as far as we are able to judge from documents produced to us by Mr. Cardin. As she appears determined not to comply with the reasonable request of Mr. Cardin, of giving the small hire of three dollars per month in lieu of her services on the estate, which we consider she is well able to pay, we have recommended Mr. Cardin, instead of persisting in confining her, to liberate her, and put her to light work in the field; as we are persuaded that should the spirit of insubordination manifested by Betto Douglas be countenanced, no director of an estate would be able to command the services of those under his charge.

I have the honour to be,
Your Excellency's obedient humble servant,
12th December, 1825. (signed) *Wm. Wharton Rawlins.*

To His Excellency Governor Maxwell.

His Excellency Governor Maxwell to the Honourable R. W. Pickwood.

My dear Sir,

I HAVE perused Mr. Cardin's letter and the documents which accompany it, and from them it appears the woman Betto Douglas has mis-stated her case.

I shall be happy to meet your suggestion respecting reprimanding the woman for having made an erroneous statement. I have assured her, if her statement is incorrect, she must expect to be punished for the offence. I request you to communicate to Mr. Cardin, to direct her to attend at government-house with as little delay as possible to receive my reprehension on her conduct.

Yours faithfully,
To his Honor the Chief Justice. (signed) *Charles Wm. Maxwell.*

I do hereby certify, that the preceding is a correct copy of the investigation taken before the magistrates, in the case of Betto Douglas, a slave belonging to the estate of the Right Honourable the Earl Romney.

(signed) *Wm. M. Gilbert,*
Acting Clerk to the Magistrates.

Inclosure, N° 4.

In the King's Bench and Common Pleas.

Inclosure
N° 4.

St. Christopher's, to wit.—THE Jurors of our Lord the King, upon their oath, present that Richard Cardin, of the parish of St. Thomas, Middle Island, in the said island of St. Christopher, esquire, in the first day of May, in the sixth year of the reign of our Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland king, defender of the Faith, and in divers other days between the said first day of May and the twelfth day of December, in the year aforesaid, (that is to say) in each and every day between the said first day of May and twelfth day of December, in the year aforesaid, in the parish aforesaid, in the said island, a certain mulatto slave called Betto Douglas did, with force and arms assault and cruelly maltreat and confine and keep in confinement, by enclosing and locking up the leg of the said mulatto slave in certain wooden stocks, for the space of twenty hours in each and every of the aforesaid days, against the will of the said mulatto woman slave; she the said mulatto woman slave upon all and every of those days and times being a slave under the care and direction of the said Richard Cardin, to wit, at the parish aforesaid, in the said island, to the great injury of the said mulatto slave, against the form of an Act of the Commander-in-Chief, and General Council and General Assembly of the Leeward Charibbee Islands, in such case made and provided, and against the peace of our said Lord the King, his crown and dignity; and the Jurors aforesaid, upon their oath aforesaid, further present, that the said Richard Cardin, with force and arms, in the days and times aforesaid, at the parish aforesaid, in the said island, the said mulatto slave did cruelly and unlawfully assault and confine, and keep confined by the leg in certain wooden stocks, against her will, for twenty hours in each of the said days, the said mulatto woman slave being

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Inclosure
N° 4.

being at and upon all and every of the said last mentioned days and times a slave under the care and direction of the said Richard Cardin, to wit, at the parish aforesaid, in the said island, whereby the said mulatto slave suffered and underwent great pain and anguish, to the great injury of the said mulatto slave, and against the peace of our said Lord the King, his crown and dignity; and the Jurors aforesaid, upon their oath aforesaid, further present, that the said Richard Cardin, in the said first day of May and on divers days and times between that day and the said twelfth day of December, in the year aforesaid, at the parish aforesaid, in the said island, with force and arms the said mulatto woman slave did assault and cruelly maltreat, confine, and keep confined by the leg in certain wooden stocks for twenty hours in each of the said last mentioned days and times, against the will of the said mulatto slave, she the said mulatto slave being on all and every of the said last mentioned days and times a slave under the care and direction of the said Richard Cardin, to wit, at the parish aforesaid, at the said island, to the great injury of the said mulatto slave, against the form of an Act of the Commander-in-Chief, and General Council and General Assembly of the Leeward Charibbee Islands in such case made and provided, and against the peace of our said Lord the King, his crown and dignity; and the Jurors aforesaid, upon their oath aforesaid, further present, that the said Richard Cardin, on the said first day of May, and on divers days and times between the said first day of May and the said twelfth day of December, in the year aforesaid, at the parish aforesaid, in the said island, with force and arms did assault and cruelly maltreat and unlawfully confine and keep in confinement by the leg, in certain wooden stocks, for twenty hours in each and every of the said last mentioned days and times, the said mulatto slave against her will, she the said mulatto slave being on each and all of the said last mentioned days and times a slave under the care and direction of the said Richard Cardin, to wit, at the parish aforesaid, in the said island, to the great pain and injury of the said slave, and against the peace of our said Lord the King, his crown and dignity.

(signed) *John Woodley.*

In returning this Bill of Indictment ignored unanimously, the Grand Jury feel themselves called upon respectfully to state to the Court their regret that a prosecution should have been founded upon so frivolous a complaint, and supported only by the slender evidence adduced before them, whereby the feelings of an honourable, humane and respectable man have been considerably wounded unnecessarily, and his character (which from the evidence before us appeared unimpeachable) attempted to be assailed.

The Grand Jury also beg leave to express to the Court the feeling of indignation that this course of proceeding has excited; and they lament that the time and money of the country should have been thus sacrificed in investigating such frivolous and unfounded complaints as the present matter is grounded upon.

In making these observations, the Grand Jury sincerely declare they do not mean to cast any imputation whatever upon the character of his Honor the Attorney-General.

(signed) W^m Allercott, J. Bradley, A. Cunningham, A. P. Passon, D. Evans, J. Walker, A. Beard, Edw^d Hazell, Josh. Lamond, W^m M^cGeorge, John W. Moody, C. Pearl, A. G. Rees, Ch^s C. Cairns, W^m Bryan, Richard Jack, J. Watson, Christopher Pickering, Tho^s Man, Adam Stevens.

Enclosure, N° 5.

CERTIFICATE OF REGISTRATION.

Saint Christopher.

Name and description of Person making the Return.	Name.	Sex.	Colour.	Reputed Age.	Country.	Usual employment.
Richard Cardin, attorney of Earl Romney, proprietor - -	Betto Douglass	female	mulatto	forty-five	Creole	{ taking care of her two children.

Saint Christopher, June 28th, 1826. I hereby certify, That the above is a true and faithful extract from the original Registry of Slaves in this Island, respecting the Slave therein described.

(A true copy,
(signed) H. Williams.

(signed) W^m Thomson,
Registrar.

— N° 2. —

Copy of a Dispatch from Earl Bathurst, addressed to Governor Maxwell, dated Downing-street, 4th August 1826.

Sir,

Downing-street, 4th August 1826.

I HAVE had the honour to receive your dispatch of the 9th of June 1826, N° 28, reporting the proceedings which have been adopted in the island of St. Christopher against Mr. Cardin, for the ill-treatment of a female slave named Betto Douglas, the property of the Earl of Romney.

I have read these documents with great regret and concern ; it appears that this negress was induced by Lord Romney's former agent, to suppose that his Lordship had given directions for her manumission, and in consequence of that opinion, she preferred a Petition to you, praying for your interposition in her favour ; I observe that you promptly instituted an enquiry into the facts of the case. From the letters of Mr. J. G. Goldfrap, Dr. Henry Davis, Mr. Charles Bryan, and Mrs. Mary Ann Little, it seems reasonable to conclude that the woman was deceived as to Lord Romney's supposed intentions in her favour. I perceive from your letter to the Chief Justice that such was your own conclusion, and that deeming it right that she should be punished for having laid before you an erroneous statement of her case, you sent for her to receive a reprimand for her conduct.

Upon finding that Betto Douglas was unable to support her claim to freedom, you state that you recommended her return to Lord Romney's estate, and that " on her doing so, Mr. Cardin, Lord Romney's present agent, put her into confinement and in the stocks, in which situation she remained from about the beginning of May to the 2d day of December 1825, on which day she was released by the magistrates, whom you requested to investigate into a report that had reached you of her being in confinement during the six months before stated."

The fact that Betto Douglas was actually confined night and day in the stocks for a period of six months, appears to me to be established. This statement was made in a very circumstantial manner by the woman herself, before the magistrates on the 16th of January. Mr. Cardin on his examination does not deny it ; a circumstance perhaps the less conclusive, since he acted under the advice of his counsel, who recommended him not to answer that part of the complaint, in consequence of the Attorney General having intimated that ulterior measures would be

PROSECUTION FOR ILL TREATMENT OF A FEMALE SLAVE. 11

be adopted; but I perceive that Mr. Cardin distinctly admits that she was confined for some period in the stocks. Mr. Cardin, jun. the overseer on the estate, describes the place of confinement minutely, but says nothing respecting its duration, and it would seem that the question was not proposed to him. But the nurse, Cawkey Connor states, "she thinks the confinement might be about six months," and observes that Betto Douglas was permitted to go out morning and evening for an hour each time. The only other witness examined before the magistrates was Dr. John Rawlins, but he is silent as to the time of her detention in the stocks, although he speaks of having seen her repeatedly in such confinement. Upon hearing this testimony, the Magistrates pronounced a decision that the duration of Betto Douglas's confinement in the stocks was not proved. I am unable to reconcile this conclusion with the evidence of the sick nurse, who appears to have carried the daily allowance to Betto Douglas, and who had therefore the most perfect opportunity for obtaining accurate knowledge of the fact which she stated. It must also be observed, that if the magistrates considered the evidence incomplete, they had ample means of procuring additional testimony. They might have put the question distinctly to Mr. Cardin, jun. who, as overseer on the estate, must have known the truth, and to Mr. J. Rawlins, the attending physician on the plantation; and had any doubt remained, it was palpably their duty to send for other free persons resident on the estate, whereby the truth of this simple fact might have been either substantiated or disproved. It is inexplicable why these obvious means of inquiry were neglected, and that the only recommendation which the magistrates offer is, that "Betto Douglas should be returned to the estate, and placed at such light work as Mr. Cardin may please to direct."

The Attorney General however differed from the magistrates, and thought that the evidence was sufficient to support a bill of indictment against Cardin; a bill was accordingly preferred; I do not collect what witnesses were examined, and of course the Grand Jury alone can know what evidence those witnesses may have given; but I must presume that Cawkey Connor was one of the witnesses. The Grand Jury unanimously threw out the bill, and made a special presentment to the court, the terms of which I have perused with extreme surprize. They express their regret that a prosecution should have been founded upon what they term "so frivolous a complaint;" yet the complaint which they thus designate as "frivolous," was expressly stated in the indictment sent up to them, as nothing less than the confinement in the stocks of a female slave, for twenty hours in each day, during a period of six months and eleven days. If it be said that such punishment was sanctioned by usage, and that its severity was nominal rather than real, it is to be remarked, that the Chief Justice, in his charge to the Grand Jury, uses the following expressions: "It is due to the cause of truth and justice to inform you, that the records of this court and the court below, to which the punishment of slaves is more immediately confided, do not afford an instance of such severe and protracted punishment for any offence whatever."

The Grand Jury state that the charge was supported only by slender evidence, and "that the feelings of an honourable, humane and respectable man have been considerably wounded unnecessarily; and his character, which from the evidence before us appears unimpeachable, attempted to be assailed."

I am bound to give the gentlemen of the Grand Jury credit for the conscientious discharge of their duty, especially when I remember that this presentment was made under the sanction of an oath. But it is impossible not to observe, that as it is plainly no part of the functions of a Grand Jury to examine witnesses in favour of the accused, particularly as to general character and reputation, I am at a loss to understand on what this part of their presentment was founded.

In conclusion, the Grand Jury express "indignation" at the course of proceeding adopted, and at the use of the public money in what they again term "a frivolous and unfounded complaint," observing, however, that they do not mean to cast any imputation on the character of the Attorney-General.

It is far from my wish to use any expressions which could be painful to the feelings or injurious to the reputation of any gentleman in the Colony; but I cannot withhold the expression of my deepest regret, that such proceedings as those on which I have observed should have occurred.

I have not particularly adverted to the offence with which Betto Douglas was charged by Mr. Cardin, because it is not very easy, nor perhaps very material, to discover the precise nature of it. But it would appear from the language of Mr.

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Cardin himself, as quoted by Mr. William Wharton Rawlins, that she was kept in confinement "in consequence of her refusal to continue the payment of the hire " she had been in the habit of giving her master."

If this were really the offence, it would be superfluous to observe how utterly the punishment was disproportionate to such an offence.

I have, in conclusion, to signify to you the approbation of His Majesty's Government of your conduct, in promoting the inquiry and subsequent prosecution in this case.

You will also signify to the Attorney-General that His Majesty's Government approve the course which he adopted.

If you should be able to procure from the Magistrates who investigated the complaint against Mr. Cardin, or through any other respectable and proper channel, any further information explanatory of these transactions, and especially in reference to the proceedings before the Grand Jury and their presentment, you will transmit it to me by the earliest opportunity.

I have, &c.

(signed) BATHURST.

SLAVES.

Return to an Address of the Honourable The House of
Commons, dated 3d April 1827;—*for*

COPIES, OR EXTRACTS

Of all COMMUNICATIONS from St. Kitt's, made to
His Majesty's Government, respecting the pro-
secution of a person of the name of *Cardin*, for
the cruel Treatment of a Female Slave.

Ordered, by The House of Commons, to be Printed,

1 May 1827.
