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# PAPERS

RELATIVE TO THE

## RIGHTS OF LIBERATED AFRICANS

AND THE

## PREVENTION OF SLAVE DEALING

AT

## SIERRA LEONE.

---

Presented to both Houses of Parliament by Command of Her Majesty,  
*August 12, 1853.*

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LONDON:  
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,  
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FOR HER MAJESTY'S STATIONERY OFFICE.

1853.

SIERRA LEONE.

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## PAPERS

RELATIVE TO THE

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE.

SIERRA LEONE

No. 1.

No. 1.

COPY of a DESPATCH from Governor MACDONALD to the Right Hon.  
Earl GREY.

(No. 138.)

Government House, Sierra Leone,  
August 10, 1851.

(Received September 10, 1851.)

MY LORD,

ADVERTING to my Despatch, No. 137, of the 7th instant, by this packet, transmitting the treaty which I had concluded with the King of Fouricaria for your Lordship's approval and Her Majesty's ratification, I beg to bring under your Lordship's consideration, whether, as it has been suggested to me, that doubts not only might be raised, but do already exist, as to how far a liberated African could be made amenable as a British subject for offences cognizable by British law, and committed out of the jurisdiction of the colony, it might not be expedient, with the view to their removal, that in the measures which your Lordship purposes perfecting for the extension of British jurisdiction over British subjects committing offences within the territories of native chiefs who have ceded the right of such extension to the Crown, provision should be made for bringing liberated Africans within its provisions, by expressly declaring that "British subjects and liberated Africans" committing offences, &c., shall be liable to be tried for such offences, in the same and like manner as if those offences had been committed by them within the jurisdiction of the colony. I have heard it argued by many legal gentleman here, that a liberated African is not, strictly speaking, a British subject, and that in the event of his committing any capital offence out of the jurisdiction of the colony, for which a bonâ fide British subject could be tried, and if found guilty, executed, very grave doubts exist as to the amenability of the liberated African to the same jurisdiction; and that before liberated Africans can be considered in the full acceptation of the term to be British subjects, an act of the Imperial Parliament is necessary to declare them such.

2. I was conversing a short time ago with Mr. Dougan on this point, and he holds the foregoing opinion, that liberated Africans cannot be tried as British subjects for offences committed out of the jurisdiction of the colony, inasmuch as there is nothing to prove that they are British subjects, the mere fact of their having been redeemed from slavery and located here under British protection not being sufficient to constitute them British subjects in the eye of the law so far as regards the committal by them of offences beyond the limits of the colony. He also has informed me that such an opinion was held by Mr. Pine, and is held by many eminent professional gentlemen in England.

3. Under such circumstances, my Lord, and as it appears to me, if the objection be good, that it would go far to invalidate the powers secured by treaty with native chiefs to try British subjects for offences against the laws of England and this colony committed within their territories, I consider it my duty to bring the matter at once before your Lordship, in order that you may adopt such measures for the removal of all doubts respecting it as to your Lordship shall seem necessary; for in the event of its being necessary at any time to take criminal proceedings against a liberated African under the provisions of those treaties, it would seriously damage the well-being of the community and our friendly relations with our native neighbours, were it objected to in open court (which I have reason to believe would be the case), and held to be a valid objection by the court, that a liberated African was not a British subject, and not amenable to British jurisdiction for offences committed out of the

SIERRA LEONE

colony. Hundreds of them would readily avail themselves of the licence thus afforded to them to spread themselves through the length and breadth of the neighbouring territories, and to commit depredations which would involve this colony in endless trouble and annoyance.

I have, &amp;c.

(Signed) NORMAN MACDONALD.

The Right Hon. Earl Grey,  
&c. &c. &c.

Governor.

## No. 2.

No. 2.

COPY of a DESPATCH from Governor MACDONALD to the Right Hon. Earl GREY.

(No. 183.)

Government House, Sierra Leone.

November 27, 1851.

(Received January 7, 1852.)

MY LORD,

(Answered, No. 1, February 28, 1852, page 30.)

I HAVE the honour to acknowledge your Lordship's Despatch, No. 461, of the 6th November, transmitting, for my information and guidance, the copy of the opinion of the law officers of the Crown with regard to the questions submitted by me to your Lordship in my Despatch of the 10th August, No. 138, as to liberated Africans being British subjects, and amenable to British jurisdiction beyond the limits of the colony.

2. These two most important questions having been decided in the negative, it appears to me necessary, my Lord, that some step should be taken, by which this class of individuals, composing the mass of the inhabitants of this colony, should be legally declared to be British subjects in the fullest acceptation of the term, and amenable as such, under extended British jurisdiction.

3. Were this a question merely involving the interests of one or two individuals, it might properly be disposed of by a local ordinance; but as, in fact, it has to deal with numerous races and tribes, amounting with their descendants to between forty and fifty thousand souls, inhabitants of this colony, I deem it to be a matter of far too great importance to be dealt with by local legislation; and I therefore would respectfully submit, for your Lordship's consideration, the propriety of obtaining a Bill to be passed by the Imperial Parliament, as early as possible in the approaching session, which will meet the exigencies of the case, and which will remove all doubts as to the legal status of those liberated Africans already domiciled here, or who may hereafter be brought into the colony.

4. Some such measure, indeed, appears to me to be absolutely necessary to render the extension of British jurisdiction to territories beyond the limits of the colony of any value at all; for, as such a provision is intended to meet the cases of British subjects who may offend against the law out of the territorial jurisdiction of the colony, and as the liberated Africans are the very class of persons who would come under the operation of that extended jurisdiction, it follows, that if they be not in the first place rendered amenable to it as British subjects, the extending of British jurisdiction would be attended with comparatively little or no benefit.

5. Few offences, if any, are committed by Europeans, natural born subjects of Her Majesty, residents of this colony or otherwise, resorting to the neighbouring territories for the prosecution of trade. Liberated Africans and their descendants are the principal offenders; and as there are vast numbers of them spread all over the face of the surrounding country, and as it is reasonable to suppose that additions will be made to their number by fresh captures on the part of the British squadron, I submit, with all deference to your Lordship's superior judgment, that to exclude them from, or, rather, not to bring them within, the scope and operation of the proposed extension of British jurisdiction, would be to secure to that class of persons an immunity in the commission of crime, which would not only work most mischievously as regards their own interests, but which would be the means of involving the colony in serious and constant misunderstandings and quarrels with the African chiefs.

6. Either one of two things: we should allow them to be amenable to country law, (but which in all our treaties with native chiefs is strictly pro-

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 7

hibited,) or we should make them amenable to our own law. At present, from their anomalous position of not being legally British subjects, although considered such by the African chiefs, and treated as such in a moral point of view by the British Government, they escape all punishment for offences richly deserving it, but committed beyond the jurisdiction of the colony; because, in the first place, we do not allow the pains and penalties of country law to be put in force against them; and in the second, we cannot, as they are not British subjects, and as their offences were not committed within our jurisdiction, mete out to them any measure of British law; and the result is, and has been, that very many of them carry on a lawless career, under a protection from the laws of both the adjacent territories and this colony which it never could have been contemplated or intended they should enjoy.

7. Again, my Lord, if liberated Africans are not amenable as British subjects to extended British jurisdiction, so are they not entitled to British protection beyond the jurisdiction of the colony; for they cannot claim to be considered and treated as British subjects in one light, and when it suits their convenience and interests, and disown their right to be so considered and treated when their illegal conduct renders them liable to punishment. As a matter of course, the local Government has always enforced upon the serious attention of the neighbouring states, that liberated Africans are British subjects; and it has always been ready to extend to them its protection whenever they have been aggrieved or injured in person and property in territories beyond the limits of the colony. But were the point fairly mooted, it would be a question how far the Executive Government would be justified legally (laying aside for the present the moral obligation it is under to do so,) in interfering in the case of any act of aggression against a liberated African, he being, by the decision of the law officers of the Crown, not a British subject, and, in fact, out of the jurisdiction of the colony, no more than any other native of the continent of Africa.

8. Under these circumstances, my Lord, and as it is of paramount importance that all doubts and difficulties which the present position, in a legal point of view, of the liberated African inhabitants of this colony is calculated to engender, should be entirely removed, I have the honour respectfully to request that your Lordship will early adopt such measures as will place these people in the position which they ought to hold as British subjects, both within and without the jurisdiction of the colony, either by imperial enactment or otherwise, as to your Lordship shall appear to be most desirable, and better calculated to secure fully and for ever the object in view.

I have, &c.

(Signed) NORMAN MACDONALD,

Governor.

The Right Hon. Earl Grey,  
&c. &c. &c.

No. 3.

COPY of a DESPATCH from GOVERNOR MACDONALD to the Right Hon.  
Sir JOHN S. PAKINGTON, Bart.

No. 3.

(No. 81.)

Government House, Sierra Leone,  
June 14, 1852.

SIR,

(Received July 7, 1852.)

(Answered, No. 3, September 28, 1852, page 31.)

I HAVE had the honour to receive your Despatches, as noted in the margin hereof, having reference to certain treaties which I had concluded with the independent native chiefs and sovereigns in the neighbourhood of this colony, in accordance with instructions to that effect from Her Majesty's Government; and which treaties had been transmitted from time to time by me to Earl Grey for the ratification of Her Majesty.

No. 1. Feb. 28, 1852,  
page 30.  
No. 2.\* " " "  
No. 8. Mar. 20, 1852.\*  
(\*Relative to recent  
treaties with native  
chiefs.)

2. In your Despatch, No. 1, of the 28th of February, you are pleased,

1st. To explain to me the reasons which have induced you to delay advising Her Majesty to confirm those treaties:

2d. To point out the amendments which in your opinion, and, if practicable, should be effected in them, prior to their being submitted to Her Majesty's approval: and



## SIERRA LEONE.

3d. You direct my attention to certain Acts of Parliament calculated to assist me in satisfactorily disposing of that somewhat difficult question of bringing liberated Africans (as British subjects) within the operation of that extended British jurisdiction beyond the limits of the colony, which is one of the principal objects contemplated by the treaties in question.

3. It is scarcely necessary for me to assure you, Sir, in replying to your Despatch above quoted, that your views and opinions on this most important subject have received, as they ever must receive, the most respectful and serious consideration, not merely from myself individually, but from the Council of this Government, to whom I deemed it my duty to submit your several Despatches, with the view of securing their valuable aid in enabling me to solve, satisfactorily, I hope, the somewhat difficult problems contained in them; and I respectfully bespeak your indulgence while I lay before you the deliberate opinion of the Council with reference to the proposed alteration in those treaties, and the reasons which operate, for the present at least, against your suggestions respecting them being carried into effect.

No. 1.

4. From the accompanying extract from the minute of the proceedings of the Council on the 6th ultimo, you will perceive, Sir, that the Board, having maturely weighed and considered your expressed opinion and directions respecting those documents, were unanimous as to the danger to be apprehended from opening afresh any discussions, or negotiations with the native chiefs, having for their object any alteration in the treaties lately concluded with them; and that it was consequently, in their opinion, neither safe nor advisable that a course attended with the serious risk, amounting almost to a certainty, of causing the chiefs in question to decline entering into treaties with the Government at all, should be adopted. To the soundness of this opinion I am bound to add my own testimony; based as that testimony is, upon a practical acquaintance with, and experience of, the African character, of over twenty years of official life in this colony.

No one, Sir, not practically acquainted with the African character can form any estimate of the jealousy and suspicion with which the native chiefs entertain all overtures to induce them to enter into treaties, or, as they term it, to "sign book;" and in proportion to the intensity of those feelings is their distrust at any attempt subsequently made to induce them to alter or amend any treaty which they may have concluded. None but those who have had the wearisome and trying duty of diplomatists to perform with these people can comprehend the difficulty which exists in getting them to understand that treaties (with Her Majesty) are intended for their good and benefit, and are calculated to strengthen and uphold, rather than to weaken or interfere with, the authority with which they may be legitimately clothed; and those who have gained that knowledge and experience, by having been brought in official contact with the native authorities, know that to attempt, once treaties have been concluded and signed, to get the chiefs parties thereto to consent to their being altered or amended (however simple and desirable such amendment may be), is not merely to attempt almost an impossibility, but, what is a far more serious matter, is to incur the risk of causing the chiefs to break off at once, and for ever, all friendly negotiations with the Government.

6. With civilised communities little or no difficulty exists in procuring the alteration of any existing treaty, because both parties can understand the object to be gained by such proposed amendment, and can calmly and rationally discuss its merits. Not so, however, where, as is the case with the treaties which form the subject of this correspondence; the natives, parties thereto, are savages, or only partially civilised savages, and who, viewing all treaties with the utmost suspicion and distrust, cannot be brought to comprehend, once a treaty has been concluded and signed, why it should be altered.

7. In almost every river in the neighbourhood of this colony with the sovereign chiefs of which this Government has made treaties, it has had to contend, not only with all the deep-rooted prejudices of the natives themselves against the principle of entering into treaties, but it has had to meet and overcome a no less formidable difficulty, namely, the influence of foreigners,—Americans, French, Belgians, Spaniards, and Portuguese resident in those localities, one and all of whom, jealous of the increasing influence of Great Britain on this coast, resort to all modes and methods in order to induce the chiefs not to listen to the overtures of this Government to conclude treaties

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 9

with them, and are, I need not observe, in no way scrupulous as to the character of their proceedings so long as they gain their object. SIERRA LEONE.

8. This difficulty arrayed itself to a most formidable extent on the occasion of my concluding the last treaties which I had the honour to forward in my Despatch No. 32, of the 17th of February; more especially did it manifest itself in the Rio Pongos, where the Commissioners deputed by me to conclude a treaty with the King of that river, Bala Bango, were on the point of being beaten out of the field, owing entirely to the foreign influence which prevailed in that locality, and by which the King and his chiefs were led to believe that the real object of the treaty he was asked to conclude with Her Majesty was to deprive him of his territories. Fortunately, however, (but only after a most severe trial of patience and temper upon the part of the gentlemen employed on that most harassing duty, and indeed at the risk of the life of one of them, Staff Assistant-Surgeon Dennis, who got a severe attack of fever, owing to his detention in that river,) the King's doubts were overcome, and the treaty, the first ever concluded in that locality, was duly signed. To re-open, after such a narrow escape from defeat, and after combatting successfully the difficulties opposed to us, any negotiation with King Bala Bango, having for its object the alteration of any part of that treaty, constantly surrounded as he is with foreigners hostile to this Government, and ready at a moment to take advantage of any opening which may present itself, in order to destroy the moral influence which has happily been established in that river, would, in my humble opinion, Sir, be to lead to the immediate disrapture of the existing friendly feelings between Her Majesty's Government and that chief.

9. For the foregoing reasons therefore, and considering further that the concluding of those treaties has already cost the colony the large sum of over 400*l.*, and that its finances are not in a state to bear any additional outlay on the very hazardous experiment of obtaining the consent of the native chiefs to any alteration or amendment in the treaties which they have already signed, I should be departing from the strict line of my duty most culpably, did I hesitate to declare it to be my firm conviction that such a course, if attempted, would prove eminently unsuccessful, and that it is consequently both unsafe and injudicious, at all events for the present, to open any negotiations with those chiefs with the view to securing the alteration in their existing treaties which you have suggested.

10. Treaties concluded with native chiefs have doubtless been subsequently amended and modified, and a like course may, if necessary, be adopted again; but then the negotiations for securing such modifications must not follow too soon upon the concluding of the original treaties. There must be no appearance of haste, nor of an anxious desire, on the part of the Government, to secure their object. The chiefs must have full time allowed to them to satisfy themselves in their own way, after their own fashion, and by the strict observance of those treaties on our part, that they are *bonâ fide* what we represent them to be, that they are virtually "good book," and have in no way worked injuriously for their interests, before any attempt can or ought to be made by the Government to obtain any alteration in them; otherwise the most intense jealousy on the part of the chiefs would be aroused, and our friendly relations with them would be imminently, and probably irremediably, perilled.

11. Therefor it is, Sir, that with the most respectful deference to the views and opinions entertained by you on this delicate subject, and which you have kindly notified to me, I would submit for your further and favourable consideration, as it is my bounden duty, that the treaties in question should for the present not be disturbed, in order that this Government may be enabled to keep faith with the respective chiefs, and pay them the annual stipend secured to them by those treaties, and which stipends will shortly fall due; that the treaties in question should be ratified in their present shape by Her Majesty, with the understanding that the local Government should avail itself of the first favourable opportunity, such for instance as the death of any of the chiefs parties to those treaties, to make such alterations in those with their successors as may be deemed necessary and advisable.

12. I will now pass to the consideration of the other point connected with the treaties, namely, the rendering liberated Africans amenable to British law for offences committed by them, and cognizable by that law, out of the jurisdiction of the colony.

## SIERRA LEONE.

13. You have suggested, as a means of effecting that object, that it was only necessary that the existing treaties with native chiefs framed for that purpose should be amended by the insertion therein of the words "criminals being British subjects or liberated Africans, or British subjects or others resident in Sierra Leone."

14. But supposing that it were possible at present, which I am inclined to believe you will consider it is not, to obtain the consent of the chiefs to that alteration in their treaties, I am afraid that even then such alteration would be found not to secure the end in view; and for this reason, that no power that any chief could or might give, with reference to the trial and punishment of liberated Africans for offences committed within such chief's territories, would clothe liberated Africans legally with the character of British subjects, or would empower the supreme courts here to consider or treat them as British subjects, and that consequently they would be exactly in the same position as they now are, namely, British subjects within the jurisdiction of the colony, and consequently amenable to its laws for offences committed within its jurisdiction, but aliens and foreigners beyond its limits, and therefore not amenable to its laws for any offences they may commit beyond its jurisdiction.

15. In this opinion I am borne out by the legal authorities here, who hold that until and unless liberated Africans are declared by competent British authority to be British subjects, no power which a foreign chief or sovereign might cede by treaty for their trial before the local tribunals for offences committed within their territories would be of any avail, inasmuch as none but British subjects could be so tried; and no foreign sovereign possessing the power to declare any race of people to be British subjects, the liberated African offender could plead want of jurisdiction in the court to take cognizance of his offences committed beyond the limits of the colony, he not being a British subject, either by birth or naturalization. Indeed, I am advised that the court before which such liberated Africans might be arraigned would be bound to admit its inability to take cognizance of them, even if no such plea was put in by the prisoners themselves.

16. Such being the anomalous position in which the local government and the liberated Africans themselves are placed, in their relations to each other, and with reference to the extension of British jurisdiction under treaties with native powers, it occurred to me, acting upon the suggestion contained in your Despatch, that "the local Legislature had the power to naturalize them," that the easiest, and indeed the only satisfactory mode of unravelling this legal knot, was by having recourse to that suggestion, and passing an Ordinance for their naturalization within the colony of Sierra Leone and its dependencies.

17. In adopting that course, however, which you will perceive met with the full concurrence of the Council, it was necessary to introduce such an Ordinance as, while securing the object intended, namely, the declaring liberated Africans to be British subjects, and as such to be entitled to all the privileges and liable to all the penalties of natural-born subjects of Her Majesty, would at the same time not raise the question in too prominent a manner of their not having been hitherto British subjects, or engender any doubts on that subject in their own minds.

18. The Ordinance, therefore, which I have herewith the honour to transmit for Her Majesty's approval and confirmation, and which was passed by the Legislature on the 8th instant, will, I hope, be considered as meeting the question satisfactorily, and as removing all doubts respecting the legal status of liberated Africans, without mooted that point in a manner calculated to unsettle their minds as to the relations in which they have hitherto stood towards the British Government.

19. The Ordinance in question contains a suspending clause until it shall have been allowed by Her Majesty, and it will afford me very great gratification to learn that the course which has been adopted here with reference to those people is such as to meet with your approval.

I have, &c.

(Signed) NORMAN MACDONALD,

The Right Hon. Sir J. S. Pakington, Bart.,

Governor.

&c.

&c.

&c.

# RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 11

Enclosure 1 in No. 3.

SIERRA LEONE.

EXTRACT from the Minutes of the Proceedings of a Board of Council held at Freetown, Sierra Leone, on the 6th day of May 1852. Encl. 1 in No. 3.

PRESENT :

His Excellency the Governor.  
 His Honour the Chief Justice.  
 The Honourable the Colonial Secretary.  
 The Honourable the Queen's Advocate.  
 The Honourable R. Armstrong.  
 The Honourable J. T. Comissiong.

ABSENT :

The Honourable R. Dougan (sick).

His Excellency then observed, with reference to the treaties lately concluded with the native chiefs to the northward of the colony, for the extension of British jurisdiction over crimes committed by British subjects within their territories, that he had received two Despatches from the Secretary of State, Nos. 1 and 2, of 28th February, setting forth reasons for not recommending to Her Majesty the ratification of the treaties in question until the difficulty of liberated Africans not being British subjects beyond the limits of the colony should be in some way removed.

The Governor regretted that this difficulty should have only now been raised, for liberated Africans had ever been morally considered as British subjects, and all previous treaties had been concluded on this understanding. Now, however, there would be considerable difficulty in dealing with these people, for they possessed, as it were, a twofold immunity, for we bound the native chiefs by treaty not to punish them according to country, law, or custom; and we ourselves, it would appear, had no jurisdiction over them beyond the limits of the colony.

Under these circumstances the Governor wished the opinion of the board as to whether the present treaties, which had been concluded with great labour and considerable expense, should be disturbed, a proceeding which would be certain to awaken the suspicions and arouse the jealousy of the native chiefs, and would in all probability prevent our ever again being able to induce them to enter into treaties with the Government; or whether a short Ordinance should be prepared, declaring all liberated Africans to be British subjects within the jurisdiction of the colony and its dependencies, and within the territories of the native chiefs with whom treaties had been concluded.

The Chief Justice thought that a local Ordinance should be passed declaring all liberated Africans British subjects within the colony and its dependencies, as proposed by his Excellency. They had been brought here in slave ships, and, after emancipation, had been located on Crown lands; and he thought no doubt should be allowed to exist as to their right to acquire and hold landed property in the colony.

As regarded the treaties, it appeared to him impracticable to alter them at present; the suspicions and jealousy of the native chiefs would be aroused, and great difficulty and considerable expense would have to be incurred, and with very uncertain results. The Ordinance might be passed, and, as opportunities offered, the treaties might be altered to meet the views and wishes of the Secretary of State for the Colonies.

The Colonial Secretary said, there was no doubt that any attempt to re-open the treaties which had been concluded with the native chiefs would awaken suspicion within their minds, and, besides, would be attended with considerable expense; he therefore thought, that in view of all the difficulties which surrounded the matter under consideration, the proposition of the Governor ought to be entertained, as presenting the readiest and simplest method of meeting those difficulties.

In this view of the case both Mr. Armstrong and Mr. Comissiong perfectly coincided.

His Excellency then observed, that he had himself drawn up a draft of an Ordinance for the naturalization of liberated Africans generally, which he submitted for the consideration of the board.

The Queen's Advocate thought there were difficulties in the way of a naturalization Ordinance of so general a character. No law could be passed naturalizing as British subjects all the French, Russians, or other foreigners in England, and he thought the same would apply here to a certain extent.

His Excellency replied, that it must be borne in mind that this colony was very peculiarly constituted as to its population, consisting, as that did, of members of almost every tribe of Africans, known and unknown, and must consequently be legislated for accordingly. The whole subject was one of great difficulty, and he knew of no other or better way of meeting the question than as he had proposed.

This was the unanimous opinion of the Council, and the Ordinance proposed by the Governor was read a first time, and the Queen's Advocate requested to make such alterations in it prior to a second reading as he might consider necessary.

SIERRA LEONE.

Encl. 2 in No. 3.

Enclosure 2 in No. 3.

SIERRA LEONE.

In the Fifteenth Year of the Reign of Her Majesty Queen VICTORIA.

NORMAN WILLIAM MACDONALD, Captain-General and Governor-in-Chief; 8th June 1852.

At a Council held on the Eighth Day of June, in the Year of our Lord One thousand eight hundred and fifty-two.

Title. AN ORDINANCE to secure to and confer upon liberated Africans the civil and political Rights of natural-born British Subjects.

Preamble. WHEREAS doubts may have arisen as to the civil rights and titles to real estates of liberated Africans located in and residing within the jurisdiction of the colony of Sierra Leone and its dependencies; and whereas it is necessary and expedient to remove such doubts, and to prevent the injury and inconvenience resulting from their existence, and to provide by some general law for the naturalization of such liberated Africans, not being by law entitled to be regarded as the natural-born subjects of Her Majesty, as are actually domiciled in this colony and its dependencies:

Liberated Africans emancipated by due course of law to be naturalized British subjects within the colony of Sierra Leone and its dependencies.

1. Be it therefore enacted by the Governor and Council, and it is hereby enacted, That all Africans that have been hitherto or shall in future be brought up to this colony in any of the cruizers belonging to Her Majesty's squadron on the West coast of Africa, or in whatever other manner they shall have arrived or may arrive within the said colony, and who have been or shall hereafter be emancipated by due course of law, and located and residing within the colony of Sierra Leone or its dependencies, shall be and are hereby admitted and confirmed in all the privileges of British subjects within the colony of Sierra Leone and its said dependencies, and shall be deemed, adjudged, and taken to be, and as to their capacity to take, hold, possess, and enjoy, claim, recover, convey, devise, impart, or transmit any real estate in the colony of Sierra Leone and its dependencies, and any right, title, privilege, or appurtenance thereto or any interest therein, to be natural-born subjects of Her Majesty, to all intents, constructions, and purposes whatsoever, as if they and every of them had been born in Her Majesty's United Kingdom of Great Britain and Ireland, and that the children or more remote descendants of any person or persons of the foregoing description who may be dead, shall be and are hereby admitted to the same privileges which such parents or ancestors, if living, could claim under this Ordinance.

Capacity of liberated Africans domiciled in Sierra Leone or its dependencies on the date of the passing of this Ordinance to hold real property.

II. Be it further enacted, That all liberated Africans, emancipated by due course of law and actually domiciled within the colony of Sierra Leone and its dependencies on the date of the passing of this Ordinance, shall be deemed and adjudged and taken to be therein, and so far as respects their capacity at any time heretofore to take, hold, possess, enjoy, claim, recover, convey, devise, impart, or transmit any real estate in the colony of Sierra Leone and its said dependencies, and any right, title, privilege, or appurtenances thereto, or any interest therein, to have been natural born subjects of Her Majesty, to all intents, constructions, and purposes whatsoever, as if they and every of them had been born in Her Majesty's United Kingdom of Great Britain and Ireland.

Such right not to be questioned on the ground of any liberated African, or the person through whom he or she may claim, having been an alien.

III. Be it further enacted, That no person, being a liberated African actually domiciled within the colony of Sierra Leone or its dependencies on the date of the passing of this Ordinance, shall be disturbed in the possession, or shall be precluded from the recovery of any land, tenements, or hereditaments in the said colony or dependencies, on the ground of his or her having been an alien, or on the ground of any liberated African so domiciled as aforesaid from or through whom he or she may claim being or having been an alien.

Suspending clause.

IV. And be it further enacted, That this Ordinance shall not come into operation until it shall have received the Royal confirmation, and such confirmation shall have been notified, by order of the Governor for the time being, by proclamation or other public notice.

NORMAN MACDONALD,  
Governor.

Passed in the Legislative Council, this Eighth day of June, in the year of our Lord One thousand eight hundred and fifty-two.

HENRY R. SEARLE,  
Clerk of Council.

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 13

No. 4.

SIERRA LEONE

No. 4.

COPY of a DESPATCH from GOVERNOR MACDONALD to the Right Hon.  
Sir JOHN S. PAKINGTON Bart.

(No. 91.)

Government House, Sierra Leone,  
July 4, 1852.

(Received August 11, 1852.)

SIR,

\* Page 7.

ADVERTING to my Despatch, No. 81\*, of the 14th ultimo, in which I had the honour to transmit Ordinance No. 6, of this year, for Her Majesty's gracious approval and confirmation, I deem it my duty to transmit herewith, for your information, the accompanying copy of an examination taken before the stipendiary police magistrate of this colony, in the case of John Cole, charged with felony and slave-dealing, in having sold into slavery one William Gibson, also a liberated African.

2. A plainer case could not possibly have been made out against any person; indeed, as you will perceive, the prisoner unhesitatingly admitted that he did sell his friend, because he wanted some rice; and had Cole been *bonâ fide* a British subject, either by birth or by naturalization, he could not possibly have escaped conviction and punishment for the offence with which he was charged.

3. Clear, however, as the case was against Cole, the police magistrate, after consulting with the Queen's Advocate, was reluctantly compelled to discharge the prisoner for want of jurisdiction, the offence having been committed beyond the jurisdiction of the colony, and there being no law as yet in force in the colony declaring liberated Africans to be naturalized British subjects, which would have rendered the prisoner amenable to punishment for offences cognizable by British law and committed out of the jurisdiction of the colony.

4. Under these circumstances, and as there is reason to fear that Cole's discharge will be considered by himself, and numbers of his countrymen, as proof that, in selling Gibson, he had committed no offence; and may consequently lead to an increase in the commission of this crime by others;

5. I very respectfully beg, Sir, to urge on your serious consideration the necessity of obtaining the Royal Assent to the Ordinance above referred to with all practicable despatch (or to some legislative enactment of the Imperial Parliament, should valid objection exist to that Ordinance,) in order that the judicial tribunals of the colony may thereby be enabled to proceed effectually to the cognizance and punishment of a crime, the commission of which by liberated Africans, though happily almost unknown for years past, may nevertheless, if not checked at once, grow in magnitude, and ultimately call for the exercise of extreme and severe measures for its final suppression.

I have, &amp;c.

(Signed) NORMAN MACDONALD.

The Right Hon. Sir John S. Pakington, Bart.

&amp;c.

&amp;c.

&amp;c.

Enclosure in No. 4.

Encl. in No. 4.

Police Court, Freetown, June 26, 1852.

Before the Police Magistrate.

THE information and complaint of William Gibson, labourer, aged 20 years, taken this day before me, Robert Armstrong, police magistrate for this colony, in the presence of and hearing of John Cole, a labourer, charged before me with slave-dealing.

Deponent saith,

I AM a native of the Congo county, on the west coast of Africa.

About six years ago I was there sold to a Spanish trader, who shipped me, with many other slaves, on board of a small vessel. She sailed, but was captured in a few days after her departure from the coast by an English brig of war, and carried to Freetown, Sierra Leone.

On landing, I was placed in the liberated African yard of Freetown, where I was kept for a fortnight. At the expiration of that period I was apprenticed to a farmer named John Gibson, of Freetown, with whom I lived until about two months ago, when I left his service, and went, with the small amount of money I possessed, on a trading journey to a place called Gambia, in the Timmanee country.

When there about a month ago, I met with one of my countrymen, (who was released from slavery at the same time,) named John Cole, who expressed much gratification in meeting me, and proposed that we should do business or trade together. I agreed to this

SIERRA LEONE.

arrangement, and we left the town of Gambia to go, as he proposed, to some Mandingo people, who were selling rice in that neighbourhood.

When on our way we met a Timmanee man, who took Cole aside and whispered something to him. Cole then pointed his hand to me, and told the Timmanee man to seize and take me. I was tied, and carried to a small village close by, where I was chained by my right leg to a large log of wood.

The Timmanee man and other people he told me that I had been sold by Cole for rice, and that I was to be sent as a slave to a town a considerable distance off on next day. Fortunately for me, some Sierra Leone traders came to the village on next morning, and from their statements my new master was induced to think that he had made a bad bargain in buying a man who could speak a little English, and I was released from confinement.

I obtained a passage in a canoe, and arrived here yesterday morning.

The defendant, John Cole, a native of Congo, who appears about 18 or 20 years of age, saith:—

I was brought to Sierra Leone in a slave vessel about six years ago. I know the last witness, William Gibson, who is my countryman.

We were seized by vessels of war about the same time, and for about a fortnight lived together in the Queen's Yard, Freetown.

I met him at Gambia in the Timmanee country, about a month ago.

One of the people of the place told me that he wanted a slave, and asked me to get one for him.

I thought my countryman Gibson would suit, and I sold him for sixty bars of rice, value about 4*l*.

The man tied and carried off Gibson, but as some of the people in the town to which he carried him made palaver about it, the man refused to give me the rice.

Gibson is the first man I sold, and if you will let me go, I will not sell any more.

Taken before me, at Freetown aforesaid, the 26th day of June 1852,

(Signed) ROBERT ARMSTRONG,  
Police Magistrate.

No. 5.

No. 5.

COPY of a DESPATCH from Governor KENNEDY to the Right Hon.  
Sir JOHN S. PAKINGTON Bart.

(No. 147.)

Government House, Sierra Leone,

December 2, 1852.

(Received January 20, 1853.)

SIR,

\* Page 31

\* Page 7.

I HAD the honour to acknowledge the receipt of your Despatch No. 3, of the 28th September\*, with its enclosures, relating to and disallowing the Ordinance No. 6 of 1852, passed by the Legislature of Sierra Leone, and enclosed by my predecessor in his Despatch No. 81†, of 14th June last.

2. Having made diligent inquiry, and given my best consideration to this important subject, I beg to offer the following observations in reference thereto.

3. The Ordinance No. 6 of 1852, which Her Majesty has been pleased to disallow, appears to have been an expedient to which recourse was had in order to overcome a difficulty which stood in the way of the confirmation by Her Majesty the Queen of certain treaties entered into with some of the neighbouring chiefs in the months of December 1851 and January 1852.

4. The difficulty arose out of the insufficiency of the term "British subjects" to cover liberated Africans who might be guilty of any offence within the territories of native chiefs cognizable by the laws of England, and whose surrender it was the peculiar object of the fourteenth article of the treaties before alluded to to secure.

5. Certain treaties entered into with the chiefs of the Rio Nunez in March 1851 were the first which contained such a clause; and those treaties having been confirmed by Her Majesty, became models for subsequent treaties.

6. The limitation of the term "British subjects," according to its legal acceptation, doubtless escaped the attention of the authorities at Sierra Leone in drafting the fourteenth clause of the treaties referred to, otherwise the intention of this Government, as well as that of the native chiefs, would have been so expressed as to preclude the necessity for the Ordinance No. 6 of 1852.

7. I am informed by the Colonial Secretary, who went on a mission to the Rio Nunez in March 1851, that the principle of surrendering criminals to be tried by British law is not one from which any serious objection on the part of the native chiefs is to be apprehended. The clause to that effect was cordially assented to by the chiefs in the Upper and Lower Nunez. Inquiries from other sources to which credit may be attached lead me to adopt this view, and to

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 15

SIERRA LEONE.

believe that the difficulties experienced in concluding treaties with the chiefs in the Pongos had their origin in the slave trade.

8. The opinion of the law officers of the Crown, which led you to recommend Her Majesty to disallow the Ordinance No. 6 of 1852, must be conclusive against the hope of giving to liberated Africans the status of British subjects to all intents and purposes by any act of colonial legislation ; but I cannot see that any insuperable difficulty stands in the way of obtaining the assent of those chiefs with whom the treaties in question were made to such an amendment of them as will, without imparting to them any new character, merely supply such words as shall include the class of persons who are evidently designed to be included by both parties to the treaties at the time they were executed.

9. It appears obvious that no objection can exist to an amendment of the treaties, which did not exist at the time they were entered into, unless it be supposed that the chiefs who were parties thereto entered into those treaties against their will, and consequently would be disposed to seize any pretext that may seem to open to them a way of escape from obligations which they are unwilling to fulfil ; in which view of the case it becomes a question whether other selfish considerations on the part of the chiefs may not lead to the treaties being violated whether amended or not.

10. In reply to your request to be informed whether I concur in the opinion of my predecessor as to the difficulties to be anticipated from any attempt to alter the existing treaties with the native chiefs for the purposes under consideration, I have the honour to state that after a careful perusal of the Despatches on this subject recorded in my office, together with the best information I can obtain from those concerned in the original conduct of those treaties, I am of opinion that my predecessor has over-rated the difficulties of renewing them ; and though I offer this opinion with deference to his long experience in this colony, I have no doubt that the result will be found to justify the conclusion I have arrived at. I have consulted the Council on this point, and they concur with me in opinion that the renewal of these treaties for the purpose in view is a question solely of time and expense, which latter would be considerable.

11. The Council also concur with me in opinion that it would be inexpedient and impolitic to attempt to obtain the object in view by treaty alone ; and were unanimous in their opinion that an Imperial Act is desirable.

12. That which is the primary appears to have become a secondary consideration in the correspondence which has taken place on this subject, namely, the legal status of liberated Africans *within* this colony. Many of this class have attained to a high degree of respectability, and having amassed large property within the colony, are daily adding thereto. It would have a most unfortunate effect under these circumstances if unsettled opinions were allowed to exist upon this subject ; and I consider the immediate removal of all doubts to be a matter of the most pressing importance. Her Majesty's sanction to Ordinance No. 6 of 1852 would set the matter at rest as regards the status of liberated Africans within the colony ; but the passing of an Imperial Act which would place their rights on a broader basis, in making them British subjects to all intents and purposes, would be received as a valuable boon by this loyal and rising portion of the population.

13. There is another consideration which, in my opinion, affords an additional reason for the passing an Imperial Act, and which I do not observe to have been adduced in treating this subject. There exists no doubt in my mind that there are liberated Africans at present residing in Freetown who are engaged in the slave trade, directly or indirectly. The passing an Imperial Act would immediately place these persons in a position to be dealt with as British subjects engaged in the slave trade, and would thus confer a most important power towards the suppression of that iniquitous traffic.

14. The suggestion contained in the latter part of the eighth paragraph of your Despatch No. 1, of 28th\* February, would, if acted upon, only take effect from the date of passing letters of naturalization, and leave all property acquired prior to that date in doubt. But apart from this consideration, I am of opinion that the invitation to a large number of persons (who at present consider themselves to all intents and purposes British subjects) to avail themselves of that course, would be attended by a most dangerous agitation.

15. A very serious difficulty, which has possibly escaped your observation, will arise in the event of your considering it still necessary to advise Her

\* Page 30.



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Majesty to withhold Her assent to the treaties under consideration. The stipends due to the African chiefs (parties to these treaties) will almost immediately fall due; and should I be left in a position which would oblige me to withhold the payment of those stipends, it would undoubtedly be construed by these suspicious people into an unworthy evasion and a breach of faith. For this reason I would advise the confirmation of these treaties in their present form, authorizing me at the same time to have the required amendments made as opportunities may offer. A favourable occasion for opening a negotiation may be had when these chiefs, or their agents, come into the colony to receive their stipends. Should the contemplated Act pass the Imperial Parliament, the treaties appear to be sufficiently perfect as they stand for all the purposes in view.

I have, &amp;c.

(Signed)

A. E. KENNEDY,

The Right Hon. Sir John S. Pakington, Bart.

Governor.

&amp;c.

&amp;c.

&amp;c.

No. 6.

No. 6.

COPY of a DESPATCH from GOVERNOR KENNEDY to the Right Hon. Sir JOHN S. PAKINGTON Bart.

(No. 160.)

Government House, Sierra Leone,  
December 23, 1852.

(Received January 20, 1853.)

SIR,

(Answered, No. 5, January 22, 1853, page 31.)

CIRCUMSTANCES having come to my knowledge which induced the belief that certain of the Mandingo tribe residing in Freetown were in the habit of bringing in slave children from the neighbouring states, with the object of selling or bartering them with other of the neighbouring tribes; and one apparently tangible case having come under my notice, I directed the attention of the police magistrate to it.

2. I have the utmost satisfaction in stating for your information that this officer conducted the case so judiciously that two of the slave dealers, "Hadji" and "Abdoul," were tried, convicted, and sentenced to three years imprisonment with hard labour on the 20th instant. His Honour the Chief Justice, informs me that the evidence upon which the prisoners were convicted was of the most conclusive character, and that he entirely concurs in the propriety of the verdict of the jury.

3. Two other Mandingoes have been arrested on a similar charge.

4. I am pained to believe that this system of petty slave dealing has been carried on in Freetown to some considerable extent. The temptation to do so is very great; the tribes who principally supply the colony with cattle, prefer bartering them for domestic slaves (which they can with difficulty now procure) rather than receive money; and exchanging slaves for cattle is thus a much more profitable business than a money transaction.

5. I will give my earnest and unceasing attention to this subject, until I succeed in removing such a disgrace from the colony.

I have, &amp;c.

(Signed)

A. E. KENNEDY,

The Right Hon. Sir John S. Pakington, Bart.

Governor.

&amp;c.

&amp;c.

&amp;c.

Encl. in No. 6.

Enclosure in No 6.

SIR,

Freetown, December 24, 1852.

I HAVE the honour to report to your Excellency the circumstances of the case of Abdulh and Hadgee, two Mandingoes, tried and convicted at the sessions held during the present week for slave-dealing, for which offence they have been sentenced to three years imprisonment with hard labour.

The charge arose out of the barter of a girl about sixteen years of age by one of the prisoners to the other. It is, I presume, unnecessary for me to detail the evidence, which clearly established the case for the prosecution. The girl was purchased in the native country, and some time after she was brought to Freetown was transferred, for the sum of twenty-five dollars, to meet some pressing demand. The case created a very general

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sensation, especially among the Mohammedan residents of the colony, the prisoner Hadgee being a person of some note in that body. This conviction will, it is to be hoped, have some effect in checking the slave-dealing that is carried on to some extent by the Mandingoes. From the difficulty of obtaining from their countrymen, who are principally concerned in these transactions, any information which would expose them to the danger of being treated with great severity on their return to the native country, it has been impossible to procure evidence for some years past which would lead to a conviction, until the present one. Your Excellency is aware that this case has already led to the detection of another Mandingo charged with a similar offence.

His Excellency Governor Kennedy,  
&c. &c. &c.

I have, &c.  
(Signed) T. M. O'NEILL,  
Queen's Advocate.

SIERRA LEONE.

No. 7.

No. 7.

COPY of a DESPATCH from Governor KENNEDY to the Right Hon.  
Sir JOHN S. PAKINGTON, Bart.

(No. 15.)

Government House, Sierra Leone,  
January 6, 1853.

(Received February 28, 1853.)

SIR (Answered, No. 35, March 30, 1853, page 32.)

WITH reference to my Despatch, No. 160\*, of 23d December last, relative to the trial and conviction of two Mandingoes for slave dealing within this colony, I have the honour to request you will recommend the approver on whose evidence these men were convicted to the Right Honourable the Secretary of State for Foreign Affairs for a reward suitable to the service he has rendered. It is the first time that a Mahomedan Mandingo has been found to give evidence against any of his tribe, and their habits and mode of living are so exclusive, that it would be impossible to procure a conviction without such evidence.

\* Page 16.

2. I may state that the approver, Mahmadoo Yellie, will never again be able to go beyond the precincts of the colony without a certainty of losing his life, and that his personal safety is even questionable within it.

3. The usual reward for a captured slave cannot be awarded in the case adverted to. I would therefore earnestly recommend a reward of 20% being sanctioned for Mahmadoo Yellie, as I feel assured it would be the means of breaking up a gang of Mahomedan slave dealers long resident in this colony.

I have, &c.

(Signed) A. E. KENNEDY.

The Right Hon. Sir John S. Pakington, Bart.  
&c. &c. &c.

Governor.

No. 8.

No. 8.

COPY of a DESPATCH from Governor KENNEDY to his Grace the  
Duke of NEWCASTLE.

(No. 29.)

Government House, Sierra Leone,  
February 7, 1853.

(Received March 10, 1853.)

MY LORD DUKE, (Answered, No. 32, March 22, 1853, page 32.)

IN reference to my Despatch, No. 160\*, of 23d December 1853, I have the honour to acquaint you that, subsequent to the trial and conviction of the two Mandingoes "Hadji" and "Abduhl," for buying and selling the girl "Combah," I received information that a number of persons, principally children, had been carried out of the colony and sold as slaves in neighbouring states.

\* Page 16.

2. Having ascertained the names of thirty-three persons so carried away, and the localities to which they were conveyed, I immediately despatched intelligent officers to the respective chiefs into whose territories I had traced them, with a peremptory demand that the persons named by me should be unconditionally surrendered to this Government.

## SIERRA LEONE.

3. As may be supposed, these missions were not unattended with difficulty, generally in proportion to the remoteness of the territory or accessibility of the towns of the chief to whom these officers were sent.

4. The chief of Yenkesah, Fodee Mohamedoo, readily delivered up a boy, the only one I could trace to his territory, and also gave me assistance in bringing the man who sold him within the jurisdiction of this Government. He is now in custody, awaiting trial.

5. Callee Modoo, chief of Madina, somewhat reluctantly delivered up seven girls and a boy whom I had traced to his territory. I am much indebted for the success of this mission to the prompt and spirited manner in which Lieutenant Foster, of Her Majesty's steamer "Penelope" (whom Rear-Admiral Bruce was good enough to send in an armed boat), enforced my demand. On a second occasion, after the interval of a fortnight, I traced eight more persons to this same chief's territory, and Admiral Bruce, on my application, again sent Lieutenant Foster, when he succeeded in recovering four of the eight. One more has since been delivered up to me by Callee Modoo.

6. At a period between the first and second missions of Lieutenant Foster, and during the Admiral's absence, I had a personal interview with the son of this chief, after which he delivered up to me the culprit who carried these children out of the colony. He has been fully committed for trial by the police magistrate.

7. I sent Mr. Dillet, a writer in the office of the Colonial Secretary, to "Port Loko," to demand a number of children (about twenty) whom I had traced to that locality. Mr. Dillet had many difficulties to encounter with several chiefs, and returned, after ten days' absence, without having succeeded to the extent I could have wished. He recovered but six of the number, but I entertain strong hopes that, in accordance with promises made to him, a further number may be sent down. Mr. Dillett succeeded also in placing two of the principal men engaged in this iniquitous traffic within the jurisdiction of this Government. One of the two had been long a resident in this colony, exercising the calling of a blacksmith.

8. I have now absolutely in my hands 32 children whom I have rescued from slavery since the beginning of January, exclusive of two already adjudicated upon. The whole of these have been sold out of this colony since the 20th December 1852, and are principally females between the ages of five and seventeen years. I have also twelve of those who sold them in custody awaiting trial.

9. These are facts little creditable to the colony, the more especially as I am not indebted to any member of the executive for the information which has enabled me to trace and recover these unfortunate children.

10. I am also pained to believe that there are traders within the colony, laying claim to respectability, who must have been cognizant of this disgraceful traffic, if they have not gone a step further, and knowingly supplied the dealers with the means of carrying it on, by supplying them with goods on credit with which they purchase these slaves. I have only to hope that the highly respectable majority will mark the suspicion of such conduct with reprobation.

11. I will feel myself justified in punishing any chief who commits a breach of treaty by refusing to deliver up slaves sold from this colony, to the extent that the very limited force at my disposal will permit. Hesitation under such circumstances would, ere long, convert this colony into a slave mart for neighbouring states; it being almost impossible to guard efficiently the indented shores of this colony, the only sound policy is to annihilate the neighbouring markets for slaves, where it can be effected.

12. I have no public fund from which I can properly reward those persons unconnected with the public service who have enabled me to trace and recover the slaves now in my possession. I would therefore earnestly recommend that a small sum, say 50*l.*, should be placed at my disposal for this purpose, the more especially as the usual reward for slaves emancipated through the Vice-Admiralty Court cannot, under the circumstances, be claimed, which if paid would amount to, say 250*l.* Such an application of a small sum would go far to annihilate this very disgraceful traffic.

13. I would have desired to defer any notice of this subject till the persons implicated had been adjudicated upon, but feeling that the facts detailed may

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gain publicity through other channels, and be exaggerated or misrepresented, I deem it my duty to offer this outline of my proceedings in relation thereto.

SIERRA LEONE

I have, &c.  
(Signed) A. E. KENNEDY, Governor.

His Grace the Duke of Newcastle,  
&c. &c. &c.

## No. 9.

No. 9.

COPY of a DESPATCH from GOVERNOR KENNEDY to his Grace the Duke of NEWCASTLE.

(No. 33.)

Government House, Sierra Leone,  
February 16, 1853.

(Received March 10, 1853.)

SIR,

(Answered, No. 29, March 17, 1853, page 32.)

I HAVE the honour to inform you that twelve persons having been committed for trial on a charge of slave dealing in this colony, I have deemed it expedient to depart from the usual course of law, in so far as to exercise the power vested in me by the charter, and summon a special commission for the hearing of these cases.

2. I have adopted this course for the following considerations:—

1st. In the usual course these persons would not be placed upon trial, sooner than the end of March at the quarter sessions; and I deem the crime for which these persons have been committed of so grave a nature as to require immediate example and summary punishment.

2d. I have too much reason to believe that there are comparatively influential connexions of those about to be tried who will not scruple to tamper with the evidences.

3rd. The testimony of the children who were sold will be required to ensure a conviction; and it is of the utmost importance they should be examined while the facts connected with their sale are fresh in their recollections.

3. I took the sense of the council before adopting this course, and the members thereof unanimously concurred in my views.

I have, &c.  
(Signed) A. E. KENNEDY,  
Governor.

His Grace the Duke of Newcastle,  
&c. &c. &c.

## No. 10.

No. 10.

COPY of a DESPATCH from GOVERNOR KENNEDY to his Grace the Duke of NEWCASTLE.

(No. 48.)

Government House, Sierra Leone,  
March 13, 1853.

(Received April 14, 1853.)

MY LORD DUKE,

(Answered, No. 45, April 27, 1853, page 33.)

ADVERTING to my Despatch, No. 33, of 16th February 1853, I have herewith the honour to transmit a copy of the calendar of prisoners tried before the special session; and I trust that your Grace will consider the result sufficient to justify the issuing of that commission.

1.

2. I have also the honour to transmit a copy of the Chief Justice's notes of the several trials, with his accompanying letter, as calculated to show the character of the traffic, and the extent to which it has been carried, better than any statement of mine.

2.

3. The two persons (No. 7 in calendar) who obtained an acquittal have been since re-committed for trial by the police magistrate on another charge connected with slave dealing, and on evidence which I deem to be conclusive of their guilt. The Queen's Advocate, who conducted the case for the prosecution, was taken ill during the trial, and obliged to leave the court, which I believe accounts for their acquittal rather than want of evidence.

SIERRA LEONE.

4. It will be observed that two of these cases, Moosa Garenkee and Samuel Nicol, were most pertinaciously defended; and had the trials been deferred till the usual period for holding the quarter sessions, I entertain no doubt that an acquittal would have been the result.

\* So in copy.

5. It is a matter of public notoriety that several of those convicted were creditors\* of resident traders to a large amount, but the witnesses were not, and it appears could not, be properly examined on this point, not being relevant to the issue.

6. The circumstances being detailed in evidence, little comment is necessary, except in the following cases:—1st. Moosa Garenkee had the hardihood to come forward in defence of "Hadji" and "Abduhl," (whose conviction at last session was reported in my Despatch, as per margin,) when circumstances transpired which led to his arrest and subsequent conviction. All three, together with Ausumana, were employed, connected with, or mixed up in trading transactions with Mr. Samuel Lewis, a trader in Freetown, to whose evidence in the case of Samuel Nicol I would beg to draw attention.

7. I am informed that the professional gentleman who acted for the prisoners received as much as 60*l.* or 70*l.* for the defence of one of them. Without vouching for this fact, I believe that they had the ablest assistance available in the colony, and I have reason to believe it was paid for by persons who do not appear prominently in the proceedings.

8. The child adverted to by Mahmadoo Yellie in his evidence as having its back broken is in my possession, and will be a cripple for life.

9. On a careful and dispassionate review of all the circumstances within my knowledge, I am of opinion that those convicted are merely the instruments through whose medium some unprincipled resident traders obtain an exorbitant profit on the goods which are bartered for slaves.

10. The moral guilt of these parties I cannot doubt, and I will spare no effort to bring them within the reach of the law.

11. From private information before me, I believe that upwards of one hundred persons, male and female, more or less engaged in slave trading, have absconded from the colony since the appointment of the special commission; which fact may afford some indication of the extent to which society is tainted with this degrading traffic.

12. Nearly an equal number of cases to those disposed of are or will be committed for trial at the ensuing quarter sessions; and I have obtained possession of forty-eight children, sold out of this colony or captured in it, whom I have succeeded in recovering from slavery since I directed my attention to this subject.

13. I have principally confined my attention to cases of recent occurrence; the difficulty of arriving at dates and circumstances from the evidence I could adduce in proof of those of long standing, would render failure certain.

14. Such a state of things requires both vigilance and vigour to put an end to it; and I trust that I may meet your Grace's approval generally in the measures I have adopted.

15. I cannot close this Despatch without stating how much I am indebted to the Queen's Advocate and the police magistrate for the successful prosecution of these cases, which require patience, perseverance, and judgment of no common order.

I have, &amp;c.

(Signed) A. E. KENNEDY,  
Governor.His Grace the Duke of Newcastle,  
&c. &c. &c.

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 21

Enclosure 1 in No. 10.

SIERRA LEONE.

CALENDAR of PRISONERS tried at the Special Sessions of the Peace and Commission of Oyer and Terminer and General Gaol Delivery for the Colony of Sierra Leone and the Dependencies thereof, holden on the 22d, 23d, 24th, 26th, and 28th Days of February, and on the 1st and 2d Days of March, in the Year of our Lord 1853, and of Her Majesty's Reign the Sixteenth.

Encl. 1 in No. 10.

	Names.	Crimes.	Bills found or not.	Pleas.	Verdicts.	Sentences.	Remarks.
1	Moosah Garankee	Slave dealing	Found	Not guilty	Guilty	Three years' imprisonment, with hard labour.	—
2	Samuel Nicol, otherwise called Ansumany	Slave dealing	Found	Not guilty	Guilty	Three years' imprisonment, with hard labour.	—
3	Pah Ballah Brimah	Slave dealing	Found	Not guilty	Guilty	Three years' imprisonment, with hard labour.	—
4	Sanassee Selah	Slave dealing	Found	Not guilty	Guilty	Three years' imprisonment, with hard labour.	—
5	Mordee Phee and Mahmoodo Kabbah	Slave dealing	Found	-	-	-	Post-poned.
6	Yellie Mangeah	Slave dealing	Found	Not guilty	Guilty	Three years' imprisonment, with hard labour.	—
7	Sooree Cabbah and Mangah Bingleh	Slave dealing	Found	Not guilty	Not guilty	-	Discharged. Ditto.
8	Mammay Finnah	Slave dealing	Found	Guilty	Guilty	Three years' imprisonment, with hard labour, within the gaol.	—
9	Woodsman	Slave dealing	Found	Not guilty	Guilty	Three years' imprisonment, with hard labour.	—
10	Mahmoodo Numah	Slave dealing	Found	Not guilty	Guilty	Three years' imprisonment, with hard labour.	—

Crown Office, Freetown, Sierra Leone,  
March 7, 1853.

JOHN CARR,  
Chief Justice.  
W. H. MEHENY,  
Clerk of the Peace.

Enclosure 2 in No. 10.

Encl. 2 in No. 10.

SIR,

Freetown, March 12, 1853.

I HAVE the honour to transmit herewith, for your Excellency's information, copy of my notes of the evidence taken at the trial of the prisoners convicted of slave-dealing at the late special sessions. The prisoners were indicted under the 5 Geo. IV. c. 113, and the 6 & 7 Vict. c. 98, and from a perusal of these notes it will be seen that their offences principally came within the 2d section of the 6 & 7 Vict. c. 98, which provides, "that all persons holden in servitude as pledges for debt, and commonly called pawns, or by whatsoever other name they may be called or known, shall be deemed and considered to be slaves, or persons intended to be dealt with as slaves;" and that portion of the 10th section of 5 Geo. IV. c. 113, which declares, "that if any person shall deal or trade in, purchase, sell, barter, or transfer, or contract for the dealing or trading in, purchase, sale, barter, or transfer of slaves, or persons intended to be dealt with as slaves; or shall carry away or remove, or contract for the carrying away or removing of slaves or other persons, as, or in order to their being dealt with as, slaves; then, and in every such case, the persons so offending, and their procurers, counsellors, aiders, and abettors, shall be felons, and shall be transported for a term not exceeding fourteen years; or shall be confined and kept to hard labour for a term not exceeding five nor less than three years, at the discretion of the Court before whom such offenders may be tried." I may further state, that by a later Act, 7 Will. IV. & 1 Vict. c. 91, the punishment of death for offences under the 9th section of the 5 Geo. IV. cap. 113, was abolished, and transportation or imprisonment not exceeding three years substituted in its stead; and hence the sentence of the Court in these cases has been three years imprisonment with hard labour.

I have, &amp;c.

His Excellency Governor Kennedy,  
&c. &c. &c.

(Signed) JOHN CARR,  
Chief Justice.

These voluminous  
notes of evidence are  
not printed.

No. 11.

No. 11.

EXTRACT of a Despatch from Governor KENNEDY to the Duke of NEWCASTLE, dated Government House, Sierra Leone, March 14, 1853, No. 49. (Received April 14, 1853).

WITH reference to my Despatch, number and date as per margin\*, I have the honour to submit the following considerations and suggestions, having for their object the suppression of the slave trading in this colony and its immediate neighbourhood.

The trade is principally confined to children (the great majority being females) between the ages of seven and fifteen years. They are usually purchased in countries south of the colony, and conveyed thence to the Soosoo and Soombia countries to the north of the colony, where they find a ready sale

\* No. 48, March 13,  
1853, page 19.

SIERRA LEONE.

among the Mahomedan and Mandingo chiefs and proprietors. Many also find a market at Port Lokko and the country to the eastward of it, where they are exchanged for cattle.

At a former period this traffic was carried on coastwise in large canoes, and I believe is still continued to a considerable extent.

Some of these canoes thus employed having been lately captured in British waters while passing along the shores of the colony, has to some extent given a check to this mode of conveyance, and the slaves are now driven over land to the back or eastward of the colony, embarked on the Burra River (British water), crossed over to the Bullom shore (British water), which they coast on to the River Scarcies and Soosoo country, where they are sold.

There is a regular and comparatively undisguised trade from Port Lokko and Mabeyla down these rivers, and through British waters to the same destination. I am informed, upon reliable authority, that one or two canoe loads pass these routes weekly.

Some of those brought over by the back of the colony are conveyed from Waterloo to Freetown, where they are secreted till purchasers from the Bullom shore or Soosoo country can be found.

I fear that the number of cases lately brought to light before the tribunals in this colony does not by any means indicate the extent to which this traffic by this route has been carried on.

One of the causes which have facilitated this traffic is the absence of any proper regulation respecting the arrival or departure of boats or canoes.

The sea-board of this colony between Cape Sierra Leone and some distance up the Rokelle River is indented with numerous well-defined bays, with jutting headlands, from and into which boats and canoes arrive and depart at pleasure, without control or supervision of any kind.

This has been manifestly a great oversight on the part of the authorities and a strong temptation to slave dealers, which I will, without delay, bring before the Council and suggest a remedy.

The same observations apply equally to smuggling, which I believe to be carried on to a considerable extent.

To correct these two great evils (in addition to measures of detail which I propose to bring before the Council,) I would propose that an intelligent naval officer should be stationed at Freetown, with a boat's crew consisting of two Europeans and six Kroomen, to act as water police.

To ensure the services of an active and efficient officer I would propose also to appoint him harbour master, with a salary of 250*l.* per annum, in addition to his full or half-pay. I could readily find first-rate officers (lieutenants serving on this coast would gladly accept such appointment if it did not involve the forfeiture of professional advancement.

The present harbour master must ere long be superannuated. He is remunerated by fees, amounting to about 200*l.* per annum.

I would propose to carry these fees (when put on a proper scale) to the colonial funds, and pay the officer, as before stated, a fixed salary.

The fees at present, are not proportioned to tonnage, and would, I have calculated, under a proper system, realize 350*l.* per annum, at least.

This officer and boat could command the whole line of coast from which slaves are embarked in the colony, and when not employed on the water, the crew would be available as a coast patrol, to prevent smuggling.

Should this proposition meet with your Grace's approval, I can immediately put an active officer in charge until a suitable one be appointed by your Grace, or till I am called upon to recommend one.

It will, I think, appear obvious to your Grace that the proceedings adverted to in my Despatches on the slave-trading in this colony, and especially those disclosed in the evidence before the special commission, could not have been carried on, had there been an efficient police force, or had the superintendent been commonly vigilant.

This officer (Mr. Walker) left the colony on leave of absence immediately after my arrival here in October last. I took the earliest opportunity of inspecting the force under his command, and enquired as to their efficiency. It was a police force only in name, and altogether in a most unsatisfactory

RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 23

state, too plainly evincing negligence, carelessness, and incapacity on the part of the superintendent. SIERRA LEONE

\* \* \* \* \*

The officer at present acting (who was appointed by my predecessor) has done much to mend matters. He possesses every qualification to ensure an efficient police force, if it would suit him to accept of the office of superintendent.

While on this subject, I would remark upon (to me) a most unaccountable anomaly. The clerk of the police magistrate receives a salary of 350*l.* per annum, while the superintendent of police, whose duties (if properly performed) are most onerous, receives a salary of 125*l.* per annum and allowance for the keep of one horse. I am of opinion that the former is exorbitantly, and the latter as much under, paid, for the relative duties they have to perform.

The present population of Freetown is about 16,000, and the police force consists of a superintendent, at 125*l.* per annum, and one inspector, at 100*l.* per annum, with seventy-six policemen. Even in the highest state of efficiency this force is manifestly insufficient to ensure order and repress crime. I would therefore suggest an addition thereto to the extent of twenty-five men, and an additional inspector."

No. 12.

No.12.

COPY of a DESPATCH from GOVERNOR KENNEDY to his Grace the Duke of NEWCASTLE.

(No. 50.)

Government House, Sierra Leone,  
March 15, 1853.

(Received April 14, 1853.)

MY LORD DUKE,

(Answered No. 48, April 30, 1853, page 33.)

I HAVE the honour to transmit the accompanying correspondence for your information.

2. The site on which "Medina" is built is British territory, duly ceded by treaty, as will appear by the accompanying letter, No. 1 in the correspondence.

3. The chief of this town, Cally Mahdoo, is an intriguing refractory chief, who has been long troublesome to the Government of this colony; and I deemed that the case of John Callender, as set forth in the accompanying depositions, afforded me a fitting opportunity to put an end to the encouragement he has heretofore given to slave dealing.

4. After a lengthened interview with Cally Mahdoo, he left me completely submissive and humbled, having given a solemn promise that he would for the future discourage slave dealing, and surrender all persons who may at any time be carried as slaves from this colony.

5. I do not consider that it would be desirable to exercise any jurisdiction over the territory occupied by this chief, beyond that which may be absolutely necessary for the suppression of slave dealing.

6. I trust that the measures which I have adopted in this case may meet your Grace's approval.

I have, &c.

(Signed) A. E. KENNEDY,

Governor.

The Right Hon. Sir J. S. Pakington, Bart.  
&c. &c. &c.

Enclosure 1 in No. 12.

Encl. 1 in No. 12.

To CALLY MAHDOO, the Chief of our Strangers in Bullom, and to all our Strangers.

Ro-Bauny, Bullom,  
September 23, 1852.

I HEREBY inform you, that having been duly elected by the Kafir people to be their king, and having been fully recognized by the representative of Her Majesty the Queen of England, his Excellency N. W. Macdonald, Esquire, Governor of Sierra Leone, and having entered with my chiefs and headmen into a treaty of friendship with his Excellency on the part of Her Majesty, in which we have ratified and confirmed the cession of the sovereignty of the whole of the water side and boundaries of our country one quarter of a mile inland to Her Majesty the Queen of Great Britain for ever.



SIERRA LEONE.

Now, then, I look to you and hold you responsible, as the head of the Dalu Mahdoo family and of the strangers introduced by your late father and your family into the Kafir Bullom country, that you will not permit any canoe with slaves to land at Medina, or at any of the towns occupied by your family or any of the strangers under your charge, or any part of the coast of my country from Medina round to Ro-Key-Jullong Creek; and I hereby authorize and empower you to seize any canoe which may attempt to do so contrary to this my order, together with all the slaves and all the goods which may be found, for the purpose of being handed over to Her Majesty's representative, the Governor of the colony of Sierra Leone, to be dealt with by him according to English law, for the breach they have committed in landing with slaves upon territory under the sovereignty of Her Majesty.

I have further to warn you that, from this date, you do not, or any of your family or any of the strangers under you, export any slaves from my territory of Bullom; and that I shall hold you responsible in this matter, as you well know that it is not us Bulloms who are engaged in the slave trade, and we are determined not to get blamed in future for what we have no hand in.

I have now further to acquaint you and your family, and the strangers under you, that I have sent a copy of this letter over to his Excellency the Governor of Sierra Leone, that he may know we have given you full notice of what we have done and of what is required of you by us.

We remain,

Your good friend,

his

(Signed)

BEY x SHERBRO, King

mark

their

PA x THONGHOH, Chief of Ro Longside.

BOB x DEANE, King's Speaker,

DARA x SHARKA, late Bey Sherbro's son at Yongroo.

LAMINA x KONKO, Magistrate at Ro Matensie.

marks.

Witnesses to marks.

(Signed)

JOHN DENNIS, carpenter, of Freetown.

WILLIAM BARNETT, Freetown.

THOMAS NIGHTINGALE, War General.

THOMAS GEO. LAWSON, Government Messenger and Interpreter,

Encl. 2 in No. 12.

Enclosure 2 in No. 12.

Government House, Sierra Leone,

March 9, 1853.

SIR,

A BRITISH subject, named John Callender, was a few days since, when employed a short distance from the colony, seized and sold as a slave, and carried with a rope round his neck to Medina, the town of Cally Mahdoo. Here he was seen by another native of this colony, named Elliott, who immediately and properly demanded the liberation of Callender, which was refused by Cally Mahdoo. Upon hearing of this outrage I immediately despatched an officer of this Government, accompanied by an inspector of police, to demand the immediate release of Callender. These officers succeeded in liberating Callender, and brought him to Freetown; I am, however, indebted to others rather than to Cally Mahdoo for his release.

Callender was sold to two Soosoo men, "Idrissa" and "Yegan Sillimanie," who conveyed him to Medina, having flogged and ill-treated him. The surrender of these two men was demanded from Cally Mahdoo without success. He was informed by the officers sent to him that he would be held answerable for their delivery to this Government.

I have now the honour to request that you will send a fitting force to Medina to demand the surrender of these two culprits. Ample time having been given already to Cully Mahdoo, I would accept of no excuse involving an hour's delay. If these men be not given up, you will require Cally Mahdoo to accompany you here to explain his conduct; and should he refuse to do so, you will inflict a fitting punishment for this outrage upon British subjects by burning his town.

This chief, after repeated warnings, has persisted in encouraging man and child stealing from this colony, and having, I fear, misconstrued the forbearance and moderation of this Government, I am left without another alternative than that of punishing him for conduct which, if persisted in, would place the freedom of natives of Sierra Leone at the mercy of ruffians strong and daring enough to seize them.

Commander Reed, R.N.,  
Her Majesty's Sloop "Linnett."

I have, &c.  
(Signed) A. E. KENNEDY.  
Governor.

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 25

Enclosure 3 in No. 12.

SIERRA LEONE

Encl. 3 in No. 12.

Police Court, Freetown, March 10, 1853.

THE informations and complaints of John Callender, labourer, and Patrick Elliot, waterman, taken on oath this day before me, Robert Armstrong, police magistrate for said colony.

Thomas George Lawson having been sworn as interpreter in the Timmanee language, Thomas Callendar, this informant, saith :—

I am a native of the Scarcies, Timmanee country. About ten years ago my eldest brother, Sammah, brought me over to this colony. I was then placed with the family of a Mr. Abraham Farrer, a trader at Freetown, with whom I lived as occasional labourer until two years ago, when I was engaged by one Joseph Cole, a trader of Magazine Point, Freetown, as boatman and general servant, and in such capacity frequently conveyed goods from this colony to the Timmanee country.

About two months ago I received from one Baptiste Philipe, at Freetown, several articles of merchandise, to be carried to Joseph Cole, who was then at Mabumbo, in the Quiah country.

A short time after the delivery of such articles to Cole he had, at night, some dispute with his wife Sally, who, on next morning, desired me to accompany her to a small town called Ropat, where she proposed visiting her aunt and other friends.

Ten days after our arrival there I was seized and tied by a Soosoo man named Sooree, and some others, who carried me to a small village, Mademsey, where I was delivered over to one Fooree Bauner, who said that Cole had desired him to catch, and he was very glad to find me ; and on saying so, gave orders to some of his people, by whom I was placed in stocks and then flogged by Fooree Bauner, who sent to call my master, Joseph Cole, from Mabumbo.

He, Cole, came to the place where I was imprisoned in the stocks, and on seeing me cried out, " Let me whip him before I speak." The people present would not allow him to beat me, and he then angrily said, " Well, I sent to catch you ; they catch you, and I now deliver you to Edrizee." This man was present, and Cole, pointing to me, said, that he must take me for the value of one ton, or forty bars.

Edrizee then took me out of the stocks, tied my hands, and placed me in a canoe, in which I was carried with him and Cole to the aforesaid town of Mabumbo. On landing I was taken to Edrizee's house, where I was visited by Cole, who desired that I should be kept close, as he feared I should run away.

On next morning, Joseph Cole and Fooree Bauner came to the house, and I heard my new master, Edrizee, desire his boy, Ceesy, to bring some goods from his store in his yard. The boy brought a gun from it, and a basket, in which I perceived satin stripe, some white and blue baft, prints, and unbleached cotton.

The boy brought down the articles, and Edrizee said to Cole, " Well, Joe Cole, if you are in earnest about selling the boy, here is your payment for him." Cole replied to this, " I am not joking. You must take the boy. I do not wish to see him any more." And turning to Fooree Bauner, said to him, " I make you a present of the goods." This conversation about me was carried on in English. Fooree Bauner took up the goods and went away.

Cole left the place, and Edrizee kept me in the stocks during the night and next day, when some Soosoo people arrived from Mabelly. At night I was taken from the stocks by Edrizee, who had me conveyed to a canoe at the water side, when the Soosoo people took a woman out of the canoe and exchanged her for me with Edrizee. My wrists were handcuffed, and I was thrown into the canoe ; a rope was put round my neck, and I was tied close to the waist.

On our way to the beach I heard Edrizee say, in the Soosoo language, to the people of the canoe, that he would have kept me at Mabumbo if I had not known so much English fashion, and he was afraid I should run away from him.

I heard Cole tell Edrizee to give directions to the canoe people not to land at any factory, or allow any Sierra Leone people to see me.

On same night I was carried off, but as the wind and tide were against us we anchored. On next tide we proceeded on, and reached Tagrin Point, Bullom, where I was, with the other slaves, landed. We were sent off towards the town of Medina, and on our way I observed, at a short distance from me, a Sierra Leone man, called Elliott. I dared not shout or call out, but I made signs to him. He came up and said to me, " John, what is this ?" I told him that my master, Joe Cole, had sold me, and that I was to be carried off to the Soosoo country, with eight other slaves who were with me.

When the people who had me in charge heard Elliott speaking to me they drew their swords and arrows, threatening to injure us. One of the men told me that if I spoke to any person he would chop me in two ; that if I again talked English they would be sure to kill me, although they would lose what they paid for me.

Elliott then ran off to get the interference of one of the headmen. He soon returned with one of the chiefs, who remonstrated with the Soosoo men ; they would not pay any attention to him, but carried me away. Elliott accompanied us to Medina, and made report to the Chief Kallah Moodie, whose brother, Seerah Moodie, cut the rope from off my neck.

SIERRA LEONE.

On the next night Kallah Moodie sent for me, and told the Soosoo people, in my presence, "Take this good-for-nothing Timmanee." They then laid hold of, gagged, tied, and dragged me on the ground to the water-side. They lifted up and put me in the canoe, saying, that it would be as well to kill me at once, and so lose their money. They carried me off in the canoe; but, as the wind was unfavourable, they were obliged to put into a small town close to Leopard Island, where I was landed, and kept tied up to the rafters of a loft, until some messengers came from Kallah Moodie, saying that the Governor of Sierra Leone had written to demand my release. I was then given up by the Soosoo people to the messengers, who carried me to Medina, when I was handed over to Mr. Lawson, the Government interpreter. As I before stated, I was severely flogged, maimed in my body and legs, and otherwise injured by ill-treatment of Fooree Bauner, who said that he had done so by the order of Joseph Cole.

his  
(Signed) JOHN + CALLENDAR  
mark.

PATRICK ELLIOTT, on his oath, saith:—I am a waterman of this colony. On the 28th day of last month, February, I went over to Bullom to cut timbers for the repairs of my boat. A few days afterwards, when walking on the beach, I observed some Soosoo people who had in their possession several slaves. One of them, who had a rope round his neck, and carried a box on his head, made signs to me. On going close to him, I found that he was a Sierra Leone boy, called John Callender, whom I had often seen in Freetown.

Callender told me that Joseph Cole had sold him, and desired the Soosoo people to carry him away. I laid hold of the rope by which Callender was tied, and on doing so, some of the people pulled out their swords and threatened to cut me. I immediately ran to a chief or headman named Capra Selah, and begged him to follow me and prevent the Soosoo people from carrying off Callender. The same chief tried to release Callender, but the Soosoo people would not listen to him.

I followed them to the town of Medina, when I made known the circumstance to the Chief Kallah Moodie. I told him that Callender was a Queen's subject, and prayed him not to allow the Soosoo people to carry him into slavery.

Kallah Moodie replied to this, "Well, they are catching all the Mandingo people in Sierra Leone for slave dealing. Now this boy was sold by a Sierra Leone man, and I have nothing to do with it." I then said to him, "I followed the people to show you the boy Callender, so that when I make report, and the Governor sends for him, you might not say that you had not seen him."

Kallah Moodie's brother then stepped forward and said, "As you have brought the boy before my brother, he can't go further." He cut the rope from Callender's neck, and permitted him to walk about the yard.

I told Callender to make himself easy, and that I would inform the Governor of Sierra Leone of the matter. Two days afterwards I left Bullom, and on my arrival at Freetown gave information to the Governor, who, on next day, sent me, with the Government interpreter and others, to demand the release of Callender.

On returning to Kallah Moodie at Medina, he told us that the boy Callender had been carried off by the Soosoo men to their country; but after a short consultation with his people, who found that we were determined at once to return to the Governor, he sent messengers, who on next morning produced and handed over the boy to us, and we brought him to Sierra Leone, when he made complaint to the police magistrate of the injuries he had received.

his  
(Signed) PATRICK + ELLIOTT  
mark,

Sworn before me the day and year before mentioned, at Freetown aforesaid.

(Signed) ROBERT ARMSTRONG,  
Police Magistrate.

Encl. 4 in No. 12.

Enclosure 4 in No. 12.

Government House, Sierra Leone,  
March 10, 1853.

To CALLA MOODIE, Chief of Medina,

YOUR conduct in the case of John Callender, a native of this colony, is at variance with every principle of honour and good neighbourhood. I have given you repeated and earnest warnings relative to slave trading, and I fear that you have attributed them to weakness or inability to punish you when you must have felt conscious that you deserved it.

2. I now send to demand the surrender of Idrisee and Yeegan Sillimanee, the two culprits who purchased, flogged, and conveyed John Callender to your town with a rope round his neck. I will receive no excuse. You were desired to hold these men, and

**RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 27**

warned that I should require them at your hand. If these men are not delivered up you will accompany the officer whom I send, and explain your conduct to me here. If you refuse to do either they will fire your town.

**SIERRA LEONE**

3. While you encourage child and man stealing from this colony, and shelter ruffians who steal them, I will punish, and, if necessary, drive you from the British territory whereon you are settled. When you behave honourably, and as a good neighbour, you will find in this Government a firm friend.

(Signed) **A. E. KENNEDY,**  
Governor.

Enclosure 5 in No. 12.

Encl. 5 in No. 12.

H. M. S. "Linnet," Sierra Leone  
March 11, 1853.

SIR,

I HAVE the honour to inform you that Cally Mahdoo is on board the "Teazer."

I arrived off Medina in that vessel, commanded by Lieutenant Rich, at eight o'clock, landed with a strong party, and presented your letter to Cally Mahdoo, reading and explaining it carefully to him. After a brief interval, he declined complying with your demand, but promised to be at Sierra Leone on the morrow; but this promise was accompanied by an order to his followers to post themselves to the best advantage for resistance, and his manner was doubtful. At Lieutenant Rich's suggestion, the party were taken down to the boats, and the "Teazer" fired three or four shells over the place, and the pinnacle of the "Linnet" two. The party then entered into the town, and Cally Mahdoo was found submissive enough, but urged to be allowed to give his written promise to appear to-morrow, as going then would appear to his people like being forced.

I am happy to say no one was hurt by the shot, and without the alternative of burning the town, which would, of necessity, have entailed severe injury on the innocent. Cally Mahdoo has been properly humbled, and will, no doubt, in future, respect British power and British justice. I trust your wishes have been properly carried out.

I have, &c.  
(Signed) **HENRY REED,**  
Commander.

His Excellency A. E. Kennedy,  
&c. &c. &c.

Enclosure 6 in No. 12.

Encl. 6 in No. 12.

Government House, Sierra Leone,  
March 12, 1853.

SIR,

I HAVE the honour to acknowledge the receipt of your report of the 11th instant, detailing your proceedings at Medina in the Bullom territory. In doing so, I cannot refrain from expressing my thanks for the important service you have rendered to the Government of this colony, and I beg that you will accept for yourself, and convey to Lieutenant Rich, commanding Her Majesty's steamer "Teazer," and the officers and men who accompanied you, my acknowledgments for the temperate, firm, and successful manner in which the object of the expedition has been attained.

I have, &c.  
(Signed) **A. E. KENNEDY.**  
Governor.

Commander Reed, R. N.,  
Her Majesty's Sloop "Linnett."

No. 13.

No. 13.

COPY of a DESPATCH from Governor KENNEDY to his Grace the  
Duke of NEWCASTLE.

(No. 51.)

Government House, Sierra Leone,  
March 19, 1853.

MY LORD DUKE,

(Received April 14, 1853.)

HEREWITH I have the honour to transmit a letter from the Queen's Advocate of this colony.

2. The circumstances which drew it forth are shortly as follows.

3. A lad, named John Callendar resident in Sierra Leone from early infancy was taken up the river as a labourer by a man named Samuel Cole, a liberated African and trader, at a point a little beyond the colonial boundary; he was seized and sold by Samuel Cole to some Soosoo men, and carried northward across the river by a man named Yeegan Sullimane. I took steps to recover Callendar, and at the same time procured the surrender at Freetown of Samuel Cole and Yeegan Sullimane, both of whom, for the reasons stated by the Queen's Advocate, I was unable in the existing state of the law to proceed against.

SIERRA LEONE.

\* Page 23.

† Page 14.

4. The case of John Callendar is fully detailed in the depositions enclosed in my Despatch No. 50 of 15th March\*; and the state of the law as applicable to liberated Africans is fully described in my Despatch No. 147† of 2d December 1852.

5. I need not further advert to the embarrassment and pernicious results to be expected from the existing state of the law, than to state that, as it at present stands, a liberated African, as in the case of Samuel Cole, may reside, trade, and own property within the colony, and buy and sell slaves without the boundary of it with impunity.

I have, &amp;c.

(Signed) A. E. KENNEDY.

His Grace the Duke of Newcastle,  
&c. &c. &c.

Governor.

Encl. in No. 13.

Enclosure in No. 13.

SIR,

Freetown, March 18, 1853.

IN obedience to your Excellency's directions, communicated to me personally, I have the honour to report the leading circumstances connected with the charge of slave-dealing against Joseph Cole, a liberated African, resident in Freetown in this colony, with such observations upon the legal difficulties at present existing in the way of a prosecution for the same offence of any person similarly situated, as the case appears to me naturally to suggest.

From the depositions of the witnesses, taken before the police magistrate, I believe there is evidence clearly to establish the fact of Cole, the party accused, having sold in the Quiah country, as a slave, a boy of the name of Thomas Callender, who had previously been employed by him for a considerable time as boatman and servant in Freetown. The sale seems to have been attended with circumstances of considerable cruelty and hardship. But the offence having been committed out of the jurisdiction of the colony, and the law officers of the Crown in England having decided that liberated Africans resident in Sierra Leone are not British subjects, it was impossible to make Cole amenable to the statutes enacted for the suppression of the slave trade, applying only under such circumstances to British subjects, and therefore all idea of a prosecution under them had to be abandoned.

By a treaty entered into, however, on the 26th of August 1852, with the Government of Sierra Leone by the chief of the Bullom country, into which the boy Callender had been carried away, after having been purchased from Cole, the following stipulation is made "for the surrender of criminals, being British subjects or liberated Africans, or others, residents or inhabitants of Sierra Leone, guilty of any crime or offence cognizable by the laws of England, for the purpose of being tried for such offences in such British colony as the Queen of England may think fit to appoint." This provision has been introduced in conformity with the directions of the Secretary of State, it having been apparently the intention to found upon it, and similar clauses in other treaties with native chiefs in connexion with the Foreign Jurisdiction Act, the 6th & 7th Vict. c. 94., an Order in Council, analogous to that framed for the Gold Coast, of the 3d of September 1844, regulating the manner in which the jurisdiction thus granted was to be exercised at Sierra Leone.

No Order in Council of this nature has, I understand, yet been passed, having reference to Sierra Leone.

The evidence was not, however, sufficiently strong to implicate Cole in that part of the transaction that took place in the Bullom country, and he could not, therefore, have been brought within the provision of the treaty in question, even if a mode existed of carrying it out.

The efforts of your Excellency, which have been attended with such marked success, in recovering from different parts of the native country the numerous victims of the system of slave-dealing in Sierra Leone, of which you have been the first to discover the existence, and to institute the active measures that led to its exposure, have already produced a salutary effect. Your Excellency deemed, I believe wisely, that a state of things that reflected so discreditably upon this colony could not too early be checked, and that the risk (sufficiently obvious in a mixed population) of witnesses being tampered with, or evidence altogether withheld, could only be properly met by the prompt investigation afforded by a special commission; the result of which, while it presents a subject of regret from the wide-spread evil which it discloses, may at least deter those concerned in such offences, by convincing them that the law will be vigorously put in force whenever their guilt is established.

The beneficial influence may be seen in reference to the particular case in question, of the exertions which your Excellency has also made to induce the chiefs to refrain from giving their support to the slave trade, and your fortunately having been thus enabled to assemble so many of them in the colony, who had been previously hostile to

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 29

each other, and having the opportunity of testing the sincerity of their professions, by requiring them to deliver up those engaged in this traffic, whenever they could be punished. SIERRA LEONE.

A subordinate chief of Bullom, led by the determination evinced to protect the inhabitants of the colony from being kidnapped and sold as slaves, sent down one of the natives concerned in the offence of carrying away Callender through a portion of the Bullom country.

The treaty before referred to having confirmed the cession to Her Majesty which had been previously made of a quarter of a mile inland on the Bullom shore, it became a question whether this man could not be tried as for an offence committed upon British territory. Possession, however, never having been taken under this treaty, no more than under the former one of the 29th of November 1847, by which the sovereignty of this portion of the opposite shore was originally ceded, it could only by a very forced construction be considered as a British territory subject to the jurisdiction of British law. The laws of a conquered or ceded country remain in force until they are changed by competent authority. It is true the Charter provides that all possessions on the west coast of Africa that should at any time after its date, between certain degrees of latitude, belong to Her Majesty, should be annexed to, and made dependencies on, Sierra Leone, and made subject to all laws in force in the colony. (This provision has, however, been modified to some extent by the separation of Cape Coast and the Gambia from the colony.)

But the territory in question never having been claimed by the colonial authorities subsequent to the treaties, it could only be considered as subject to the British Government de jure, and not de facto; and the inhabitants never having been received into the protection of the British Government, and not having that character which, according to a great authority, Lord Mansfield, would give them a claim to be considered as subjects, could not be held to be amenable to British law.

For these reasons I did not conceive I should be justified in commencing a prosecution against the Mandingo native surrendered from Bullom.

I regret extremely that both in this case and in that of Cole there should be a failure of justice, and especially that in the latter, a resident of Sierra Leone, who has himself been redeemed from slavery by the protection of the British Government, should be enabled on the opposite bank of the river, within sight of the principal town of the colony, to carry on the slave trade with perfect impunity.

His Excellency A. E. Kennedy,  
&c. &c. &c.

I have, &c.  
(Signed) J. M. O'NEILL,  
Queen's Advocate.

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SIERRA LEONE.

## Despatches from the Secretary of State.

THE RIGHT HON. SIR JOHN S. PAKINGTON.

No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. Sir JOHN S. PAKINGTON to  
Governor MACDONALD.

(No. 1.)

SIR,

Downing Street, February 28, 1852.

\* Page 6.

I HAVE to acknowledge your Despatch, No. 183\*, of the 25th November last, in which you represent the difficulties which must in your opinion arise from the views entertained by some authorities in Sierra Leone, and confirmed by the law advisers of the Crown, that liberated Africans resident in Sierra Leone are not British subjects, and consequently not included in any treaty entered or to be entered into by independent chiefs in the vicinity of Sierra Leone for the delivery of "British subjects" guilty of offences cognizable by the laws of England for the purpose of trial within the colony.

2. I fully appreciate the importance of the question there raised, but believe the difficulty in question to be removable without resort being had to legislative measures. The Act of the 6th and 7th Will. IV. c. 94., which confirms to the Crown jurisdiction acquired by usage or treaty over parties guilty of offences out of Her own dominions, does not apply either in language or in intention to British subjects only. On the contrary, at the Gold Coast, where some of its provisions have been put in practice, the jurisdiction which it gives is exercised over persons not British subjects, but natives of neighbouring territories, whose chiefs are under British protection; and you will observe that in neither of the Orders in Council of 3d September 1844 or 13th July 1850 are "British subjects" mentioned as such.

3. When, however, you were directed by my predecessor's Despatch of 24th July 1850 to make treaties with neighbouring chiefs for the delivery of offenders, your attention was naturally drawn to the case of British subjects only, because the particular object in view was the trial and punishment of British subjects or those regarded as such, the circumstance that liberated Africans were not really British subjects not having been at all adverted to.

4. But the treaties would have been equally valid, and the jurisdiction given by the Act would have equally attached, if they had been more generally worded, and had extended to others besides British subjects.

5. I annex a letter which has been received from the law advisers of the Crown, to whom my predecessor had referred the question, which makes this point clear.

9. All that is necessary, therefore, is that you should so word the treaties as to comprehend liberated Africans. The words might be either "criminals being British subjects or liberated Africans," or "British subjects or others residents in Sierra Leone," as you may deem advisable.

7. I regret the inconvenience which this may occasion, being aware of the difficulties which may possibly occur as to the renewal of negotiations with native chiefs; but it appears necessary for the accomplishment of your purpose, and I have therefore delayed advising Her Majesty to confirm your treaties with Bey Ingar, Sattan Lahai, and Bey Farrina, transmitted with your Despatch, No. 7, of the 4th ult., until you are able to reconsider them, with a view to this alteration, if you find it practicable. The treaty with Fouricarie would likewise require revision.

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 31

8. I am aware that other difficulties besides that supposed to have arisen under the 6th and 7th Will. IV. c. 94. may possibly occur from the circumstance that liberated Africans are not British subjects. For these it may become, at some future time, expedient to provide in some general way. You will, however, remember, in the meantime, that the Legislature of Sierra Leone has power to naturalize these persons, and thereby to entitle them to all the privileges and protection due to born subjects of the Crown in Sierra Leone, and that I see no objection to encouraging individuals of proper character to avail themselves of this opportunity to the fullest extent.

I have, &c.

Governor Macdonald,  
&c. &c.

(Signed) JOHN S. PAKINGTON.

SIERRA LEONE.

No. 2.

No. 2.

EXTRACT of a DESPATCH from the Right Hon. Sir JOHN S. PAKINGTON Bart. to Governor KENNEDY.

(No. 3.)

Downing Street, September 28, 1852.

I HAVE received, and laid before the Queen, the Ordinance No. 6 of 1852, enclosed in your predecessor's Despatch of the 14th of June last, No. 81\*, passed by the Legislature of Sierra Leone on the 8th of that month, and intituled "An Ordinance to secure and confer upon liberated Africans the civil and political rights of natural-born British subjects."

\* Page 7.

I have received the Queen's commands to acquaint you that Her Majesty has been pleased to disallow this Ordinance.

\* \* \* \* \*

Before recourse is had to Parliament to obtain the object which the local Ordinance has failed to effect, I should wish to be informed whether you concur in the opinion expressed by your predecessor as to the difficulties to be anticipated from any attempt to alter the existing treaties with the native chiefs, with a view to extend their provisions to the liberated Africans in the manner proposed in my Despatch No. 1†, of 28th of February last.

† Page 30.

I fully recognize the strength of those objections, and have no wish whatever that you should incur the difficulties of fresh negotiation, against your better judgment. I merely leave the question open for your further consideration, in case any fresh light may have been thrown on it since the date of Governor Macdonald's Despatch of 14th June last.

DESPATCHES FROM THE DUKE OF NEWCASTLE.

No. 3.

No. 3.

COPY of a DESPATCH from the Duke of NEWCASTLE to Governor KENNEDY.

(No. 5.)

Downing Street, January 22, 1853.

SIR, I HAVE received your Despatch of the 23d ultimo, No. 160\*, and I approve of your exertions in putting a stop to the slave dealing which was carried on by certain of the Mandingo tribe residing in Freetown.

Page 16.

Governor Kennedy,  
Sierra Leone.

I am, &c.

(Signed) NEWCASTLE.



SIERRA LEONE.

No. 4.

No. 4.

COPY of a DESPATCH from the Duke of NEWCASTLE to Governor KENNEDY.

(No. 29.)

SIR,

Downing Street, March 17, 1853.

\* Page 19.

I HAVE received your Despatch, No. 33\*, of the 16th February, and I have to signify to you my approval of your having exercised the power vested in you by the Charter of Justice of Sierra Leone in summoning a special commission for trial of the persons who have been committed on a charge of slave dealing in the colony.

Governor Kennedy,  
Sierra Leone.

I have, &c.  
(Ssgned) NEWCASTLE.

No. 5.

No. 5.

COPY of a DESPATCH from the Duke of NEWCASTLE to Governor KENNEDY.

(No. 32.)

SIR,

Downing Street, March 22, 1853.

\*Page 17.

I HAVE received your Despatch, No. 29\*, of the 7th February, reporting that you had succeeded in rescuing several African children who had been carried out of the colony of Sierra Leone, and sold as slaves in neighbouring states, and that you have reason to fear that there are traders within the colony laying claim to respectability, who are not only cognizant of this traffic, but likewise abet it by supplying the dealers in it with goods on credit.

I approve of the prompt measures which you adopted for putting an end to so flagrant an abuse; and I trust that you will be able to relieve the colony from the disgrace of being a place where the slave trade can be carried on.

This object should be effected rather by strict watchfulness to prevent persons being kidnapped in the colony, and by the summary punishment of all parties in any way connected with or abetting so disgraceful a traffic, than by military expeditions against the neighbouring chiefs who detain the persons sold to them as slaves; for if, instead of preventing the sale of them from the colonial territory, it is sought to inflict punishment on the purchasers who receive them out of the colony, the native chiefs will naturally doubt our power to check the evil, or our sincerity in endeavouring to do so.

I have recommended to the Secretary of State for Foreign Affairs your proposal that a sum of 50*l.* should be placed at your disposal to enable you to reward those who may assist you in detecting the guilty.

Governor Kennedy,  
Sierra Leone.

I have, &c.  
(Signed) NEWCASTLE.

No. 6.

No. 6.

COPY of a DESPATCH from the Duke of NEWCASTLE to Governor KENNEDY.

(No. 35.)

SIR,

Downing Street, March 30, 1853.

\* Page 17.

I HAVE received your Despatch of the 6th of January last, No. 15\*, and I approve of the payment of the reward of 20*l.* which you have recommended should be made to the Mahomedan Mandingo "Mahmadoo Yellie," on whose evidence two Mandingoes had been brought to trial, and convicted of slave dealing within the colony of Sierra Leone; and I have to acquaint you that this sum will be charged to the Parliamentary grant for expenses connected with the liberated Africans.

Governor Kennedy,  
Sierra Leone.

I have, &c.  
(Signed) NEWCASTLE.

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 33

No. 7.

SIERRA LEONE.

No. 7.

COPY of a DESPATCH from the Duke of NEWCASTLE to GOVERNOR KENNEDY.  
(No. 36.)

SIR, Downing Street, April 4, 1853.  
WITH reference to the last paragraph of my Despatch of the 22d ultimo, No. 32\*, respecting your proposal that the sum of 50*l.* should be placed at your disposal to enable you to remunerate those persons through whose information you might rescue from slavery the children abducted from the colony of Sierra Leone, and sold in the neighbouring native states, I have to acquaint you, that it appears from a communication received on this subject from the Foreign Office that no expenditure of this nature can properly be charged to the account of the Mixed Commission Courts established at Sierra Leone under treaties between Great Britain and foreign powers for the suppression of the slave trade; any expense, therefore, which may be required to put an effectual check to the abduction of children from the colony must be defrayed from the local revenue.

\* Page 32.

Governor Kennedy,  
Sierra Leone.

I have, &c.  
(Signed) NEWCASTLE.

No. 8.

No. 8.

COPY of a DESPATCH from the Duke of NEWCASTLE to GOVERNOR KENNEDY.  
(No. 45.)

SIR, Downing Street, April 27, 1853.  
I HAVE received your Despatch of the 13th ultimo, No. 48\*, transmitting the copy of the kalendar of prisoners tried before the special sessions at Sierra Leone on the charge of slave dealing, together with copy of the Chief Justice's notes on the several trials.

\* Page 19.

I have already conveyed to you, in my Despatches of the 17th and 22d ultimo, Nos. 29† and 32†, my entire approval of the appointment of a special commission for the trial of these cases, and of your exertions in putting down this illicit traffic; and while expressing my regret that such a disgraceful branch of this traffic as the minutes of evidence reveal should have been carried on within the colony of Sierra Leone, I can only repeat my approval of your measures for suppressing it, and to request that you will convey to the Queen's Advocate and the police magistrate my acknowledgment of their services on this occasion.

† Page 32.

Governor Kennedy,  
Sierra Leone.

I have, &c.  
(Signed) NEWCASTLE.

No. 9.

No. 9.

COPY of a DESPATCH from the Duke of NEWCASTLE to GOVERNOR KENNEDY.  
(No. 48.)

SIR, Downing Street, April 30, 1853.  
I HAVE received your Despatch of the 15th ultimo, No. 50\*, and I have to express my approval of the proceedings which you adopted for the release of the British subject John Callender, who had been seized, and sold as a slave in the town of Medina, and of the measures you have taken with the Chief Cally Mahdoo for the extinction of slave dealing within his dominions.

\* Page 23.

Governor Kennedy,  
Sierra Leone.

I have, &c.  
(Signed) NEWCASTLE.

SIERRA LEONE.

No. 10.

No. 10.

COPY of a DESPATCH from the Duke of NEWCASTLE to GOVERNOR KENNEDY.  
(No. 50.)

SIR,

Downing Street, May 10, 1853.

\* Page 21.

3 May 1851.

WITH reference to part of your Despatch of the 14th of March last, No. 49\*, bringing to my notice the inefficient manner in which the duties of the Superintendent of the Freetown Police have been performed by Mr. Alexander Walker, I transmit herewith the copy of a letter received from Mr. Macdonald, your predecessor, in reply to a reference which I caused to be made to him respecting Mr. Walker's appointment to that office.

It was my intention to have apprized Mr. Walker that in the event of his returning to Sierra Leone an investigation would necessarily take place before the Council of your Government into his official conduct; but as I understand that he has already proceeded to resume the duties of his post, although his leave of absence from the colony has not yet expired, I have no alternative but to instruct you to cause the necessary investigation into his alleged misconduct to take place.

Governor Kennedy.

I have, &c.  
(Signed) NEWCASTLE.

Encl. in No. 10.

Enclosure in No. 10.

26, Blenheim Road, Saint John's Wood,  
May 3, 1853.

SIR,

I BEG to acknowledge your letter of the 29th ultimo, requesting me to state, for the information of the Duke of Newcastle, the reasons which led me to select Mr. Alexander Walker for the office of Superintendent of Freetown Police at Sierra Leone, since his appointment does not appear to have been reported to the Colonial Office at the time it was made.

I can only account for Mr. Walker's appointment not having been reported to the Colonial Minister either by its having accidentally escaped my memory to do so, or that it came within that class of appointments which are not required by the colonial regulations to be reported.

I fancy, however, that if no specific report of his appointment was made his nomination to the office in question will be found recorded either in the Despatch which accompanied the general estimates and civil list ordinance for the years 1850-51, or in the transcripts of the proceedings of the Council for that period transmitted to the Colonial Office.

The grounds which led to Mr. Walker's appointment are simply these:—

After long experience, it was found that the Freetown police force under officers (particularly chief ones) selected from their own class was not only inefficient, but that there was no hope of their being rendered an effective force unless they could be placed under the orders and superintendence of a European.

The Council having unanimously agreed to the remodelling of the police staff, so as to ensure the services of a European superintendent of police, and an inspector, the former office was conferred by me, in the first instance, upon a European of the name of Stanley, who had served on board one of Her Majesty's cruisers employed on the coast.

His health, however, broke down so completely under the severity of the duty, and the constant and necessary exposure night and day to the climate, that I placed him in the situation of gaoler of Freetown; from which office, I regret to say, I was subsequently compelled to remove him on account of drunkenness.

I then selected Mr. Walker provisionally for the vacant office of superintendent of police, in consequence of his having been long enough in the climate to become sufficiently acclimated; in consequence also of his being young and active, and intelligent; and, finally, owing to his being the only European who would then accept the office, indeed, the only one available, as being unoccupied, for the situation.

His appointment met with the full concurrence of the Council; and for some time after his entering upon his duties I had no reason whatever to be dissatisfied with the manner in which they were performed. On the contrary, he was diligent, active, and zealous; and it cannot be denied that under him the police force became far more efficient than they had ever previously been.

Latterly, however, I regret to be obliged to say, I had reason not to be so well satisfied with Mr. Walker; and I was compelled, on more than one occasion, to draw his attention officially (besides personally lecturing him myself) to the inefficient manner in which it appeared to me his duties were performed. And it may have happened, had I continued in the government of the colony, that his removal from office would have been forced upon me as a matter of necessity.

## RIGHTS OF LIBERATED AFRICANS AT SIERRA LEONE. 35

As, however, I was on the eve of my departure from the colony, and my successor was daily expected, and as also Mr. Walker's health had seriously suffered, by exposure to the climate in all seasons, in the performance of his duties, I was loth to proceed to extremities with him, in the hope that the official rebukes he had received would have the effect, on his return to his duty, of convincing him of the necessity of exercising greater diligence and zeal in the performance of duties which it must be admitted are most trying and harrassing for a European, particularly in such a climate, and with such materials to deal with.

Frederick Peel, Esq., M.P.

I am, &c.  
(Signed) NORMAN MACDONALD.

SIERRA LEONE.

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No. 11.

No. 11.

COPY of a DESPATCH from the Duke of NEWCASTLE to GOVERNOR KENNEDY.  
(No. 57.)

Downing Street, May 26, 1853.

SIR,

WITH reference to your Despatch of the 14th March last, No. 49\*, I have to acquaint you that I approve of your proposal to appoint an efficient harbour master at Sierra Leone, at a salary of 250*l.* per annum, with a boat's crew consisting of two Europeans and six Kroomen, to be employed in the suppression of slave dealing and smuggling. I have therefore to request that you will furnish me with the particulars of the services and emoluments of Mr. McFoy, the present harbour master, whom you state to have become unfit for the duties of his situation, in order that he may be placed upon the retired list, should his services give him a claim to a retired allowance.

\* Page 21.

There can be no doubt that the police force of Freetown should not continue to be numerically inadequate to the preservation of public order. It is, however, of even more importance that its inefficiency from defective superintendence should be put a stop to; and a mere increase of numbers, unaccompanied with provisions for an improved discipline, would lead to no other result than a waste of the public money. Until, therefore, you report to me that the duties of superintendent are committed to an officer qualified for their discharge, I do not think it advisable to sanction any addition being made to the numbers of the force.

I have, &c.  
(Signed) NEWCASTLE.

Governor Kennedy.

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L O N D O N :

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